

113TH CONGRESS
1ST SESSION

H. R. 289

To amend the National Voter Registration Act of 1993 to modernize State voting systems by allowing for increased use of the Internet in voter registration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2013

Mr. MORAN introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the National Voter Registration Act of 1993 to modernize State voting systems by allowing for increased use of the Internet in voter registration, 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 “Value Our Time Elections Act” or the “VOTE Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—PROMOTING INTERNET REGISTRATION

Sec. 101. Requiring availability of Internet for voter registration.
 Sec. 102. Use of Internet to update registration information.

TITLE II—AUTOMATED REGISTRATION OF CERTAIN INDIVIDUALS

Sec. 201. Automated voter registration.
 Sec. 202. List maintenance, privacy, and security.
 Sec. 203. Promoting accuracy of Statewide voter registration lists.
 Sec. 204. Definitions.

TITLE III—SHORTENING VOTER WAIT TIMES AND EARLY VOTING

Sec. 301. Equitable allocation of voting systems, poll workers, and election resources.
 Sec. 302. Early voting.
 Sec. 303. Conforming amendment to enforcement provision.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Effective date.

1 **TITLE I—PROMOTING INTERNET** 2 **REGISTRATION**

3 **SEC. 101. REQUIRING AVAILABILITY OF INTERNET FOR** 4 **VOTER REGISTRATION.**

5 (a) REQUIRING AVAILABILITY OF INTERNET FOR
 6 REGISTRATION.—The National Voter Registration Act of
 7 1993 (42 U.S.C. 1973gg et seq.) is amended by inserting
 8 after section 6 the following new section:

9 **“SEC. 6A. INTERNET REGISTRATION.**

10 “(a) REQUIRING AVAILABILITY OF INTERNET FOR
 11 ONLINE REGISTRATION.—

12 “(1) AVAILABILITY OF ONLINE REGISTRA-
 13 TION.—Each State, acting through the chief State
 14 election official, shall ensure that the following serv-
 15 ices are available to the public at any time on the
 16 official public websites of the appropriate State and
 17 local election officials in the State, in the same man-

1 ner and subject to the same terms and conditions as
2 the services provided by voter registration agencies
3 under section 7(a):

4 “(A) Online application for voter registra-
5 tion.

6 “(B) Online assistance to applicants in ap-
7 plying to register to vote.

8 “(C) Online completion and submission by
9 applicants of the mail voter registration applica-
10 tion form prescribed by the Election Assistance
11 Commission pursuant to section 9(a)(2), includ-
12 ing assistance with providing a signature in
13 electronic form as required under subsection
14 (c).

15 “(D) Online receipt of completed voter reg-
16 istration applications.

17 “(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—

18 A State shall accept an online voter registration applica-
19 tion provided by an individual under this section, and en-
20 sure that the individual is registered to vote in the State,
21 if—

22 “(1) the individual meets the same voter reg-
23 istration requirements applicable to individuals who
24 register to vote by mail in accordance with section
25 6(a)(1) using the mail voter registration application

1 form prescribed by the Election Assistance Commis-
2 sion pursuant to section 9(a)(2); and

3 “(2) the individual provides a signature in elec-
4 tronic form in accordance with subsection (c) (but
5 only in the case of applications submitted during or
6 after the second year in which this section is in ef-
7 fect in the State).

8 “(c) SIGNATURES IN ELECTRONIC FORM.—For pur-
9 poses of this section, an individual provides a signature
10 in electronic form by—

11 “(1) executing a computerized mark in the sig-
12 nature field on an online voter registration applica-
13 tion; or

14 “(2) submitting with the application an elec-
15 tronic copy of the individual’s handwritten signature
16 through electronic means.

17 “(d) CONFIRMATION AND DISPOSITION.—

18 “(1) CONFIRMATION OF RECEIPT.—Upon the
19 online submission of a completed voter registration
20 application by an individual under this section, the
21 appropriate State or local election official shall send
22 the individual a notice confirming the State’s receipt
23 of the application and providing instructions on how
24 the individual may check the status of the applica-
25 tion.

1 “(2) NOTICE OF DISPOSITION.—As soon as the
2 appropriate State or local election official has ap-
3 proved or rejected an application submitted by an in-
4 dividual under this section, the official shall send the
5 individual a notice of the disposition of the applica-
6 tion.

7 “(3) METHOD OF NOTIFICATION.—The appro-
8 priate State or local election official shall send the
9 notices required under this subsection by regular
10 mail, and, in the case of an individual who has re-
11 quested that the State provide voter registration and
12 voting information through electronic mail, by both
13 electronic mail and regular mail.

14 “(e) PROVISION OF SERVICES IN NONPARTISAN
15 MANNER.—The services made available under subsection
16 (a) shall be provided in a manner that ensures that, con-
17 sistent with section 7(a)(5)—

18 “(1) the online application does not seek to in-
19 fluence an applicant’s political preference or party
20 registration; and

21 “(2) there is no display on the website pro-
22 moting any political preference or party allegiance,
23 except that nothing in this paragraph may be con-
24 strued to prohibit an applicant from registering to
25 vote as a member of a political party.

1 “(f) PROTECTION OF SECURITY OF INFORMATION.—

2 In meeting the requirements of this section, the State shall
3 establish appropriate technological security measures to
4 prevent to the greatest extent practicable any unauthor-
5 ized access to information provided by individuals using
6 the services made available under subsection (a).

7 “(g) USE OF ADDITIONAL TELEPHONE-BASED SYS-

8 TEM.—A State shall make the services made available on-
9 line under subsection (a) available through the use of an
10 automated telephone-based system, subject to the same
11 terms and conditions applicable under this section to the
12 services made available online, in addition to making the
13 services available online in accordance with the require-
14 ments of this section.

15 “(h) NONDISCRIMINATION AMONG REGISTERED

16 VOTERS USING MAIL AND ONLINE REGISTRATION.—In
17 carrying out this Act, the Help America Vote Act of 2002
18 (42 U.S.C. 15301 et seq.), or any other Federal, State,
19 or local law governing the treatment of registered voters
20 in the State or the administration of elections for public
21 office in the State, a State shall treat a registered voter
22 who registered to vote online in accordance with this sec-
23 tion in the same manner as the State treats a registered
24 voter who registered to vote by mail.”.

1 (b) SPECIAL REQUIREMENTS FOR INDIVIDUALS
2 USING ONLINE REGISTRATION.—

3 (1) TREATMENT AS INDIVIDUALS REGISTERING
4 TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME
5 VOTER IDENTIFICATION REQUIREMENTS.—Section
6 303(b)(1)(A) of the Help America Vote Act of 2002
7 (42 U.S.C. 15483(b)(1)(A)) is amended by striking
8 “by mail” and inserting “by mail or online under
9 section 6A of the National Voter Registration Act of
10 1993”.

