

118TH CONGRESS
1ST SESSION

H. R. 4494

To promote election integrity, voter confidence, and faith in elections by removing Federal impediments to, providing State tools for, and establishing voluntary considerations to support effective State administration of Federal elections and improving election administration in the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 6, 2023

Ms. LEE of Florida introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on the Judiciary, Oversight and Accountability, Science, Space, and Technology, Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote election integrity, voter confidence, and faith in elections by removing Federal impediments to, providing State tools for, and establishing voluntary considerations to support effective State administration of Federal elections and improving election administration in the District of Columbia, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ensuring Faith in Our
3 Elections Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

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

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—FINDINGS RELATING TO ELECTION ADMINISTRATION

Sec. 101. Findings Relating to Election Administration.

TITLE II—VOLUNTARY CONSIDERATIONS FOR STATE
ADMINISTRATION OF FEDERAL ELECTIONS

Sec. 111. Short title.

Sec. 112. Election integrity voluntary considerations.

TITLE III—REQUIREMENTS TO PROMOTE INTEGRITY IN
ELECTION ADMINISTRATION

Sec. 121. Ensuring only eligible American citizens may participate in Federal elections.

Sec. 122. State reporting requirements with respect to voter list maintenance.

Sec. 123. Contents of State mail voter registration form.

Sec. 124. Provision of photographic citizen voter identification tools for State use.

Sec. 125. Confirming access for Congressional election observers.

Sec. 126. Use of requirements payments for post-election audits.

Sec. 127. Certain tax benefits and simplification with respect to election workers.

Sec. 128. Voluntary guidelines with respect to nonvoting election technology.

Sec. 129. Status reports by National Institute of Standards and Technology.

Sec. 130. Requirements with respect to election mail.

Sec. 131. Clarification of right of State to appeal decisions through duly authorized representative.

Sec. 132. Federal agency involvement in voter registration activities.

Sec. 133. Prohibition on use of Federal funds for election administration in States that permit ballot harvesting.

Sec. 134. Clarification with respect to Federal election record-keeping requirement.

Sec. 135. Clarification of rules with respect to hiring of election workers.

Sec. 136. United States Postal Service coordination with States to ensure mailing addresses.

Sec. 137. State defined.

TITLE IV—DISTRICT OF COLUMBIA ELECTION INTEGRITY AND
VOTER CONFIDENCE

Sec. 141. Short title.

Sec. 142. Requirements for elections in District of Columbia.

Sec. 143. Effective date.

TITLE V—ADMINISTRATION OF THE ELECTION ASSISTANCE
COMMISSION

Sec. 151. Short title.

Sec. 152. Findings relating to the administration of the Election Assistance Commission.

Sec. 153. Requirements with respect to staff and funding of the Election Assistance Commission.

Sec. 154. General requirements for payments made by Election Assistance Commission.

Sec. 155. Executive Board of the Standards Board authority to enter into contracts.

Sec. 156. Election Assistance Commission primary role in election administration.

TITLE VI—PROHIBITION ON INVOLVEMENT IN ELECTIONS BY
FOREIGN NATIONALS

Sec. 161. Prohibition on contributions and donations by foreign nationals in connection with ballot initiatives and referenda.

Sec. 162. Prohibiting providing assistance to foreign nationals in making contributions or donations in connection with elections.

TITLE VII—CONSTITUTIONAL EXPERTS PANEL WITH RESPECT
TO PRESIDENTIAL ELECTIONS

Sec. 171. Short title.

Sec. 172. Establishment of panel of constitutional experts.

1 **TITLE I—FINDINGS RELATING**
2 **TO ELECTION ADMINISTRATION**
3 **SEC. 101. FINDINGS RELATING TO ELECTION ADMINISTRA-**
4 **TION.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that constitutional scholar Robert Natelson has done
7 invaluable work with respect to the history and under-
8 standing of the Elections Clause.

9 (b) FINDINGS.—Congress finds the following:

10 (1) The Constitution reserves to the States the
11 primary authority to set election legislation and ad-
12 minister elections—the “times, places, and manner

1 of holding of elections”—and Congress’ power in
2 this space is purely secondary to the States’ power
3 and is to be employed only in the direst of cir-
4 cumstances. History, precedent, the Framers’ words,
5 debates concerning ratification, the Supreme Court,
6 and the Constitution itself make it exceedingly clear
7 that Congress’ power over elections is not unfet-
8 tered.

9 (2) The Framing Generation grappled with the
10 failure of the Articles of Confederation, which pro-
11 vided for only a weak national government incapable
12 of preserving the Union. Under the Articles, the
13 States had exclusive authority over Federal elections
14 held within their territory; but, given the difficulties
15 the national government had experienced with State
16 cooperation (e.g., the failure of Rhode Island to send
17 delegates to the Confederation Congress), the Fed-
18 eralists, including Alexander Hamilton, were con-
19 cerned with the possibility that the States, in an ef-
20 fort to destroy the Federal Government, simply
21 might not hold elections or that an emergency, such
22 as an invasion or insurrection, might prevent the op-
23 eration of a State’s government, leaving the Con-
24 gress without Members and the Federal Government
25 unable to respond.

1 (3) Quite plainly, Alexander Hamilton, a lead-
2 ing Federalist and proponent of our Constitution,
3 understood the Elections Clause as serving only as
4 a sort of emergency fail-safe, not as a cudgel used
5 to nationalize our elections process. Writing as
6 Publius to the people of New York, Hamilton fur-
7 ther expounds on the correct understanding of the
8 Elections Clause: “T[he] natural order of the subject
9 leads us to consider, in this place, that provision of
10 the Constitution which authorizes the national legis-
11 lature to regulate, in the last resort, the election of
12 its own members.”. Alexander Hamilton (writing as
13 Publius), Federalist no. 59, Concerning the Power of
14 Congress to Regulate the Election of Members, N.Y.
15 PACKET (Fri., Feb. 22, 1788).

16 (4) When questioned at the States’ constitu-
17 tional ratifying conventions with respect to this pro-
18 vision, the Federalists confirmed this understanding
19 of a constitutionally limited, secondary congressional
20 power under article 1, section 4. (“[C]onvention del-
21 egate James McHenry added that the risk to the
22 Federal Government [without a fail-safe provision]
23 might not arise from state malice: An insurrection
24 or rebellion might prevent a state legislature from
25 administering an election.”); (“An occasion may

1 arise when the exercise of this ultimate power of
2 Congress may be necessary . . . if a State should be
3 involved in war, and its legislature could not assem-
4 ble, (as was the case of South Carolina and occa-
5 sionally of some other States, during the [Revolu-
6 tionary] war).”); (“Sir, let it be remembered that
7 this power can only operate in a case of necessity,
8 after the factious or listless disposition of a par-
9 ticular state has rendered an interference essential
10 to the salvation of the general government.”). See
11 Robert G. Natelson, *The Original Scope of the Con-*
12 *gressional Power to Regulate Elections*, 13 U. PA.
13 *J. CONST. L.* 1, 12–13 (Nov. 2010).

14 (5) John Jay made similar claims in New York.
15 And, as constitutional scholar Robert Natelson notes
16 in his invaluable article, *The Original Scope of the*
17 *Congressional Power to Regulate Elections*, “Alex-
18 ander Contee Hanson, a member of Congress whose
19 pamphlet supporting the Constitution proved pop-
20 ular, stated flatly that Congress would exercise its
21 times, places, and manner authority only in cases of
22 invasion, legislative neglect or obstinate refusal to
23 pass election laws [providing for the election of
24 Members of Congress], or if a state crafted its elec-
25 tion laws with a ‘sinister purpose’ or to injure the

1 general government.” Cementing his point, Hanson
2 goes further to decree, “The exercise of this power
3 must at all times be so very invidious, that congress
4 will not venture upon it without some very cogent
5 and substantial reason.”. Alexander Contee Hanson
6 (writing as Astrides), Remarks on the Proposed
7 Plan: 31 January, reprinted in John P. Kaminski,
8 Gaspare J. Saladino, and Richard Leffler (eds.), 3
9 Commentaries on the Constitution, public and pri-
10 vate 18 December 1787 to 31 January 1788 522–
11 26 (1984).

12 (6) In fact, had the alternate view of the Elec-
13 tions Clause been accepted at the time of the Con-
14 stitution’s drafting—that is, that it offers Congress
15 unfettered power over Federal elections—it is likely
16 that the Constitution would not have been ratified or
17 that an amendment to this language would have
18 been required.

19 (7) Indeed, at least seven of the original 13
20 States—over half and enough to prevent the Con-
21 stitution from being ratified—expressed specific con-
22 cerns with the language of the Elections Clause. See
23 1 Annals of Cong. 799 (1789), Joseph Gales (ed.)
24 (1834). However, “[l]eading Federalists . . .” as-
25 sured them “. . . that, even without amendment,

1 the [Elections] Clause should be construed as lim-
2 ited to emergencies”. Three States, New York,
3 North Carolina, and Rhode Island, specifically made
4 their ratification contingent on this understanding
5 being made express. Ratification of the Constitution
6 by the State of New York (July 26, 1788) (“Under
7 these impressions and declaring that the rights
8 aforesaid cannot be abridged or violated, and the
9 Explanations aforesaid are consistent with the said
10 Constitution, And in confidence that the Amend-
11 ments which have been proposed to the said Con-
12 stitution will receive early and mature Consideration:
13 We the said Delegates, in the Name and in [sic] the
14 behalf of the People of the State of New York Do
15 by these presents Assent to and Ratify the said Con-
16 stitution. In full Confidence . . . that the Congress
17 will not make or alter any Regulation in this State
18 respecting the times places and manner of holding
19 Elections for Senators or Representatives unless the
20 Legislature of this State shall neglect or refuse to
21 make laws or regulations for the purpose, or from
22 any circumstance be incapable of making the same,
23 and that in those cases such power will only be exer-
24 cised until the Legislature of this State shall make
25 provision in the Premises”); Ratification of the Con-

1 stitution by the State of North Carolina (Nov. 21,
2 1789) (“That Congress shall not alter, modify, or
3 interfere in the times, places, or manner of holding
4 elections for senators and representatives, or either
5 of them, except when the legislature of any State
6 shall neglect, refuse or be disabled by invasion or re-
7 bellion, to prescribe the same.”); Ratification of the
8 Constitution by the State of Rhode Island (May 29,
9 1790) (“Under these impressions, and declaring,
10 that the rights aforesaid cannot be abridged or vio-
11 lated, and that the explanations aforesaid, are con-
12 sistent with the said constitution, and in confidence
13 that the amendments hereafter mentioned, will re-
14 ceive an early and mature consideration, and con-
15 formably to the fifth article of said constitution,
16 speedily become a part thereof; We the said dele-
17 gates, in the name, and in [sic] the behalf of the
18 People, of the State of Rhode-Island and Provi-
19 dence-Plantations, do by these Presents, assent to,
20 and ratify the said Constitution. In full confidence
21 . . . That the Congress will not make or alter any
22 regulation in this State, respecting the times, places
23 and manner of holding elections for senators and
24 representatives, unless the legislature of this State
25 shall neglect, or refuse to make laws or regulations

1 for the purpose, or from any circumstance be in-
2 capable of making the same; and that [i]n those
3 cases, such power will only be exercised, until the
4 legislature of this State shall make provision in the
5 Premises[.]’”).

6 (8) Congress finds that the Framers designed
7 and the ratifying States understood the Elections
8 Clause to serve solely as a protective backstop to en-
9 sure the preservation of the Federal Government,
10 not as a font of limitless power for Congress to
11 wrest control of Federal elections from the States.

12 (9) This understanding was also reinforced by
13 debate during the First Congress that convened
14 under the Constitution where Representative
15 Aedanus Burke proposed a constitutional amend-
16 ment to limit the Times, Places and Manner Clause
17 to emergencies. Although the amendment failed,
18 those on both sides of the Burke amendment debate
19 already understood the Elections Clause to limit
20 Federal elections power to emergencies.

21 (10) History clearly shows that even in the first
22 Congress that convened under the Constitution, it
23 was acknowledged and understood through the de-
24 bates that ensued over the Elections Clause provi-
25 sion that Congress’ control over elections is limited.

1 (11) Similarly, proponent Representative Smith
2 of South Carolina also believed the original text of
3 the Elections Clause already limited the Federal
4 Government’s power over Federal elections to emer-
5 gencies and so thought there would be no harm in
6 supporting an amendment to make that language ex-
7 press. Annals of Congress 801 (1789) Joseph Gales
8 Edition. A Century of Lawmaking for a New Na-
9 tion: U.S. Congressional Documents and Debates,
10 1774–1875 (loc.gov). So, even the records of the
11 First Congress reflect a recognition of the emer-
12 gency nature of congressional power over Federal
13 elections.

14 (12) Similarly, the Supreme Court has sup-
15 ported this understanding. In *Smiley v. Holm*, the
16 Court held that Article 1, Section 4 of the Constitu-
17 tion reserved to the States the primary “. . . au-
18 thority to provide a complete code for congressional
19 elections, not only as to times and places, but in re-
20 lation to notices, registration, supervision of voting,
21 protection of voters, prevention of fraud and corrupt
22 practices, counting of votes, duties of inspectors and
23 canvassers, and making and publication of election
24 returns; in short, to enact the numerous require-
25 ments as to procedure and safeguards which experi-

1 ence shows are necessary in order to enforce the
2 fundamental right involved. And these requirements
3 would be nugatory if they did not have appropriate
4 sanctions in the definition of offenses and punish-
5 ments. All this is comprised in the subject of ‘times,
6 places and manner of holding elections’, and involves
7 lawmaking in its essential features and most impor-
8 tant aspect.”. *Smiley v. Holm*, 285 U.S. 355, 366
9 (1932).

10 (13) This holding is consistent with the under-
11 standing of the Elections Clause since the framing
12 of the Constitution. The *Smiley* Court also held that
13 while Congress maintains the authority to “. . . sup-
14 plement these State regulations or [to] substitute its
15 own[]”, such authority remains merely “a general
16 supervisory power over the whole subject.”. *Id.*

17 (14) More recently, the Court noted in *Arizona*
18 *v. Inter-Tribal Council of Ariz., Inc.* that “[t]his
19 grant of congressional power [that is, the fail-safe
20 provision in the Elections Clause] was the Framers’
21 insurance against the possibility that a State would
22 refuse to provide for the election of representatives
23 to the Federal Congress.”. *Arizona v. Inter-Tribal*
24 *Council of Arizona, Inc.*, 570 U.S. 1, 7–9 (2013).
25 The Court explained that the Elections Clause “. . .

1 imposes [upon the States] the duty . . . to prescribe
2 the time, place, and manner of electing Representa-
3 tives and Senators[.]”. Id. at 8. And, while, as the
4 Court noted, “[t]he power of Congress over the
5 ‘Times, Places, and Manner’ of congressional elec-
6 tions is paramount, and may be exercised at any
7 time, and to any extent which it deems expedient;
8 and so far as it is exercised, and no farther, the reg-
9 ulations effected supersede those of the State which
10 are inconsistent therewith[.]”, Id. at 9, the Inter-
11 Tribal Court explained, quoting extensively from the
12 Federalist no. 59, that it was clear that the congress-
13 sional fail-safe included in the Elections Clause was
14 intended for the sorts of governmental self-preserva-
15 tion discussed here: “[E]very government ought to
16 contain in itself the means of its own
17 preservation[.]”; “[A]n exclusive power of regulating
18 elections for the national government, in the hands
19 of the State legislatures, would leave the existence of
20 the Union entirely at their mercy. They could at any
21 moment annihilate it by neglecting to provide for the
22 choice of persons to administer its affairs.”. Id. at
23 8.

