fighting every day to be a champion for the great people of Alaska, and always speaking his mind.

On a somber note, DON started his career out of a tragedy. A lot of you remember that back in October of 1972, there was a plane crash in Alaska. Nicholas Begich and Hale Boggs, who at the time was the majority leader, went down in a plane crash. There was a massive search to try to find the plane. They never did find that plane. Ultimately, when they finally recognized that we had lost two great leaders, they had special elections.

I get to serve and actually work every day in the office that Hale Boggs once worked in, the same office that Majority Leader HOYER worked in as well, and I think about Hale a lot, as we think about Nicholas Begich as well. But I know DON was elected in a special election. That is when he came to Congress. Somebody else came to Congress: Hale Boggs' wife, Lindy Boggs, who some of you may have served with. They are probably too very different personalities, but they formed a special bond because of the unique nature in which they came to Congress. He shared with me some of those stories.

It just shows you how sometimes our differences can, ultimately, bring us together to at least pay tribute not only to an institution, but to respect our backgrounds and how we all come here from different walks of life. Ultimately, it is our desire to serve the people who we represent.

That is the thing I love the most about serving with DON YOUNG. It is that he has such a passion. He fights for his beliefs, and he works with other people.

We all know that, for 37 years, one of his great causes was to open up ANWR. Finally, we were on the White House lawn in December 2017 to have that ceremony and watch DON YOUNG giddy as a schoolchild as the President was making that announcement, and then to see him still this day, and every day, come to work with the passion of representing the great people of Alaska and continuing to work with all of us on all the different issues that we come here to address.

As we celebrate this great achievement, I think, as we all know, he comes and sits in that same spot and he yells ''order,'' and he yells a few other things, and he pushes us all to do our job in a much more efficient way. But how fitting it is that the United States' largest State has such a larger than life personality as its representative.

Congratulations, DON. It is an honor to serve with you.

Ms. PELOSI. Mr. Speaker, it is clear from listening to the comments of the bipartisan leadership of the House of Representatives that, as Speaker, I can say, on behalf of the entire House of Representatives: Thank you, DON YOUNG, and congratulations.

Mr. Speaker, I yield to the gentleman from Alaska (Mr. YOUNG), the distinguished longest serving Republican in history in the Congress.

Mr. YOUNG. Mr. Speaker, I thank Speaker PELOSI for those kind words, the kind words of the Republican leaders, and the kind words of all my colleagues.

It was mentioned that I love this institution, and I do because this is the great United States of America, and we are representatives of our districts.

The one thing I learned, during my 46 years, is that each one of you represent your people, and I respect it. I may not agree with some of the things you stand for, but I respect that you were elected by your people.

I had the privilege of traveling a lot, and I still do, in Members' districts, not to campaign against them, but to find out why and how they are elected and what they stand for in that community. This House is the people's House.

I have to sort of confess to one thing that was alluded to by KEVIN. It is a fact that I was a schoolteacher to fifth grade students, and it prepared me for this job. There is some truth in that because, I have to tell you, I have timed it as a teacher. The average attention span of a fifth grader is 7 minutes, and the average attention span of most Congressmen is about 4¼, because they are so busy trying to do everything they can, and they are so busy representing their people.

John Dingell was mentioned. And, DEBBIE, God bless you for him. He was one of my dear friends. Everybody says that, but he was a dear friend.

I met him in 1964 in my hometown of Fort Yukon. He was on the Fish and Wildlife Committee. He was 9 years a Congressman. I met with him and talked to him about an issue I was interested in.

Of course, when I got elected, he came to me, and I went to see him. We had one thing in common: We loved to hunt. We hunted on weekends, because we stayed here. We fished on weekends. And we became dear friends. He is the strongest, frankly, Congressman I have ever served with.

We had one thing in common: He respected my beliefs, and I respected his. I would say, John, this is the right thing to do. And he would do it.

I think a lot of us here today have to learn that and quit watching the media. That person who represents that district, listen to what they have to say and support them. That makes this House work a lot better, frankly, than it is right now.

This is nothing new. We have to do this for this country, to retain the control of the Congress to run this Nation. If not, we will lose our democracy.

Mr. Speaker, I thank everyone in this room for recognizing my tenure. I want to especially thank my wife, Anne, who is up in the stand. I have been trying to get the State of Alaska to pay her because when I lost my dear Lu, I thought I was going to die. She came along, picked me up off the ground, supported me, loved me, cherishes me, and makes me want to come to work every day to serve the great State of Alaska.

Mr. Speaker, I thank everyone. God bless them, and God bless America.

Ms. PELOSI. Mr. Speaker, I yield back the balance of my time.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. WATKINS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Abortion Survivors Protection Act, and ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. BUTTERFIELD). Under guidelines consistently issued by successive Speakers, as recorded in section 956 of the House Rules and Manual, the Chair is constrained not to entertain the request unless it has been cleared by the bipartisan floor and committee leaderships.

Mr. WATKINS. Mr. Speaker, if this unanimous consent request cannot be entertained, I urge the Speaker and the majority leader to immediately schedule a vote on the born-alive bill.

The SPEAKER pro tempore. The gentleman is not recognized for debate.

FOR THE PEOPLE ACT OF 2019

GENERAL LEAVE

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add extraneous material on H.R. 1, the For the People Act of 2019.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 172 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1.

The Chair appoints the gentleman from Texas (Mr. CUELLAR) to preside over the Committee of the Whole.

□ 1427

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 1) to expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 2 hours equally divided and controlled by the chair and the ranking minority member of the Committee on House Administration.

The gentlewoman from California (Ms. LOFGREN) and the gentleman from Illinois (Mr. RODNEY DAVIS) each will control 60 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LOFGREN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, H.R. 1 will begin the process of returning the government to the people. Many provisions of H.R. 1 have been pending and ignored for years in this House. No more.

□ 1430

H.R. 1 has been the subject of hearings in five committees and 15 hours of testimony from witnesses. Throughout these hearings, we have heard our Republican friends bemoan a rushed process when, in fact, they had 8 years to consider these proposals but failed to do so.

Today, we deliver on our promise to the American people. H.R. 1 is critically important at this point in our history.

Trust in government and in many institutions has eroded because of years of putting profit before the people and letting politicians pick their voters.

Dark money has been allowed to poison our system, drowning out the voices of the very people who we were sent here to represent.

Access to the ballot box has been impeded by arbitrary obstacles that have made voting a privilege, not a right.

Without trust, our representative system suffers. Too many Americans view themselves as shut out from our democracy. Others cannot participate because of election administration procedures that fail to account for how Americans live and work in the 21st century.

Some of these barriers make it harder for certain populations, including communities of color and other underrepresented groups, to vote. This is especially the case after the Supreme Court gutted core provisions of the Voting Rights Act in Shelby County v. Holder.

Meanwhile, the Supreme Court's 2010 Citizens United decision has further empowered wealthy special interests and ushered in nearly a billion dollars in money from undisclosed sources, even though the Court affirmed the importance of disclosure by a vote of 8 to 1.

H.R. 1 reverses course and strengthens our democracy and makes it easier and more convenient for all eligible Americans to vote. It offers solutions to the dominance of big money in politics, and it ensures public officials will work in the public interest.

One of the things that has been discussed is the proposal for a freedom from influence fund that will allow for small donors to reclaim control of candidates through $200 or less donations.

I want to make it clear that no taxpayer funds are permitted to flow into this freedom from influence fund. Instead, as was approved in our last vote, a modest additional assessment of 2.75 percent on Federal fines, penalties, and settlements for certain tax crimes and corporate malfeasance will be the sole source of funding for this freedom from influence fund. In fact, the bad guys will be funding the clean system.

This bill will lower barriers to voting for all eligible Americans. It will save costs, bolster the integrity of election administration, and, for example, it will modernize voter registration systems by enabling automatic voter registration and same-day voter registration, taking advantage of technology to ensure all Americans can register and update their voter registration status online. Automatic voter registration, alone, may bring up to 50 million new American citizens onto the rolls and, therefore, able to vote.

It makes improvements to ensure ballot access for voters with disabilities as well as our overseas and military voters.

It ensures early voting for at least 15 days and will require States to use voter-verified paper ballots. This is a commonsense safeguard to cybersecurity threats, especially after the 2016 election showed vulnerabilities in our system.