11 (2) REQUIRING SIGNATURE FOR FIRST-TIME
12 VOTERS IN JURISDICTION.—Section 303(b) of such
13 Act (42 U.S.C. 15483(b)) is amended—

14 (A) by redesignating paragraph (5) as
15 paragraph (6); and

16 (B) by inserting after paragraph (4) the
17 following new paragraph:

18 “(5) SIGNATURE REQUIREMENTS FOR FIRST-
19 TIME VOTERS USING ONLINE REGISTRATION.—

20 “(A) IN GENERAL.—A State shall, in a
21 uniform and nondiscriminatory manner, require
22 an individual to meet the requirements of sub-
23 paragraph (B) if—

24 “(i) the individual registered to vote
25 in the State online under section 6A of the

1 National Voter Registration Act of 1993;
2 and

3 “(ii) the individual has not previously
4 voted in an election for Federal office in
5 the State.

6 “(B) REQUIREMENTS.—An individual
7 meets the requirements of this subparagraph
8 if—

9 “(i) in the case of an individual who
10 votes in person, the individual provides the
11 appropriate State or local election official
12 with a handwritten signature; or

13 “(ii) in the case of an individual who
14 votes by mail, the individual submits with
15 the ballot a handwritten signature.

16 “(C) INAPPLICABILITY.—Subparagraph
17 (A) does not apply in the case of an individual
18 who is—

19 “(i) entitled to vote by absentee ballot
20 under the Uniformed and Overseas Citi-
21 zens Absentee Voting Act (42 U.S.C.
22 1973ff–1 et seq.);

23 “(ii) provided the right to vote other-
24 wise than in person under section
25 3(b)(2)(B)(ii) of the Voting Accessibility

1 for the Elderly and Handicapped Act (42
2 U.S.C. 1973ee-1(b)(2)(B)(ii)); or

3 “(iii) entitled to vote otherwise than
4 in person under any other Federal law.”.

5 (3) CONFORMING AMENDMENT RELATING TO
6 EFFECTIVE DATE.—Section 303(d)(2)(A) of such
7 Act (42 U.S.C. 15483(d)(2)(A)) is amended by
8 striking “Each State” and inserting “Except as pro-
9 vided in subsection (b)(5), each State”.

10 (c) CONFORMING AMENDMENTS.—

11 (1) TIMING OF REGISTRATION.—Section 8(a)(1)
12 of the National Voter Registration Act of 1993 (42
13 U.S.C. 1973gg-6(a)(1)) is amended—

14 (A) by striking “and” at the end of sub-
15 paragraph (C);

16 (B) by redesignating subparagraph (D) as
17 subparagraph (E); and

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

20 “(D) in the case of online registration
21 through the official public website of an election
22 official under section 6A, if the valid voter reg-
23 istration application is submitted online not
24 later than the lesser of 30 days, or the period
25 provided by State law, before the date of the

1 election (as determined by treating the date on
 2 which the application is sent electronically as
 3 the date on which it is submitted); and”.

4 (2) INFORMING APPLICANTS OF ELIGIBILITY
 5 REQUIREMENTS AND PENALTIES.—Section 8(a)(5)
 6 of such Act (42 U.S.C. 1973gg–6(a)(5)) is amended
 7 by striking “and 7” and inserting “6A, and 7”.

8 **SEC. 102. USE OF INTERNET TO UPDATE REGISTRATION IN-**
 9 **FORMATION.**

10 (a) IN GENERAL.—

11 (1) UPDATES TO INFORMATION CONTAINED ON
 12 COMPUTERIZED STATEWIDE VOTER REGISTRATION
 13 LIST.—Section 303(a) of the Help America Vote Act
 14 of 2002 (42 U.S.C. 15483(a)) is amended by adding
 15 at the end the following new paragraph:

16 “(6) USE OF INTERNET BY REGISTERED VOT-
 17 ERS TO UPDATE INFORMATION.—

18 “(A) IN GENERAL.—The appropriate State
 19 or local election official shall ensure that any
 20 registered voter on the computerized list may at
 21 any time update the voter’s registration infor-
 22 mation, including the voter’s address and elec-
 23 tronic mail address, online through the official
 24 public website of the election official responsible
 25 for the maintenance of the list, so long as the

1 voter attests to the contents of the update by
2 providing a signature in electronic form in the
3 same manner required under section 6A(c) of
4 the National Voter Registration Act of 1993.

5 “(B) PROCESSING OF UPDATED INFORMA-
6 TION BY ELECTION OFFICIALS.—If a registered
7 voter updates registration information under
8 subparagraph (A), the appropriate State or
9 local election official shall—

10 “(i) revise any information on the
11 computerized list to reflect the update
12 made by the voter; and

13 “(ii) if the updated registration infor-
14 mation affects the voter’s eligibility to vote
15 in an election for Federal office, ensure
16 that the information is processed with re-
17 spect to the election if the voter updates
18 the information not later than the lesser of
19 7 days, or the period provided by State
20 law, before the date of the election.

21 “(C) CONFIRMATION AND DISPOSITION.—

22 “(i) CONFIRMATION OF RECEIPT.—
23 Upon the online submission of updated
24 registration information by an individual
25 under this paragraph, the appropriate

1 State or local election official shall send
2 the individual a notice confirming the
3 State's receipt of the updated information
4 and providing instructions on how the indi-
5 vidual may check the status of the update.

6 “(ii) NOTICE OF DISPOSITION.—As
7 soon as the appropriate State or local elec-
8 tion official has accepted or rejected up-
9 dated information submitted by an indi-
10 vidual under this paragraph, the official
11 shall send the individual a notice of the
12 disposition of the update.

13 “(iii) METHOD OF NOTIFICATION.—
14 The appropriate State or local election offi-
15 cial shall send the notices required under
16 this subparagraph by regular mail, and, in
17 the case of an individual who has re-
18 quested that the State provide voter reg-
19 istration and voting information through
20 electronic mail, by both electronic mail and
21 regular mail.”.

22 (2) CONFORMING AMENDMENT RELATING TO
23 EFFECTIVE DATE.—Section 303(d)(1)(A) of such
24 Act (42 U.S.C. 15483(d)(1)(A)) is amended by

1 striking “subparagraph (B)” and inserting “sub-
 2 paragraph (B) and subsection (a)(6)”.

