

110TH CONGRESS  
1ST SESSION

# S. 730

To amend the Help America Vote Act of 2002 to protect voting rights and to improve the administration of Federal elections, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 1, 2007

Mr. DODD (for himself and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To amend the Help America Vote Act of 2002 to protect voting rights and to improve the administration of Federal elections, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Voting Opportunity and Technology Enhancement  
6 Rights Act of 2007”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of  
8 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Findings and purposes.
- Sec. 3. National Federal write-in absentee ballot.
- Sec. 4. Voter verified ballots.
- Sec. 5. Requirements for counting provisional ballots.
- Sec. 6. Minimum required voting systems and poll workers in polling places.
- Sec. 7. Election day registration.
- Sec. 8. Integrity of voter registration list.
- Sec. 9. Early voting.
- Sec. 10. Acceleration of study on election day as a public holiday.
- Sec. 11. Improvements to voting systems.
- Sec. 12. Voter registration.
- Sec. 13. Establishing voter identification.
- Sec. 14. Impartial administration of elections.
- Sec. 15. Strengthening the election assistance commission.
- Sec. 16. Authorization of appropriations.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) The right of all eligible citizens to vote and  
5 have their vote counted is the cornerstone of a demo-  
6 cratic form of government and the core precondition  
7 of government of the people, by the people, and for  
8 the people.

9 (2) The right of citizens of the United States  
10 to vote is a fundamental civil right guaranteed under  
11 the United States Constitution.

12 (3) Congress has an obligation to reaffirm the  
13 right of each American to have an equal opportunity  
14 to vote and have that vote counted in Federal elec-  
15 tions, regardless of color, ethnicity, disability, lan-  
16 guage, or the resources of the community in which  
17 they live.

1           (4) Congress has an obligation to ensure the  
2 uniform and nondiscriminatory exercise of that right  
3 by removing barriers in the form of election adminis-  
4 tration procedures and technology and insufficient  
5 and unequal resources of State and local govern-  
6 ments.

7           (b) PURPOSES.—The purposes of this Act are as fol-  
8 lows:

9           (1) To secure the opportunity to participate in  
10 democracy for all eligible American citizens by estab-  
11 lishing a national Federal write-in absentee ballot  
12 for Federal elections.

13           (2) To expand and establish uniform and non-  
14 discriminatory requirements and standards to re-  
15 move administrative procedural barriers and techno-  
16 logical obstacles to casting a vote and having that  
17 vote counted in Federal elections.

18           (3) To expand and establish uniform and non-  
19 discriminatory requirements and standards to pro-  
20 vide for the accessibility, accuracy, verifiability, pri-  
21 vacy, and security of all voting systems and tech-  
22 nology used in Federal elections.

23           (4) To provide a Federal funding mechanism  
24 for the States to implement the requirements and  
25 standards to preserve and protect voting rights and

1 the integrity of Federal elections in the United  
2 States.

3 **SEC. 3. NATIONAL FEDERAL WRITE-IN ABSENTEE BALLOT.**

4 (a) IN GENERAL.—

5 (1) IN GENERAL.—Title III of the Help Amer-  
6 ica Vote Act of 2002 (42 U.S.C. 15481 et seq.) is  
7 amended by adding at the end the following new  
8 subtitle:

9 **“Subtitle C—Additional**  
10 **Requirements**

11 **“SEC. 321. USE OF NATIONAL FEDERAL WRITE-IN ABSEN-**  
12 **TEE BALLOT.**

13 “(a) IN GENERAL.—Any person who is otherwise  
14 qualified to vote in a Federal election in a State shall be  
15 permitted to use the national Federal write-in absentee  
16 ballot prescribed by the Election Assistance Commission  
17 under section 298 to cast a vote in an election for Federal  
18 office.