H.R. 1 will reform redistricting to ensure fairness in the process to guard against partisanship and respect communities of interest.

This legislation will shine a light on dark secret money that influences campaigns and will protect everyone's right to know who is influencing their votes and their views.

As I mentioned earlier, it provides an alternative voluntary system for candidates to finance their campaigns by empowering small dollar contributors all without taxpayer money. This will reduce candidates' reliance on wealthy special interests and open the political process to more people. This will create a government for the people.

H.R. 1 will also implement high ethical standards and boost confidence in self-government.

It has been said that we should not take these steps, but Article I, Section 4 of the United States Constitution provides that Congress may, by law, regulate votes in Federal elections.

It is time that we take this step. Democracy is resilient, but it requires our continual work to ensure that it lives up to its promise.

H.R. 1 is a major, comprehensive step forward, a step that we must take if we are to be true to our promise of our representative government.

Mr. Chair, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield myself as much time as I may consume.

Mr. Chair, I agree with my colleagues across the aisle that there is a role for the Federal Government to play in election infrastructure, campaign finance disclosure, ballot access transparency, and election security. However, H.R. 1 was developed to serve the special interests of Democrats and the outside organizations that support the Democratic Party and will not accomplish its alleged goal of being for the people.

The greatest threat to our Nation's election system is partisanship, and that is what we are seeing right here in H.R. 1. It misuses taxpayer dollars, takes power away from States to administer their own elections, and threatens to limit Americans' constitutional rights.

H.R. 1 proposes all groups limit free speech and imposes vague standards that disadvantage citizens who wish to advocate on behalf of any public policy issue.

Every American has a right to support causes they believe in, and that is exactly why the American Civil Liberties Union echoes my concerns. The ACLU said that there are provisions that unconstitutionally impinge on the free speech rights of American citizens and public interest organizations.

When groups that have traditionally supported the Democratic Party cannot support H.R. 1, it underscores why election reform legislation should not be developed in a partisan manner.

H.R. 1 overreaches our Constitution by taking power away from States that decide how their election should be administered, States that know their residents' election needs much better than a Federal bureaucracy does.

Congress should be partnering with States to support them in increasing voter registration instead of forcing a federally mandated one-size-fits-all approach that will be costly and ineffective.

This bill also fails to include safeguards, while implementing new voter registration and voting practices.

I cannot stress enough that Congress should absolutely be in favor of increasing access to the polls, but we do that by adding the necessary checks and balances to ensure these votes and that access are protected.

We should allow States to maintain their own voter rolls in order to process voters in a timely manner on election day, avoid unfunded mandates, and manage voter lists to avoid voting irregularities. A few voting irregularities can change the outcome of a single election, especially when you live in a competitive district like I do. Every single vote makes a difference between winning and losing.

If we pass new voter registration practices in H.R. 1 without creating safeguards to prevent voting irregularities in these practices, we risk taking away the choice of the American people. Simply, another way, H.R. 1 is taking away the voice of each American voter.

If we want to increase our election security, Congress should support States choosing their own methods and machines. Multiple points of entry are more secure than one system. Federalizing election security, as this legislation does, will not protect voters.

When H.R. 1 was introduced, it was referred to 10 committees in the House. This bill, which is now over 600 pages, will now have gone from introduction to general debate on the floor of the House with only half of those 10 committees holding a single hearing, and only one of those committees holding a markup.

The Democrats promised greater transparency in the majority, but we are not seeing that in their first major piece of legislation.

We just received the CBO score for H.R. 1, which egregiously underestimates H.R. 1's cost to the taxpayers by conveniently leaving out many of the legislation's most expensive provisions. H.R. 1's campaign match provision is what is being left out. CBO said they needed more time to develop a more comprehensive score. That was ignored.

Though my Democratic colleagues may have changed where exactly the bucket is, they are still using H.R. 1 to put more money into politicians' campaigns. H.R. 1 is creating public subsidies through the 6-to-1 government match program on small dollar campaign contributions of up to $200. For every $200, the Federal Government, the taxpayers, will now pay $1,200 to a politician, to Members of Congress' campaigns.

While my colleagues across the aisle now say this will be of no cost to the taxpayer—as of a new gimmick that they developed yesterday—I would like to point out that every single House Democrat signed on to cosponsor this legislation before any changes were made to this provision.

Make no mistake, the new majority wants to put your hard-earned tax dollars into their own campaigns. While they may have changed the route to get there, that is their fundamental goal with this obvious sham campaign finance reform. They say they want to get money out of politics, but they are using this bill, H.R. 1, to funnel more in.

Provisions like this do not belong in any campaign or finance election reforms. Election reforms should be bipartisan, not serving the interests of partisan politicians.

As we move forward with the debate today, I hope my colleagues across the aisle will thoughtfully reconsider their eager support of a bill that will harm the American voter and taxpayer and not simply vote, as we have seen throughout this not-open process, along partisan lines.

Every American's vote should be counted and protected.

Mr. Chair, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chair, I yield 2 minutes to the gentleman from New York (Mr. NADLER), chairman of the Judiciary Committee.

Mr. NADLER. Mr. Chair, I thank the gentlewoman for yielding.

Mr. Chair, the right to vote has been called protective of all other rights. Without it, you can't protect your rights. That right has been eroded in recent years.

We have seen many attempts on the State and local level to limit the right to vote for minorities, to close polling places, to limit the hours of voting, to put in phony requirements that prevent people from voting.

We must restore, as this bill will do, the protections of the 1965 Voting Rights Act that guarantee the right to vote, that stop local politicians from choosing their own electorates.

We must eliminate the poison of large campaign contributions from hidden money. The dominance in our politics of large campaign contributions when someone anonymously can give $20,000 to $30,000—or millions of dollars—to various PACs which then funnel the money to politicians is subversive of our democracy.

It is a metastasized cancer on our democracy. And if we don't excise this cancer through this bill, historians will eventually write, I fear, that the American Republic, like the Roman Republic, had a good 250-year run with democracy but then evolved into an oligarchy, which is the direction we are headed in.

We must ban those huge campaign contributions, substitute a system of small contributions by ordinary people that will be matched so that the public, not the plutocrats, will dominate our politics and control our legislation.

We should restore our right to vote for people who committed crimes long ago and have long since paid their debts to society.

These restrictions and ex-felons voting were put in specifically to guarantee white supremacy. Read the debates in the various State conventions in the 1900s and 1910.

This bill will help strengthen Americans' faith in their government institutions and ensure that everyone has a voice in determining how our country is governed.

Mr. Chair, I urge all of my colleagues to support this landmark legislation.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield 3 minutes to the gentleman from North Carolina (Mr. WALKER), my colleague, good friend, and member on the House Administration Committee.

Mr. WALKER. Mr. Chair, I thank the ranking member for his work.

Mr. Chair, I rise today in opposition to H.R. 1. While my colleagues on the other side of the aisle have deemed this bill to be ''for the people,'' a more proper characterization would be ''for the politicians.''

Voting is a foundational right for all Americans, and the egregious provisions of this bill would jeopardize our freedoms. In particular, this legislation fails to address the issue of ballot harvesting.

As we have seen in California and my own State of North Carolina, ballot harvesting has created troubling irregularities in several elections due to the lack of oversight and opportunities for voter manipulation and intimidation.

Ballot harvesting allows political operatives with a partisan agenda to get involved in the collection and submission of votes, creating an opportunity for organizations or campaign workers to exploit voters and violate our fundamental rights.

Americans should have a choice on how they want to vote, who they want to support, and if they want to vote at all.

□ 1445

Not only would H.R. 1 manipulate the voting process, but it would also restrict our rights as Americans to donate to the campaigns of our choosing and would allow the Federal Government to use our taxpayer dollars to subsidize elections.

Aside from the proposed matching donations with a 6-to-1 ratio, H.R. 1 would create a pilot program to provide $25 vouchers for eligible voters. In practice, that means taxpayer money from hardworking Americans could be used to finance campaigns for candidates they do not support.

If this doesn't limit free speech enough, another provision of the bill politicizes the Federal Election Commission by reducing membership from six to five. This makes a traditionally nonpartisan organization political, giving one party the power to make partisan decisions about election communications.

With the vague standards created by H.R. 1, this would affect any group wishing to advocate on behalf of any legislative issue.