3 (b) ABILITY OF REGISTRANT TO USE ONLINE UP-
 4 DATE TO PROVIDE INFORMATION ON RESIDENCE.—Sec-
 5 tion 8(d)(2)(A) of the National Voter Registration Act of
 6 1993 (42 U.S.C. 1973gg–6(d)(2)(A)) is amended—

7 (1) in the first sentence, by inserting after “re-
 8 turn the card” the following: “or update the reg-
 9 istrant’s information on the computerized Statewide
 10 voter registration list using the online method pro-
 11 vided under section 303(a)(6) of the Help America
 12 Vote Act of 2002 (42 U.S.C. 15483(a)(6))”; and

13 (2) in the second sentence, by striking “re-
 14 turned,” and inserting the following: “returned or if
 15 the registrant does not update the registrant’s infor-
 16 mation on the computerized Statewide voter reg-
 17 istration list using such online method,”.

18 **TITLE II—AUTOMATED REG-** 19 **ISTRATION OF CERTAIN INDI-** 20 **VIDUALS**

21 **SEC. 201. AUTOMATED VOTER REGISTRATION.**

22 (a) COLLECTION OF INFORMATION BY SOURCE
 23 AGENCIES.—

24 (1) DUTIES OF SOURCE AGENCIES.—Each
 25 source agency in a State (as defined in subsection

1 (e)) shall, with each application for services or as-
2 sistance by an individual, and with each recertifi-
3 cation, renewal, or change of address relating to
4 such services or assistance—

5 (A) notify each such individual of the sub-
6 stantive qualifications of an elector in the State,
7 using language approved by the State's chief
8 election official;

9 (B) notify each such individual that there
10 is an opportunity to be registered to vote or up-
11 date voter registration, but that voter registra-
12 tion is voluntary, and that neither registering
13 nor declining to register to vote will in any way
14 affect the availability of services or benefits, nor
15 be used for other purposes;

16 (C) require that each such individual indi-
17 cate, after considering the substantive qualifica-
18 tion of an elector in the State, whether or not
19 the person wishes to be registered;

20 (D) ensure that each such individual's
21 transaction with the agency cannot be com-
22 pleted until the individual has indicated whether
23 he or she wishes to register to vote; and

24 (E) for each such individual who consents
25 to using the individual's records with the source

1 agency to enable the individual to register to
2 vote under this section, collect a signed affirma-
3 tion of eligibility to register to vote in the State.

4 (2) NO EFFECT ON RIGHT TO DECLINE VOTER
5 REGISTRATION.—Nothing in this subtitle shall be
6 construed to interfere with the right of any person
7 to decline to be registered to vote for any reason.

8 (b) TRANSFER OF INFORMATION ON INDIVIDUALS
9 CONSENTING TO VOTER REGISTRATION.—

10 (1) TRANSFER.—For each individual who noti-
11 fies the source agency that the individual consents to
12 voter registration under this section, the source
13 agency shall transfer to the chief State election offi-
14 cial of the State the following data, to the extent the
15 data is available to the source agency:

16 (A) The given name or names and sur-
17 name or surnames.

18 (B) Date of birth.

19 (C) Residential address.

20 (D) Mailing address.

21 (E) Signature, in electronic form.

22 (F) Date of the last change to the infor-
23 mation.

24 (G) The motor vehicle driver's license
25 number.

1 (H) The last four digits of the Social Secu-
2 rity number.

3 (2) TIMING OF TRANSFER.—The source agency
4 shall transfer the data described in paragraph (1) to
5 the chief State election official on a daily basis.

6 (3) FORMAT.—The data transferred under
7 paragraph (1) shall be transferred in a format com-
8 patible with the Statewide computerized voter reg-
9 istration list under section 303 of the Help America
10 Vote Act of 2002 (42 U.S.C. 15483).

11 (4) PROHIBITING STORAGE OF INFORMATION.—
12 Any information collected by the source agency
13 under this section with respect to an individual who
14 consents to register to vote under this section may
15 not be stored by the source agency in any form after
16 the information is transferred to the chief State elec-
17 tion official under paragraph (1).

18 (c) REGISTRATION OF INDIVIDUALS BY CHIEF STATE
19 ELECTION OFFICIAL.—

20 (1) COMPARISON WITH STATEWIDE VOTER REG-
21 ISTRATION LIST.—Upon receiving information from
22 a source agency with respect to an individual under
23 subsection (b), the chief State election official shall
24 determine whether the individual is included in the
25 computerized Statewide voter registration list estab-

lished and maintained under section 303 of the Help America Vote Act of 2002 (42 U.S.C. 15483).

(2) REGISTRATION OF INDIVIDUALS NOT ON STATEWIDE LIST.—If an individual for whom information is received from a source agency under subsection (b) is eligible to vote in elections for Federal office in the State and is not on the computerized Statewide voter registration list, the chief State election official shall—

(A) ensure that the individual is registered to vote in such elections not later than 5 days after receiving the information, without regard to whether or not the information provided by the source agency includes the individual's signature;

(B) update the Statewide computerized voter registration list to include the individual; and

(C) notify the individual that the individual is registered to vote in elections for Federal office in the State.

(3) TREATMENT OF INFORMATION INCORRECTLY PROVIDED.—If a source agency provides the chief State election official with information with respect to an individual who did not consent to be reg-

1 istered to vote under this section, the chief State
2 election official shall not take any action to register
3 the individual to vote, except that no such individual
4 who is already included on the computerized State-
5 wide voter registration list shall be removed from the
6 list solely because the information was incorrectly
7 provided under subsection (b).

8 (4) NO EFFECT ON OTHER MEANS OF REG-
9 ISTRATION.—Nothing in this section affects a
10 State’s obligation to register voters upon receipt of
11 a valid voter registration application through means
12 provided by National Voter Registration Act of 1993
13 (42 U.S.C. 1973gg et seq.), the Internet registration
14 procedure described in section 101, or other valid
15 means.

16 (5) INDIVIDUALS IN EXISTING RECORDS.—No
17 later than January 2015, each individual who is list-
18 ed in a source agency’s records and for whom there
19 exists reason to believe the individual is a citizen
20 and not otherwise ineligible to vote shall be mailed
21 a postage pre-paid return postcard including a box
22 for the individual to check, together with the state-
23 ment (in close proximity to the box and in promi-
24 nent type), “By checking this box, I affirm that I
25 am a citizen of the United States, am eligible to vote

1 in this State, and will be at least eighteen years old
2 by the next general election. I understand that by
3 checking this box, I will be registered to vote if I am
4 eligible to vote in the State.”, along with a clear de-
5 scription of the voting eligibility requirements in the
6 State. The postcard shall also include, where re-
7 quired for voter registration, a place for the individ-
8 ual’s signature and designation of party affiliation.
9 An individual who checks the box and returns the
10 completed postcard postmarked not later than the
11 lesser of the fifteenth day before an election for Fed-
12 eral office, or the period provided by State law, shall
13 be registered to vote in that election.

