

2002, 116 Stat. 1666, known as the Help America Vote Act of 2002, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Section was formerly classified to section 15423 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

### § 21024. Authorization of appropriations

#### (a) In general

There are authorized to be appropriated to carry out the provisions of this subpart the following amounts:

- (1) For fiscal year 2003, \$50,000,000.
- (2) For fiscal year 2004, \$25,000,000.
- (3) For fiscal year 2005, \$25,000,000.

#### (b) Availability

Any amounts appropriated pursuant to the authority of subsection (a) shall remain available without fiscal year limitation until expended.

(Pub. L. 107-252, title II, § 264, Oct. 29, 2002, 116 Stat. 1699.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 15424 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

### § 21025. Reports

#### (a) Reports by recipients

Not later than the<sup>1</sup> 6 months after the end of each fiscal year for which an eligible State or eligible unit of local government received a payment under this subpart, the State or unit shall submit a report to the Secretary on the activities conducted with the funds provided during the year, and shall include in the report a list of expenditures made with respect to each category of activities described in section 21021(b) of this title.

#### (b) Report by Secretary to Committees

With respect to each fiscal year for which the Secretary makes payments under this subpart, the Secretary shall submit a report on the activities carried out under this subpart to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

(Pub. L. 107-252, title II, § 265, Oct. 29, 2002, 116 Stat. 1699.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 15425 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### SUBPART 3—GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS

### § 21041. Grants for research on voting technology improvements

#### (a) In general

The Commission shall make grants to assist entities in carrying out research and develop-

ment to improve the quality, reliability, accuracy, accessibility, affordability, and security of voting equipment, election systems, and voting technology.

#### (b) Eligibility

An entity is eligible to receive a grant under this subpart if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

(1) certifications that the research and development funded with the grant will take into account the need to make voting equipment fully accessible for individuals with disabilities, including the blind and visually impaired, the need to ensure that such individuals can vote independently and with privacy, and the need to provide alternative language accessibility for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965 [52 U.S.C. 10301 et seq.]); and

(2) such other information and certifications as the Commission may require.

#### (c) Applicability of regulations governing patent rights in inventions made with Federal assistance

Any invention made by the recipient of a grant under this subpart using funds provided under this subpart shall be subject to chapter 18 of title 35 (relating to patent rights in inventions made with Federal assistance).

#### (d) Recommendation of topics for research

##### (1) In general

The Director of the National Institute of Standards and Technology (hereafter in this section referred to as the “Director”) shall submit to the Commission an annual list of the Director’s suggestions for issues which may be the subject of research funded with grants awarded under this subpart during the year.

##### (2) Review of grant applications received by Commission

The Commission shall submit each application it receives for a grant under this subpart to the Director, who shall review the application and provide the Commission with such comments as the Director considers appropriate.

##### (3) Monitoring and adjustment of grant activities at request of Commission

After the Commission has awarded a grant under this subpart, the Commission may request that the Director monitor the grant, and (to the extent permitted under the terms of the grant as awarded) the Director may recommend to the Commission that the recipient of the grant modify and adjust the activities carried out under the grant.

##### (4) Evaluation of grants at request of Commission

###### (A) In general

In the case of a grant for which the Commission submits the application to the Director under paragraph (2) or requests that the Director monitor the grant under para-

<sup>1</sup> So in original.

graph (3), the Director shall prepare and submit to the Commission an evaluation of the grant and the activities carried out under the grant.

**(B) Inclusion in reports**

The Commission shall include the evaluations submitted under subparagraph (A) for a year in the report submitted for the year under section 20927 of this title.

**(e) Provision of information on projects**

The Commission may provide to the Technical Guidelines Development Committee under subpart 3 of part A of this subchapter such information regarding the activities funded under this subpart as the Commission deems necessary to assist the Committee in carrying out its duties.

(Pub. L. 107–252, title II, §271, Oct. 29, 2002, 116 Stat. 1699.)

**Editorial Notes**

**REFERENCES IN TEXT**

The Voting Rights Act of 1965, referred to in subsec. (b)(1), is Pub. L. 89–110, Aug. 6, 1965, 79 Stat. 437, which is classified generally to chapters 103 (§10301 et seq.), 105 (§10501 et seq.), and 107 (§10701 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

**CODIFICATION**

Section was formerly classified to section 15441 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 21042. Report**

**(a) In general**

Each entity which receives a grant under this subpart shall submit to the Commission a report describing the activities carried out with the funds provided under the grant.

**(b) Deadline**

An entity shall submit a report required under subsection (a) not later than 60 days after the end of the fiscal year for which the entity received the grant which is the subject of the report.

(Pub. L. 107–252, title II, §272, Oct. 29, 2002, 116 Stat. 1700.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 15442 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 21043. Authorization of appropriations**

**(a) In general**

There are authorized to be appropriated for grants under this subpart \$20,000,000 for fiscal year 2003.

**(b) Availability of funds**

Amounts appropriated pursuant to the authorization under this section shall remain available, without fiscal year limitation, until expended.

(Pub. L. 107–252, title II, §273, Oct. 29, 2002, 116 Stat. 1700.)

**Editorial Notes**

**CODIFICATION**

Section was formerly classified to section 15443 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**SUBPART 4—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY**

**§ 21051. Pilot program**

**(a) In general**

The Commission shall make grants to carry out pilot programs under which new technologies in voting systems and equipment are tested and implemented on a trial basis so that the results of such tests and trials are reported to Congress.

**(b) Eligibility**

An entity is eligible to receive a grant under this subpart if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

(1) certifications that the pilot programs funded with the grant will take into account the need to make voting equipment fully accessible for individuals with disabilities, including the blind and visually impaired, the need to ensure that such individuals can vote independently and with privacy, and the need to provide alternative language accessibility for individuals with limited proficiency in the English language (consistent with the requirements of the Voting Rights Act of 1965 [52 U.S.C. 10301 et seq.] and the requirements of this chapter); and

(2) such other information and certifications as the Commission may require.

**(c) Recommendation of topics for pilot programs**

**(1) In general**

The Director of the National Institute of Standards and Technology (hereafter in this section referred to as the “Director”) shall submit to the Commission an annual list of the Director’s suggestions for issues which may be the subject of pilot programs funded with grants awarded under this subpart during the year.

**(2) Review of grant applications received by Commission**

The Commission shall submit each application it receives for a grant under this subpart to the Director, who shall review the application and provide the Commission with such comments as the Director considers appropriate.

**(3) Monitoring and adjustment of grant activities at request of Commission**

After the Commission has awarded a grant under this subpart, the Commission may request that the Director monitor the grant, and (to the extent permitted under the terms of the grant as awarded) the Director may recommend to the Commission that the recipient of the grant modify and adjust the activities carried out under the grant.