24 (15) It is clear in every respect that the con-
25 gressional fail-safe described in the Elections Clause

1 vests purely secondary authority over Federal elec-
2 tions in the Federal legislative branch and that the
3 primary authority rests with the States. Congres-
4 sional authority is intended to be, and as a matter
5 of constitutional fact is, limited to addressing the
6 worst imaginable issues, such as invasion or other
7 matters that might lead to a State not electing rep-
8 resentatives to constitute the two Houses of Con-
9 gress. Congress' authority has never extended to the
10 day-to-day authority over the "Times, Places and
11 Manner of Election" that the Constitution clearly re-
12 serves to the States.

13 (16) Congress must act within the bounds of its
14 constitutional authority when enacting legislation
15 concerning the administration of our nation's elec-
16 tions.

17 **TITLE II—VOLUNTARY CONSID-**
18 **ERATIONS FOR STATE ADMIN-**
19 **ISTRATION OF FEDERAL**
20 **ELECTIONS**

21 **SEC. 111. SHORT TITLE.**

22 This title may be cited as the "Voluntarily Offered
23 Tools for Election Reforms by States Act" or the "VOT-
24 ERS Act".

1 **SEC. 112. ELECTION INTEGRITY VOLUNTARY CONSIDER-**
2 **ATIONS.**

3 (a) IN GENERAL.—Subtitle C of title II of the Help
4 America Vote Act of 2002 (52 U.S.C. 20981 et seq.) is
5 amended—

6 (1) by redesignating section 247 as section 248;

7 and

8 (2) by inserting after section 246 the following
9 new section:

10 **“SEC. 247. RELEASE OF VOLUNTARY CONSIDERATIONS BY**
11 **STANDARDS BOARD WITH RESPECT TO ELEC-**
12 **TION ADMINISTRATION.**

13 “(a) IN GENERAL.—The Standards Board shall draw
14 from experiences in their home jurisdictions and informa-
15 tion voluntarily provided by and between States on what
16 has worked and not worked and release voluntary consid-
17 erations with respect to the administration of an election
18 for Federal office.

19 “(b) MATTERS TO CONSIDER.—In releasing the vol-
20 untary considerations under subsection (a), the Standards
21 Board shall examine and consolidate information provided
22 by States and release considerations with respect to each
23 of the following categories:

24 “(1) The process for the administration of bal-
25 lots delivered by mail, including—

1 “(A) deadlines for the return and receipt
2 of such ballots to the appropriate election offi-
3 cial;

4 “(B) the design of such ballots, including
5 the envelopes used to deliver the ballots;

6 “(C) the process for requesting and track-
7 ing the return of such ballots; and

8 “(D) the processing of such ballots upon
9 receipt by the appropriate election official, in-
10 cluding the schedule for counting the ballots
11 and the reporting of the unofficial results of
12 such counting.

13 “(2) The signature verification procedures used
14 to verify the identity of voters in an election, which
15 shall include an evaluation of human and machine
16 methods of signature verification, an assessment of
17 the training provided to individuals tasked to carry
18 out such verification procedures, and the proposal of
19 other less subjective methods of confirming the iden-
20 tity of a voter such as requiring the identification
21 number of a valid government-issued photo identi-
22 fication or the last four digits of the voter’s social
23 security number to be provided along with the vot-
24 er’s signature.

1 “(3) The processes used to carry out mainte-
2 nance of the official list of persons registered to vote
3 in each State.

4 “(4) Rules and requirements with respect to the
5 access provided to election observers.

6 “(5) The processes used to ensure the timely
7 and accurate reporting of the unofficial results of
8 ballot counting in each polling place in a State and
9 the reporting of the unofficial results of such count-
10 ing.

11 “(6) The methods used to recruit poll workers
12 and designate the location of polling places during a
13 pandemic, natural disaster, or other emergency.

14 “(7) The education of the public with respect to
15 the certification and testing of voting machines prior
16 to the use of such machines in an election for Fed-
17 eral office, including education with respect to how
18 such machines are tested for accuracy and logic.

19 “(8) The processes and procedures used to
20 carry out a post-election audit.

21 “(9) The processes and procedures used to en-
22 sure a secure chain of custody with respect to ballots
23 and election equipment.

24 “(c) RELEASE OF VOLUNTARY CONSIDERATIONS.—

1 “(1) DEADLINE FOR RELEASE.—Not later than
2 6 months after the date of the enactment of the
3 ACE Act, the Standards Board shall release vol-
4 untary considerations with respect to each of the
5 categories described in subsection (b).

6 “(2) TRANSMISSION AND NOTIFICATION RE-
7 QUIREMENTS.—Not later than 15 days after the
8 date the Standards Board releases voluntary consid-
9 erations with respect to a category described in sub-
10 section (b), the Commission shall—

11 “(A) transmit the considerations to the
12 chief State election official of each State and
13 the elected leadership of the legislature of each
14 State, including the elected leadership of any
15 committee of the legislature of a State with ju-
16 risdiction with respect to elections;

17 “(B) make the considerations available on
18 a publicly accessible Government website; and

19 “(C) notify and transmit the consider-
20 ations to the chair and ranking minority mem-
21 ber of the Committee on House Administration
22 of the House of Representatives and the chair
23 and ranking minority member of the Committee
24 on Rules and Administration of the Senate.

1 “(d) USE OF REQUIREMENTS PAYMENTS FOR IMPLE-
2 MENTATION OF VOLUNTARY CONSIDERATIONS.—A State
3 may use a requirements payment provided under this Act
4 to implement any of the voluntary considerations released
5 under subsection (a).

6 “(e) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion may be construed—

8 “(1) to require compliance with the voluntary
9 considerations released under subsection (a), includ-
10 ing as a condition of the receipt of Federal funds;
11 or

12 “(2) to treat the lack of compliance with such
13 considerations as a violation of the Voting Rights
14 Act of 1965 or to treat compliance with such consid-
15 erations as a defense against an alleged violation of
16 such Act.”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 of such Act is amended—

19 (1) by redesignating the item relating to section
20 247 as relating to section 248; and

21 (2) by inserting after the item relating to sec-
22 tion 246 the following new item:

“Sec. 247. Release of voluntary considerations by Standards Board with respect
to election administration.”.

1 **TITLE III—REQUIREMENTS TO**
2 **PROMOTE INTEGRITY IN**
3 **ELECTION ADMINISTRATION**

4 **SEC. 121. ENSURING ONLY ELIGIBLE AMERICAN CITIZENS**
5 **MAY PARTICIPATE IN FEDERAL ELECTIONS.**

6 (a) **SHORT TITLE.**—This section may be cited as the
7 “Non-Citizens: Outlawed from Voting in Our Trusted
8 Elections Act of 2023” or the “NO VOTE for Non-Citi-
9 zens Act of 2023”.

10 (b) **FINDINGS; SENSE OF CONGRESS.**—

11 (1) **FINDINGS.**—Congress finds the following:

12 (A) Every eligible person who wishes to
13 cast a ballot in a Federal election must be per-
14 mitted to do so according to law, and their bal-
15 lot must be examined according to law, and, if
16 it meets all lawful requirements, counted.

17 (B) Congress has long required States to
18 maintain Federal voter registration lists in a
19 manner that promotes voter confidence.

20 (C) The changes included herein are not
21 intended to be an expansion of Federal power
22 but rather a clarification of State authority.

23 (D) The Fifteenth Amendment, the Nine-
24 teenth Amendment, the Twenty-Fourth Amend-
25 ment, and the Twenty-Sixth Amendment,

1 among other references, make clear that the
2 Constitution prohibits voting by non-citizens in
3 Federal elections.

4 (E) Congress has the constitutional au-
5 thority, including under the aforementioned
6 amendments, to pass statutes preventing non-
7 citizens from voting in Federal elections, and
8 did so with the Illegal Immigration Reform and
9 Immigrant Responsibility Act of 1996.

10 (F) Congress may further exercise its con-
11 stitutional authority to ensure the Constitu-
12 tion's prohibition on non-citizen voting in Fed-
13 eral elections is upheld.

14 (G) Since the Constitution prohibits non-
15 citizens from voting in Federal elections, such
16 ineligible persons must not be permitted to be
17 placed on Federal voter registration lists.

18 (H) Improper placement of an ineligible
19 non-citizen on a Federal voter registration list
20 leads to—

21 (i) confusion on the part of the ineli-
22 gible person with respect to their ineligi-
23 bility to cast a ballot; and

1 (ii) an increased likelihood that
2 human error will permit ineligible persons
3 to cast ballots in Federal elections.

4 (I) State officials have confirmed that
5 poorly maintained voter registration lists lead to
6 ineligible persons casting ballots in Federal
7 elections.

8 (J) A former Broward County, Florida,
9 elections supervisor has confirmed that ineli-
10 gible non-voters were able to cast ballots in pre-
11 vious elections and that she was not able to lo-
12 cate as many as 2,040 ballots during the 2018
13 midterm recount.

14 (K) This clarification of State authority to
15 maintain Federal voter registration lists to en-
16 sure non-citizens are not included on such lists
17 will promote voter confidence in election proc-
18 esses and outcomes.

19 (L) Congress has the authority to ensure
20 that no Federal elections funding is used to
21 support States that permit non-citizens to cast
22 ballots in any election.

23 (M) Federal courts and executive agencies
24 have much of the information States may need
25 to maintain their Federal voter registration

1 lists, and those entities should make that infor-
2 mation accessible to State election authorities.

3 (N) It is important to clarify the penalty
4 for any violation of law that allows a non-citizen
5 to cast a ballot in a Federal election.

6 (O) To protect the confidence of voters in
7 Federal elections, it is important to implement
8 the policy described herein.

9 (2) SENSE OF CONGRESS.—It is the sense of
10 Congress that—

11 (A) many States have not adequately met
12 the requirements concerning the removal of in-
13 eligible persons from State voter registration
14 rolls pursuant to section 8 of the National
15 Voter Registration Act of 1993 (52 U.S.C.
16 20507) and should strive to audit and update
17 their voter registration rolls on a routine basis;

18 (B) allowing non-citizens to cast ballots in
19 American elections weakens our electoral sys-
20 tem and the value of citizenship and sows dis-
21 trust in our elections system;

22 (C) even if a State has the sovereign au-
23 thority, no State should permit non-citizens to
24 cast ballots in State or local elections;

1 (D) States should use all information
2 available to them to maintain Federal voter reg-
3 istration lists and should inform Congress if
4 such data is insufficient; and

5 (E) Congress may take further action in
6 the future to address this problem.

7 (c) CLARIFYING AUTHORITY OF STATES TO REMOVE
8 NONCITIZENS FROM VOTING ROLLS.—

9 (1) AUTHORITY UNDER REGULAR REMOVAL
10 PROGRAMS.—Section 8(a)(4) of the National Voter
11 Registration Act of 1993 (52 U.S.C. 20507(a)(4)) is
12 amended—

13 (A) by striking “or” at the end of subpara-
14 graph (A);

15 (B) by redesignating subparagraph (B) as
16 subparagraph (C); and

17 (C) by inserting after subparagraph (A)
18 the following new subparagraph:

19 “(B) the registrant’s status as a noncitizen
20 of the United States; or”.

21 (2) CONFORMING AMENDMENT RELATING TO
22 ONGOING REMOVAL.—Section 8(c)(2)(B)(i) of such
23 Act (52 U.S.C. 20507(c)(2)(B)(i)) is amended by
24 striking “(4)(A)” and inserting “(4)(A) or (B)”.

1 (d) REQUIREMENT TO MAINTAIN SEPARATE STATE
2 VOTER REGISTRATION LIST FOR NONCITIZENS.—Section
3 8(a) of the National Voter Registration Act of 1993 (52
4 U.S.C. 20507(a)) is amended—

5 (1) in paragraph (5)(B), by striking “and” at
6 the end;

7 (2) in paragraph (6), by striking the period at
8 the end and inserting “; and”; and

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

11 “(7) in the case of a State that allows individ-
12 uals who are not citizens of the United States to
13 vote in elections for public office in the State or any
14 local jurisdiction of the State, ensure that the name
15 of any registrant who is not a citizen of the United
16 States is maintained on a voter registration list that
17 is separate from the official list of eligible voters
18 with respect to registrants who are citizens of the
19 United States.”.

20 (e) REQUIREMENTS FOR BALLOTS FOR STATE OR
21 LOCAL JURISDICTIONS THAT ALLOW NONCITIZEN VOT-
22 ING.—Section 301(a)(1) of the Help America Vote Act of
23 2002 (52 U.S.C. 21081(a)(1)) is amended by adding at
24 the end the following new subparagraph:

1 “(D) In the case of a State or local juris-
2 diction that allows individuals who are not citi-
3 zens of the United States to vote in elections
4 for public office in the State or local jurisdic-
5 tion, the ballot used for the casting of votes by
6 a noncitizen in such State or local jurisdiction
7 may only include the candidates for the elec-
8 tions for public office in the State or local juris-
9 diction for which the noncitizen is permitted to
10 vote.”.

11 (f) REDUCTION IN PAYMENTS FOR ELECTION AD-
12 MINISTRATION TO STATES OR LOCAL JURISDICTIONS
13 THAT ALLOW NONCITIZEN VOTING.—

14 (1) IN GENERAL.—Title IX of the Help Amer-
15 ica Vote Act of 2002 (52 U.S.C. 21141 et seq.) is
16 amended by adding at the end the following new sec-
17 tion:

18 **“SEC. 907. REDUCTION IN PAYMENTS TO STATES OR LOCAL**
19 **JURISDICTIONS THAT ALLOW NONCITIZEN**
20 **VOTING.**

21 “(a) IN GENERAL.—Notwithstanding any other pro-
22 vision of this Act, the amount of a payment under this
23 Act to any State or local jurisdiction that allows individ-
24 uals who are not citizens of the United States to vote in

1 elections for public office in the State or local jurisdiction
 2 shall be reduced by 30 percent.

3 “(b) PROHIBITION ON USE OF FUNDS FOR CERTAIN
 4 ELECTION ADMINISTRATION ACTIVITIES.—Notwith-
 5 standing any other provision of law, no Federal funds may
 6 be used to implement the requirements of section 8(a)(7)
 7 of the National Voter Registration Act of 1993 (52 U.S.C.
 8 20507(a)(7)) (as added by section 121(d) of the American
 9 Confidence in Elections Act) or section 301(a)(1)(D) of
 10 the Help America Vote Act of 2002 (52 U.S.C.
 11 21081(a)(1)(D)) (as added by section 121(e) of the Amer-
 12 ican Confidence in Elections Act) in a State or local juris-
 13 diction that allows individuals who are not citizens of the
 14 United States to vote in elections for public office in the
 15 State or local jurisdiction.”.

16 (2) CLERICAL AMENDMENT.—The table of con-
 17 tents of such Act is amended by adding at the end
 18 the following new item:

“Sec. 907. Reduction in payments to States or local jurisdictions that allow
 noncitizen voting.”.

19 (g) PROMOTING PROVISION OF INFORMATION BY
 20 FEDERAL ENTITIES.—

21 (1) IN GENERAL.—Each entity of the Federal
 22 Government which maintains information which is
 23 relevant to the status of an individual as a registered
 24 voter in elections for Federal office in a State shall,

1 upon the request of an election official of the State,
2 provide that information to the election official.

