

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2510

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IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2009

Received; read twice and referred to the Committee on Rules and  
Administration

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## AN ACT

To amend the Help America Vote Act of 2002 to reimburse States for the costs incurred in establishing a program to track and confirm the receipt of voted absentee ballots in elections for Federal office and make information on the receipt of such ballots available by means of online access, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Absentee Ballot Track,  
5 Receive, and Confirm Act”.

6 **SEC. 2. REIMBURSEMENT FOR COSTS INCURRED IN ESTAB-**  
7 **LISHING PROGRAM TO TRACK AND CONFIRM**  
8 **RECEIPT OF ABSENTEE BALLOTS.**

9 (a) REIMBURSEMENT.—Subtitle D of title II of the  
10 Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.)  
11 is amended by adding at the end the following new part:

12 **“PART 7—PAYMENTS TO REIMBURSE STATES**  
13 **FOR COSTS INCURRED IN ESTABLISHING**  
14 **PROGRAM TO TRACK AND CONFIRM RE-**  
15 **CEIPT OF ABSENTEE BALLOTS**

16 **“SEC. 297. PAYMENTS TO STATES.**

17 “(a) PAYMENTS FOR COSTS OF ESTABLISHING PRO-  
18 GRAM.—In accordance with this section, the Commission  
19 shall make a payment to a State to reimburse the State  
20 for the costs incurred in establishing, if the State so choos-  
21 es to establish, an absentee ballot tracking program with  
22 respect to elections for Federal office held in the State  
23 (including costs incurred prior to the date of the enact-  
24 ment of this part).

1       “(b) ABSENTEE BALLOT TRACKING PROGRAM DE-  
2       SCRIBED.—

3               “(1) PROGRAM DESCRIBED.—

4                       “(A) IN GENERAL.—In this part, an ‘ab-  
5       sentee ballot tracking program’ is a program to  
6       track and confirm the receipt of absentee bal-  
7       lots in an election for Federal office under  
8       which the State or local election official respon-  
9       sible for the receipt of voted absentee ballots in  
10      the election carries out procedures to track and  
11      confirm the receipt of such ballots, and makes  
12      information on the receipt of such ballots avail-  
13      able to the individual who cast the ballot, by  
14      means of online access using the Internet site  
15      of the official’s office.

16                      “(B) INFORMATION ON WHETHER VOTE  
17      WAS COUNTED.—The information referred to  
18      under subparagraph (A) with respect to the re-  
19      ceipt of an absentee ballot shall include infor-  
20      mation regarding whether the vote cast on the  
21      ballot was counted, and, in the case of a vote  
22      which was not counted, the reasons therefor.

23                      “(2) USE OF TOLL-FREE TELEPHONE NUMBER  
24      BY OFFICIALS WITHOUT INTERNET SITE.—A pro-  
25      gram established by a State or local election official

1 whose office does not have an Internet site may  
2 meet the description of a program under paragraph  
3 (1) if the official has established a toll-free telephone  
4 number that may be used by an individual who cast  
5 an absentee ballot to obtain the information on the  
6 receipt of the voted absentee ballot as provided  
7 under such paragraph.

8 “(c) CERTIFICATION OF COMPLIANCE AND COSTS.—

9 “(1) CERTIFICATION REQUIRED.—In order to  
10 receive a payment under this section, a State shall  
11 submit to the Commission a statement containing—

12 “(A) a certification that the State has es-  
13 tablished an absentee ballot tracking program  
14 with respect to elections for Federal office held  
15 in the State; and

16 “(B) a statement of the costs incurred by  
17 the State in establishing the program.

18 “(2) AMOUNT OF PAYMENT.—The amount of a  
19 payment made to a State under this section shall be  
20 equal to the costs incurred by the State in estab-  
21 lishing the absentee ballot tracking program, as set  
22 forth in the statement submitted under paragraph  
23 (1), except that such amount may not exceed the  
24 product of—

1           “(A) the number of jurisdictions in the  
2           State which are responsible for operating the  
3           program; and

4           “(B) \$3,000.

5           “(3) LIMIT ON NUMBER OF PAYMENTS RE-  
6           CEIVED.—A State may not receive more than one  
7           payment under this part.

8   **“SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.**

9           “(a) AUTHORIZATION.—There are authorized to be  
10          appropriated to the Commission for fiscal year 2010 and  
11          each succeeding fiscal year such sums as may be necessary  
12          for payments under this part.

13          “(b) CONTINUING AVAILABILITY OF FUNDS.—Any  
14          amounts appropriated pursuant to the authorization under  
15          this section shall remain available until expended.”.

1           (b) CLERICAL AMENDMENT.—The table of contents  
2 of such Act is amended by adding at the end of the items  
3 relating to subtitle D of title II the following:

“PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ES-  
TABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE  
BALLOTS

“Sec. 297. Payments to States.

“Sec. 297A. Authorization of appropriations.”.

Passed the House of Representatives July 30, 2009.

Attest:                           LORRAINE C. MILLER,  
*Clerk.*