19 “(b) SUBMISSION AND PROCESSING.—

20 “(1) IN GENERAL.—Except as otherwise pro-  
21 vided in this section, a national Federal write-in ab-  
22 sentee ballot shall be submitted and processed in the  
23 manner provided by law for absentee ballots in the  
24 State involved.

1           “(2) DEADLINE.—An otherwise eligible national  
2 Federal write-in absentee ballot shall be counted if  
3 postmarked or signed before the close of the polls on  
4 election day and received by the appropriate State  
5 election official on or before the date which is 10  
6 days after the date of the election or the date pro-  
7 vided for receipt of absentee ballots under State law,  
8 whichever is later.

9           “(c) SPECIAL RULES.—The following rules shall  
10 apply with respect to national Federal write-in absentee  
11 ballots:

12           “(1) In completing the ballot, the voter may  
13 designate a candidate by writing in the name of the  
14 candidate or by writing in the name of a political  
15 party (in which case the ballot shall be counted for  
16 the candidate of that political party).

17           “(2) In the case of the offices of President and  
18 Vice President, a vote for a named candidate or a  
19 vote by writing in the name of a political party shall  
20 be counted as a vote for the electors supporting the  
21 candidate involved.

22           “(3) Any abbreviation, misspelling, or other  
23 minor variation in the form of the name of a can-  
24 didate or a political party shall be disregarded in de-  
25 termining the validity of the ballot.

1       “(d) EFFECTIVE DATE.—Each State shall be re-  
2       quired to comply with the requirements of this section on  
3       and after January 1, 2008.”.

4               (2) CONFORMING AMENDMENT.—Section 401  
5       of the Help America Vote Act of 2002 (42 U.S.C.  
6       15511) is amended by striking “and 303” and in-  
7       serting “303, and subtitle C”.

8       (b) NATIONAL FEDERAL WRITE-IN ABSENTEE BAL-  
9       LOT.—

10              (1) IN GENERAL.—Title II of the Help America  
11       Vote Act of 2002 (42 U.S.C. 15321 et seq.) is  
12       amended by adding at the end the following new  
13       subtitle:

14                              **“Subtitle E—Guidance and**  
15    **Standards**

16       **“SEC. 297. NATIONAL FEDERAL WRITE-IN ABSENTEE BAL-**  
17                              **LOT.**

18       “(a) FORM OF BALLOT.—The Commission shall pre-  
19       scribe a national Federal write-in absentee ballot (includ-  
20       ing a secrecy envelope and mailing envelope for such bal-  
21       lot) for use in elections for Federal office.

22       “(b) STANDARDS.—The Commission shall prescribe  
23       standards for—

1           “(1) distributing the national Federal write-in  
2 absentee ballot, including standards for distributing  
3 such ballot through the Internet; and

4           “(2) processing and submission of the national  
5 Federal write-in absentee ballot.”.

6           (2) CONFORMING AMENDMENT.—Section 202  
7 of the Help America Vote Act of 2002 (42 U.S.C.  
8 15322) is amended by redesignating paragraphs (5)  
9 and (6) as paragraphs (6) and (7), respectively, and  
10 by inserting after paragraph (4) the following new  
11 paragraph:

12           “(5) carrying out the duties described in sub-  
13 title E.”.

14           (c) COORDINATION WITH UNIFORMED AND OVER-  
15 SEAS CITIZENS ABSENTEE VOTING ACT.—

16           (1) IN GENERAL.—The Presidential designee  
17 under the Uniformed and Overseas Absentee Voting  
18 Act, in consultation with the Election Assistance  
19 Commission, shall facilitate the use and return of  
20 the national Federal write-in ballot for absent uni-  
21 formed services voters and overseas voters.

22           (2) DEFINITIONS.—The terms “absent uni-  
23 formed service voter” and “overseas voter” shall  
24 have the meanings given such terms by section 107

1 of the Uniformed and Overseas Citizens Absentee  
2 Voting Act (42 U.S.C. 1973gg-6).