14 (d) OPTIONS FOR STATE TO REQUIRE SPECIAL
15 TREATMENT OF INDIVIDUALS REGISTERED AUTOMATI-
16 CALLY.—

17 (1) TREATMENT AS INDIVIDUALS REGISTERING
18 TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME
19 VOTER IDENTIFICATION REQUIREMENTS.—Section
20 303(b)(1)(A) of the Help America Vote Act of 2002
21 (42 U.S.C. 15483(b)(1)(A)), as amended by section
22 101(b)(1), is amended by striking “of 1993” and in-
23 serting “of 1993 or (at the option of the State) was
24 registered automatically under section 102 of the

1 Voting Line Reduction and Online Registration
2 Act”.

3 (2) REQUIRING SIGNATURE.—Section 303(b) of
4 such Act (42 U.S.C. 15483(b)), as amended by sec-
5 tion 101(b)(2), is amended—

6 (A) by redesignating paragraph (6) as
7 paragraph (7); and

8 (B) by inserting after paragraph (5) the
9 following new paragraph:

10 “(6) OPTION FOR STATE TO REQUIRE SIGNA-
11 TURE REQUIREMENTS FOR FIRST-TIME VOTERS REG-
12 ISTERED AUTOMATICALLY.—

13 “(A) IN GENERAL.—A State may, in a uni-
14 form and nondiscriminatory manner, require an
15 individual to meet the requirements of subpara-
16 graph (B) if—

17 “(i) the individual was registered to
18 vote in the State automatically under sec-
19 tion 101 of the Voting Line Reduction and
20 Online Registration Act; and

21 “(ii) the individual has not previously
22 voted in an election for Federal office in
23 the State.

1 “(B) REQUIREMENTS.—An individual
2 meets the requirements of this subparagraph
3 if—

4 “(i) in the case of an individual who
5 votes in person, the individual provides the
6 appropriate State or local election official
7 with a handwritten signature; or

8 “(ii) in the case of an individual who
9 votes by mail, the individual submits with
10 the ballot a handwritten signature.

11 “(C) INAPPLICABILITY.—Subparagraph
12 (A) does not apply in the case of an individual
13 who is—

14 “(i) entitled to vote by absentee ballot
15 under the Uniformed and Overseas Citi-
16 zens Absentee Voting Act (42 U.S.C.
17 1973ff–1 et seq.);

18 “(ii) provided the right to vote other-
19 wise than in person under section
20 3(b)(2)(B)(ii) of the Voting Accessibility
21 for the Elderly and Handicapped Act (42
22 U.S.C. 1973ee–1(b)(2)(B)(ii)); or

23 “(iii) entitled to vote otherwise than
24 in person under any other Federal law.”.

1 (3) CONFORMING AMENDMENT RELATING TO
 2 EFFECTIVE DATE.—Section 303(d)(2)(A) of such
 3 Act (42 U.S.C. 15483(d)(2)(A)), as amended by sec-
 4 tion 101(b)(3), is amended by striking “subsection
 5 (b)(5)” and inserting “subsections (b)(5) and
 6 (b)(6)”.

7 (e) SOURCE AGENCIES DESCRIBED.—

8 (1) IN GENERAL.—With respect to any State, a
 9 “source agency” is—

10 (A) each State office which is described in
 11 paragraph (2); and

12 (B) each Federal office which is described
 13 in paragraph (3) which is located in the State,
 14 except that such office shall be a source agency
 15 only with respect to individuals who are resi-
 16 dents of the State in which the office is located.

17 (2) STATE OFFICES DESCRIBED.—

18 (A) IN GENERAL.—The State offices de-
 19 scribed in this paragraph are as follows:

20 (i) The State motor vehicle authority.

21 (ii) Each office in the State which is
 22 designated as a voter registration agency
 23 in a State pursuant to section 7(a) of the
 24 National Voter Registration Act of 1993
 25 (42 U.S.C. 1973gg-5(a)).

1 (iii) Each State agency that admin-
2 isters a program providing assistance pur-
3 suant to pursuant to title III of the Social
4 Security Act (42 U.S.C. 501 et seq.).

5 (iv) Each State agency primarily re-
6 sponsible for maintaining identifying infor-
7 mation for students enrolled at public sec-
8 ondary schools in the State, including,
9 where applicable, the State agency respon-
10 sible for maintaining the education data
11 system described in section 6401(e)(2) of
12 the America COMPETES Act (20 U.S.C.
13 9871(e)(2)).

14 (v) In the case of a State in which an
15 individual disenfranchised by a criminal
16 conviction may become eligible to vote
17 upon completion of criminal sentence or
18 any part thereof, or upon formal restora-
19 tion of rights, the State agency responsible
20 for administering that sentence, or part
21 thereof, or that restoration of rights.

22 (vi) In the case of a State in which an
23 individual disenfranchised by adjudication
24 of mental incompetence or similar condi-
25 tion becomes eligible to register to vote

1 upon the restoration of competence or
2 similar condition, each State agency re-
3 sponsible for determining when competence
4 or a similar condition is met.

5 (vii) Such other office which may be
6 designated as a source agency by the chief
7 State election official of the State.

8 (B) CRITERIA FOR DESIGNATION OF ADDI-
9 TIONAL SOURCE AGENCIES.—In designating of-
10 fices of the State as source agencies for pur-
11 poses of subparagraph (A)(vii), the chief State
12 election official shall give priority on the basis
13 of the following criteria:

14 (i) The extent to which individuals re-
15 ceiving services or assistance from the of-
16 fice are likely to be individuals who are eli-
17 gible to register to vote in elections for
18 Federal office in the State but who are not
19 registered to vote in such elections.

20 (ii) The accuracy of the office's
21 records with respect to identifying informa-
22 tion (including age, citizenship status, and
23 residency) for individuals receiving services
24 or assistance from the office.

1 (iii) The cost-effectiveness of obtain-
2 ing such identifying information and trans-
3 mitting the information to the chief State
4 election official.

5 (iv) The extent to which the designa-
6 tion of the office as a voter registration
7 agency will promote the registration of eli-
8 gible individuals to vote in elections for
9 Federal office in the State and the accu-
10 racy of the State's Statewide computerized
11 voter registration list under the Help
12 America Vote Act of 2002 (42 U.S.C.
13 15301 et seq.).

14 (3) FEDERAL OFFICES DESCRIBED.—The Fed-
15 eral offices described in this paragraph are as fol-
16 lows:

17 (A) Armed Forces recruitment offices.

18 (B) The United States Immigration and
19 Customs Enforcement Bureau, but only with
20 respect to individuals who complete the natu-
21 ralization process.