In short, this legislation violates the First Amendment. Even the ACLU has problems with it. It creates an avenue for fraud and subjects voters to potential exploitation.

While my colleagues across the aisle will support this bill to subsidize their own elections and keep their party in the majority, I will stand up for our rights as Americans and vote against one of the worst bills ever, this abhorrent assault on our election system.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), a pioneer and leader in clean government.

Mr. PRICE of North Carolina. Mr. Chairman, I thank my colleague and I rise in strong support of H.R. 1. It is a comprehensive, once-in-a-generation blueprint for reforming our democratic

system, ranging from gerrymandering to voter suppression, and voting rights to the dominance of unaccountable big money in our politics. It is an urgent priority rightly numbered H.R. 1, and basic to everything else we need to do. If our democracy doesn't work, nothing works.

It represents a culmination of issues I have worked on during my entire time in Congress, particularly, the way moneyed interests can corrupt our politics and how they drown out the voices of everyone else.

The For the People Act will modernize our Presidential public financing system. It will establish a new public matching system for congressional races to empower small donors. It will crack down on improper super-PAC coordination with campaigns.

H.R. 1 also includes my legislation to repeal the IRS dark-money rule, and it expands my original stand-by-your-ad provision to require corporations and other groups to disclose the top funders when they run political ads over the air or on the internet.

These reforms will empower American voters and encourage more diverse candidates to run for office, and will help break the stranglehold of big money on our politics.

Let's deliver on the promises we have made to restore integrity, accountability, and transparency to our democracy. I urge my colleagues to vote ''yes'' on H.R. 1.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN), my good friend.

Mr. DUNCAN. Mr. Chairman, I rise to strongly oppose H.R. 1. This is an egregious assault on the fundamental rights and freedoms of Americans.

H.R. 1, really, is a fight over liberty. This is a fight over the constitutional duties and roles of the States, one of which being the role in conducting elections.

Article I, section 4 says clearly, ''The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof.''

Having individual States conduct elections has been vital to preserving the integrity and security of elections across the country. But this debate really is about the Democrats' desire to centralize power here in one place, Washington, D.C.

Instead of actively giving more power to Washington bureaucrats, we should be divesting power away from the expansive Federal Government, and reserving that power for the States, because that is the way the Founding Fathers designed our Republic.

But, sadly, this bill is nothing but a top-down power grab by the Democrats using the Federal Government to micromanage the electoral process, impose limits on free speech, and further impose unconstitutional mandates.

Mr. Chair, this is not the liberty our Founders intended. In fact, this is a dangerous proposal that centralizes power, enhances Big Government in Washington, and takes decisionmaking power out of the hands of the States and the people.

Let's ask ourselves: Is this the proper and constitutional role of the Federal Government? And the answer to that question is, no. H.R. 1 encroaches on the liberties and powers of the Constitution reserved for the States and the people, and I oppose this type of power grab. I think that is what so infuriates so many Americans.

We take an oath here to uphold and defend the Constitution of the United States. We shouldn't be passing bills like H.R. 1. We should be passing bills that preserve the liberty and freedom enshrined in the Constitution.

I encourage all Members to adamantly oppose this legislation, because if you take your oath seriously—because we aren't voting for a fancy title of a bill, when you actually read the language of this legislation, you see that it undermines the Constitution and the rights of every single American across the country, under the guise of making elections safer.

Ms. LOFGREN. Mr. Chairman, I yield myself such time as I may consume.

I have to note that the last speaker failed to read the entire section. Article I, section 4 says: ''The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof;'' as was mentioned. And it then goes on to say, ''but the Congress may at any time by law make or alter such regulations. . . . '' And that is what we are doing here.

Why? Because we have seen in States throughout the country efforts to prevent people from voting in Federal elections. And so a voter in one State is treated differently than in another State, and that is what we are going to change with H.R. 1.

Mr. Chair, I yield 1 minute to the gentleman from Illinois (Mr. KRISHNAMOORTHI).

Mr. KRISHNAMOORTHI. Mr. Chair, I rise today in support of the For the People Act, which includes language from my legislation with Senator CORY BOOKER, the Help Students Vote Act.

Young Americans vote at the lowest rates of any age group, and a key factor in that are the challenges of voting on a new college campus far away from home. My legislation has three provisions to address this challenge.

First, it requires every college and university to email timely voter registration information to all of its students.

Second, it requires every school to designate a campus vote coordinator to answer students' questions about voting.

Third, it authorizes grants to colleges and universities that take exemplary action to promote civic engagement.

I want to thank the many organizations supporting the legislation, including Young Invincibles, and the Students Learn Students Vote Coalition.

By helping students register and vote, we can ensure our government better responds to the people it serves, while encouraging our next generation of leaders.

Mr. Chair, I strongly urge my colleagues to support this measure.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I am very privileged to stand here with somebody who grew up in the same rural county as I did, in Christian County, Illinois.

Mr. Chair, I yield 2 minutes to the gentleman from Indiana (Mr. BUCSHON), my good friend.

Mr. BUCSHON. Mr. Chairman, I rise today in opposition to H.R. 1, the Democrat politician protection act. This legislation is a radical attempt to hijack our free and fair election system, and limit the voices of the American people.

For example, in H.R. 1, Democrats are proposing the public financing of elections which would force Americans' hard-earned tax dollars to be subsidizing political campaigns they do not support, limiting constitutionally guaranteed freedoms of speech and association.

Furthermore, this one-size-fits-all Federal takeover of the election process will open the door for voting irregularities through Federal mandates on voter registration and voting practices that will be forced on the States—a massive Federal power grab.

Last time I checked, voting happens at the State level, and is the right and responsibility of the State and local governments.

They say this only affects Federal elections, but does anyone really believe that the States will have two separate systems? I am in full support of increasing voter registration participation in our election process. Unfortunately, this legislation goes far beyond increasing voter participation, and, instead, is a misguided attempt to rig our Nation's electoral systems for the benefit of the Democratic Party by telling Americans, once again, that the Federal Government and Washington bureaucrats know best.

Mr. Chair, I urge my colleagues to oppose this liberty- and freedom-limiting legislation.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), a valued Member of the House Administration Committee.

Mrs. DAVIS of California. Mr. Chairman, this bill was not rushed. It is long overdue. I recently joined our colleague and civil rights icon, Congressman JOHN LEWIS, on the Edmund Pettus Bridge in Selma, commemorating the march and the fight for the right to vote.

We can never forget how many people have risked and lost their lives for that right. Fifty-four years later, our election system is still stacked against

many Americans. Some eligible voters are still prohibited from voting by mail and can't make it to the polls.

Some eligible voters have still been unfairly purged from the rolls, and some communities still do not have enough polling locations, leading to long lines.

We need justice. We need to expand the fixes that have been proven to work in so many of our States, and that is exactly what H.R. 1 does.

If we are for the people, not just the ones we think will vote for us, then we should be for this bill.

Mr. LOUDERMILK. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I love this country. I love this country for what it is. I love this country for the principles and the ideas on which it was founded. America is not a place. It is not a government. It is not a people. It is an idea.

One of the ideas of our Founders is that the government is most effective when it is local, the closest to the people.

I want to correct something that I think my colleagues on the other side may not understand or are just not presenting to the American people. Yes, the Constitution gives Congress the ability at times to come in and modify election law, but this bill is so sweeping, it strips the States of their constitutional authority that was given to them by the Constitution by eliminating their influence in elections altogether.

The true intention of the Founders when it came to this provision in the Constitution was predominantly to ensure that the States could not render the Congress ineffective by refusing to hold elections so they would ensure that we always have a quorum here.

That was the purpose of that. We need to go back to the original intent of the Founders when they added this in the Constitution.

Mr. Chairman, if you read the writings of the Founding Fathers, this is ultimately clear. I want to read to you something that James Madison said regarding the States' authority, especially when it comes to elections. He said, ''The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. . . . The powers reserved to the several States will extend to all the objects which in the ordinary course of affairs, concern the lives and liberties, and properties of the people, and the internal order, improvement and prosperity of the State.

They could not be clearer that the States should be the ones setting the laws regarding elections. This would totally undermine that.

Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. WOODALL), my good friend and colleague.