3 (2) POLICIES AND PROCEDURES.—Consistent
4 with section 3506(g) of title 44, United States Code,
5 an entity of the Federal Government shall carry out
6 this subsection in accordance with policies and pro-
7 cedures which will ensure that the information is
8 provided securely, accurately, and in a timely basis.

9 (3) CONFORMING AMENDMENT RELATING TO
10 COVERAGE UNDER PRIVACY ACT.—Section 552a(b)
11 of title 5, United States Code, is amended—

12 (A) by striking “or” at the end of para-
13 graph (11);

14 (B) by striking the period at the end of
15 paragraph (12) and inserting “; or”; and

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

18 “(13) to an election official of a State in ac-
19 cordance with section 121(h) of the American Con-
20 fidence in Elections Act.”.

21 (h) ENSURING PROVISION OF INFORMATION TO
22 STATE ELECTION OFFICIALS ON INDIVIDUALS RECUSED
23 FROM JURY SERVICE ON GROUNDS OF NONCITIZEN-
24 SHIP.—

1 (1) REQUIREMENT DESCRIBED.—If a United
2 States district court recuses an individual from serv-
3 ing on a jury on the grounds that the individual is
4 not a citizen of the United States, the court shall
5 transmit a notice of the individual’s recusal—

6 (A) to the chief State election official of
7 the State in which the individual resides; and

8 (B) to the Attorney General.

9 (2) DEFINITIONS.—For purposes of this sub-
10 section—

11 (A) the “chief State election official” of a
12 State is the individual designated by the State
13 under section 10 of the National Voter Reg-
14 istration Act of 1993 (52 U.S.C. 20509) to be
15 responsible for coordination of the State’s re-
16 sponsibilities under such Act; and

17 (B) the term “State” means each of the
18 several States, the District of Columbia, the
19 Commonwealth of Puerto Rico, American
20 Samoa, Guam, the United States Virgin Is-
21 lands, and the Commonwealth of the Northern
22 Mariana Islands.

23 (i) PROHIBITION ON VOTING BY NONCITIZENS IN
24 FEDERAL ELECTIONS.—

1 (1) IN GENERAL.—Section 12 of the National
2 Voter Registration Act of 1993 (52 U.S.C. 20511)
3 is amended—

4 (A) by striking “A person” and inserting

5 “(a) IN GENERAL.—A person”; and

6 (B) by adding at the end the following new
7 subsection:

8 “(b) PROHIBITION ON VOTING BY ALIENS.—

9 “(1) IN GENERAL.—It shall be unlawful for any
10 alien to vote in any election in violation of section
11 611 of title 18, United States Code.

12 “(2) PENALTIES.—Any person who violates this
13 subsection shall be fined under title 18, United
14 States Code, imprisoned not more than 1 year, or
15 both.”.

16 (2) EFFECTIVE DATE.—This subsection and the
17 amendments made by this subsection shall apply
18 with respect to elections held on or after the date of
19 the enactment of this Act.

20 **SEC. 122. STATE REPORTING REQUIREMENTS WITH RE-**
21 **SPECT TO VOTER LIST MAINTENANCE.**

22 Section 8 of the National Voter Registration Act of
23 1993 (52 U.S.C. 20507) is amended—

24 (1) in subsection (i), by adding at the end the
25 following:

1 “(3) The records maintained pursuant to paragraph
2 (1) shall include lists of the names and addresses of all
3 registrants in a State who were inactive according to the
4 criteria described in subsection (d)(1)(B) and the length
5 of time each such registrant has been inactive according
6 to such criteria.”;

7 (2) by redesignating subsection (j) as sub-
8 section (k); and

9 (3) by inserting after subsection (i) the fol-
10 lowing new subsection:

11 “(j) REPORTING REQUIREMENTS.—Not later than
12 June 30 of each odd-numbered year, each State shall sub-
13 mit to the Election Assistance Commission a report that
14 includes, with respect to such State during the preceding
15 2-year period, the total number of—

16 “(1) registrants who were inactive according to
17 the criteria described in subsection (d)(1)(B) and
18 the length of time each such registrant has been in-
19 active according to such criteria;

20 “(2) registrants who voted in at least one of the
21 prior 2 consecutive general elections for Federal of-
22 fice;

23 “(3) registrants removed from the list of official
24 voters in the State pursuant to subsection (d)(1)(B);

1 “(4) notices sent to registrants pursuant to
2 subsection (d)(2); and

3 “(5) registrants who received a notice described
4 in paragraph (4) who responded to such notice.”.

5 **SEC. 123. CONTENTS OF STATE MAIL VOTER REGISTRATION**
6 **FORM.**

7 (a) **SHORT TITLE.**—This section may be cited as the
8 “State Instruction Inclusion Act”.

9 (b) **IN GENERAL.**—Section 6(a) of the National Voter
10 Registration Act of 1993 (52 U.S.C. 20505(a)) is amend-
11 ed—

12 (1) in paragraph (1), by inserting “, except that
13 a State may, in addition to the criteria stated in sec-
14 tion 9(b), require that an applicant provide proof
15 that the applicant is a citizen of the United States”
16 after “elections for Federal office”; and

17 (2) in paragraph (2), by inserting “and such
18 form may include a requirement that the applicant
19 provide proof that the applicant is a citizen of the
20 United States” after “elections for Federal office”.

21 **SEC. 124. PROVISION OF PHOTOGRAPHIC CITIZEN VOTER**
22 **IDENTIFICATION TOOLS FOR STATE USE.**

23 (a) **SHORT TITLE.**—This section may be cited as the
24 “Citizen Vote Protection Act”.

25 (b) **FINDINGS; SENSE OF CONGRESS.**—

1 (1) FINDINGS.—Congress finds the following:

2 (A) Photo voter identification programs es-
3 tablished by the States should be administered
4 without unlawful discrimination and with an
5 eye toward balancing appropriate access to the
6 ballot box with election integrity and voter con-
7 fidence goals.

8 (B) As confirmed by the bipartisan Com-
9 mission on Federal Election Reform (commonly
10 known as the Carter-Baker Commission),
11 “[v]oters in nearly 100 democracies use a photo
12 identification card without fear of infringement
13 of their rights”.

14 (C) As confirmed by the Carter-Baker
15 Commission, “[t]he right to vote is a vital com-
16 ponent of U.S. citizenship and all States should
17 use their best efforts to obtain proof of citizen-
18 ship before registering voters.”.

19 (D) The Carter-Baker Commission was
20 correct in its 2005 report when it recommended
21 that the REAL ID Act be “modestly adapted
22 for voting purposes to indicate on the front or
23 back whether the individual is a U.S. citizen.”.

24 (E) Congress acknowledges the important
25 work completed by the Carter-Baker Commis-

1 sion and, by amending the REAL ID Act, re-
2 solves the concerns in the Commission’s report
3 that “[t]he REAL ID Act does not require that
4 the card indicates citizenship, but that would
5 need to be done if the card is to be used for
6 voting purposes”.

7 (F) Photographic voter identification is im-
8 portant for ensuring voter confidence in election
9 processes and outcomes.

10 (G) Requiring photographic voter identi-
11 fication is well within States’ constitutional
12 competence, including pursuant to the Quali-
13 fications Clause of the Constitution of the
14 United States (article I, section 2, clause 2),
15 the Presidential Electors Clause of the Con-
16 stitution (article II, section 1, clause 2), and
17 the Seventeenth Amendment.

18 (H) The Fifteenth Amendment, the Nine-
19 teenth Amendment, the Twenty-Fourth Amend-
20 ment, and the Twenty-Sixth Amendment,
21 among other references, make clear that the
22 Constitution prohibits voting by non-citizens in
23 Federal elections.

24 (I) Congress has the constitutional author-
25 ity, including under the aforementioned amend-

1 ments, to pass statutes preventing non-citizens
2 from voting in Federal elections, and did so
3 with the Illegal Immigration Reform and Immigrant
4 Responsibility Act of 1996.

5 (J) Congress may further exercise its constitutional
6 authority to ensure the Constitution’s prohibition on non-citizen voting in Federal
7 elections is upheld.
8

9 (2) SENSE OF CONGRESS.—It is the sense of
10 Congress that the States should implement the substance of the recommendation of the Carter-Baker
11 Commission that, “[t]o ensure that persons presenting themselves at the polling place are the ones
12 on the registration list, the Commission recommends that states [encourage] voters to use the REAL ID
13 card, which was mandated in a law signed by the President in May 2005”.

14 (c) REAL ID ACT AMENDMENT.—

15 (1) AMENDMENT.—Section 202(b) of the Real
16 ID Act of 2005 (49 U.S.C. 30301 note) is amended
17 by adding at the end the following new paragraph:

18 “(10) If the person is a citizen of the United
19 States, an indication of that citizenship, except that
20 no other information may be included with respect
21 to the immigration status of the person.”.

1 (2) APPLICABILITY.—The amendment made by
2 this subsection shall be effective January 1, 2026,
3 and shall apply with respect to any driver’s license
4 or identification card issued by a State on and after
5 such date.

6 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion or in any amendment made by this section may be
8 construed to establish or mandate the use of a national
9 identification card or to authorize any office of the execu-
10 tive branch to establish or mandate the use of a national
11 identification card.

12 **SEC. 125. CONFIRMING ACCESS FOR CONGRESSIONAL**
13 **ELECTION OBSERVERS.**

14 (a) SHORT TITLE.—This section may be cited as the
15 “Confirmation of Congressional Observer Access Act of
16 2023” or the “COCOA Act of 2023”.

17 (b) FINDINGS RELATING TO CONGRESSIONAL ELEC-
18 TION OBSERVERS.—Congress finds the following:

19 (1) The Constitution delegates to each of House
20 of the Congress the authority to “be the Judge of
21 the Elections, Returns and Qualifications of its own
22 Members”.

23 (2) While, in general, Congress shall respect the
24 determination of State authorities with respect to
25 the election of members to each House, each House

1 of Congress serves as the final arbiter over any con-
2 test to the seating of any putative Member-elect or
3 Senator-elect.

4 (3) These election contest procedures are con-
5 tained in the precedents of each House of Congress.
6 Further, for the House of Representatives the proce-
7 dures exist under the Federal Contested Elections
8 Act.

9 (4) In the post-Civil War modern era, more
10 than 100 election contests have been filed with the
11 House of Representatives.

12 (5) For decades, Congress has appointed and
13 sent out official congressional observers to watch the
14 administration of congressional elections in the
15 States and territories.

16 (6) These observers serve to permit Congress to
17 develop its own factual record in preparation for
18 eventual contests and for other reasons.

19 (7) This section and the amendments made by
20 this section do not establish any new authorities or
21 procedures but are provided simply to permit a con-
22 venient statutory reference for existing Congres-
23 sional authority and activity.

1 (c) CONFIRMING REQUIREMENT THAT STATES PRO-
2 VIDE ACCESS.—Title III of the Help America Vote Act
3 of 2002 (52 U.S.C. 21081 et seq.) is amended—

4 (1) by redesignating sections 304 and 305 as
5 sections 305 and 306; and

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

8 **“SEC. 304. CONFIRMING ACCESS FOR CONGRESSIONAL**
9 **ELECTION OBSERVERS.**

10 “(a) FINDING OF CONSTITUTIONAL AUTHORITY.—
11 Congress finds that it has the authority to require that
12 States allow access to designated Congressional election
13 observers to observe the election administration proce-
14 dures in an election for Federal office because the author-
15 ity granted to Congress under article I, section 5 of the
16 Constitution of the United States gives each House of
17 Congress the power to be the judge of the elections, re-
18 turns and qualifications of its own Members.

19 “(b) REQUIRING STATES TO PROVIDE ACCESS.—A
20 State shall provide each individual who is a designated
21 Congressional election observer for an election with full
22 access to clearly observe all of the elements of the adminis-
23 tration procedures with respect to such election, including
24 but not limited to in all areas of polling places and other
25 facilities where ballots in the election are processed, tab-

1 ulated, cast, canvassed, and certified, in all areas where
2 voter registration activities occur before such election, and
3 in any other such place where election administration pro-
4 cedures to prepare for the election or carry out any post-
5 election recounts take place. No designated Congressional
6 election observer may handle ballots, elections equipment
7 (voting or non-voting), advocate for a position or can-
8 didate, take any action to reduce ballot secrecy, or other-
9 wise interfere with the elections administration process.

10 “(c) DESIGNATED CONGRESSIONAL ELECTION OB-
11 SERVER DESCRIBED.—In this section, a ‘designated Con-
12 gressional election observer’ is an individual who is des-
13 igned in writing by the chair or ranking minority mem-
14 ber of the Committee on House Administration of the
15 House of Representatives or the Committee on Rules and
16 Administration of the Senate, or the successor committee
17 in either House of Congress to gather information with
18 respect to an election, including in the event that the elec-
19 tion is contested in the House of Representatives or the
20 Senate and for other purposes permitted by article 1, sec-
21 tion 5 of the Constitution of the United States.”.

22 (d) CONFORMING AMENDMENT RELATING TO EN-
23 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
24 is amended by striking “and 303” and inserting “303, and
25 304”.

1 (e) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended—

3 (1) by redesignating the items relating to sec-
4 tions 304 and 305 as relating to sections 305 and
5 306; and

6 (2) by inserting after the item relating to sec-
7 tion 303 the following:

“Sec. 304. Confirming access for Congressional election observers.”.

8 **SEC. 126. USE OF REQUIREMENTS PAYMENTS FOR POST-**
9 **ELECTION AUDITS.**

10 Section 251(b)(1) of the Help America Vote Act of
11 2002 (52 U.S.C. 21001(b)(1)) is amended by inserting “,
12 including to conduct and publish an audit of the effective-
13 ness and accuracy of the voting systems, election proce-
14 dures, and outcomes used to carry out an election for Fed-
15 eral office in the State and the performance of the State
16 and local election officials who carried out the election”
17 after “requirements of title III”.

18 **SEC. 127. CERTAIN TAX BENEFITS AND SIMPLIFICATION**
19 **WITH RESPECT TO ELECTION WORKERS.**

20 (a) SHORT TITLE.—This section may be cited as the
21 “Election Worker Employer Participation Act”.

22 (b) EXCLUSION FROM GROSS INCOME FOR CERTAIN
23 ELECTION WORKER COMPENSATION.—

24 (1) IN GENERAL.—Part III of subchapter B of
25 chapter 1 of the Internal Revenue Code of 1986 is

1 amended by inserting after section 139H the fol-
 2 lowing new section:

3 **“SEC. 139I. CERTAIN COMPENSATION OF ELECTION WORK-**
 4 **ERS.**

5 “(a) IN GENERAL.—Gross income shall not include
 6 qualified election worker compensation.

7 “(b) LIMITATION.—The amount excludible from
 8 gross income under subsection (a) with respect to any tax-
 9 payer for any taxable year shall not exceed the dollar
 10 amount in effect under section 3121(b)(7)(F)(iv) for the
 11 calendar year in which such taxable year begins.

12 “(c) QUALIFIED ELECTION WORKER COMPENSA-
 13 TION.—For purposes of this section, the term ‘qualified
 14 election worker compensation’ means amounts otherwise
 15 includible in gross income which are paid by a State, polit-
 16 ical subdivision of a State, or any instrumentality of a
 17 State or any political subdivision thereof, for the service
 18 of an individual as an election official or election worker
 19 (within the meaning of section 3121(b)(7)(F)(iv)).”.