22 (C) The Social Security Administration.

23 (D) The Administrative Office of the
24 United States Courts, the Federal Bureau of
25 Prisons, and the United States Probation Serv-

1 ice, but only with respect to individuals com-
2 pleting terms of prison, sentences, probation, or
3 parole.

4 (E) The Department of Veterans Affairs,
5 but only with respect to individuals applying for
6 or using health care services or services for
7 homeless individuals.

8 (F) The Defense Manpower Data Center
9 of the Department of Defense.

10 (G) The Indian Health Services of the De-
11 partment of Health and Human Services.

12 (H) The Center for Medicare and Medicaid
13 Services of the Department of Health and
14 Human Services.

15 (I) Any other Federal office which is des-
16 ignated by a State (with the consent of the
17 President) as a source agency with respect to
18 the State.

19 **SEC. 202. LIST MAINTENANCE, PRIVACY, AND SECURITY.**

20 (a) DATABASE MANAGEMENT STANDARDS.—

21 (1) DATABASE MATCHING STANDARDS.—The
22 chief State election official of each State shall estab-
23 lish standards governing the comparison of data on
24 the Statewide computerized voter registration list
25 under section 303 of the Help America Vote Act of

1 2002 (42 U.S.C. 15483), the data provided by var-
2 ious source agencies under section 201, and relevant
3 data from other sources, including the specific data
4 elements and data matching rules to be used for
5 purposes of determining—

6 (A) whether a data record from any source
7 agency represents the same individual as a
8 record in another source agency or on the state-
9 wide list;

10 (B) whether a data record from any source
11 agency represents an individual already reg-
12 istered to vote in the State;

13 (C) whether two data records in the state-
14 wide computerized voter registration list rep-
15 resent duplicate records for the same individual;

16 (D) whether a data record supplied by any
17 list maintenance source represents an individual
18 already registered to vote in the State; and

19 (E) which information will be treated as
20 more current and reliable when data records
21 from multiple sources present information for
22 the same individual.

23 (2) STANDARDS FOR DETERMINING INELIGI-
24 BILITY.—The chief State election official of a State
25 shall establish uniform and non-discriminatory

standards describing the specific conditions under which an individual will be determined for list maintenance purposes to be ineligible to vote in an election for Federal office in the State.

(b) PRIVACY AND SECURITY STANDARDS.—

(1) PRIVACY AND SECURITY POLICY.—The chief State election official of a State shall publish and enforce a privacy and security policy specifying each class of users who shall have authorized access to the computerized Statewide voter registration list, specifying for each such class the permission and levels of access to be granted, and setting forth other safeguards to protect the privacy and security of the information on the list. Such policy shall include security safeguards to protect personal information in the data transfer process under section 201, the online or telephone interface, the maintenance of the voter registration database, and audit procedure to track individual access to the system.

(2) NO UNAUTHORIZED ACCESS.—The chief State election official of a State shall establish policies and enforcement procedures to prevent unauthorized access to or use of the computerized statewide voter registration list, any list or other information provided by a source agency under section

1 201, or any maintenance source for the list. Nothing
2 in this paragraph shall be construed to prohibit ac-
3 cess to information required for purposes of voter
4 registration, election administration, and the en-
5 forcement of election laws.

6 (3) INTER-AGENCY TRANSFERS.—

7 (A) IN GENERAL.—The chief State election
8 official of a State shall establish policies and
9 enforcement procedures to maintain security
10 during inter-agency transfers of information re-
11 quired or permitted under this title. Each State
12 agency and third party participating in such
13 inter-agency transfers of information shall fa-
14 cilitate and comply with such policies. Nothing
15 in this subparagraph shall prevent a source
16 agency under section 201 from establishing and
17 enforcing additional security measures to pro-
18 tect the confidentiality and integrity of inter-
19 agency data transfers. No State or local election
20 official shall transfer or facilitate the transfer
21 of information from the computerized statewide
22 voter registration list to any source agency
23 under section 201.

24 (B) TRANSMISSION THROUGH SECURE
25 THIRD PARTIES PERMITTED.—Nothing in this

1 section shall be construed to prevent a source
2 agency under section 201 from contracting with
3 a third party to assist in the transmission of
4 data to a chief State election official, so long as
5 the data transmission complies with the appli-
6 cable requirements of this title, including the
7 privacy and security provisions of this section.

8 (4) RECORDS RETENTION.—The chief State
9 election official of a State shall establish standards
10 and procedures to maintain all election records re-
11 quired for purposes of this title, including for the
12 purpose of determining the eligibility of persons
13 casting provisional ballots under section 302 of the
14 Help America Vote Act of 2002 (42 U.S.C. 15482).
15 Records for individuals who have been retained on
16 the computerized statewide voter registration list
17 under section 301 of such Act (42 U.S.C. 15481)
18 but identified as ineligible to vote in an election for
19 Federal office within the State, or removed from the
20 list due to ineligibility, shall be maintained and kept
21 available until at least the date of the second general
22 election for Federal office that occurs after the date
23 that the individual was identified as ineligible.

24 (c) PUBLICATION OF STANDARDS.—The chief State
25 election official of a State shall publish on the official's

1 website the standards established under this section, and
 2 shall make those standards available in written form upon
 3 public request.

4 (d) PROTECTION OF SOURCE INFORMATION.—The
 5 identity of the specific source agency through which an
 6 individual consented to register to vote under section 201
 7 shall not be disclosed to the public and shall not be re-
 8 tained after the individual is added to the computerized
 9 statewide voter registration list.

10 (e) CONFIDENTIALITY OF PERSONAL INFORMA-
 11 TION.—The chief State election official of a State shall
 12 establish policies and enforcement procedures to ensure
 13 that personal information provided by source agencies or
 14 otherwise transmitted under this section is kept confiden-
 15 tial and is available only to authorized users. For purposes
 16 of these policies and procedures, the term “personal infor-
 17 mation” means, with respect to an individual any of the
 18 following:

- 19 (1) Any portion of a Social Security number.
- 20 (2) Any portion of a vehicle driver’s license
 21 number or State identification card number.
- 22 (3) A signature.
- 23 (4) A personal residence and contact informa-
 24 tion (in the case of an individuals with respect to

1 whom such information is required to be maintained
2 as confidential under State law).

3 (5) Sensitive information relating to any indi-
4 vidual in a category designated as confidential by
5 Federal or State law, including a victim of domestic
6 violence or stalking, a prosecutor and member of law
7 enforcement personnel, and a participant in a wit-
8 ness protection program.

9 (6) A phone number.

10 (7) An email address.

11 (8) Citizenship status.