3 **SEC. 4. VOTER VERIFIED BALLOTS.**

4 (a) VERIFICATION.—

5 (1) IN GENERAL.—Section 301(a) of the Help  
6 America Vote Act of 2002 (42 U.S.C. 15481(a)) is  
7 amended by adding at the end the following new  
8 paragraph:

9 “(7) VOTER VERIFIED BALLOTS.—In order to  
10 meet the requirements of paragraph (1)(A)(i), on  
11 and after January 1, 2009:

12 “(A) The voting system shall provide an  
13 independent means of voter verification which  
14 meets the requirements of subparagraph (B)  
15 and which allows each voter to verify the ballot  
16 before it is cast and counted.

17 “(B) A means of voter verification meets  
18 the requirements of this subparagraph if the  
19 voting system allows the voter to choose from  
20 one of the following options to verify the voter’s  
21 vote selection:

22 “(i) A paper record.

23 “(ii) An audio record.

24 “(iii) A pictorial record.

1           “(iv) An electronic record or other  
2           means that provides for voter verification  
3           that is accessible for individuals with dis-  
4           abilities, including nonvisual accessibility  
5           for the blind and visually impaired, in a  
6           manner that provides privacy and inde-  
7           pendence equal to that provided for other  
8           voters.

9           “(C) Any means of verification described  
10          in clause (ii), (iii), or (iv) of subparagraph (B)  
11          must provide verification which is equal or su-  
12          perior to verification through the use of a paper  
13          record.

14          “(D) The requirements of this paragraph  
15          shall not apply to any voting system purchased  
16          before January 1, 2009, in order to meet the  
17          requirements of paragraph (3)(B).”.

18          (2) CONFORMING AMENDMENT.—Clause (i) of  
19          section 301(a)(1)(A) of the Help America Vote Act  
20          of 2002 (42 U.S.C. 15481(a)(1)(A)(i)) is amended  
21          by inserting “and consistent with the requirements  
22          of paragraphs (2), (4), and (7)” after “independent  
23          manner”.

1 (b) GUIDANCE.—Subtitle E of title II of the Help  
2 America Vote Act of 2002, as added by this Act, is amend-  
3 ed by adding at the end the following new section:

4 **“SEC. 298. VOTER VERIFIED BALLOTS.**

5 “The Commission shall issue uniform and non-  
6 discriminatory standards—

7 “(1) for voter verified ballots required under  
8 section 301(a)(7); and

9 “(2) for meeting the audit requirements of sec-  
10 tion 301(a)(2).”.

11 (c) REPORTS.—

12 (1) ELECTION ASSISTANCE COMMISSION.—Sec-  
13 tion 207 of the Help America Vote Act of 2002 (42  
14 U.S.C. 15327) is amended by redesignating para-  
15 graph (5) as paragraph (6) and by inserting after  
16 paragraph (4) the following new paragraph:

17 “(5) A description of the progress on imple-  
18 menting the voter verified ballot requirements of sec-  
19 tion 301(a)(7) and the impact of the use of such re-  
20 quirements on the accessibility, privacy, security,  
21 usability, and auditability of voting systems.”.

22 (2) STATE REPORTS.—Section 258 of the Help  
23 America Vote Act of 2002 (42 U.S.C. 15408) is  
24 amended by striking “and” at the end of paragraph  
25 (2), by striking the period at the end of paragraph

1 (3) and inserting “; and”, and by adding at the end  
 2 the following new paragraph:

3 “(4) an analysis and description in the form  
 4 and manner prescribed by the Commission of the  
 5 progress on implementing the voter verified ballot  
 6 requirements of section 301(a)(7).”.