20 (2) CLERICAL AMENDMENT.—The table of sec-
 21 tions for part III of subchapter B of chapter 1 of
 22 such Code is amended by inserting after the item re-
 23 lating to section 139H the following new item:

“Sec. 139I. Certain compensation of election workers.”.

24 (c) INFORMATION REPORTING NOT REQUIRED BY
 25 REASON OF CERTAIN AMOUNTS EXCLUDIBLE FROM

1 GROSS INCOME.—Section 6041 of such Code is amended
2 by adding at the end the following new subsection:

3 “(h) TREATMENT OF CERTAIN EXCLUDIBLE COM-
4 PENSATION OF ELECTION WORKERS.—In the case of any
5 payment by a State, political subdivision of a State, or
6 any instrumentality of a State or any political subdivision
7 thereof, for the service of an individual as an election offi-
8 cial or election worker (within the meaning of section
9 3121(b)(7)(F)(iv)), the determination of whether the \$600
10 threshold described in subsection (a) has been met with
11 respect to such individual shall be determined by not tak-
12 ing into account—

13 “(1) any such payment which is qualified elec-
14 tion worker compensation (as defined in section
15 139I(c)) which does not exceed the limitation de-
16 scribed in section 139I(b), and

17 “(2) any such payment which is excludible from
18 the gross income of such individual under section
19 127.”.

20 (d) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to payments made after December
22 31, 2023, in taxable years ending after such date.

1 **SEC. 128. VOLUNTARY GUIDELINES WITH RESPECT TO NON-**
2 **VOTING ELECTION TECHNOLOGY.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Protect American Voters Act”.

5 (b) **ADOPTION OF VOLUNTARY GUIDELINES BY**
6 **ELECTION ASSISTANCE COMMISSION.**—

7 (1) **ADOPTION OF GUIDELINES.**—Title II of the
8 Help America Vote Act of 2002 (52 U.S.C. 20921
9 et seq.) is amended by adding at the end the fol-
10 lowing new subtitle:

11 **“Subtitle E—Voluntary Guidelines**
12 **for Use of Nonvoting Election**
13 **Technology**

14 **“SEC. 298. ADOPTION OF VOLUNTARY GUIDELINES BY COM-**
15 **MISSION.**

16 “(a) **ADOPTION.**—The Commission shall adopt vol-
17 untary guidelines for election officials on the use of non-
18 voting election technology, taking into account the rec-
19 ommendations of the Standards Board and the Local
20 Leadership Council of the Commission under section
21 298A.

22 “(b) **REVIEW.**—The Commission shall review the
23 guidelines adopted under this subtitle not less frequently
24 than once every 4 years, and may adopt revisions to the
25 guidelines as it considers appropriate.

1 “(c) PROCESS FOR ADOPTION.—The adoption of the
2 voluntary guidelines under this subtitle shall be carried
3 out by the Commission in a manner that provides for each
4 of the following:

5 “(1) Publication of notice of the proposed
6 guidelines in the Federal Register.

7 “(2) An opportunity for public comment on the
8 proposed guidelines.

9 “(3) An opportunity for a public hearing on the
10 record.

11 “(4) Publication of the final recommendations
12 in the Federal Register.

13 “(d) DEADLINE FOR INITIAL SET OF GUIDELINES.—
14 The Commission shall adopt the initial set of voluntary
15 guidelines under this section not later than December 31,
16 2025.

17 **“SEC. 298A. ROLE OF STANDARDS BOARD AND LOCAL LEAD-**
18 **ERSHIP COUNCIL.**

19 “(a) DUTIES.—The Standards Board and the Local
20 Leadership Council of the Commission shall assist the
21 Commission in the adoption of voluntary guidelines under
22 section 298, including by providing the Commission with
23 recommendations on appropriate standards for the use of
24 nonvoting election technology, including standards to en-
25 sure the security and accuracy, and promote the usability,

1 of such technology, and by conducting a review of existing
2 State programs with respect to the testing of nonvoting
3 election technology.

4 “(b) SOURCES OF ASSISTANCE.—

5 “(1) CERTAIN MEMBERS OF TECHNICAL GUIDE-
6 LINES DEVELOPMENT COMMITTEE.—The following
7 members of the Technical Guidelines Development
8 Committee under section 221 shall assist the Stand-
9 ards Board and the Local Leadership Council in car-
10 rying out their duties under this section:

11 “(A) The Director of the National Insti-
12 tute of Standards and Technology.

13 “(B) The representative of the American
14 National Standards Institute.

15 “(C) The representative of the Institute of
16 Electrical and Electronics Engineers.

17 “(D) The 4 members of the Technical
18 Guidelines Development Committee appointed
19 under subsection (c)(1)(E) of such section as
20 the other individuals with technical and sci-
21 entific expertise relating to voting systems and
22 voting equipment.

23 “(2) DETAILEE FROM CISA.—The Executive
24 Board of the Standards Board may request the Di-
25 rector of the Cybersecurity and Infrastructure Secu-

1 rity Agency of the Department of Homeland Secu-
2 rity to provide a detailee to assist the Standards
3 Board in carrying out its duties under this section,
4 so long as such detailee has no involvement in the
5 drafting of any of the voluntary guidelines.

6 **“SEC. 298B. USE OF PAYMENTS TO OBTAIN OR UPGRADE**
7 **TECHNOLOGY.**

8 “A State may use funds provided under any law for
9 activities to improve the administration of elections for
10 Federal office, including to enhance election technology
11 and make election security improvements, to obtain non-
12 voting election technology which is in compliance with the
13 voluntary guidelines adopted under section 298 or to up-
14 grade nonvoting election technology so that the technology
15 is in compliance with such guidelines, and may, notwith-
16 standing any other provision of law, use any unobligated
17 grant funding provided to the State by the Election Assist-
18 ance Commission from amounts appropriated under the
19 heading ‘Independent Agencies—Election Assistance
20 Commission—Election Security Grants’ in title V of divi-
21 sion C of the Consolidated Appropriations Act, 2020 (Pub-
22 lic Law 116–93) for the purposes of enhancing election
23 technology and making election security improvements
24 until December 31, 2024.

1 **“SEC. 298C. NONVOTING ELECTION TECHNOLOGY DEFINED.**

2 “In this subtitle, the term ‘nonvoting election tech-
3 nology’ means technology used in the administration of
4 elections for Federal office which is not used directly in
5 the casting, counting, tabulating, or collecting of ballots
6 or votes, including each of the following:

7 “(1) Electronic pollbooks or other systems used
8 to check in voters at a polling place or verify a vot-
9 er’s identification.

10 “(2) Election result reporting systems.

11 “(3) Electronic ballot delivery systems.

12 “(4) Online voter registration systems.

13 “(5) Polling place location search systems.

14 “(6) Sample ballot portals.

15 “(7) Signature systems.

16 “(8) Such other technology as may be rec-
17 ommended for treatment as nonvoting election tech-
18 nology as the Standards Board may recommend.”.

19 (2) CLERICAL AMENDMENT.—The table of con-
20 tents of such Act is amended by adding at the end
21 of the items relating to title II the following:

“Subtitle E—Voluntary Guidelines for Use of Nonvoting Election Technology

“Sec. 298. Adoption of voluntary guidelines by Commission.

“Sec. 298A. Role of Standards Board and Local Leadership Council.

“Sec. 298B. Use of payments to obtain or upgrade technology.

“Sec. 298C. Nonvoting election technology defined.”.

22 (c) TREATMENT OF TECHNOLOGY USED IN MOST
23 RECENT ELECTION.—Any nonvoting election technology,

1 as defined in section 298C of the Help America Vote Act
2 of 2002 (as added by subsection (a)(1)), which a State
3 used in the most recent election for Federal office held
4 in the State prior to the date of the enactment of this
5 Act shall be deemed to be in compliance with the voluntary
6 guidelines on the use of such technology which are adopted
7 by the Election Assistance Commission under section 298
8 of such Act (as added by subsection (a)(1)).

9 **SEC. 129. STATUS REPORTS BY NATIONAL INSTITUTE OF**
10 **STANDARDS AND TECHNOLOGY.**

11 Section 231 of the Help America Vote Act of 2002
12 (52 U.S.C. 20971) is amended by adding at the end the
13 following new subsection:

14 “(e) STATUS REPORTS BY NATIONAL INSTITUTE OF
15 STANDARDS AND TECHNOLOGY.—Not later than 60 days
16 after the end of each fiscal year (beginning with 2023),
17 the Director of the National Institute of Standards and
18 Technology shall submit to Congress a status report de-
19 scribing—

20 “(1) the extent to which the Director carried
21 out the Director’s responsibilities under this Act
22 during the fiscal year, including the responsibilities
23 imposed under this section and the responsibilities
24 imposed with respect to the Technical Guidelines
25 Development Committee under section 222, together

1 with the Director’s best estimate of when the Direc-
 2 tor will completely carry out any responsibility which
 3 was not carried out completely during the fiscal
 4 year; and

5 “(2) the extent to which the Director carried
 6 out any projects requested by the Commission dur-
 7 ing the fiscal year, together with the Director’s best
 8 estimate of when the Director will complete any such
 9 project which the Director did not complete during
 10 the fiscal year.”.

11 **SEC. 130. REQUIREMENTS WITH RESPECT TO ELECTION**

12 **MAIL.**

13 (a) **SHORT TITLE.**—This section may be cited as the
 14 “Election Integrity Mail Reform Act of 2023”.

15 (b) **PRIORITIZING ELECTION MAIL.**—Title 39,
 16 United States Code, is amended by adding after chapter
 17 36 the following:

18 **“CHAPTER 37—ELECTION AND POLITICAL**

19 **MAIL**

“Sec.

“3701. Prioritization of processing and delivery of election mail.

“3702. Use of nonprofit permit for cooperative mailings.

“3703. Marking or notice on election mail.

“3704. Application to Uniformed and Overseas Citizens Absentee Voting Act.

20 **“§ 3701. Prioritization of processing and delivery of**

21 **election mail**

22 “(a) **IN GENERAL.**—The Postal Service shall give pri-
 23 ority to the processing and delivery of election mail. In

1 carrying out this subsection, the Postal Service shall at
2 a minimum—

3 “(1) deliver any election mail regardless of the
4 amount of postage paid;

5 “(2) shall, to the greatest extent practicable,
6 process and clear election mail from any postal facil-
7 ity each day; and

8 “(3) carry and deliver election mail expedi-
9 tiously.

10 “(b) ELECTION MAIL WITH INSUFFICIENT POST-
11 AGE.—In carrying out subsection (a)(1), the Postal Serv-
12 ice shall process and deliver election mail with insufficient
13 postage in the same manner as election mail with suffi-
14 cient postage, but may collect insufficient postage after
15 delivery of any election mail with insufficient postage.

16 “(c) UNDERFUNDED OR OVERDRAWN ACCOUNTS.—
17 The Postal Service shall process and deliver election mail,
18 under the standards in place under subsection (a), sent
19 from a customer using an account registered with the
20 Postal Service (including a corporate account or an ad-
21 vance deposit account) even if such account is under-
22 funded or overdrawn. Nothing in this section shall be con-
23 strued to limit or otherwise prevent the Postal Service
24 from seeking reimbursement from any person regarding
25 unpaid postage.

1 “(d) **ELECTION MAIL DEFINED.**—In this chapter,
2 the term ‘election mail’ means any item mailed to or from
3 an individual for purposes of the individual’s participation
4 in an election for public office, including balloting mate-
5 rials, voter registration cards, absentee ballot applications,
6 polling place notification and photographic voter identi-
7 fication materials.

8 “**§ 3702. Use of nonprofit permit for cooperative mail-**
9 **ings**

10 “Notwithstanding any other law, rule, or regulation,
11 a national, State, or local committee of a political party
12 (as defined under the Federal Election Campaign Act of
13 1971) which is eligible to mail at the nonprofit rate may
14 conduct a cooperative mailing at that nonprofit rate with
15 a candidate, a candidate’s committee, or another com-
16 mittee of a political party, and may seek reimbursement
17 from such a candidate, candidate’s committee, or com-
18 mittee of a political party for the costs of such mailing.

19 “**§ 3703. Marking or notice on election mail**

20 “(a) **IN GENERAL.**—For the purposes of assisting
21 election officials in processing election mail, the Postal
22 Service shall place a marking or notice indicating that a
23 piece of mail is election mail.

24 “(b) **REQUIREMENTS.**—The Postal Service may de-
25 termine the appropriate manner in which subsection (a)

1 is carried out, but at a minimum such marking or notice
2 shall—

3 “(1) be placed, as soon as practicable, at the
4 time the election mail is received by the Postal Serv-
5 ice, in a conspicuous and legible type or in a com-
6 mon machine-readable technology on the envelope or
7 other cover in which the election mail is mailed; and

8 “(2) clearly demonstrate the date and time that
9 such marking or noticed was so placed.

10 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion may be construed as requiring any change to the
12 processes and procedures used by the Postal Service with
13 respect to Postal Service barcodes on envelopes carried or
14 delivered by the Postal Service.

15 **“§ 3704. Application to Uniformed and Overseas Citi-**
16 **zens Absentee Voting Act**

17 “This chapter shall not apply to balloting materials
18 under the Uniformed and Overseas Citizens Absentee Vot-
19 ing Act and nothing in this chapter shall be construed to
20 alter or otherwise affect the operation of such Act or sec-
21 tion 3406 of this title.”.

22 (c) POSTMARKING STAMPS.—Section 503 of title 18,
23 United States Code, is amended—

24 (1) by striking “Whoever forges” and inserting
25 “(a) Whoever forges”;

1 (2) by striking “or such impression thereof,”
2 and all that follows and inserting the following:

3 “or such impression thereof—

4 “(1) shall be fined under this title or impris-
5 oned not more than five years, or both; or

6 “(2) if the impression from a postmarking
7 stamp or impression thereof forged, counterfeited,
8 used, sold, or possessed in violation of this section
9 is applied to a mailed ballot for an election for Fed-
10 eral, State, or local office, shall be fined under this
11 title or imprisoned not more than 10 years, or
12 both.”; and

13 (3) by adding at the end following new sub-
14 section:

15 “(a) Whoever, with the intent to falsify the date on
16 which a postmark was applied, applies to a mailed ballot
17 described in subsection (a)(2) a genuine postmark that
18 bears a date other than the date on which such postmark
19 was applied, shall be subject to the penalties set forth in
20 such subsection.”.

21 **SEC. 131. CLARIFICATION OF RIGHT OF STATE TO APPEAL**
22 **DECISIONS THROUGH DULY AUTHORIZED**
23 **REPRESENTATIVE.**

24 Section 1254 of title 28, United States Code, is
25 amended—

1 (1) in paragraph (1), by striking the semicolon
2 at the end and inserting a period; and

3 (2) by adding at the end the following:

4 “(3) By appeal by a party (including the State
5 as represented by any agent authorized as a party
6 under State law) relying on a State statute held by
7 a court of appeals to be invalid as repugnant to the
8 Constitution, treaties or laws of the United States,
9 but such appeal shall preclude review by writ of cer-
10 tiorari at the instance of such appellant, and the re-
11 view on appeal shall be restricted to the Federal
12 questions presented.”.

13 **SEC. 132. FEDERAL AGENCY INVOLVEMENT IN VOTER REG-**
14 **ISTRATION ACTIVITIES.**

15 (a) **SHORT TITLE.**—This section may be cited as the
16 “Promoting Free and Fair Elections Act of 2023”.