12 (9) Such other information as the chief State
13 election official may designate as confidential to the
14 extent reasonably necessary to prevent identity theft
15 or impersonation, except that the chief State election
16 official may not designate as confidential under this
17 subparagraph the name, address, or date of registra-
18 tion of an individual, or, where applicable, the self-
19 identified racial or ethnic category of the individual
20 as applicable under Revisions to OMB Directive
21 Number 15 or successor directives.

22 (f) PROTECTIONS AGAINST LIABILITY OF INDIVID-
23 UALS ON BASIS OF INFORMATION TRANSFERRED.—

24 (1) NO INDIVIDUAL LIABILITY FOR REGISTRA-
25 TION OF INELIGIBLE INDIVIDUAL.—If an individual

1 who is not eligible to register to vote in elections for
2 Federal office is registered to vote in such elections
3 by a chief State election official under section 201,
4 the individual shall not be subject to any penalty, in-
5 cluding the imposition of a fine or term of imprison-
6 ment, adverse treatment in any immigration or nat-
7 uralization proceeding, or the denial of any status
8 under immigration laws, under any law prohibiting
9 an individual who is not eligible to register to vote
10 in elections for Federal office from registering to
11 vote in such elections. Nothing in this paragraph
12 shall be construed to waive the liability of any indi-
13 vidual who knowingly provides false information to
14 any person regarding the individual's eligibility to
15 register to vote or vote in elections for Federal of-
16 fice.

17 (2) PROHIBITING USE OF INFORMATION BY OF-
18 FICIALS.—No person acting under color of law may
19 use the information received by the chief State elec-
20 tion official under section 201 to attempt to deter-
21 mine the citizenship status of any individual for im-
22 migration enforcement, criminal law enforcement
23 (other than enforcement of election laws), or any
24 purpose other than voter registration, election ad-
25 ministration, or the enforcement of election laws.

1 (g) PROHIBITION ON TRANSFER OF INFORMATION
2 IRRELEVANT TO ADMINISTRATION OF ELECTIONS.—No
3 source agency shall transmit any information under sec-
4 tion 201 which is irrelevant to the administration of elec-
5 tions. To the extent that an election official receives any
6 information which is accidentally or inadvertently trans-
7 ferred by a source agency under such section, the official
8 shall immediately delete the information from the official's
9 records.

10 (h) RESTRICTION ON USE OF INFORMATION.—No in-
11 formation relating to an individual's absence from the
12 statewide voter registration list under section 303 of the
13 Help America Vote Act of 2002 (42 U.S.C. 15483) or an
14 individual's declination to supply information for voter
15 registration purposes to a source agency under section 201
16 may be disclosed to the public for immigration enforce-
17 ment, criminal law enforcement other than enforcement
18 of laws against election crimes, or used for any purpose
19 other than voter registration, election administration, or
20 the enforcement of election laws.

21 (i) NONDISCRIMINATION.—No person acting under
22 color of law may discriminate against any individual on
23 the basis of the individual's absence from the statewide
24 voter registration list, the information supplied by the in-
25 dividual for voter registration purpose to a source agency

1 under section 201, or the individual's declination to supply
2 such information, except as required for purposes of voter
3 registration, election administration, and the enforcement
4 of election laws.

5 (j) PROHIBITION ON THE USE OF VOTER REGISTRA-
6 TION INFORMATION FOR COMMERCIAL OR NON-GOVERN-
7 MENTAL PURPOSES.—Voter registration information col-
8 lected under this title shall not be used for commercial
9 purposes including for comparison with any existing com-
10 mercial list or database.

11 (k) PENALTY.—Whoever knowingly uses information
12 or permits information to be used in violation of this sec-
13 tion shall be imprisoned for not more than 1 year, fined
14 under title 18, United States Code, or both.

15 (l) EXCLUSION FROM LISTS OF INDIVIDUALS DE-
16 CLINING REGISTRATION.—The chief State election official
17 of a State shall ensure that, with respect to any individual
18 who declines the opportunity to register to vote under sec-
19 tion 201, the individual's information is not included on
20 the computerized Statewide voter registration list under
21 section 303 of the Help America Vote Act of 2002 (42
22 U.S.C. 15483) and is not provided to any third party (ex-
23 cept to the extent required under another Federal or State
24 law). Nothing in this subsection shall be construed to pre-
25 clude an individual who has previously declined the oppor-

1 tunity to register to vote from subsequently registering to
 2 vote.

3 **SEC. 203. PROMOTING ACCURACY OF STATEWIDE VOTER**
 4 **REGISTRATION LISTS.**

5 (a) DEADLINES FOR TRANSMITTAL OF CHANGE OF
 6 ADDRESS OR OTHER IDENTIFYING INFORMATION.—

7 (1) INFORMATION RECEIVED BY STATE MOTOR
 8 VEHICLE AUTHORITY.—Section 5(d) of the National
 9 Voter Registration Act of 1993 (42 U.S.C. 1973gg–
 10 3(d)) is amended to read as follows:

11 “(d) AUTOMATIC TRANSMITTAL OF CHANGE OF AD-
 12 DRESS OR OTHER IDENTIFYING INFORMATION.—Not
 13 later than 24 hours after receiving a change of address
 14 form or any other information indicating that identifying
 15 information with respect to an individual which is included
 16 in the records of the State motor vehicle authority has
 17 been changed, the State motor vehicle authority shall
 18 transmit such form or other information to the chief State
 19 election official, unless—

20 “(1) the records of the authority include infor-
 21 mation indicating that the individual is not eligible
 22 to register to vote in the State; or

23 “(2) the individual states on the form or other-
 24 wise indicates that the change of address or other
 25 information is not for voter registration purposes.”.

1 (2) INFORMATION RECEIVED BY OTHER VOTER
2 REGISTRATION AGENCIES.—Section 7 of such Act
3 (42 U.S.C. 1973gg–5) is amended by adding at the
4 end the following new subsection:

5 “(e) AUTOMATIC TRANSMITTAL OF CHANGE OF AD-
6 DRESS OR OTHER IDENTIFYING INFORMATION.—Not
7 later than 24 hours after receiving a change of address
8 form or any other information indicating that identifying
9 information with respect to an individual which is included
10 in the records of a voter registration agency designated
11 under this section has been changed, the appropriate offi-
12 cial of such agency shall transmit such form or other in-
13 formation to the chief State election official, unless—

14 “(1) the records of the agency include informa-
15 tion indicating that the individual is not eligible to
16 register to vote in the State; or

17 “(2) the individual states on the form or other-
18 wise indicates that the change of address or other
19 information is not for voter registration purposes.”.