7 **SEC. 5. REQUIREMENTS FOR COUNTING PROVISIONAL BAL-**  
 8 **LOTS.**

9 (a) **IN GENERAL.**—Section 302 of the Help America  
 10 Vote Act of 2002 (42 U.S.C. 15482) is amended by redese-  
 11 ignating subsection (d) as subsection (e) and by inserting  
 12 after subsection (e) the following new subsection:

13 “(d) **STATEWIDE COUNTING OF PROVISIONAL BAL-**  
 14 **LOTS.**—For purposes of subsection (a)(4), notwith-  
 15 standing at which polling place a provisional ballot is cast  
 16 within the State, the State shall count such ballot if the  
 17 individual who cast such ballot is otherwise eligible to  
 18 vote.”.

19 (b) **EFFECTIVE DATE.**—

20 (1) **IN GENERAL.**—Subsection (e) of section  
 21 302 of the Help America Vote Act of 2002 (42  
 22 U.S.C. 15482(e)), as redesignated under subsection  
 23 (a), is amended by adding at the end the following:

24 “(2) **EFFECTIVE DATE FOR STATEWIDE COUNT-**  
 25 **ING OF PROVISIONAL BALLOTS.**—Each State shall be

1 required to comply with the requirements of sub-  
2 section (d) on and after January 1, 2008.”.

3 (2) CONFORMING AMENDMENT.—Subsection (e)  
4 of section 302 of the Help America Vote Act of  
5 2002 (42 U.S.C. 15482(e)), as redesignated under  
6 subsection (a), is amended by striking “Each” and  
7 inserting the following:

8 “(1) IN GENERAL.—Except as provided in para-  
9 graph (2), each”.

10 **SEC. 6. MINIMUM REQUIRED VOTING SYSTEMS AND POLL**  
11 **WORKERS IN POLLING PLACES.**

12 (a) IN GENERAL.—Subtitle C of title III of the Help  
13 America Vote Act of 2002, as added by this Act, is amend-  
14 ed by adding at the end the following new section:

15 **“SEC. 322. MINIMUM REQUIRED VOTING SYSTEMS AND**  
16 **POLL WORKERS.**

17 “(a) IN GENERAL.—Each State shall provide for the  
18 minimum required number of voting systems and poll  
19 workers for each polling place on the day of any Federal  
20 election and on any days during which such State allows  
21 early voting for a Federal election in accordance with the  
22 standards determined under section 299.

23 “(b) EFFECTIVE DATE.—Each State shall be re-  
24 quired to comply with the requirements of this section on  
25 and after January 1, 2008.”.

1 (b) STANDARDS.—Subtitle E of the Help America  
 2 Vote Act of 2002, as added and amended by this Act, is  
 3 amended by adding at the end the following new section:

4 **“SEC. 299. STANDARDS FOR ESTABLISHING THE MINIMUM**  
 5 **REQUIRED VOTING SYSTEMS AND POLL**  
 6 **WORKERS.**

7 “(a) IN GENERAL.—The Commission shall issue  
 8 standards regarding the minimum number of voting sys-  
 9 tems and poll workers required in each polling place on  
 10 the day of any Federal election and on any days during  
 11 which early voting is allowed for a Federal election.

12 “(b) DISTRIBUTION.—The standards described in  
 13 subsection (a) shall provide for a uniform and nondiscrim-  
 14 inatory geographic distribution of such systems and work-  
 15 ers.

16 “(c) DEVIATION.—The standards described in sub-  
 17 section (a) shall permit States, upon providing adequate  
 18 public notice, to deviate from any allocation requirements  
 19 in the case of unforeseen circumstances such as a natural  
 20 disaster, terrorist attack, or a change in voter turnout.”.