□ 1500

Mr. WOODALL. Mr. Chairman, I thank my friend from Georgia for yielding me the time.

It is tough to get up and speak after the Federalist Papers have been referenced because they do go to the core of who we are. So does election integrity.

I look around, and I see my friends from the other side of the aisle, along with friends on my side of the aisle, and election integrity is a shared value. So you would think that the solution to election integrity challenges would be a shared solution.

But if I go to my friends on the Republican side of the House Administration Committee, the only one of the 10 committees this bill was referred to that marked it up, I will find that not one Republican was consulted on the drafting of this language.

Mr. Chairman, you have heard my colleagues talk about the wholesale changes to election law—State election law—across this country. You would think, Mr. Chairman, that we would have talked to all 50 secretaries of state. That wouldn't be true.

Maybe you would think we would have consulted with 25 secretaries of state. It wouldn't be true. What would be true is, in the one committee that had the one markup on this bill, we consulted with one State election official.

Mr. Chairman, this is an opportunity for us to do something together. We can either take advantage of that opportunity or we can poison the well. How in the world can we promise the American people election integrity when one side is writing the rules?

It should be instructive to us all the way this bill has come to the floor, and it is yet another, Mr. Chairman, in a string of missed opportunities that we have had. I will give you just one example.

I made a motion last night in the Rules Committee to only bring this bill to the floor as it was marked up in committee. We have talked about a bill that is going to guarantee voter transparency. We don't even have legislative transparency on this bill. We couldn't get the bill brought to the floor from the one of the 10 committees that marked it up. We had manager's amendments added. We had the bill not as reported.

I offered another amendment last night. If it is so important that we legislate for the first time in American history that tax returns be released by elected officials—this bill includes let's release them at the Presidential level and let's release them at the Vice Presidential level—I offered an amendment to the rule to allow a vote on whether or not they should be considered at your level, Mr. Chairman. That amendment was denied on a partisan line.

Let's not make this a partisan issue; it is an American issue.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), who is my colleague on the Judiciary Committee.

Ms. JACKSON LEE. Mr. Chairman, I thank the gentlewoman for her leadership and Mr. SARBANES for his leadership and for allowing us to tell our stories. Let me tell you the story of Texas.

In 2017, right before a bond election in my district and surrounding areas, 4,000 people were taken off the voting rolls. In 2018, the Secretary of State's Office purged people off the voting rolls with absolutely no understanding and no notice.

H.R. 1 expands the access to the ballot box by creating voluntary automatic voter registration access across the country, ensuring that the rights of individuals who have completed felony sentences—family members, your neighbors who have done their time—have the ability to register as well, and expanding early voting. Be reminded of the 2000 election when those who had done their time, were citizens, went to the voting poll, and they were told: Oh, you cannot vote.

It ends partisan gerrymandering, but in particular, it focuses on opportunities for voting. So I am here to say those provisions are crucial to providing the American public its constitutional right to vote, and we should support that right.

Mr. Chair, I rise today in strong support of H.R. 1, The ''For the People Act of 2019,'' which expands access to the ballot box, reduces the influence of big money in politics, and strengthens ethics rules for public servants.

I am proud to be one of 226, co-sponsors, and one of the original cosponsors, of H.R. 1, which will increase public confidence in our democracy by reducing the role of money in politics, restoring ethical standards and integrity to government, and strengthening laws to protect voting.

Specifically, the For the People Act will:

1. Make it easier, not harder, to vote by implementing automatic voter registration, requiring early voting and vote by mail, committing Congress to reauthorizing the Voting Rights Act and ensuring the integrity of our elections by modernizing and strengthening our voting systems and ending partisan redistricting.

2. Reform the campaign finance system by requiring all political organizations to disclose large donors, updating political advertisement laws for the digital age, establishing a public matching system for citizen-owned elections, and revamping the Federal Election Commission to ensure there's a cop on the campaign finance beat; and

3. Strengthen ethics laws to ensure that public officials work in the public interest by extending conflict of interest laws to the President and Vice President; requiring the release of their tax returns; closing loopholes that allow former members of Congress to avoid cooling-off periods for lobbying; closing the revolving door between industry and the federal government; and establishing a code of conduct for the Supreme Court.

H.R. 1 expands access to the ballot box by taking aim at institutional barriers to voting.

This bill ensures that individuals who have completed felony sentences have their full

rights restored and expands early voting and simplify absentee voting; and modernize the U.S. voting system.

Mr. Chair, this legislation and this hearing is particularly timely because more than half a century after the passage of the Voting Rights Act of 1965, we are still discussing voter suppression—something which should be a bygone relic of the past, but yet continues to disenfranchise racial minorities, immigrants, women, and young people.

The Voting Rights Act of 1965 was a watershed moment for the Civil Rights Movement—it liberated communities of color from legal restrictions barring them from exercising the fundamental right to civic engagement and political representation.

But uncaged by Supreme Court's infamous 2013 decision in *Shelby County v. Holder*, 570 U.S. 529 (2013), which neutered the preclearance provision of the Voting Rights Act, 14 states, including my state of Texas, took extreme measures to enforce new voting restrictions before the 2016 presidential election.

It is not a coincidence that many of these same states have experienced increasing numbers of black and Hispanic voters in recent elections.

If not for invidious, state-sponsored voter suppression policies like discriminatory voter ID laws, reduced early voting periods, and voter intimidation tactics that directly or indirectly target racial minorities, the 2016 presidential election might have had a drastically different outcome.

Mr. Chair, H.R. 1 must be passed because many of the civil rights that I fought for as a student and young lawyer have been undermined or been rolled back by reactionary forces in recent years.

To add insult to injury, the Trump Administration issued an Executive Order establishing a so-called ''Election Integrity'' Commission to investigate not voter suppression, but so-called ''voter fraud'' in the 2016 election.

Trump and his followers have been unceasing in their efforts to perpetuate the myth of voter fraud, but it remains just that: a myth.

Between 2000 and 2014, there were 35 credible allegations of voter fraud out of more than 834 million ballots cast—that is less than 1 in 28 million votes!

An extensive study by social scientists at Dartmouth College uncovered no evidence to support Trump's hysterical and outrageous allegations of widespread voter fraud ''rigging'' the 2016 election.

Just for the record, Mr. Chair, the popular vote of the 2016 presidential election was:

Hillary Clinton, 65,853,516

Donald Trump, 62,884,824

Trump's deficit of 2.9 million was the largest of any Electoral College winner in history by a massive margin, and despite the allegations of the current Administration, there have been only 4 documented cases of voter fraud in the 2016 election.

The Voter Fraud Commission, like many of Trump's business schemes, was a massive scam built on countless lies that do not hold up to any level of scrutiny.

As Members of Congress, we should be devoting our time, energy, and resources addressing Russian infiltration of our election infrastructure and campaigns, along with other pressing issues.

Instead of enjoying and strengthening the protections guaranteed in the Voting Rights Act—people of color, women, LGBTQ individuals, and immigrants—have been given the joyless, exhausting task of fending off the constant barrage of attacks levelled at our communities by Trump and other conspiracy theorists.

Not only are we tasked with reversing the current dismal state of voter suppression against minorities; we are forced to refute the blatant, propagandist lie of voter fraud.

To this end, I have been persistent in my efforts to protect the rights of disenfranchised communities in my district of inner-city Houston and across the nation.

Throughout my tenure in Congress, I have cosponsored dozens of bills, amendments, and resolutions seeking to improve voters' rights at all stages and levels of the election process.

This includes legislation aimed at:

1. Increasing voter outreach and turnout;

2. Ensuring both early and same-day registration;

3. Standardizing physical and language accessibility at polling places;

4. Expanding early voting periods;

5. Decreasing voter wait times;

6. Guaranteeing absentee ballots, especially for displaced citizens;

7. Modernizing voting technologies and strengthening our voter record systems;

8. Establishing the federal Election Day as a national holiday; and

9. Condemning and criminalizing deceptive practices, voter intimidation, and other suppression tactics;

Along with many of my CBC colleagues, I was an original cosponsor of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act, which became public law on July 27, 2006.

I also authored H.R. 745 in the 110th Congress, which added the legendary Barbara Jordan to the list of civil rights trailblazers whose memories are honored in the naming the Voting Rights Act Reauthorization and Amendments Act.