17 (b) **CLARIFICATION OF FEDERAL AGENCY INVOLVE-**
18 **MENT IN VOTER REGISTRATION ACTIVITIES.**—Executive
19 Order 14019 (86 Fed. Reg. 13623; relating to promoting
20 access to voting) shall have no force or effect to the extent
21 that it is inconsistent with section 7 of the National Voter
22 Registration Act of 1993 (52 U.S.C. 20506).

23 (c) **PROHIBITING PROMOTION OF VOTER REGISTRA-**
24 **TION BY AGENCIES.**—

1 (1) AGREEMENTS WITH NONGOVERNMENTAL
2 ORGANIZATIONS.—None of the funds made available
3 for the salaries and expenses of an agency may be
4 used to solicit or enter into an agreement with a
5 nongovernmental organization to conduct voter reg-
6 istration or voter mobilization activities, including
7 registering voters or providing any person with voter
8 registration materials, absentee or vote-by-mail bal-
9 lot applications, voting instructions, or candidate-re-
10 lated information, on the property or website of the
11 agency.

12 (2) ACTIVITIES UNDER EXECUTIVE ORDER
13 14019.—

14 (A) DELAY IN IMPLEMENTATION.—

15 (i) DELAY.—Except as provided in
16 clause (ii), none of the funds made avail-
17 able for the salaries and expenses of an
18 agency may be used to implement activities
19 directed under Executive Order 14019 (86
20 Fed. Reg. 13623) until—

21 (I) in the case of an agency that
22 is required to submit a report to the
23 appropriate congressional committees
24 under subparagraph (B)(i), 180 days

1 after the agency submits the report;
2 or

3 (II) in the case of an agency that
4 is required to submit a report to the
5 appropriate congressional committees
6 under subparagraph (B)(ii), the date
7 on which the agency submits the re-
8 port.

9 (ii) EXCEPTION.—Clause (i) shall not
10 apply to any activity described in section
11 7(c) of the National Voter Registration Act
12 of 1993 (52 U.S.C. 20506(c)).

13 (B) REPORT.—Not later than 30 days
14 after the date of enactment of this Act, the
15 head of each agency shall submit to the appro-
16 priate congressional committees—

17 (i) a copy of the strategic plan of the
18 agency for promoting voter registration
19 and voter participation under section 3(b)
20 of Executive Order 14019 (86 Fed. Reg.
21 13623) that the agency developed or sub-
22 mitted to the Assistant to the President
23 for Domestic Policy; or

24 (ii) if the agency did not develop or
25 submit a plan described in clause (i) to the

1 Assistant to the President for Domestic
2 Policy, a certification signed by the head of
3 the agency that the agency did not develop
4 or submit such a plan.

5 (3) EFFECTIVE DATE.—Except as provided in
6 paragraph (2)(B), this section shall apply with re-
7 spect to fiscal year 2023 and each succeeding fiscal
8 year.

9 (d) ADDITIONAL REPORT ON VOTER REGISTRATION
10 AND MOBILIZATION.—Not later than 30 days after the
11 date of enactment of this Act, the head of each agency
12 shall submit to the appropriate congressional committees
13 a report describing the activities carried out by the agency
14 pursuant to sections 3 and 4 of Executive Order 14019
15 (86 Fed. Reg. 13623).

16 (e) PROHIBITING VOTER REGISTRATION AND MOBI-
17 LIZATION IN FEDERAL WORK-STUDY PROGRAMS.—Sec-
18 tion 443(b)(1) of the Higher Education Act of 1965 (20
19 U.S.C. 1087–53(b)(1)) is amended—

20 (1) in subparagraph (C), by striking “and”;

21 (2) by redesignating subparagraph (D) as sub-
22 paragraph (E); and

23 (3) by inserting after subparagraph (C) the fol-
24 lowing:

1 “(D) does not involve registering or mobi-
2 lizing voters on or off the campus of the institu-
3 tion; and”.

4 (f) DEFINITIONS.—In this section:

5 (1) AGENCY.—The term “agency” has the
6 meaning given the term in section 3502(1) of title
7 44, United States Code, except that for purposes of
8 subsection (c)(2) such term does not include an
9 independent regulatory agency as defined in section
10 3502(5) of title 44, United States Code.

11 (2) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Rules and Adminis-
15 tration of the Senate;

16 (B) the Committee on the Judiciary of the
17 Senate;

18 (C) the Committee on House Administra-
19 tion of the House of Representatives; and

20 (D) the Committee on the Judiciary of the
21 House of Representatives.

1 **SEC. 133. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
2 **ELECTION ADMINISTRATION IN STATES THAT**
3 **PERMIT BALLOT HARVESTING.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “No Federal Funds for Ballot Harvesting Act”.

6 (b) **FINDINGS.**—Congress finds that—

7 (1) the right to vote is a fundamental right of
8 citizens of the United States, as described by the
9 Constitution of the United States;

10 (2) the Committee on House Administration of
11 the House of Representatives, which is charged with
12 investigating election irregularities, received reports
13 through its official Election Observer Program for
14 the 2018 general election and the 2020 general elec-
15 tion, as well as from other stakeholders, that individ-
16 uals other than voters themselves were depositing
17 large amounts of absentee ballots at polling places
18 throughout California and other States, a practice
19 colloquially known as “ballot harvesting”;

20 (3) the practice of ballot harvesting creates sig-
21 nificant vulnerabilities in the chain-of-custody of bal-
22 lots because individuals collecting ballots are not re-
23 quired to be registered voters and are not required
24 to identify themselves at a voter’s home, and the
25 State does not track how many ballots are harvested
26 in an election;

1 (4) in North Carolina, a congressional election
2 was invalidated due to fraud associated with ballot
3 harvesting committed by a political operative, and it
4 is unlikely such activity would have been detected
5 were it not for the prohibition against ballot har-
6 vesting in the State;

7 (5) ballot harvesting invites electioneering activ-
8 ity at home and weakens States' long-standing voter
9 protection procedures, which remain in place at poll-
10 ing locations, creating the possibility of undue influ-
11 ence over voters by political operatives and other bad
12 actors; and

13 (6) the Supreme Court of the United States has
14 affirmed State authority to restrict ballot harvesting
15 (*Brnovich v. Democratic National Committee*, 141
16 S. Ct. 2321 (2021)).

17 (c) PROHIBITION ON FEDERAL FUNDS FOR ELEC-
18 TION ADMINISTRATION FOR STATES ALLOWING COLLEC-
19 TION AND TRANSMISSION OF BALLOTS BY CERTAIN
20 THIRD PARTIES.—

21 (1) IN GENERAL.—The Help America Vote Act
22 of 2002 (52 U.S.C. 20901 et seq.) is amended by
23 adding at the end the following new section:

1 **“SEC. 908. PROHIBITION ON FEDERAL FUNDS FOR ELEC-**
2 **TION ADMINISTRATION FOR STATES ALLOW-**
3 **ING COLLECTION AND TRANSMISSION OF**
4 **BALLOTS BY CERTAIN THIRD PARTIES.**

5 “(a) IN GENERAL.—Notwithstanding any other pro-
6 vision of law, no Federal funds may be used to administer
7 any election for Federal office in a State unless the State
8 has in effect a law that prohibits an individual from the
9 knowing collection and transmission of a ballot in an elec-
10 tion for Federal office that was mailed to another person,
11 other than an individual described as follows:

12 “(1) An election official while engaged in offi-
13 cial duties as authorized by law.

14 “(2) An employee of the United States Postal
15 Service or other commercial common carrier engaged
16 in similar activities while engaged in duties author-
17 ized by law.

18 “(3) Any other individual who is allowed by law
19 to collect and transmit United States mail, while en-
20 gaged in official duties as authorized by law.

21 “(4) A family member, household member, or
22 caregiver of the person to whom the ballot was
23 mailed.

24 “(b) DEFINITIONS.—For purposes of this section,
25 with respect to a person to whom the ballot was mailed:

1 “(1) The term ‘caregiver’ means an individual
2 who provides medical or health care assistance to
3 such person in a residence, nursing care institution,
4 hospice facility, assisted living center, assisted living
5 facility, assisted living home, residential care institu-
6 tion, adult day health care facility, or adult foster
7 care home.

8 “(2) The term ‘family member’ means an indi-
9 vidual who is related to such person by blood, mar-
10 riage, adoption or legal guardianship.

11 “(3) The term ‘household member’ means an
12 individual who resides at the same residence as such
13 person.”.

14 (2) CLERICAL AMENDMENT.—The table of con-
15 tents of such Act is amended by adding at the end
16 the following new item:

“Sec. 908. Prohibition on Federal funds for election administration for States
allowing collection and transmission of ballots by certain third
parties.”.

17 **SEC. 134. CLARIFICATION WITH RESPECT TO FEDERAL**
18 **ELECTION RECORD-KEEPING REQUIREMENT.**

19 Section 301 of the Civil Rights Act of 1960 (52
20 U.S.C. 20701) is amended by inserting “ including enve-
21 lopes used to deliver voted ballots by mail (but excluding
22 envelopes used to deliver blank ballots or absentee ballot
23 requests or used for any purpose other than delivering

1 voted ballots),” after “requisite to voting in such elec-
2 tion,”.

3 **SEC. 135. CLARIFICATION OF RULES WITH RESPECT TO**
4 **HIRING OF ELECTION WORKERS.**

5 (a) PREFERENCES FOR VETERANS AND INDIVIDUALS
6 WITH DISABILITIES.—

7 (1) PREFERENCES.—In hiring election workers
8 to administer an election in a State or local jurisdic-
9 tion, the State or local jurisdiction may give pref-
10 erence to individuals who are veterans or individuals
11 with a disability.

12 (2) INDIVIDUAL WITH A DISABILITY DE-
13 FINED.—In this subsection, an “individual with a
14 disability” means an individual with an impairment
15 that substantially limits any major life activities.

16 (b) PREFERENCE AND WAIVER OF RESIDENCY RE-
17 QUIREMENT FOR SPOUSES AND DEPENDENTS OF ABSENT
18 MILITARY VOTERS.—

19 (1) PREFERENCE AND WAIVERS.—In hiring
20 election workers to administer an election in a State
21 or local jurisdiction, the State or local jurisdiction—

22 (A) may give preference to an individual
23 who is a nonresident military spouse or depend-
24 ent; and

1 (B) may not refuse to hire such an indi-
2 vidual as an election worker solely on the
3 grounds that the individual does not maintain a
4 place of residence in the State or local jurisdic-
5 tion.

6 (2) NONRESIDENT MILITARY SPOUSE OR DE-
7 PENDENT DEFINED.—In this subsection, a “non-
8 resident military spouse or dependent” means an in-
9 dividual who is an absent uniformed services voter
10 under section 107(1)(C) of the Uniformed and Over-
11 seas Citizen Absentee Voting Act (52 U.S.C.
12 20310(1)(C)).

13 **SEC. 136. UNITED STATES POSTAL SERVICE COORDINATION**
14 **WITH STATES TO ENSURE MAILING ADDRESS-**
15 **ES.**

16 (a) IN GENERAL.—Not later than 2 years after the
17 date of the enactment of this Act, the Postmaster General
18 shall, in coordination with the appropriate State executives
19 of each State, carry out a program to identify and assign
20 a mailing address to each home in each State that, as of
21 the date of the enactment of this Act, does not have a
22 mailing address assigned to such home, with a priority
23 given to assigning mailing addresses to such homes located
24 on Indian lands.

25 (b) DEFINITIONS.—In this section:

1 (1) INDIAN.—The term “Indian” has the mean-
2 ing given the term in section 4 of the Indian Self-
3 Determination and Education Assistance Act (25
4 U.S.C. 5304).

5 (2) INDIAN LANDS.—The term “Indian lands”
6 includes—

7 (A) any Indian country of an Indian Tribe,
8 as defined under section 1151 of title 18,
9 United States Code;

10 (B) any land in Alaska owned, pursuant to
11 the Alaska Native Claims Settlement Act (43
12 U.S.C. 1601 et seq.), by an Indian Tribe that
13 is a Native village (as defined in section 3 of
14 that Act (43 U.S.C. 1602)) or by a Village Cor-
15 poration that is associated with an Indian Tribe
16 (as defined in section 3 of that Act (43 U.S.C.
17 1602));

18 (C) any land on which the seat of the Trib-
19 al Government is located; and

20 (D) any land that is part or all of a Tribal
21 designated statistical area associated with an
22 Indian Tribe, or is part or all of an Alaska Na-
23 tive village statistical area associated with an
24 Indian Tribe, as defined by the Census Bureau

1 for the purposes of the most recent decennial
2 census.

3 (3) INDIAN TRIBE.—The term “Indian Tribe”
4 has the meaning given the term “Indian tribe” in
5 section 4 of the Indian Self-Determination and Edu-
6 cation Assistance Act (25 U.S.C. 5304).

7 (4) STATE.—The term “State” has the mean-
8 ing given such term in section 901 of the Help
9 America Vote Act of 2002 (52 U.S.C. 21141).

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

13 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated \$5,000,000 to carry out this
15 section.

16 **SEC. 137. STATE DEFINED.**

17 Section 901 of the Help America Vote Act of 2002
18 (52 U.S.C. 21141) is amended by striking “and the
19 United States Virgin Islands” and inserting “the United
20 States Virgin Islands, and the Commonwealth of the
21 Northern Mariana Islands”.

1 **TITLE IV—DISTRICT OF COLUM-**
2 **BIA ELECTION INTEGRITY**
3 **AND VOTER CONFIDENCE**

4 **SEC. 141. SHORT TITLE.**

5 This title may be cited as the “American Confidence
6 in Elections: District of Columbia Election Integrity and
7 Voter Confidence Act”.

8 **SEC. 142. REQUIREMENTS FOR ELECTIONS IN DISTRICT OF**
9 **COLUMBIA.**

10 (a) **REQUIREMENTS DESCRIBED.**—Title III of the
11 Help America Vote Act of 2002 (52 U.S.C. 21801 et seq.)
12 is amended by adding at the end the following new sub-
13 title:

14 **“Subtitle C—Requirements for**
15 **Elections in District of Columbia**

16 **“SEC. 321. STATEMENT OF CONGRESSIONAL AUTHORITY;**
17 **FINDINGS.**

18 “Congress finds that it has the authority to establish
19 the terms and conditions for the administration of elec-
20 tions for public office in the District of Columbia—

21 “(1) under article I, section 8, clause 17 of the
22 Constitution of the United States, which grants Con-
23 gress the exclusive power to enact legislation with
24 respect to the seat of the Government of the United
25 States; and

1 “(2) under other enumerated powers granted to
2 Congress.

3 **“SEC. 322. REQUIREMENTS FOR PHOTO IDENTIFICATION.**

4 “(a) SHORT TITLE.—This section may be cited as the
5 ‘American Confidence in Elections: District of Columbia
6 Voter Identification Act’.

7 “(b) REQUIRING PROVISION OF IDENTIFICATION TO
8 RECEIVE A BALLOT OR VOTE.—

9 “(1) INDIVIDUALS VOTING IN PERSON.—A Dis-
10 trict of Columbia election official may not provide a
11 ballot for a District of Columbia election to an indi-
12 vidual who desires to vote in person unless the indi-
13 vidual presents to the official an identification de-
14 scribed in paragraph (3).

15 “(2) INDIVIDUALS VOTING OTHER THAN IN
16 PERSON.—A District of Columbia election official
17 may not provide a ballot for a District of Columbia
18 election to an individual who desires to vote other
19 than in person unless the individual submits with
20 the application for the ballot a copy of an identifica-
21 tion described in paragraph (3).