21 **SEC. 7. ELECTION DAY REGISTRATION.**

22 (a) REQUIREMENT.—Subtitle C of title III of the  
 23 Help America Vote Act of 2002, as added and amended  
 24 by this Act, is amended by adding at the end the following  
 25 new section:

1 **“SEC. 323. ELECTION DAY REGISTRATION.**

2 “(a) IN GENERAL.—

3 “(1) REGISTRATION.—Notwithstanding section  
4 8(a)(1)(D) of the National Voter Registration Act of  
5 1993 (42 U.S.C. 1973gg-6), each State shall permit  
6 any individual on the day of a Federal election—

7 “(A) to register to vote in such election at  
8 the polling place using the form established by  
9 the Election Assistance Commission pursuant  
10 to section 297; and

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

12 “(2) EXCEPTION.—The requirements under  
13 paragraph (1) shall not apply to a State in which,  
14 under a State law in effect continuously on and after  
15 the date of the enactment of this Act, there is no  
16 voter registration requirement for individuals in the  
17 State with respect to elections for Federal office.

18 “(b) EFFECTIVE DATE.—Each State shall be re-  
19 quired to comply with the requirements of subsection (a)  
20 on and after January 1, 2009.”.

21 (b) ELECTION DAY REGISTRATION FORM.—Subtitle  
22 E of title II of the Help America Vote Act of 2002, as  
23 added and amended by this Act, is amended by adding  
24 at the end the following new section:

1 **“SEC. 299A. ELECTION DAY REGISTRATION FORM.**

2 “The Commission shall develop an election day reg-  
3 istration form for elections for Federal office.”.

4 **SEC. 8. INTEGRITY OF VOTER REGISTRATION LIST.**

5 Subtitle C of title III of the Help America Vote Act  
6 of 2002, as added and amended by this Act, is amended  
7 by adding at the end the following new section:

8 **“SEC. 324. REMOVAL FROM VOTER REGISTRATION LIST.**

9 “(a) PUBLIC NOTICE.—Not later than 45 days before  
10 any Federal election, each State shall provide public notice  
11 of all names which have been removed from the voter reg-  
12 istration list of such State under section 303 since the  
13 later of the most recent election for Federal office or the  
14 day of the most recent previous public notice provided  
15 under this section.

16 “(b) NOTICE TO INDIVIDUAL VOTERS.—

17 “(1) IN GENERAL.—No individual shall be re-  
18 moved from the voter registration list under section  
19 303 unless such individual is first provided with a  
20 notice which meets the requirements of paragraph  
21 (2).

22 “(2) REQUIREMENTS OF NOTICE.—The notice  
23 required under paragraph (1) shall be—

24 “(A) provided to each voter in a uniform  
25 and nondiscriminatory manner;

1           “(B) consistent with the requirements of  
2           the National Voter Registration Act of 1993  
3           (42 U.S.C. 1973gg et seq.); and

4           “(C) in the form and manner prescribed by  
5           the Election Assistance Commission.

6           “(c) EFFECTIVE DATE.—Each State shall be re-  
7           quired to comply with the requirements of this section on  
8           and after January 1, 2008.”.

9           **SEC. 9. EARLY VOTING.**

10          (a) IN GENERAL.—Subtitle C of title III of the Help  
11          America Vote Act of 2002, as added and amended by this  
12          Act, is amended by adding at the end the following new  
13          section:

14          **“SEC. 325. EARLY VOTING.**

15          “(a) IN GENERAL.—Each State shall allow individ-  
16          uals to vote in an election for Federal office not less than  
17          15 days prior to the day scheduled for such election in  
18          the same manner as voting is allowed on such day.

19          “(b) MINIMUM EARLY VOTING REQUIREMENTS.—  
20          Each polling place which allows voting prior to the day  
21          of a Federal election pursuant to subsection (a) shall—

22                  “(1) allow such voting for no less than 4 hours  
23                  on each day (other than Sunday); and

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



1           “(1) IN GENERAL.—The report required under  
2           subsection (a) with respect to election administration  
3           issues described in subsection (b)(10) shall be sub-  
4           mitted not later than 6 months after the date of the  
5           enactment of the Voting Opportunity and Tech-  
6           nology Enhancement Rights Act of 2007.