This bill strengthened the original Voting Rights Act by replacing federal voting examiners with federal voting observers—a significant enhancement that made it easier to safeguard against racially biased voter suppression tactics.

In the 114th Congress, I introduced H.R. 75, the Coretta Scott King Mid-Decade Redistricting Prohibition Act of 2015, which prohibits states whose congressional districts have been redistricted after a decennial census from redrawing their district lines until the next census.

Prejudiced redistricting, or gerrymandering as it is more commonly known, has been used for decades to weaken the voting power of African Americans, Latino Americans, and other minorities since the Civil Rights Era.

Immediately after the Shelby County ruling, which lifted preclearance requirements for states with histories of discrimination seeking to change their voting laws or practices, redistricting became a favorite tool for Republicans who connived to unfairly gain 3 congressional seats in Texas.

In the 110th Congress, I was the original sponsor of H.R. 6778, the Ex-Offenders Voting Rights Act of 2008, which prohibited denial of the right to vote in a federal election on the bases of an individual's status as a formerly incarcerated person.

The Ex-Offenders Voting Rights Act sought to reverse discriminatory voter restrictions that disproportionately affect the African American voting population, which continues to be targeted by mass incarceration, police profiling, and a biased criminal justice system.

Those of us who cherish the right to vote justifiably are skeptical of Voter ID laws because we understand how these laws, like poll taxes and literacy tests, can be used to impede or negate the ability of seniors, racial and language minorities, and young people to cast their votes.

Voter ID laws are just one of the means that can be used to abridge or suppress the right to vote but there are others, including:

1. Curtailing or Eliminating Early Voting;

2. Ending Same-Day Registration;

3. Not counting provisional ballots cast in the wrong precinct on Election Day will not count;

4. Eliminating Teenage Pre-Registration;

5. Shortened Poll Hours;

6. Lessening the standards governing voter challenges used by vigilantes, like the King Street Patriots in my city of Houston, to cause trouble at the polls;

7. ''Voter Caging,'' to suppress the turnout of minority voters by sending non-forwardable mail to targeted populations and, once the mail is returned, using the returned mail to compile lists of voters whose eligibility is then challenged on the basis of residence under state law; and

8. Employing targeted redistricting techniques to dilute minority voting strength, notably ''Cracking'' (i.e., fragmenting and dispersing concentrations of minority populations); ''Stacking'' (combining concentrations of minority voters with greater concentrations of white populations); and ''Packing'' (i.e., over-concentrating minority voters in as few districts as possible).

Mr. Chair, we must not allow our democracy to slide back into the worst elements of this country's past, to stand idly by as our treasured values of democracy, progress, and equality are poisoned and dismantled.

I urge all members to join me in voting to pass H.R. 1, the ''For The People Act of 2019.''

Mr. LOUDERMILK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate what the gentlewoman from Texas just brought up, but part of the responsibilities of the State are to ensure that those who have been given the right to vote are the ones voting. That is why the States—and the Supreme Court has upheld this—have not only the right, but the responsibility to ensure that the voter rolls are purged of those who have moved, who have passed away, or who have been shown as ineligible to vote.

Just a few weeks ago, I was able to write a congratulatory letter to a new immigrant to the United States. For 16 years, she worked to become a citizen of the United States, with the dream of voting. This next election she will be able to cast her vote as a citizen of the United States of America.

Part of our responsibility is to ensure that her vote matters and it isn't discredited by someone who is not eligible to vote casting a vote and diluting her

voice in this government. That is why it is more appropriate for the States, who are closer to the people, to be the ones who are setting the standards—according to our Constitution—for election.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, back home, all Texans agree the 10 most terrifying words and the biggest lie people can hear is ''I'm from the Federal Government, and I'm here to help.''

On that viewpoint, H.R. 1, which is called the For the People Act, should be called the ''For the Big Government Act'' or, more accurately, the ''Big Lie Act.''

Texas 22 does not want to have $6 of Federal tax dollars given to subsidize small donors and match every dollar they raise. They prefer that $6 of their money be used for new roads, deeper ports, Border Patrol, safe schools, and hurricane prevention.

Texas is being swarmed by Californians. They are coming for jobs, a low State income tax—zero—and a friendly environment for businesses. Just like we don't want a tax on plastic straws, Texans sure as heck don't want to follow California's same-day registration.

I ask my colleagues, respect the Constitution, respect the 10th Amendment, respect States' rights, and vote against this terrible bill.

Ms. LOFGREN. Mr. Chairman, it is my honor to yield 1 minute to the gentleman from Maryland (Mr. HOYER), who is the Democratic leader.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman for yielding. I thank her for her leadership on this bill, H.R. 1, and I thank Mr. SARBANES for being a principal sponsor and proponent of H.R. 1.

Mr. Chairman, I rise as the sponsor of the Help America Vote Act in 2002, which responded to the lack of performance on our voting system in the 2000 election, hanging chads and all. This bill expands on that.

But let me, at the outset, remind those who would talk about what the Constitution says to read a portion of the Constitution.

Let me say before I do that, throughout my lifetime, early in my lifetime, I heard a lot about States' rights. People talk about the right to vote. I was in Alabama this past weekend, and we commemorated the march over the Edmund Pettus Bridge, which was led by our colleague, JOHN LEWIS. There were State troopers meeting him on the other side of the bridge that beat and almost killed JOHN LEWIS. Why? Because he was marching from Selma to Montgomery to register to vote.

I remember, as a child—not a child; I was a young man—watching Lester Maddox on television with an ax handle saying that nobody was going to integrate his premises.

I have heard a lot about States' rights through the years. Now, what did our Founders say about States' rights as it relates to Members of Congress? ''The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof''—and apparently we didn't get to this phrase—''but the Congress may at any time by law make or alter such regulations. . . . ''

Why did our Founders do that? Because they wanted one nation.

Now, that was not our pledge at that point in time, but they wanted the Colonies to come together as a nation. They had been a federation, and it didn't work so well. So they wanted one nation to come together, and at least for the Federal Congress, they reserved to the Federal Congress the right to set the rules in the Constitution.

Mr. Chairman, last September, I delivered a speech outlining House Democrats' plans to renew faith in government by enacting a series of reforms to increase transparency, accountability, and ethics reform. This week, after extensive hearings and lots of witnesses, we bring to the floor a legislative package of reforms that made good on our promises to the American people last year.

We didn't make a secret of this. This was well-known to everybody, and they gave us the majority of this House. We are redeeming, today, that honor and that responsibility.

I want to thank, again, Representative SARBANES and the cosponsors of this bill, every single Democratic Member. I want to thank JOHN LEWIS, a giant of a man, a giant of principle, a giant who risked his very life to make sure that the protections available in this bill would be available to every American and that we would promote—not prevent—accessibility to the voting booth and that we would not confront people going over a bridge in Selma, Alabama, who only wanted to register to vote, to be turned around by State troopers ordered by Governor Wallace to do so.

This bill was driven in large part by our dynamic freshman class who were elected on a platform of making government work once again for the people.

This For the People Act will open government up in several critical ways. First, it includes real national redistricting reform. I am for that. Mr. Chairman, it may cost Maryland a seat—I get that—but it is the right thing to do to have a level playing field.

Now, we have got a number of court cases that have turned around redistricting in North Carolina, in Pennsylvania, in Texas, and in some other States as well. But I have always said that, in order to be successful, redistricting reform cannot be done on a State-by-State basis; and the Constitution, of course, says that Congress may at any time by law make or alter such regulations so that we have fair—they don't have to do this for State elections. If they don't want to do it, that is fine. But we, under the Constitution, are the arbiters of Federal elections. It must be a uniform process across all States.

H.R. 1, the For the People Act, achieves this by requiring a nonpartisan redistricting commission to oversee the process in every State.

What does that mean? It means the politicians will not do it. Iowa, California, or Arizona will have a fair redistricting process.

Next, this bill includes a much-needed expansion of voting rights to protect our democracy. It would institute automatic voter registration.

In America, if you are an American citizen, you ought to have the right to vote, and government ought not make it difficult for you to exercise that right. No eligible voter should ever be turned away from his or her polling place.

It will also restore the vote to those who have paid their debt to society and should have a voice in their representative government.