20 (3) INFORMATION RECEIVED FROM SOURCE
21 AGENCIES.—Not later than 24 hours after receiving
22 a change of address form or any other information
23 indicating that identifying information with respect
24 to an individual which is included in the records of
25 a source agency designated under section 201 has

1 been changed, the appropriate official of such agency
 2 shall transmit such form or other information to the
 3 chief State election official, unless—

4 (A) the records of the agency include infor-
 5 mation indicating that the individual is not eli-
 6 gible to register to vote in the State; or

7 (B) the individual states on the form or
 8 otherwise indicates that the change of address
 9 or other information is not for voter registra-
 10 tion purposes.

11 (b) REVISION OF STATEWIDE COMPUTERIZED LIST
 12 TO REFLECT REVISED INFORMATION.—Section 303(a) of
 13 the Help America Vote Act of 2002 (42 U.S.C. 15483(a)),
 14 as amended by section 102(a), is amended by adding at
 15 the end the following new paragraph:

16 “(7) REVISION OF LIST TO REFLECT INFORMA-
 17 TION RECEIVED FROM OTHER STATE OFFICES.—

18 “(A) IN GENERAL.—If a State motor vehi-
 19 cle authority (pursuant to section 5(d) of the
 20 National Voter Registration Act of 1993 (42
 21 U.S.C. 1973gg–3(d))) a voter registration agen-
 22 cy (designated under section 7 of such Act (42
 23 U.S.C. 1973gg–5)), or a source agency (des-
 24 ignated under section 201 of the Voting Line
 25 Reduction and Online Registration Act) trans-

mits to the chief State election official a change of address form or any other information indicating that identifying information with respect to an individual has been changed, the appropriate State or local election official shall—

“(i) determine whether the individual appears on the computerized list established under this section; and

“(ii) if the individual appears on the list, revise the information relating to the individual on the list to reflect the individual’s new address or other changed identifying information.

“(B) NOTIFICATION TO VOTERS.—If an election official revises any voter registration information on the computerized list with respect to any voter (including removing the voter from the list), immediately after revising the information, the official shall send the individual a written notice of the revision which includes the following information:

“(i) The voter’s name, date of birth, and address, as reflected in the revised information on the computerized list.

1 “(ii) A statement that the voter’s
2 voter registration information has been up-
3 dated.

4 “(iii) Information on how to correct
5 information on the computerized list.

6 “(iv) A statement of the eligibility re-
7 quirements for registered voters in the
8 State.

9 “(v) A statement (in larger font size
10 than the other statements on the notice)
11 that it is illegal for an individual who does
12 not meet the eligibility requirements for
13 registered voters in the State to vote in an
14 election in the State.

15 “(vi) A statement that the voter may
16 terminate the voter’s status as a registered
17 voter in the State, or request a change in
18 the voter’s voter registration information,
19 at any time by contacting the appropriate
20 State or local election official, together
21 with contact information for such official
22 (including any website through which the
23 voter may contact the official or obtain in-
24 formation on voter registration in the
25 State).

1 “(C) USE OF ELECTRONIC MAIL.—If an
2 election official has an electronic mail address
3 for any voter to whom the official is required to
4 send a written notice under this paragraph, the
5 official may meet the requirements of this para-
6 graph by sending the notice to the voter in elec-
7 tronic form at that address, but only if prior to
8 sending the notice, the official sends a test elec-
9 tronic mail to the voter at that address and re-
10 ceives confirmation that the address is current
11 and valid.”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall apply with respect to elections occurring
14 during 2014 or any succeeding year.

15 **SEC. 204. DEFINITIONS.**

16 (a) CHIEF STATE ELECTION OFFICIAL.—In this
17 title, the term “chief State election official” means, with
18 respect to a State, the individual designated by the State
19 under section 10 of the National Voter Registration Act
20 of 1993 (42 U.S.C. 1973gg–8) to be responsible for co-
21 ordination of the State’s responsibilities under such Act.

22 (b) STATE.—In this title, the term “State” includes
23 the District of Columbia, the Commonwealth of Puerto
24 Rico, the United States Virgin Islands, Guam, and Amer-
25 ican Samoa, but does not include any State in which,

1 under a State law in effect continuously on and after the
 2 date of the enactment of this Act, there is no voter reg-
 3 istration requirement for individuals in the State with re-
 4 spect to elections for Federal office.

5 **TITLE III—SHORTENING VOTER** 6 **WAIT TIMES AND EARLY VOTING**

7 **SEC. 301. EQUITABLE ALLOCATION OF VOTING SYSTEMS,** 8 **POLL WORKERS, AND ELECTION RESOURCES.**

9 (a) IN GENERAL.—Title III of the Help America
 10 Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended
 11 by adding at the end the following new subtitle:

12 **“Subtitle C—Additional** 13 **Requirements**

14 **“SEC. 321. MINIMUM REQUIRED VOTING SYSTEMS AND** 15 **POLL WORKERS.**

16 “(a) IN GENERAL.—Each State shall provide for the
 17 minimum required number of voting systems, poll workers,
 18 and other election resources (including all other physical
 19 resources) for each voting site 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 subsection (c).

23 “(b) VOTING SITE.—For purposes of this section, the
 24 term ‘voting site’ means a polling location, except that in

1 the case of any polling location which serves more than
2 1 precinct, such term shall mean a precinct.

3 “(c) GUIDANCE AND STANDARDS.—

4 “(1) IN GENERAL.—Not later than January 1,
5 2014, the Commission shall conduct a study and
6 then issue standards that establish a minimum num-
7 ber of voting systems, poll workers, and other elec-
8 tion resources (including all other physical re-
9 sources) for each voting site on the day of any Fed-
10 eral election and on any days during which early vot-
11 ing is allowed for a Federal election.

12 “(2) DISTRIBUTION.—

13 “(A) IN GENERAL.—The standards de-
14 scribed in paragraph (1) shall provide for a uni-
15 form and nondiscriminatory distribution of such
16 systems, workers, and other resources, and, to
17 the extent possible, shall take into account,
18 among other factors, the following:

19 “(i) The voting age population.

20 “(ii) Voter turnout in past elections.

21 “(iii) The number of voters registered.

22 “(iv) The number of voters who have
23 registered since the most recent Federal
24 election.

1 “(v) Census data for the population
2 served by such voting site.

3 “(vi) The educational levels and socio-
4 economic factors of the population served
5 by such voting site.

6 “(vii) The needs and numbers of vot-
7 ers with disabilities and voters with limited
8 English proficiency.

9 “(viii) The type of voting systems
10 used.

11 “(B) NO FACTOR DISPOSITIVE.—The
12 standards shall provide that the distribution of
13 such systems should take into account the total-
14 ity of all relevant factors, and no single factor
15 shall be dispositive under the standards.