22 “(3) IDENTIFICATION DESCRIBED.—An identi-
23 fication described in this paragraph is, with respect
24 to an individual, any of the following:

1 “(A) A current and valid motor vehicle li-
2 cense issued by the District of Columbia or any
3 other current and valid photo identification of
4 the individual which is issued by the District of
5 Columbia or the identification number for such
6 motor vehicle license or photo identification.

7 “(B) A current and valid United States
8 passport, a current and valid military photo
9 identification, or any other current and valid
10 photo identification of the individual which is
11 issued by the Federal Government.

12 “(C) Any current and valid photo identi-
13 fication of the individual which is issued by a
14 Tribal Government.

15 “(D) A student photo identification issued
16 by a secondary school (as such term is defined
17 in section 8101 of the Elementary and Sec-
18 ondary Education Act of 1965 (20 U.S.C.
19 7801)) or an institution of higher education (as
20 such term is defined in section 101 of the High-
21 er Education Act of 1965 (20 U.S.C. 1001)).

22 “(E) The last 4 digits of the individual’s
23 social security number.

24 “(4) ENSURING PROOF OF RESIDENCE.—If an
25 individual presents or submits an identification de-

1 scribed in paragraph (3) which does not include the
2 address of the individual’s residence, the District of
3 Columbia election official may not provide a ballot to
4 the individual unless the individual presents or sub-
5 mits a document or other written information from
6 a third party which—

7 “(A) provides the address of the individ-
8 ual’s residence; and

9 “(B) such document or other written infor-
10 mation is of sufficient validity such that the
11 election official is reasonably certain as to the
12 identity of the individual.

13 “(c) PROVISION OF IDENTIFICATION WITHOUT COST
14 TO INDIGENT INDIVIDUALS.—If the District of Columbia
15 charges an individual a fee for an identification described
16 in subsection (b)(3) and the individual provides an attesta-
17 tion that the individual is unable to afford the fee, the
18 District of Columbia shall provide the identification to the
19 individual at no cost.

20 “(d) SPECIAL RULE WITH RESPECT TO SINCERELY
21 HELD RELIGIOUS BELIEFS.—In the case of an individual
22 who is unable to comply with the requirements of sub-
23 section (b) due to sincerely held religious beliefs, the Dis-
24 trict of Columbia shall provide such individual with an al-
25 ternative identification that shall be deemed to meet the

1 requirements of an identification described in subsection
2 (b)(3).

3 “(e) DESIGNATION OF DISTRICT OF COLUMBIA
4 AGENCY TO PROVIDE COPIES OF IDENTIFICATION.—The
5 Mayor of the District of Columbia shall designate an agen-
6 cy of the District of Columbia government to provide an
7 individual with a copy of an identification described in
8 subsection (b)(3) at no cost to the individual for the pur-
9 poses of meeting the requirement under subsection (b)(2).

10 “(f) INCLUSION OF PHOTOS IN POLL BOOKS.—

11 “(1) METHODS FOR OBTAINING PHOTOS.—

12 “(A) PROVISION OF PHOTOS BY OFFICES
13 OF DISTRICT OF COLUMBIA GOVERNMENT.—If
14 any office of the District of Columbia Govern-
15 ment has a photograph or digital image of the
16 likeness of an individual who is eligible to vote
17 in a District of Columbia election, the office, in
18 consultation with the chief election official of
19 the District of Columbia, shall provide access to
20 the photograph or digital image to the chief
21 election official of the District of Columbia.

22 “(B) TAKING OF PHOTOS AT POLLING
23 PLACE.—If a photograph or digital image of an
24 individual who votes in person at a polling place
25 is not included in the poll book which contains

1 the name of the individuals who are eligible to
2 vote in the District of Columbia election and
3 which is used by election officials to provide
4 ballots to such eligible individuals, the appro-
5 priate election official shall take a photograph
6 of the individual and provide access to the pho-
7 tograph to the chief election official of the Dis-
8 trict of Columbia.

9 “(C) COPIES OF PHOTOS PROVIDED BY IN-
10 DIVIDUALS NOT VOTING IN PERSON.—The elec-
11 tion official who receives a copy of an identifica-
12 tion described in subsection (b)(3) which is sub-
13 mitted by an individual who desires to vote
14 other than in person at a polling place shall
15 provide access to the copy of the identification
16 to the chief election official of the District of
17 Columbia.

18 “(2) INCLUSION IN POLL BOOKS.—The chief
19 election official of the District of Columbia shall en-
20 sure that a photograph, digital image, or copy of an
21 identification for which access is provided under
22 paragraph (1) is included in the poll book which con-
23 tains the name of the individuals who are eligible to
24 vote in the District of Columbia election and which

1 is used by election officials to provide ballots to such
2 eligible individuals.

3 “(3) PROTECTION OF PRIVACY OF VOTERS.—

4 The appropriate election officials of the District of
5 Columbia shall ensure that any photograph, digital
6 image, or copy of an identification which is included
7 in a poll book under this subsection is not used for
8 any purpose other than the administration of Dis-
9 trict of Columbia elections and is not provided or
10 otherwise made available to any other person except
11 as may be necessary to carry out that purpose.

12 “(g) EXCEPTIONS.—This section does not apply with
13 respect to any individual who is—

14 “(1) entitled to vote by absentee ballot under
15 the Uniformed and Overseas Citizens Absentee Vot-
16 ing Act (52 U.S.C. 20301 et seq.);

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

21 “(3) entitled to vote otherwise than in person
22 under any other Federal law.

23 “(h) DEFINITIONS.—For the purposes of this section,
24 the following definitions apply:

1 “(1) INDIAN TRIBE.—The term ‘Indian Tribe’
2 has the meaning given the term ‘Indian tribe’ in sec-
3 tion 4 of the Indian Self-Determination and Edu-
4 cation Assistance Act (25 U.S.C. 5304).

5 “(2) TRIBAL GOVERNMENT.—The term ‘Tribal
6 Government’ means the recognized governing body
7 of an Indian Tribe.

8 **“SEC. 323. REQUIREMENTS FOR VOTER REGISTRATION.**

9 “(a) SHORT TITLE.—This section may be cited as the
10 ‘American Confidence in Elections: District of Columbia
11 Voter List Maintenance Act’.

12 “(b) ANNUAL LIST MAINTENANCE.—

13 “(1) REQUIREMENTS.—

14 “(A) IN GENERAL.—The District of Co-
15 lumbia shall carry out annually a program to
16 remove ineligible persons from the official list of
17 persons registered to vote in the District of Co-
18 lumbia, as required by section 8 of the National
19 Voter Registration Act of 1993 (52 U.S.C.
20 20507) and pursuant to the procedures de-
21 scribed in subparagraph (B).

22 “(B) REMOVAL FROM VOTER ROLLS.—In
23 the case of a registrant from the official list of
24 eligible voters in District of Columbia elections
25 who has failed to vote in a District of Columbia

1 election during a period of two consecutive
2 years, the District of Columbia shall send to
3 such registrant a notice described in section
4 8(d)(2) of the National Voter Registration Act
5 of 1993 (52 U.S.C. 20507(d)(2)) and shall re-
6 move the registrant from the official list of eli-
7 gible voters in District of Columbia elections
8 if—

9 “(i) the registrant fails to respond to
10 such notice; and

11 “(ii) the registrant has not voted or
12 appeared to vote in a District of Columbia
13 election during the period beginning the
14 date such notice is sent and ending the
15 later of 4 years after the date such notice
16 is sent or after two consecutive District of
17 Columbia general elections have been held.

18 “(2) TIMING.—In the case of a year during
19 which a regularly scheduled District of Columbia
20 election is held, the District of Columbia shall carry
21 out the program described in paragraph (1) not
22 later than 90 days prior to the date of the election.

23 “(c) PROHIBITING SAME-DAY REGISTRATION.—The
24 District of Columbia may not permit an individual to vote
25 in a District of Columbia election unless, not later than

1 30 days prior to the date of the election, the individual
2 is duly registered to vote in the election.

3 **“SEC. 324. BAN ON COLLECTION AND TRANSMISSION OF**
4 **BALLOTS BY CERTAIN THIRD PARTIES.**

5 “(a) SHORT TITLE.—This section may be cited as the
6 ‘American Confidence in Elections: District of Columbia
7 Election Fraud Prevention Act’.

8 “(b) IN GENERAL.—The District of Columbia may
9 not permit an individual to knowingly collect and transmit
10 a ballot in a District of Columbia election that was mailed
11 to another person, other than an individual described as
12 follows:

13 “(1) An election official while engaged in offi-
14 cial duties as authorized by law.

15 “(2) An employee of the United States Postal
16 Service or other commercial common carrier engaged
17 in similar activities while engaged in duties author-
18 ized by law.

19 “(3) Any other individual who is allowed by law
20 to collect and transmit United States mail, while en-
21 gaged in official duties as authorized by law.

22 “(4) A family member, household member, or
23 caregiver of the person to whom the ballot was
24 mailed.

1 “(c) DEFINITIONS.—For purposes of this section,
2 with respect to a person to whom the ballot was mailed:

3 “(1) The term ‘caregiver’ means an individual
4 who provides medical or health care assistance to
5 such person in a residence, nursing care institution,
6 hospice facility, assisted living center, assisted living
7 facility, assisted living home, residential care institu-
8 tion, adult day health care facility, or adult foster
9 care home.

10 “(2) The term ‘family member’ means an indi-
11 vidual who is related to such person by blood, mar-
12 riage, adoption or legal guardianship.

13 “(3) The term ‘household member’ means an
14 individual who resides at the same residence as such
15 person.

16 **“SEC. 325. TIMELY PROCESSING AND REPORTING OF RE-**
17 **SULTS.**

18 “(a) SHORT TITLE.—This section may be cited as the
19 ‘American Confidence in Elections: District of Columbia
20 Timely Reporting of Election Results Act’.

21 “(b) TIME FOR PROCESSING BALLOTS AND REPORT-
22 ING RESULTS.— The District of Columbia shall begin
23 processing ballots received by mail in a District of Colum-
24 bia election as soon as such ballots are received and shall
25 ensure to the greatest extent practicable that the results

1 of such District of Columbia election are reported to the
2 public not later than 10:00 am on the date following the
3 date of the election, but in no case shall such ballots be
4 tabulated or such results be reported earlier than the clos-
5 ing of polls on the date of the election.

6 “(c) REQUIREMENT TO PUBLISH NUMBER OF
7 VOTED BALLOTS ON ELECTION DAY.—The District of
8 Columbia shall, as soon as practicable after the closing
9 of polls on the date of a District of Columbia election,
10 make available on a publicly accessible website the total
11 number of voted ballots in the possession of election offi-
12 cials in the District of Columbia as of the time of the clos-
13 ing of polls on the date of such election, which shall in-
14 clude, as of such time—

15 “(1) the number of voted ballots delivered by
16 mail;

17 “(2) the number of ballots requested for such
18 election by individuals who are entitled to vote by
19 absentee ballot under the Uniformed and Overseas
20 Citizens Absentee Voting Act (52 U.S.C. 20301 et
21 seq.); and

22 “(3) the number of voted ballots for such elec-
23 tion received from individuals who are entitled to
24 vote by absentee ballot under the Uniformed and
25 Overseas Citizens Absentee Voting Act (52 U.S.C.

1 20301 et seq.), including from individuals who,
2 under such Act, voted by absentee ballot without re-
3 questing such a ballot.

4 “(d) REQUIREMENTS TO ENSURE BIPARTISAN
5 ELECTION ADMINISTRATION ACTIVITY.—With respect to
6 a District of Columbia election, District of Columbia elec-
7 tion officials shall ensure that all activities are carried out
8 in a bipartisan manner, which shall include a requirement
9 that, in the case of an election worker who enters a room
10 which contains ballots, voting equipment, or non-voting
11 equipment as any part of the election worker’s duties to
12 carry out such election, the election worker is accompanied
13 by an individual registered to vote with respect to a dif-
14 ferent political party than such election worker, as deter-
15 mined pursuant to the voting registration records of the
16 District of Columbia.

17 **“SEC. 326. BAN ON NONCITIZEN VOTING.**

18 “(a) SHORT TITLE.—This section may be cited as the
19 ‘American Confidence in Elections: District of Columbia
20 Citizen Voter Act’.

21 “(b) BAN ON NONCITIZEN VOTING.—No individual
22 may vote in a District of Columbia election unless the indi-
23 vidual is a citizen of the United States.

1 **“SEC. 327. REQUIREMENTS WITH RESPECT TO PROVI-**
2 **SIONAL BALLOTS.**

3 “(a) **SHORT TITLE.**—This section may be cited as the
4 ‘American Confidence in Elections: District of Columbia
5 Provisional Ballot Reform Act’.

6 “(b) **IN GENERAL.**—Except as provided in subsection
7 (c), the District of Columbia shall permit an individual
8 to cast a provisional ballot pursuant to section 302 if—

9 “(1) the individual declares that such individual
10 is a registered voter in the District of Columbia and
11 is eligible to vote in a District of Columbia election
12 but the name of the individual does not appear on
13 the official list of eligible voters for the polling place
14 or an election official asserts that the individual is
15 not eligible to vote; or

16 “(2) the individual declares that such individual
17 is a registered voter in the District of Columbia and
18 is eligible to vote in a District of Columbia election
19 but does not provide an identification required under
20 section 322, except that the individual’s provisional
21 ballot shall not be counted in the election unless the
22 individual provides such identification to the chief
23 State election official of the District of Columbia not
24 later than 5:00 pm on the second day which begins
25 after the date of the election.

1 “(c) REQUIREMENTS WITH RESPECT TO COUNTING
2 PROVISIONAL BALLOTS IN CERTAIN CASES.—If the name
3 of an individual who is a registered voter in the District
4 of Columbia and eligible to vote in a District of Columbia
5 election appears on the official list of eligible voters for
6 a polling place in the District of Columbia, such individual
7 may cast a provisional ballot pursuant to section 302 for
8 such election at a polling place other than the polling place
9 with respect to which the name of the individual appears
10 on the official list of eligible voters, except that the individ-
11 ual’s provisional ballot shall not be counted in the election
12 unless the individual demonstrates pursuant to the re-
13 quirements under section 302 that the individual is a reg-
14 istered voter in the jurisdiction of the polling place at
15 which the individual cast such ballot.

16 **“SEC. 328. MANDATORY POST-ELECTION AUDITS.**

17 “(a) SHORT TITLE.—This section may be cited as the
18 ‘American Confidence in Elections: District of Columbia
19 Mandatory Post-Election Audits Act’.

20 “(b) REQUIREMENT FOR POST-ELECTION AUDITS.—
21 Not later than 30 days after each District of Columbia
22 election, the District of Columbia shall conduct and pub-
23 lish an audit of the effectiveness and accuracy of the vot-
24 ing systems used to carry out the election and the per-
25 formance of the election officials who carried out the elec-

1 tion, but in no case shall such audit be completed later
 2 than 2 business days before the deadline to file an election
 3 contest under the laws of the District of Columbia.

4 **“SEC. 329. PUBLIC OBSERVATION OF ELECTION PROCE-**
 5 **DURES.**

6 “(a) **SHORT TITLE.**—This section may be cited as the
 7 ‘American Confidence in Elections: District of Columbia
 8 Public Observation of Election Procedures Act’.