This legislation builds on the important bipartisan work we did in 2002 when we passed, as I pointed out, the Help America Vote Act. It reauthorizes the Election Assistance Commission, which, very frankly, my Republican friends tried to eliminate on a number of occasions and transfer their authority to the finance commission, which oversees campaign finance—not election laws, campaign finance. It was a way to, in effect, undermine and kill, in many ways, the Election Assistance Commission designed to make sure that our elections are secure and fair. It reauthorizes the Election Assistance Commission, which is critically important to ensuring modern, accessible, and secure elections.

In addition, H.R. 1 will make campaign finance more transparent, requiring super-PACs to disclose their donors.

Again, I want to congratulate my colleague. We are very proud of JOHN SARBANES and his dad in Maryland. He has been indefatigable in his work in trying to make sure that it is the people's interest and not the financial interests that control our elections.

□ 1515

This bill will end the era of massive amounts of dark, unaccountable money funding ads and campaigns.

The For the People Act will also impose higher ethical standards on America's highest elected officials.

There is only one person in government who can do something on his own. It is not the Senate. It is not the House. It is not us. We need collectivity. But the President can make substantial decisions on his own and, in fact, has. He has done so over the wishes of the Congress of the United States just recently, so the people ought to know what his interests are and whether he is acting for his interests or the people's interests.

Among other new requirements, Presidents and Vice Presidents would

be required, therefore, to release 10 years' worth of tax returns.

In such ways, H.R. 1 will make strides, Mr. Chair, in restoring the trust in government that, unfortunately, has been lost in recent years. Americans need to know that their government works for them and can be a force for good for their families, their communities, and our country.

I rise in strong support of this legislation. I don't rise because I think it is perfect, but I rise because I think it is an excellent effort to redeem the promise of America and our democracy.

It is for the people. Let us vote for the people.

Mr. LOUDERMILK. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I thank my esteemed colleague, the majority leader, for whom I have an immense amount of respect. I appreciate the words that he said and especially his participation in the commemoration of the march in Selma, in which my family has also participated.

Have we always got it right in the United States? No. Our Founders knew that we would make mistakes along the way, but they gave us the power and the ability to correct those mistakes.

The lack of civil rights in this Nation was a travesty to the people. It flew in the face of the ideas of our Founders that all men were created equal. That is why Republicans fought so hard for civil rights during the 1960s and 1970s.

I agree with the majority leader. We do have the ability, according to the Constitution, to make modifications. But H.R. 1 is not a modification. It is a sweeping takeover of the election system, leaving the States with very little authority or power over their own elections, as well as the Federal elections.

I also would like to say that I heard that this bill has had extensive hearings. I serve on the Committee on House Administration, the only committee which had a hearing on this bill. The hearing lasted 5 hours, and the only reason it lasted that long was because the Republicans submitted 28 amendments to the bill. Otherwise, this bill would have gone right in and right out of committee, with probably less than an hour of a committee hearing, and come to this floor.

It has 10 committees of jurisdiction. It has not gone before those committees, so I submit it has not followed regular order.

Especially with something of this magnitude, the American people have the right to hear, they have the right to understand, what is in this bill. They have not been afforded that opportunity.

Mr. Chair, we have 50 States, 50 State Governors, 50 secretaries of state, and I know my Governor and secretary of state have not been involved in this process. It has a drastic impact, not only upon the voting rights of the people in Georgia, but also on the budget of Georgia, the fiscal cost.

Mr. Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY), my good friend.

Mr. PERRY. Mr. Chair, I thank Mr. LOUDERMILK for the time, and I, too, thank the majority leader for his comments. But I don't think it should be removed from history that the Governor of Alabama at that time ran on segregation; multiple times, ran on segregation. It was the Republicans in this House, the majority percentage of Republicans, that carried the day for the Voting Rights Act.

Mr. Chair, this bill, among other things, forces States to count votes cast outside of voters' assigned precincts. Just think about that. I am going to vote for you over here even though I don't live there. That is going to be great. That is what we all want, people who don't live in our neighborhoods voting for the people who decide our fates and our policies.

Mr. Chair, the For the People Act, that is what it is called, but I wonder: Which people? Is it the people here or the people out there?

It seems like it is for the people here when powerful voices on the left and the right oppose this bill, voices like the ACLU, voices like the NRA and Planned Parenthood, because, Mr. Chair, while you might want to contribute to one of those organizations because you believe in their cause, you don't want the protest to show up on your doorstep. It is bad enough that it shows up, the protest, at Planned Parenthood or the NRA or the gun show or whatever, but now the protest is going to show up at your door—at your door—because the people who are opposed to the things you believe in are going to find out you sent your 5 bucks in. They are going to come to your door and say: Well, I don't agree with you. I don't like you. And I don't think you should be spending your money on those things.

Is that what we want in America? That is what this bill does, Mr. Chair. Essentially, it is going to empower the Federal Election Commission to carry out the actions of Lois Lerner and the IRS during the last administration in an attempt to silence opposition to the politicians in the swamp, in this place, regardless of which side you are on.

I urge a ''no'' vote for this bill, Mr. Chair.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN), who has served so faithfully on the House Homeland Security Committee.

Mr. LANGEVIN. Mr. Chairman, I thank the gentlewoman for yielding. I would also like to thank her, Chairman Thompson, Congressman SARBANES, and the many Democratic Members who helped craft this important legislation.

H.R. 1, Mr. Chairman, among many things, will make our elections more ethical and will make them more secure.

As a former Rhode Island secretary of state and member of the Congressional Task Force on Election Security, I absolutely believe that we must actively address our elections systems' vulnerabilities, or our enemies certainly will.

H.R. 1 provides States with funding, guidance, and threat intelligence to secure election systems by purchasing voting machines that provide auditable paper ballots, securing voter registration databases, and training election officials.

Now, these suggestions came from the task force, and they reflect guidance we heard from leaders like Rhode Island Secretary of State Nellie Gorbea, who is implementing one of the Nation's first risk-limiting audits. They also reflect the wisdom of the cybersecurity researchers who have so much to offer in identifying vulnerabilities and helping us to close them.

Mr. Chairman, with the 2020 elections around the corner, I am proud to support this legislation, because we must act now to protect our democracy.

Mr. Chair, I would like to thank Ms. LOFGREN, Chairman THOMPSON, Congressman SARBANES, and the many House Democratic members who helped craft this vital legislation. The For the People Act will not only make our elections more ethical and accessible, it will also help secure them from outside interference.

As a former Secretary of State of Rhode Island and member of the Congressional Task Force on Election Security, I believe we must actively address the vulnerabilities in our election systems.

We know that Russia interfered with our 2016 elections, targeting political organizations and the election infrastructure of at least 21 states. They sought to undermine public confidence in our elections, and despite no evidence of ballot tampering, millions of Americans now question whether their votes are counted properly.

While state and local governments must retain control of elections, they cannot be expected to confront a nation state like Russia on their own. We owe it to our state partners to provide the resources they need to protect these vital systems at the heart of our democracy.

H.R. 1 ensures states have the funding, guidance, and threat intelligence they need to address the risks and vulnerabilities in their systems, whether by purchasing voting machines that provide auditable paper ballots, securing voter registration databases, or training election officials in cybersecurity best practices.

These are all suggestions that came from the Task Force, and they reflect guidance we heard from local election leaders like Rhode Island's current Secretary of State, Nellie Gorbea, who is implementing one of the first risk-limiting audits in the nation. They also reflect the wisdom of the cybersecurity research community that has so much to offer when it comes to shoring up our systems and networks.

With the 2020 elections right around the corner, I'm proud to support this legislation—it's more important than ever that we act swiftly to protect the integrity of our democracy.

Ms. LOFGREN. Mr. Chairman, may I inquire how much time remains on each side.

The CHAIR. The gentlewoman from California has 44½ minutes remaining.

The gentleman from Georgia has 38 minutes remaining.

Ms. LOFGREN. Mr. Chair, I reserve the balance of my time.

Mr. LOUDERMILK. Mr. Chair, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Chairman, I have long been a supporter of campaign finance reform. I voted for motor voter. I voted for McCain-Feingold the year in the House it was Shays-Meehan. I supported the Help America Vote Act in 2002.

There are plenty of flaws in the current system. That is for sure. And we need to fix it. But you know what? We have a Democratic House, and we have a Republican Senate, and the only way that we are reasonably going to fix this issue is with a bipartisan bill.