16 “(C) PURPOSE.—To the extent possible,
17 the standards shall provide for a distribution of
18 voting systems, poll workers, and other election
19 resources with the goals of—

20 “(i) ensuring a fair and equitable
21 waiting time for all voters in the State;
22 and

23 “(ii) preventing a waiting time of over
24 1 hour at any voting site.

1 “(3) DEVIATION.—The standards described in
2 paragraph (1) shall permit States, upon giving rea-
3 sonable public notice, to deviate from any allocation
4 requirements in the case of unforeseen cir-
5 cumstances such as a natural disaster or terrorist
6 attack.

7 **“SEC. 322. ALLOCATION OF ELECTION RESOURCES.**

8 “(a) STATE PLANS TO PREVENT UNREASONABLE
9 VOTER WAITING TIMES.—

10 “(1) IN GENERAL.—Not later than 60 days be-
11 fore each election for Federal office, each State shall
12 submit a written plan to the Commission describing
13 the measures it is implementing to ensure, to the
14 greatest extent possible, an equitable waiting time
15 for all voters in the State, and a waiting time of less
16 than 1 hour at any polling place in the election.

17 “(2) PUBLICATION.—Not later than 30 days
18 after receiving a State plan under paragraph (1),
19 the Commission shall make the plan available to the
20 public.

21 “(b) REMEDIAL PLANS FOR STATES WITH EXCES-
22 SIVE VOTER WAIT TIMES.—

23 “(1) COMPLIANCE WITH STATE REMEDIAL
24 PLANS.—

1 “(A) REMEDIAL PLANS.—Each jurisdiction
2 for which the Commission determines that a
3 substantial number of voters waited more than
4 90 minutes to cast a vote in an election for
5 Federal office, or in which there were substan-
6 tial violations of the standards established
7 under section 321(c) with respect to an election
8 for Federal office, shall comply with a State re-
9 medial plan established by the Commission to
10 provide for the effective allocation of resources
11 to administer elections held in the State and to
12 reduce the waiting time of voters.

13 “(B) COORDINATION WITH ATTORNEY
14 GENERAL AND STATES.—Each remedial plan
15 established by the Commission shall provide for
16 coordination between the Commission, the At-
17 torney General, and the State involved to mon-
18 itor the compliance of the State with the reme-
19 dial plan during the period leading up to the
20 election and on the date of the election and to
21 respond to serious delays in the ability of voters
22 to cast their ballots at polling places.

23 “(2) JURISDICTION DEFINED.—For purposes of
24 this paragraph, the term ‘jurisdiction’ has the mean-
25 ing given the term ‘registrar’s jurisdiction’ in section

1 8(j) of the National Voter Registration Act of 1993
2 (42 U.S.C. 1973gg-6(j)).

3 “(c) EMERGENCY BALLOTS.—

4 “(1) IN GENERAL.—In the event of a failure of
5 voting equipment or other circumstance at a polling
6 place that causes an unreasonable delay, any indi-
7 vidual who is waiting at the polling place to cast a
8 ballot in an election for Federal office at the time
9 of the failure shall be advised immediately of the in-
10 dividuals right to use an emergency paper ballot,
11 and upon request shall be provided with an emer-
12 gency paper ballot for the election and the supplies
13 necessary to mark the ballot.

14 “(2) DISPOSITION OF BALLOT.—Any emergency
15 paper ballot which is cast by an individual under
16 this subsection shall be counted in the same manner
17 as a regular ballot, unless the individual casting the
18 ballot would have otherwise been required to cast a
19 provisional ballot in the absence of the delay, in
20 which case that ballot shall be treated in the same
21 manner as a provisional ballot.”.

22 (b) CLERICAL AMENDMENTS.—The table of contents
23 of such Act is amended by adding at the end of the items
24 relating to title III the following:

“Subtitle C—Additional Requirements

“Sec. 321. Minimum required voting systems and poll workers.

“Sec. 322. Allocation of election resources.”.

1 **SEC. 302. EARLY VOTING.**

2 (a) REQUIREMENTS.—Subtitle C of title III of the
3 Help America Vote Act of 2002, as added by section 301,
4 is amended by adding at the end the following new section:

5 **“SEC. 323. EARLY VOTING.**

6 “(a) IN GENERAL.—During the 7-day period (or, at
7 the option of the State, a longer period) which ends on
8 the date of an election for Federal office, each State shall
9 allow individuals to vote in the election in the same man-
10 ner as voting is allowed on the date of such election.

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

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

16 “(2) have minimum uniform hours each day for
17 which such voting occurs.

18 “(c) STANDARDS FOR EARLY VOTING.—

19 “(1) STANDARDS.—

20 “(A) IN GENERAL.—The Commission shall
21 issue standards for the administration of voting
22 prior to the day scheduled for a Federal elec-
23 tion.

1 “(B) STANDARDS FOR POLLING PLACES.—

2 Such standards shall include the nondiscrim-
3 inatory geographic placement of polling places
4 at which such voting occurs and the public list-
5 ing of the date, time, and location of polling
6 places no earlier than 10 days before the date
7 on which such voting begins.

8 “(C) CONSULTATION.—Such standards
9 shall be developed in consultation with civil
10 rights, voting rights, and voting protection or-
11 ganizations, State and local election officials,
12 and other interested members of the commu-
13 nity.

14 “(2) DEVIATION.—The standards described in
15 paragraph (1) shall permit States, upon giving rea-
16 sonable public notice, to deviate from any require-
17 ment in the case of unforeseen circumstances such
18 as a natural disaster or a terrorist attack.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 of such Act, as amended by section 301, is amended by
21 adding at the end of the items relating to subtitle C of
22 title III the following:

“Sec. 323. Early voting.”.

1 **SEC. 303. CONFORMING AMENDMENT TO ENFORCEMENT**
2 **PROVISION.**

3 Section 401 of the Help America Vote Act of 2002
4 (42 U.S.C. 15511) is amended by striking “sections 301,
5 302, and 303” and inserting “subtitles A and C of title
6 III”.

7 **TITLE IV—GENERAL**
8 **PROVISIONS**

9 **SEC. 401. EFFECTIVE DATE.**

10 (a) IN GENERAL.—Except as provided in subsection
11 (b) and section 203(c), the amendments made by this Act
12 shall take effect on January 1, 2014.

13 (b) WAIVER.—Subject to the approval of the Election
14 Assistance Commission, if a State certifies to the Election
15 Assistance Commission that the State will not meet the
16 deadline referred to in subsection (a) because of extraor-
17 dinary circumstances and includes in the certification the
18 reasons for the failure to meet the deadline, subsection
19 (a) shall apply to the State as if the reference in such
20 subsection to “January 1, 2014” were a reference to
21 “January 1, 2016”.

○