7           “(2) AUTHORIZATION OF APPROPRIATIONS.—Of  
8           the amount authorized to be appropriated under sec-  
9           tion 210 for fiscal year 2007, \$100,000 shall be au-  
10          thorized solely to carry out the purposes of this sub-  
11          section.”.

12 **SEC. 11. IMPROVEMENTS TO VOTING SYSTEMS.**

13          (a) IN GENERAL.—Subparagraph (B) of section  
14 301(a)(1) of the Help America Vote Act of 2002 (42  
15 U.S.C. 15481(a)(1)(B)) is amended by striking “, a punch  
16 card voting system, or a central count voting system”.

17          (b) CLARIFICATION OF REQUIREMENTS FOR PUNCH  
18 CARD SYSTEMS.—Subparagraph (A) of section 301(a)(1)  
19 of the Help America Vote Act of 2002 (42 U.S.C.  
20 15481(a)(1)(A)) is amended by inserting “punch card vot-  
21 ing system,” after “any”.

22          (c) EFFECTIVE DATE.—The amendments made by  
23 this section shall take effect on January 1, 2008.

1 **SEC. 12. VOTER REGISTRATION.**

2 (a) IN GENERAL.—Paragraph (4) of section 303(b)  
3 of the Help America Vote Act of 2002 (42 U.S.C.  
4 15483(b)(4)) is amended by adding at the end the fol-  
5 lowing new subparagraph:

6 “(C) EXCEPTION.—On and after January  
7 1, 2009—

8 “(i) in lieu of the questions and state-  
9 ments required under subparagraph (A),  
10 such mail voter registration form shall in-  
11 clude an affidavit to be signed by the reg-  
12 istrant attesting both to citizenship and  
13 age; and

14 “(ii) subparagraph (B) shall not  
15 apply.”.

16 (b) INTERNET REGISTRATION.—Subtitle C of title  
17 III of the Help America Vote Act of 2002, as added and  
18 amended by this Act, is amended by adding at the end  
19 the following new section:

20 **“SEC. 326. INTERNET REGISTRATION.**

21 “(a) INTERNET REGISTRATION.—Each State shall  
22 establish a program under which individuals may access  
23 and submit voter registration forms electronically through  
24 the Internet.



1 ing “or” at the end of subclause (I), by striking the  
 2 period at the end of subclause (II) and inserting “;  
 3 or”, and by adding at the end the following new sub-  
 4 clause:

5 “(III) a written affidavit, exe-  
 6 cuted by such individual, attesting to  
 7 such individual’s identity.”.

8 (3) EFFECTIVE DATE.—The amendments made  
 9 by this subsection shall take effect on January 1,  
 10 2008.

11 (b) STANDARDS FOR VERIFYING VOTER INFORMA-  
 12 TION.—Subtitle E of the Help America Vote Act of 2002,  
 13 as added and amended by this Act, is amended by adding  
 14 at the end the following new section:

15 **“SEC. 299D. VOTER IDENTIFICATION.**

16 “The Commission shall develop standards for  
 17 verifying the identification information required under sec-  
 18 tion 303(a)(5) in connection with the registration of an  
 19 individual to vote in a Federal election.”.

20 **SEC. 14. IMPARTIAL ADMINISTRATION OF ELECTIONS.**

21 Subtitle C of title III of the Help America Vote Act  
 22 of 2002, as added and amended by this Act, is amended  
 23 by adding at the end the following new section:

1 **“SEC. 327. ELECTION ADMINISTRATION REQUIREMENTS.**

2       “(a) NOTICE OF CHANGES IN STATE ELECTION  
3 LAWS.—Not later than 15 days prior to any Federal elec-  
4 tion, each State shall issue a public notice describing all  
5 changes in State law affecting the administration of Fed-  
6 eral elections since the most recent prior election.