I am the only Republican here today who was here in 1993 when we passed the motor voter bill. This was a bill that was patterned after what Michigan has had in place for decades. When you get your driver's license, you are asked to register to vote. It works.

This bill, H.R. 1, is not bipartisan. One of our big objections is truly the taxpayer-financed campaign element of this bill.

If you do a poll today across the country, you are going to find that most voters are going to say that campaigns are too expensive; they are too negative; and, yes, they are too long.

We are going to have thousands—thousands—of candidates running for Congress. They are all going to be eligible for this match from the Treasury for any contribution under $200, with a 6-to-1 ratio, so we are going to have more money in politics, and we are not going to have the transparency that I think all of us want.

If we are going to fix the problem, let's sit down; let's have regular order; let's have all the committees with some jurisdiction sit down and have Republicans and Democrats work together on a committee process that we can pass in a bipartisan vote that will get the attention of the Senate, and maybe we can do something about the problems today.

Ms. LOFGREN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), the one person who probably has worked harder than anyone else on this bill.

Mr. SARBANES. Mr. Chair, I thank the gentlewoman for yielding.

Mr. Chair, last year, in the 2018 election, a powerful message was sent to this Congress that the public wants us to clean up our politics, fight corruption, unrig the system, and make sure that voting rights are protected.

I think part of the reason the message was so strong is that, for the last 8 years under a Republican Congress, there has been no progress made on any of those priorities, so there is this pent-up demand out there among the public. They want their voice back. H.R. 1 is our opportunity to give them their voice back.

The message they are sending is very simple. The first message is: Make it possible for us to get to the ballot box without running an obstacle course.

It is inconceivable, it is incomprehensible, that more than 50 years after JOHN LEWIS, our colleague, was bloodied on the Edmund Pettus Bridge protesting for voting rights, we still can't get it right in America when it comes to voting.

That is ridiculous. We need to make it more possible to register and vote in this country so that people can get to the ballot box and their voices can be heard. That is one thing they are saying to us.

The other thing they are saying to us is, when you get to Washington, if you are a lawmaker, if you serve in an office of public trust, behave yourself, abide by ethics, be accountable to the people, remember who sent you there, and be transparent. We have provisions in H.R. 1 that strengthen ethics and accountability, as we should.

The third thing they said to us, loud and clear, was, when you get to Washington, don't get tangled up in the money, don't let the special interests and the insiders call the shots on priorities in Congress, remember who sent you, and fight for us. So we have measures in here to clean up the campaign finance system, create more disclosure, transparency, so we know where that secret money is coming from, building a new system of funding campaigns in America that is not owned by the special interests and the big money.

The Acting CHAIR (Mr. BUTTERFIELD). The time of the gentleman has expired.

Ms. LOFGREN. Mr. Chair, I yield an additional 1 minute to the gentleman from Maryland.

Mr. SARBANES. Let's build a new system of funding campaigns in America that is not owned by the special interests and the big money and the insiders. Let's build a system that is owned by the American people, where they call the shots, where small donors can have their contributions matched so that their voice is amplified, so they are the ones who run the show, so candidates go to them and listen to what they have to say instead of hanging out with the lobbyists and the big-money crowd.

That is what this bill offers.

My colleagues on the other side keep talking about how this is going to be taxpayer money for this system. Find me the provision. There is no provision in this bill that says that any taxpayer money is going to go to this system, because it is not.

We have come up with an elegant solution where we go to the lawbreakers, the people who are leaning on our system and breaking the law, and we ask them, with a small surcharge, to contribute to this fund. That is where the match will come from.

We are going to the people who aren't playing fair with our system, and we are asking them to underwrite a clean election system. That is how it should work.

Let's restore the voice of the people. Let's pass H.R. 1.

□ 1530

Mr. LOUDERMILK. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman and the author of the bill and his comments. Are there some good ideas in this bill? Absolutely. The States already have them implemented. Early voting. Great idea. Georgia did that many years ago; even included Saturday voting.

It is improper for the Federal Government to be the arbitrator of these, to push these down upon the American people. That is something that has been reserved for the States and the States have been doing those well.

Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Chairman, Democrats have been marketing H.R. 1 as a necessary election reform measure, but the ugly truth is that this bill is not for the people. It is for the Democratic Party.

The ugly truth is that this bill is a massive Federal overreach. The ugly truth is that this bill won't make our elections safer or more democratic. The ugly truth is that this bill would fundamentally change the principles of our election system, all at a cost to the average American taxpayer.

And this bill would infringe on the rights of our colleges and universities, where so many students go to learn and grow, outside of the influence of politics.

Instead of promoting the freedom of ideas, this bill limits the right to free speech. The ugly truth is this bill violates the U.S. Constitution, the document which makes our country so great.

Instead of calling this bill the For the People Act, it should be called the ''Democrat Politician Protection Act.''

This bill is nothing but a top-down power grab to take our election system, reverse it, and send it completely off course. Beyond that, this bill contains numerous provisions attempting to weaponize our institutions of higher learning, where people go to learn.

H.R. 1 forces our colleges and universities to divert resources to election-related tasks, including provisions for colleges and universities to automatically register students to vote.

Students could also establish a second residency, which is, essentially, another way of weakening the voting system and giving them, potentially, the right to vote not once, but twice. You heard that right. There are no other people in our country who get to be registered to vote in two locations. Under H.R. 1, this could be allowed.

Article I, section 4 of our Constitution gives States the right to determine their own registration and voting practices, not our Federal Government.

This bill blatantly violates our own constitutional rights as well as the rights of our higher education institutions.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LOUDERMILK. Mr. Chairman, I yield the gentleman from Pennsylvania an additional 30 seconds.

Mr. SMUCKER. As the Republican leader on the House Education and Labor, Higher Education and Workforce Investment Committee, we should be focusing on making colleges more affordable and helping more students complete their degrees, not subjecting them to electioneering efforts.

I cannot support a Federal overreach into places where students should be free to learn without the influence of politics. We must reject this overreach. We must speak now and stand up against this power grab before it is too late.

I will be voting against this measure, and I urge my colleagues to do the same.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE), a leader for civil rights and justice in our country.

Ms. LEE of California. Mr. Chairman, I want to thank Chairwoman LOFGREN for yielding, but also for her tireless leadership on so many issues that confront our country today.

I rise in strong support of H.R. 1, the For the People Act of 2019. It is a historic bill to restore the promise of our Nation's democracy and repair our democratic institutions. H.R. 1 represents a coordinated effort to protect and promote the voting rights of all Americans.

H.R. 1 would also end the culture of corruption in Washington; reduce the role of big money in politics; and make it easier, not harder, to vote.

Mr. Chairman, let me be clear. The right to vote is a sacred civil right in our Nation, but we know that there are those who want to turn the clock back on voting rights and suppress minority voters. There are those who want to undercut the power and representation of communities of color and, really, lock us out of the political process.

With this historic bill before us we say, ''Enough is enough.'' Instead, H.R. 1 will ensure that every eligible voter has the chance to participate in our democracy.

This bill also includes important provisions to ensure clean and fair elections. I urge my colleagues to vote ''yes'' on this bill and vote ''yes'' to restoring our democracy once and for all.

Mr. LOUDERMILK. Mr. Chairman, I yield myself such time as I may consume.

I do want to commend my colleagues on the other side of the aisle for something that they have accomplished with H.R. 1, and that is unity, because this bill has brought the American Civil Liberties Union, National Right to Life, The Heritage Foundation, and the U.S. Chamber in unity in opposition to this bill, something that I thought I would never see happen here in Washington, D.C.

Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Chairman, I do appreciate that because I am very concerned, after two straight weeks of Democrat bills, I am going to have a 100 percent voting record with the ACLU. That is something new as we go forward here; although I think they do good work, I just didn't know we were going to agree so soon on this.

Mr. Chairman, I am going to describe the terrible policy behind the provisions of H.R. 1 in the jurisdiction of the Judiciary Committee.

It is amazing, also, that we just did this without going through, because we didn't want to mark this up in areas because we didn't want to see what was in it; because here is what is going to happen:

First, the bill creates a private cause of action for lawsuits related to the Help America Vote Act of 2002. That means the bill allows anyone to sue anybody if they don't like the way an election was conducted in a locality, State, or nationwide.