9 “(b) **DESIGNATED REPRESENTATIVES OF CAN-**
 10 **DIDATES, POLITICAL PARTIES, AND COMMITTEES AFFILI-**
 11 **ATED WITH BALLOT INITIATIVES.**—

12 “(1) **AUTHORITY TO OBSERVE PROCEDURES.**—

13 An individual who is not a District of Columbia elec-
 14 tion official may observe election procedures carried
 15 out in a District of Columbia election, as described
 16 in paragraph (2), if the individual is designated to
 17 observe such procedures by a candidate in the elec-
 18 tion, a political party, or a committee affiliated with
 19 a ballot initiative or referendum in the election.

20 “(2) **AUTHORITY AND PROCEDURES DE-**
 21 **SCRIBED.**—The authority of an individual to observe
 22 election procedures pursuant to this subsection is as
 23 follows:

24 “(A) The individual may serve as a poll
 25 watcher to observe the casting and tabulation of

1 ballots at a polling place on the date of the elec-
2 tion or on any day prior to the date of the elec-
3 tion on which ballots are cast at early voting
4 sites, and may challenge the casting or tabula-
5 tion of any such ballot.

6 “(B) The individual may serve as a poll
7 watcher to observe the canvassing and proc-
8 essing of absentee or other mail-in ballots, in-
9 cluding the procedures for verification of signed
10 certificates of transmission under section
11 330(c)(2).

12 “(C) The individual may observe the re-
13 count of the results of the election at any loca-
14 tion at which the recount is held, and may chal-
15 lenge the tabulation of any ballot tabulated pur-
16 suant to the recount.

17 “(3) PROVISION OF CREDENTIALS.—The chief
18 State election official of the District of Columbia
19 shall provide each individual who is authorized to ob-
20 serve election procedures under paragraph (1) with
21 appropriate credentials to enable the individual to
22 observe such procedures.

23 “(4) EXCEPTION FOR CANDIDATES AND LAW
24 ENFORCEMENT OFFICERS.—An individual may not
25 serve as a poll watcher under subparagraph (A) or

1 (B) of paragraph (2), and the chief State election of-
2 ficial of the District of Columbia may not provide
3 the individual with credentials to enable the indi-
4 vidual to serve as a poll watcher under such sub-
5 paragraph, if the individual is a candidate in the
6 election or a law enforcement officer.

7 “(c) OTHER INDIVIDUALS.—

8 “(1) PETITION FOR OBSERVER CREDEN-
9 TIALS.—In addition to the individuals described in
10 subsection (b), any individual, including an indi-
11 vidual representing or affiliated with a domestic or
12 international organization, may petition the chief
13 State election official of the District of Columbia to
14 provide the individual with credentials to observe
15 election procedures carried out in a District of Co-
16 lumbia election, as described in subsection (b).

17 “(2) AUTHORITY DESCRIBED.—If the chief
18 State election official provides an individual with
19 credentials under paragraph (1), the individual shall
20 have the same authority to observe election proce-
21 dures carried out in the election as an individual de-
22 scribed in subsection (b), except that the individual
23 may not challenge the casting, tabulation, can-
24 vassing, or processing of any ballot in the election.

1 “(3) EXCEPTION FOR CANDIDATES AND LAW
2 ENFORCEMENT OFFICERS.—The chief State election
3 official of the District of Columbia may not provide
4 an individual who is a candidate in the election or
5 a law enforcement officer with credentials to serve as
6 a poll watcher, as described in subparagraph (A) or
7 (B) of subsection (b)(2).

8 “(d) AUTHORITY OF MEMBERS OF PUBLIC TO OB-
9 SERVE TESTING OF EQUIPMENT.—In addition to the au-
10 thority of individuals to observe procedures under sub-
11 sections (b) and (c), any member of the public may ob-
12 serve the testing of election equipment by election officials
13 prior to the date of the election.

14 “(e) PROHIBITING LIMITS ON ABILITY TO VIEW
15 PROCEDURES.—An election official may not obstruct the
16 ability of an individual who is authorized to observe an
17 election procedure under this section to view the procedure
18 as it is being carried out.

19 “(f) PROHIBITION AGAINST CERTAIN RESTRIC-
20 TIONS.—An election official may not require that an indi-
21 vidual who observes election procedures under this section
22 stays more than 3 feet away from the procedure as it is
23 being carried out.

1 **“SEC. 330. REQUIREMENTS FOR VOTING BY MAIL-IN BAL-**
2 **LOT.**

3 “(a) **SHORT TITLE.**—This section may be cited as the
4 ‘American Confidence in Elections: District of Columbia
5 Mail Balloting Reform Act’.

6 “(b) **PROHIBITING TRANSMISSION OF UNSOLICITED**
7 **BALLOTS.**—The District of Columbia may not transmit
8 an absentee or other mail-in ballot for a District of Colum-
9 bia election to any individual who does not request the
10 District of Columbia to transmit the ballot.

11 “(c) **SIGNATURE VERIFICATION.**—

12 “(1) **INCLUSION OF CERTIFICATE WITH BAL-**
13 **LOT.**—The District of Columbia shall include with
14 each absentee or other mail-in ballot transmitted for
15 a District of Columbia election a certificate of trans-
16 mission which may be signed by the individual for
17 whom the ballot is transmitted.

18 “(2) **REQUIRING VERIFICATION FOR BALLOT TO**
19 **BE COUNTED.**—Except as provided in subsection (d),
20 the District of Columbia may not accept an absentee
21 or other mail-in ballot for a District of Columbia
22 election unless—

23 “(A) the individual for whom the ballot
24 was transmitted—

1 “(i) signs and dates the certificate of
2 transmission included with the ballot under
3 paragraph (1); and

4 “(ii) includes the signed certification
5 with the ballot and the date on such cer-
6 tification is accurate and in no case later
7 than the date of the election; and

8 “(B) the individual’s signature on the bal-
9 lot matches the signature of the individual on
10 the official list of registered voters in the Dis-
11 trict of Columbia or other official record or doc-
12 ument used by the District of Columbia to
13 verify the signatures of voters.

14 “(d) NOTICE AND OPPORTUNITY TO CURE.—

15 “(1) NOTICE AND OPPORTUNITY TO CURE DIS-
16 CREPANCY IN SIGNATURES.—If an individual sub-
17 mits an absentee or other mail-in ballot for a Dis-
18 trict of Columbia election and the appropriate Dis-
19 trict of Columbia election official determines that a
20 discrepancy exists between the signature on such
21 ballot and the signature of such individual on the of-
22 ficial list of registered voters in the District of Co-
23 lumbia or other official record or document used by
24 the District of Columbia to verify the signatures of
25 voters, such election official, prior to making a final

1 determination as to the validity of such ballot,
2 shall—

3 “(A) make a good faith effort to imme-
4 diately notify the individual by mail, telephone,
5 or (if available) text message and electronic
6 mail that—

7 “(i) a discrepancy exists between the
8 signature on such ballot and the signature
9 of the individual on the official list of reg-
10 istered voters in the District of Columbia
11 or other official record or document used
12 by the District of Columbia to verify the
13 signatures of voters; and

14 “(ii) if such discrepancy is not cured
15 prior to the expiration of the 48-hour pe-
16 riod which begins on the date the official
17 notifies the individual of the discrepancy,
18 such ballot will not be counted; and

19 “(B) cure such discrepancy and count the
20 ballot if, prior to the expiration of the 48-hour
21 period described in subparagraph (A)(ii), the
22 individual provides the official with information
23 to cure such discrepancy, either in person, by
24 telephone, or by electronic methods.

1 “(2) NOTICE AND OPPORTUNITY TO CURE MISS-
2 ING SIGNATURE OR OTHER DEFECT.—If an indi-
3 vidual submits an absentee or other mail-in ballot
4 for a District of Columbia election without a signa-
5 ture on the ballot or the certificate of transmission
6 included with the ballot under subsection (c)(1) or
7 submits an absentee ballot with another defect
8 which, if left uncured, would cause the ballot to not
9 be counted, the appropriate District of Columbia
10 election official, prior to making a final determina-
11 tion as to the validity of the ballot, shall—

12 “(A) make a good faith effort to imme-
13 diately notify the individual by mail, telephone,
14 or (if available) text message and electronic
15 mail that—

16 “(i) the ballot or certificate of trans-
17 mission did not include a signature or has
18 some other defect; and

19 “(ii) if the individual does not provide
20 the missing signature or cure the other de-
21 fect prior to the expiration of the 48-hour
22 period which begins on the date the official
23 notifies the individual that the ballot or
24 certificate of transmission did not include

1 a signature or has some other defect, such
2 ballot will not be counted; and

3 “(B) count the ballot if, prior to the expi-
4 ration of the 48-hour period described in sub-
5 paragraph (A)(ii), the individual provides the
6 official with the missing signature on a form
7 proscribed by the District of Columbia or cures
8 the other defect.

9 This paragraph does not apply with respect to a de-
10 fect consisting of the failure of a ballot to meet the
11 applicable deadline for the acceptance of the ballot,
12 as described in subsection (e).

13 “(e) DEADLINE FOR ACCEPTANCE.—

14 “(1) DEADLINE.—Except as provided in para-
15 graph (2), the District of Columbia may not accept
16 an absentee or other mail-in ballot for a District of
17 Columbia election which is received by the appro-
18 priate election official following the close of polls on
19 Election Day.

20 “(2) EXCEPTION FOR ABSENT MILITARY AND
21 OVERSEAS VOTERS.—Paragraph (1) does not apply
22 to a ballot cast by an individual who is entitled to
23 vote by absentee ballot under the Uniformed and
24 Overseas Citizens Absentee Voting Act (52 U.S.C.
25 20301 et seq.).

1 “(3) **RULE OF CONSTRUCTION.**—Nothing in
2 this subsection may be construed as prohibiting the
3 District of Columbia from accepting an absentee or
4 other mail-in ballot for a District of Columbia elec-
5 tion that is delivered in person by the voter to an
6 election official at an appropriate polling place or
7 the District of Columbia Board of Elections if such
8 ballot is received by the election official by the dead-
9 line described in paragraph (1).

10 **“SEC. 331. REQUIREMENTS WITH RESPECT TO USE OF**
11 **DROP BOXES.**

12 “(a) **SHORT TITLE.**—This section may be cited as the
13 ‘American Confidence in Elections: District of Columbia
14 Ballot Security Act’.

15 “(b) **REQUIREMENTS.**—With respect to a District of
16 Columbia election, the District of Columbia may not use
17 a drop box to accept a voted absentee or other mail-in
18 ballot for any such election unless—

19 “(1) any such drop box is located inside a Dis-
20 trict of Columbia Government building or facility;

21 “(2) the District of Columbia provides for the
22 security of any such drop box through 24-hour re-
23 mote or electronic surveillance; and

24 “(3) the District of Columbia Board of Elec-
25 tions collects any ballot deposited in any such drop

1 box each day after 5:00 p.m. (local time) during the
2 period of the election.

3 **“SEC. 332. SPECIAL RULE WITH RESPECT TO APPLICATION**
4 **OF REQUIREMENTS TO FEDERAL ELECTIONS.**

5 “With respect to an election for Federal office in the
6 District of Columbia, to the extent that there is any incon-
7 sistency with the requirements of this subtitle and the re-
8 quirements of subtitle A, the requirements of this subtitle
9 shall apply.

10 **“SEC. 333. DISTRICT OF COLUMBIA ELECTION DEFINED.**

11 “In this subtitle, the term ‘District of Columbia elec-
12 tion’ means any election for public office in the District
13 of Columbia, including an election for Federal office, and
14 any ballot initiative or referendum.”.

15 (b) CONFORMING AMENDMENT RELATING TO EN-
16 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
17 is amended by striking the period at the end and inserting
18 the following: “, and the requirements of subtitle C with
19 respect to the District of Columbia.”.

20 (c) CLERICAL AMENDMENT.—The table of contents
21 of such Act is amended by adding at the end of the items
22 relating to title III the following:

“Subtitle C—Requirements for Elections in District of Columbia

“Sec. 321. Statement of Congressional authority; findings.

“Sec. 322. Requirements for photo identification.

“Sec. 323. Requirements for voter registration.

“Sec. 324. Ban on collection and transmission of ballots by certain third parties.

- “Sec. 325. Timely processing and reporting of results.
- “Sec. 326. Ban on noncitizen voting.
- “Sec. 327. Requirements with respect to provisional ballots.
- “Sec. 328. Mandatory post-election audits.
- “Sec. 329. Public observation of election procedures.
- “Sec. 330. Requirements for voting by mail-in ballot.
- “Sec. 331. Requirements with respect to use of drop boxes.
- “Sec. 332. Special rule with respect to application of requirements to Federal elections.
- “Sec. 333. District of Columbia election defined.

1 **SEC. 143. EFFECTIVE DATE.**

2 The amendments made by this title shall apply with
 3 respect to District of Columbia elections held on or after
 4 January 1, 2024. For purposes of this section, the term
 5 “District of Columbia election” has the meaning given
 6 such term in section 333 of the Help America Vote Act
 7 of 2002, as added by section 143(a).

8 **TITLE V—ADMINISTRATION OF**
 9 **THE ELECTION ASSISTANCE**
 10 **COMMISSION**

11 **SEC. 151. SHORT TITLE.**

12 This title may be cited as the “Positioning the Elec-
 13 tion Assistance Commission for the Future Act of 2023”.

14 **SEC. 152. FINDINGS RELATING TO THE ADMINISTRATION**
 15 **OF THE ELECTION ASSISTANCE COMMISSION.**

16 Congress finds the following:

- 17 (1) The Election Assistance Commission best
 18 serves the American people when operating within
 19 its core statutory functions, including serving as a
 20 clearinghouse for information on election administra-

1 tion, providing grants, and testing and certifying
2 election equipment.

3 (2) The American people are best served when
4 Federal agency election assistance is offered by a
5 single agency with expertise in this space. The Elec-
6 tion Assistance Commission, composed of four elec-
7 tion experts from different political parties, is best
8 situated among the Federal Government agencies to
9 offer assistance services to citizens and to guide
10 other Federal agencies that have responsibilities in
11 the elections space. The Commission is also best
12 suited to determine the timing of the issuance of any
13 advisories and to disburse all appropriated election
14 grant funding.

15 (3) To this end, Congress finds that the Elec-
16 tion Assistance Commission should be viewed as the
17 lead Federal Government agency on all election ad-
18 ministration matters, and other Federal agencies op-
19 erating in this space should look to the Commission
20 for guidance, direction, and support on election ad-
21 ministration-related issues.

1 **SEC. 153. REQUIREMENTS WITH RESPECT TO STAFF AND**
2 **FUNDING OF THE ELECTION ASSISTANCE**
3 **COMMISSION.**

4 (a) **STAFF.**—Section 204(a)(5) of the Help America
5 Vote Act of 2002 (52 U.S.C. 20924(a)(5)) is amended by
6 striking “of such additional personnel” and inserting “of
7 not more than 55 full-time equivalent employees to carry
8 out the duties and responsibilities under this Act and the
9 additional duties and responsibilities required under the
10 American Confidence in Elections Act”.

11 (b) **FUNDING.**—Section 210 of the Help America
12 Vote Act of 2002 (52 U.S.C. 20930) is amended—

13 (1) by striking “for each of the fiscal years
14 2003 through 2005” and inserting “for each of the
15 fiscal years 2023 through 2025”; and

16 (2) by striking “(but not to exceed \$10,000,000
17 for each such year)” and inserting “(but not to ex-
18 ceed \$25,000,000 for each such year)”.