7       “(b) OBSERVERS.—

8               “(1) IN GENERAL.—Each State shall allow uni-  
9 form and nondiscriminatory access to any polling  
10 place for purposes of observing a Federal election  
11 to—

12                       “(A) party challengers;

13                       “(B) voting rights and civil rights organi-  
14 zations; and

15                       “(C) nonpartisan domestic observers and  
16 international observers.

17       “(2) NOTICE OF DENIAL OF OBSERVATION RE-  
18 QUEST.—Each State shall issue a public notice with  
19 respect to any denial of a request by any observer  
20 described in paragraph (1) for access to any polling  
21 place for purposes of observing a Federal election.  
22 Such notice shall be issued not later than 24 hours  
23 after such denial.

24       “(c) EFFECTIVE DATE.—Each State shall be re-  
25 quired to comply with the requirements of this section on  
26 and after January 1, 2008.”.

1 **SEC. 15. STRENGTHENING THE ELECTION ASSISTANCE**  
2 **COMMISSION.**

3 (a) BUDGET REQUESTS.—Part 1 of subtitle A of title  
4 II of the Help America Vote Act of 2002 (42 U.S.C.  
5 15321 et seq.) is amended by inserting after section 209  
6 the following new section:

7 **“SEC. 209A. SUBMISSION OF BUDGET REQUESTS.**

8 “Whenever the Commission submits any budget esti-  
9 mate or request to the President or the Office of Manage-  
10 ment and Budget, it shall concurrently transmit a copy  
11 of such estimate or request to the Congress and to the  
12 Committee on House Administration of the House of Rep-  
13 resentatives and the Committee on Rules and Administra-  
14 tion of the Senate.”.

15 (b) EXEMPTION FROM PAPERWORK REDUCTION  
16 ACT.—Paragraph (1) of section 3502 of title 44, United  
17 States Code, is amended by redesignating subparagraphs  
18 (B), (C), and (D) as subparagraphs (C), (D), and (E),  
19 respectively, and by inserting after subparagraph (A) the  
20 following new subparagraph:

21 “(B) the Election Assistance Commis-  
22 sion;”.

23 (c) RULEMAKING.—Section 209 of the Help America  
24 Vote Act of 2002 (42 U.S.C. 15239) is amended—

25 (1) by striking “The Commission” and insert-  
26 ing the following:

1       “(a) IN GENERAL.—Except as provided in subsection  
2 (b), the Commission”, and

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

5       “(b) EXCEPTION.—On and after January 1, 2008,  
6 subsection (a) shall not apply to any authority granted  
7 under subtitle E of this title or subtitle C of title III.”.

8       (d) NIST AUTHORITY.—Subtitle E of title II of the  
9 Help America Vote Act of 2002, as added and amended  
10 by this Act, is amended by adding at the end the following  
11 new section:

12 **“SEC. 299E. TECHNICAL SUPPORT.**

13       “At the request of the Commission, the Director of  
14 the National Institute of Standards and Technology shall  
15 provide the Commission with technical support necessary  
16 for the Commission to carry out its duties under this  
17 title.”.

18       (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
19 210 of the Help America Vote Act of 2002 (42 U.S.C.  
20 15330) is amended by striking “for each of fiscal years  
21 2003 through 2005 such sums as may be necessary (but  
22 not to exceed \$10,000,000 for each such year)” and in-  
23 serting “\$23,000,000 for fiscal year 2007 (of which  
24 \$3,000,000 are authorized solely to carry out the purposes

1 of section 299E) and such sums as may be necessary for  
2 succeeding fiscal years”.

3 **SEC. 16. AUTHORIZATION OF APPROPRIATIONS.**

4 Subsection (a) of section 257 of the Help America  
5 Vote Act of 2002 (42 U.S.C. 15408(a)) is amended by  
6 adding at the end the following new paragraphs:

7 “(4) For fiscal year 2007, \$2,000,000,000.

8 “(5) For each fiscal year after 2007, such sums  
9 as are necessary.”.

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