19 (c) **PROHIBITION ON CERTAIN USE OF FUNDS.**—

20 (1) **PROHIBITION.**—None of the funds author-
21 ized to be appropriated or otherwise made available
22 under subsection (b) may be obligated or expended
23 for the operation of an advisory committee estab-
24 lished by the Election Assistance Commission pursu-
25 ant to and in accordance with the provisions of the
26 Federal Advisory Committee Act (5 U.S.C. App. 2),

1 except with respect to the operation of the Local
2 Leadership Council.

3 (2) NO EFFECT ON ENTITIES ESTABLISHED BY
4 HELP AMERICA VOTE ACT OF 2002.—Paragraph (1)
5 does not apply with respect to the operation of any
6 entity established by the Help America Vote Act of
7 2002, including the Election Assistance Commission
8 Standards Board, the Election Assistance Commis-
9 sion Board of Advisors, and the Technical Guide-
10 lines Development Committee.

11 (d) REQUIREMENTS WITH RESPECT TO COMPENSA-
12 TION OF MEMBERS OF THE COMMISSION.—Section
13 203(d) of the Help America Vote Act of 2002 (52 U.S.C.
14 20923(d)) is amended—

15 (1) in paragraph (1), by striking “at the annual
16 rate of basic pay prescribed for level IV of the Exec-
17 utive Schedule under section 5315 of title 5, United
18 States Code” and inserting “at an annual rate of
19 basic pay equal to the amount of \$186,300, as ad-
20 justed under section 5318 of title 5, United States
21 Code, in the same manner as the annual rate of pay
22 for positions at each level of the Executive Sched-
23 ule”;

1 (2) in paragraph (2), by striking “No member
2 appointed” and inserting “Except as provided in
3 paragraph (3), no member appointed”; and

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

6 “(3) SUPPLEMENTAL EMPLOYMENT AND COM-
7 PENSATION.—An individual serving a term of service
8 on the Commission shall be permitted to hold a posi-
9 tion at an institution of higher education (as such
10 term is defined in section 101 of the Higher Edu-
11 cation Act of 1965 (20 U.S.C. 1001) if—

12 “(A) the General Counsel of the Election
13 Assistance Commission determines that such
14 position does not create a conflict of interest
15 with the individual’s position as a sitting mem-
16 ber of the Commission and grants the indi-
17 vidual approval to hold the position; and

18 “(B) the annual rate of compensation re-
19 ceived by the individual from such institution is
20 not greater than the amount equal to 49.9% of
21 the annual rate of basic pay paid to the indi-
22 vidual under paragraph (1).”.

23 (e) OFFICE OF INSPECTOR GENERAL.—Section 204
24 of the Help America Vote Act of 2002 (52 U.S.C. 20924)

1 is amended by adding at the end the following new sub-
2 section:

3 “(f) OFFICE OF INSPECTOR GENERAL.—The Inspec-
4 tor General of the Election Assistance Commission may
5 appoint not more than 7 full-time equivalent employees
6 to assist the Inspector General to carry out the duties and
7 responsibilities under section 404 of title 5, United States
8 Code, of whom 2 shall have primarily administrative du-
9 ties and responsibilities.”.

10 (f) EFFECTIVE DATE.—This section and the amend-
11 ments made by this section shall take effect on October
12 1, 2022.

13 **SEC. 154. GENERAL REQUIREMENTS FOR PAYMENTS MADE**
14 **BY ELECTION ASSISTANCE COMMISSION.**

15 (a) EXCLUSIVE AUTHORITY OF ELECTION ASSIST-
16 ANCE COMMISSION TO MAKE ELECTION ADMINISTRATION
17 PAYMENTS TO STATES.—No entity of the Federal Govern-
18 ment other than the Election Assistance Commission may
19 make any payment to a State for purposes of admin-
20 istering elections for Federal office, including obtaining
21 election and voting equipment and infrastructure, enhanc-
22 ing election and voting technology, and making election
23 and voting security improvements, including with respect
24 to cybersecurity and infrastructure.

1 (b) PROHIBITING USE OF PAYMENTS FOR GET-OUT-
2 THE-VOTE-ACTIVITY.—Subtitle D of title II of the Help
3 America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is
4 amended by adding at the end the following new part:

5 **“PART 7—GENERAL REQUIREMENTS FOR**
6 **PAYMENTS**

7 **“SEC. 297. PROHIBITING USE OF PAYMENTS FOR GET-OUT-**
8 **THE-VOTE-ACTIVITY.**

9 “(a) PROHIBITION.—No payment made to a State or
10 unit of local government by the Commission may be used
11 for get-out-the-vote activity.

12 “(b) DEFINITION.—In this section, the term ‘get-out-
13 the-vote activity’ means, with respect to a payment made
14 to a State or unit of local government, any activity which,
15 at the time the payment is made, is treated as get-out-
16 the-vote-activity under the Federal Election Campaign Act
17 of 1971 and the regulations promulgated by the Federal
18 Election Commission to carry out such Act.”.

19 (c) REQUIRING DISCLAIMER IN COMMUNICATIONS.—
20 Part 7 of subtitle D of title II of such Act, as added by
21 subsection (b), is amended by adding at the end the fol-
22 lowing new section:

1 **“SEC. 297A. REQUIRING COMMUNICATIONS FUNDED BY**
2 **PAYMENTS TO INCLUDE DISCLAIMER.**

3 “(a) REQUIREMENT.—If a State or unit of local gov-
4 ernment disseminates a public communication which was
5 developed or disseminated in whole or in part with a pay-
6 ment made to the State or local government by the Com-
7 mission, the State or unit of local government shall ensure
8 that the communication includes, in a clear and con-
9 spicuous manner, the following statement: ‘Paid for using
10 Federal taxpayer funds pursuant to the Help America
11 Vote Act’.

12 “(b) CLEAR AND CONSPICUOUS MANNER DE-
13 SCRIBED.—A statement required under subsection (a)
14 shall be considered to be in a clear and conspicuous man-
15 ner if the statement meets the following requirements:

16 “(1) TEXT OR GRAPHIC COMMUNICATIONS.—In
17 the case of a text or graphic communication, the
18 statement—

19 “(A) appears in letters at least as large as
20 the majority of the text in the communication

21 “(B) is contained in a printed box set
22 apart from the other contents of the commu-
23 nication; and

24 “(C) is printed with a reasonable degree of
25 color contrast between the background and the
26 printed statement.

1 “(2) AUDIO COMMUNICATIONS.—In the case of
2 an audio communication, the statement is spoken in
3 a clearly audible and intelligible manner at the be-
4 ginning or end of the communication and lasts at
5 least 3 seconds.

6 “(3) VIDEO COMMUNICATIONS.—In the case of
7 a video communication which also includes audio,
8 the statement—

9 “(A) is included at either the beginning or
10 the end of the communication; and

11 “(B) is made both in—

12 “(i) a written format that meets the
13 requirements of subparagraph (A) and ap-
14 pears for at least 4 seconds; and

15 “(ii) an audible format that meets the
16 requirements of subparagraph (B).

17 “(4) OTHER COMMUNICATIONS.—In the case of
18 any other type of communication, the statement is
19 at least as clear and conspicuous as the statement
20 specified in paragraph (1), (2), or (3).

21 “(c) PUBLIC COMMUNICATION.—In this section, the
22 term ‘public communication’ means a communication by
23 means of any broadcast, cable, or satellite communication,
24 newspaper, magazine, outdoor advertising facility, mass

1 mailing, or telephone bank to the general public, or any
 2 other form of general public advertising.”.

3 (d) CLERICAL AMENDMENT.—The table of contents
 4 of such Act is amended by inserting at the end of the items
 5 relating to subtitle D of title II the following:

“PART 7—GENERAL REQUIREMENTS FOR PAYMENTS

“Sec. 297. Prohibiting use of payments for get-out-the-vote-activity.

“Sec. 297A. Requiring communications funded by payments to include disclaimer.”.

6 (e) EFFECTIVE DATE.—This section and the amend-
 7 ments made by this section shall apply with respect to pay-
 8 ments made on or after the date of the enactment of this
 9 Act.

10 **SEC. 155. EXECUTIVE BOARD OF THE STANDARDS BOARD**
 11 **AUTHORITY TO ENTER INTO CONTRACTS.**

12 Section 213(c) of the Help America Vote Act of 2002
 13 (52 U.S.C. 20943(c)) is amended by adding at the end
 14 the following new paragraph:

15 “(5) AUTHORITY TO ENTER INTO CON-
 16 TRACTS.—The Executive Board of the Standards
 17 Board may, using amounts already made available
 18 to the Commission, enter into contracts to employ
 19 and retain no more than 2 individuals to enable the
 20 Standards Board to discharge its duties with respect
 21 to the examination and release of voluntary consider-
 22 ations with respect to the administration of elections

1 for Federal offices by the States under section 247,
2 except that—

3 “(A) no more than 1 individual from the
4 same political party may be employed under
5 such contracts at the same time;

6 “(B) the authority to enter into such con-
7 tracts shall end on the earlier of the date of the
8 release of the considerations or December 31,
9 2023; and

10 “(C) no additional funds may be appro-
11 priated to the Commission for the purposes of
12 carrying out this paragraph.”.

13 **SEC. 156. ELECTION ASSISTANCE COMMISSION PRIMARY**
14 **ROLE IN ELECTION ADMINISTRATION.**

15 Except as provided in any other provision of law, the
16 Election Assistance Commission shall, with respect to any
17 other entity of the Federal Government, have primary ju-
18 risdiction to address issues with respect to the administra-
19 tion of elections for Federal office.

1 **TITLE VI—PROHIBITION ON IN-**
2 **VOLVEMENT IN ELECTIONS**
3 **BY FOREIGN NATIONALS**

4 **SEC. 161. PROHIBITION ON CONTRIBUTIONS AND DONA-**
5 **TIONS BY FOREIGN NATIONALS IN CONNEX-**
6 **ION WITH BALLOT INITIATIVES AND**
7 **REFERENDA.**

8 (a) **SHORT TITLE.**—This section may be cited as the
9 “Keeping Foreign Money out of Ballot Measures Act of
10 2023”.

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

14 **“§ 612. Foreign nationals making certain political**
15 **contributions**

16 “(a) **PROHIBITION.**—It shall be unlawful for a for-
17 eign national, directly or indirectly, to make a contribution
18 as such term is defined in section 301(8)(A) of the Federal
19 Election Campaign Act of 1971 (52 U.S.C. 30101(8)(A))
20 or donation of money or other thing of value, or to make
21 an express or implied promise to make a contribution or
22 donation, in connection with a State or local ballot initia-
23 tive or referendum.

1 “(b) PENALTY.—Any person who violates subsection
2 (a) shall be fined not more than \$250,000, imprisoned for
3 not more than 5 years, or both.

4 “(c) FOREIGN NATIONAL DEFINED.—In this section,
5 the term ‘foreign national’ has the meaning given such
6 term in section 319(b) of the Federal Election Campaign
7 Act of 1971 (52 U.S.C. 30121(b)).”.

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

“612. Foreign nationals making certain political contributions.”.

11 (d) EFFECTIVE DATE.—The amendment made by
12 this section shall apply with respect to contributions and
13 donations made on or after the date of the enactment of
14 this Act.

15 **SEC. 162. PROHIBITING PROVIDING ASSISTANCE TO FOR-**
16 **IGN NATIONALS IN MAKING CONTRIBU-**
17 **TIONS OR DONATIONS IN CONNECTION WITH**
18 **ELECTIONS.**

19 (a) PROHIBITION.—Section 319(a) of the Federal
20 Election Campaign Act of 1971 (52 U.S.C. 30121(a)) is
21 amended—

22 (1) by striking “or” at the end of paragraph

23 (1);

24 (2) by striking the period at the end of para-
25 graph (2) and inserting “: or”; and

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

3 “(3) a person to knowingly help or assist a for-
4 eign national in violating this subsection.”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 this section shall apply with respect to contributions and
7 donations made on or after the date of the enactment of
8 this Act.

9 **TITLE VII—CONSTITUTIONAL EX-**
10 **PERTS PANEL WITH RESPECT**
11 **TO PRESIDENTIAL ELEC-**
12 **TIONS**

13 **SEC. 171. SHORT TITLE.**

14 This title may be cited as the “Solving an Overlooked
15 Loophole in Votes for Executives (SOLVE) Act”.

16 **SEC. 172. ESTABLISHMENT OF PANEL OF CONSTITUTIONAL**
17 **EXPERTS.**

18 (a) ESTABLISHMENT.—There is established the
19 “Twentieth Amendment Section Four Panel” (in this sec-
20 tion referred to as the “Panel”).

21 (b) MEMBERSHIP.—

22 (1) IN GENERAL.—The Panel shall be composed
23 of 6 constitutional experts, of whom—

24 (A) 1 shall be appointed by the majority
25 leader of the Senate;

1 (B) 1 shall be appointed by the minority
2 leader of the Senate;

3 (C) 1 shall be appointed jointly by the ma-
4 jority and minority leader of the Senate;

5 (D) 1 shall be appointed by the Speaker of
6 the House of Representatives;

7 (E) 1 shall be appointed by minority leader
8 of the House of Representatives; and

9 (F) 1 shall be appointed jointly by the
10 Speaker of the House of Representatives and
11 the minority leader of the House of Representa-
12 tives.

13 (2) DATE.—The appointments of the members
14 of the Panel shall be made not later than 180 days
15 after the date of enactment of this Act.

16 (3) VACANCY.—Any vacancy occurring in the
17 membership of the Panel shall be filled in the same
18 manner in which the original appointment was
19 made.

20 (4) CHAIRPERSON AND VICE CHAIRPERSON.—
21 The Panel shall select a Chairperson and Vice
22 Chairperson from among the members of the Panel.

23 (c) PURPOSE.—The purpose of the Panel shall be to
24 recommend to Congress model legislation, which shall pro-
25 vide for an appropriate process, pursuant to section 4 of

1 the Twentieth Amendment to the United States Constitu-
2 tion, to resolve any vacancy created by the death of a can-
3 didate in a contingent presidential or vice-presidential
4 election.

5 (d) REPORTS.—

6 (1) INITIAL REPORT.—Not later than 1 year
7 after the date on which all of the appointments have
8 been made under subsection (b)(2), the Panel shall
9 submit to Congress an interim report containing the
10 Panel’s findings, conclusions, and recommendations.

11 (2) FINAL REPORT.—Not later than 6 months
12 after the submission of the interim report under
13 paragraph (1), the Panel shall submit to Congress a
14 final report containing the Panel’s findings, conclu-
15 sions, and recommendations.

16 (e) MEETINGS; INFORMATION.—

17 (1) IN GENERAL.—Meetings of the Panel shall
18 be held at the Law Library of Congress.

19 (2) INFORMATION.—The Panel may secure
20 from the Law Library of Congress such information
21 as the Panel considers necessary to carry out the
22 provisions of this section.

23 (f) FUNDS.—

24 (1) COMPENSATION OF MEMBERS.—Members of
25 the Panel shall receive no compensation.

1 (2) OTHER FUNDING.—No amounts shall be
2 appropriated for the purposes of this section, except
3 for any amounts strictly necessary for the Law Li-
4 brary of Congress to execute its responsibilities
5 under subsection (e).

6 (g) TERMINATION.—

7 (1) IN GENERAL.—The panel established under
8 subsection (a) shall terminate 90 days after the date
9 on which the panel submits the final report required
10 under subsection (d)(2).

11 (2) RECORDS.—Upon termination of the panel,
12 all of its records shall become the records of the Sec-
13 retary of the Senate and the Clerk of the House of
14 Representatives.

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