Do you all remember the lawsuit Bush v. Gore? In 2000, Democratic Presidential candidate Al Gore didn't like the results of the vote in Florida. If he could get the Florida results overturned, he would have had enough to win the Presidency. So he sued to get the Florida results overturned by a court. The case went all the way up to the Supreme Court which finally stopped the recount after a month of legal wrangling that made America look like its elections were determined by lawyers, not voters.

Well, guess what? We are bringing them back. Here they come in, because under this bill today, you won't just see more cases like Gore v. Florida. You will see all sorts of lawsuits; Everybody v. Everybody.

Does a candidate need 1,000 more votes to win? Then a candidate can sue in two or three counties and see if a judge will order those votes into their vote column.

Does a candidate need a few more votes? Then under this bill, they could sue in a dozen counties. Need a million votes? This bill allows a losing candidate and disgruntled activists to sue in all 50 States: Gore v. Georgia, Gore v. Oklahoma, Gore versus any state that it takes to gather enough judicial relief to cobble together an election victory, taking time and money away from State and local elected officials who desperately need that money to administer free and fair elections; not pay bogus legal fees.

The Help America Vote Act of 2002 was enacted to precisely avoid future lawsuits like Gore v. Florida. Now this bill will undo all that and make matters worse in the process.

Second, this bill takes powers away from voters and gives it to convicted criminals by denying State voters their constitutional right to limit voting by people who have been convicted of murder, violent felonies, or other serious crimes including, by the way—get this—voter fraud.

These provisions are patently unconstitutional. The Supreme Court, including liberal Justices Ginsburg, Breyer, Sotomayor, and Kagan, all held, just a few years ago, mind you, that:

> Surely nothing in the Elections Clause of the Constitution lends itself to the view that voting qualifications in Federal elections are to be set by Congress.

Further, the 14th Amendment of the Constitution itself explicitly recognizes the rights of States to deny the vote for ''participation in crime.''

Third, this is what happens when you bypass the committee process. I spoke about this one on the floor already last week. Here we go again. The new majority doesn't like committees.

A provision in the bill, at page 99—listen to me clearly—lines 7–12 of the Committee Print, states:

> No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another from voting, registering to vote, or aiding another person to vote in an election.

That text, if read strictly, says it makes it illegal to prevent a four-year old from voting, to prevent an illegal alien from voting, and to prevent any other non-qualified person from voting. This same provision again appears in pages 102 and 103, and adds a criminal penalty of up to 5 years in prison and a $100,000 fine.

Now here is the problem. The problem is that provision I just quoted, doesn't refer to a person's exercising the right to vote; that is voting when they have a legal right to vote. The standard term used when a statutory provision is aimed at protecting legitimate voters from voting refers to the denial or abridgment of the right to vote.

Now, listen, because this provision doesn't contain those key terms, meaning the provisions would literally make it illegal to prevent illegal voters from voting, we shouldn't be making it a crime—

The Acting CHAIR. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield an additional 30 seconds to the gentleman from Georgia.

Mr. COLLINS of Georgia. We shouldn't be making it a crime for election officials to do their job.

Remember, we can't prevent illegal voters from voting under this bill, which makes it—they have no legal right to vote illegally.

Every illegal voter cancels the vote of a legal voter. This was recognized in the Supreme Court case, Reynolds v. Sims and, in that case it was said:

> The right to vote can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of that franchise.

Look, an illegal vote negated the vote of a legal voter. This bill, my colleagues across the aisle, you are getting ready to vote for a bill that actually could negate legal voting.

I could go on for days. This is why committees matter. This is why this bill is bad. Why do we keep doing this and running away.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Chairman, I want to start by saying thank you to Congressman SARBANES for his important work on leading this legislation.

I am proud that we are bringing forward H.R. 1 to restore faith in the legislative branch, because right now Congress is less popular than head lice and colonoscopies. That is because every time my constituents see a bill that is written behind closed doors, or see a government shutdown, or see floor debate that looks like the Jerry Springer Show, they need to see a restoration of faith in government.

This bill will protect voting rights, strengthen ethics rules, and reduce the role of big money politics. It will refresh our democracy; and that is why the new Democrat coalition has endorsed this bill.

Listen, we don't talk enough about it. This bill includes bipartisan provisions in support of good government. It includes a bipartisan bill that I am leading, the Restoring Integrity to America's Elections Act, which would reform the Federal Election Commission, and enable it to weed out campaign finance abuse, and hold those who skirt the rules accountable.

It includes the Honest Ads Act, my bipartisan bill.

The Acting CHAIR. The time of the gentleman has expired.

Ms. LOFGREN. I yield the gentleman from Washington an additional 30 seconds.

Mr. KILMER. It includes the Honest Ads Act, my bipartisan bill that would shine a light on the murky world of online political advertising by requiring digital ads to meet the same disclosure requirements as print or broadcast ads.

Americans deserve to know who is paying for political ads that they see online. They deserve to know that the Nation's election watchdog is back on the beat. They deserve to have their voices heard in Congress again. That is why this bill is important. That is why I urge my colleagues to support this bill.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Chairman, I rise today in strong opposition to H.R. 1.

This is my fourth term in the U.S. House of Representatives, and I can say, without reservation or equivocation, H.R. 1 is the single worst, most unsound, unconstitutional legislation that I have seen in my 6½ years in Congress.

The bill federalizes elections in violation of basic constitutional principles, usurping States' primary authority over the conduct of elections, including Federal elections.

The bill effectively legalizes voter fraud, and destroys the integrity of elections by degrading the accuracy of registration lists, ensuring duplicate registration and registration of ineligible voters.

The bill unconstitutionally rations core free speech protected by the First Amendment by empowering a powerful partisan bureaucracy to impose onerous legal and administrative compliance burdens and costs on candidates, citizens, civic groups, and nonprofit organizations. These provisions violate the First Amendment; they protect incumbents; and they diminish the accountability of politicians to the public.

And finally, worst of all, the bill gives welfare to politicians, coercing Americans to support candidates with whom they fundamentally disagree. This doesn't enhance democracy, the idea that we, the people establish a government based on the consent of the government. It corrupts democracy by taking away the fundamental right of the people to choose their own representatives, and giving it to a partisan election bureaucracy in Washington, D.C.

Mr. Chairman, Soviet dictator Joseph Stalin once famously said:

> The people who cast the votes don't decide an election; the people who count the votes do.

H.R. 1 would ''Stalinize'' American elections by legalizing voter fraud, giving partisan election bureaucrats the power to ration free speech, and by coercing Americans to support candidates and causes with whom they fundamentally disagree.

I urge everyone, for the sake of the First Amendment and for our Constitution, vote ''no.''

Ms. LOFGREN. Mr. Chairman, I yield myself such time as I may consume.

Before yielding to the gentlewoman from Michigan, I would just like to quote one of the most conservative justices, who said that ''the public has an interest in knowing who is speaking about a candidate shortly before an election.'' That was in the Citizens United decision.

□ 1545

Now, I didn't agree with that decision, but the court posited that the solution to the dark money that they were unleashing on the country was disclosure, and that is what this bill does.

Mr. Chair, I yield 1 minute to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Chair, today I rise in support of H.R. 1, the For the People Act. H.R. 1 will restore our democracy.

We need a comprehensive bill, Mr. Chairman, that takes action on what the people sent us to Congress to do: to work on their behalf and to ensure that government is truly for, by, and of the people; and we must demand it immediately.

We know that today many people, especially those at home in my congressional district in the 13th, various communities of color across this country, continue to face voter disenfranchisement while trying to exercise their right to vote and make their voices heard. We must acknowledge this injustice and remedy it immediately.

We need to have stricter rules, Mr. Chair, rules of conflict of interest when it comes to the offices of the President, the Vice President, and the appointees, including the reaffirmation of the requirement to divest in business interests. We do that with H.R. 1.

I commend my colleagues for the additional language requiring both that language for the executive branch, trading individual stocks, and so forth.

The Acting CHAIR. The time of the gentlewoman has expired.

Ms. LOFGREN. Mr. Chair, I yield an additional 15 seconds to the gentlewoman.

Ms. TLAIB. Mr. Chair, we can't allow our democracy to be tainted. We must demand that our government is stronger, more transparent, and more accessible for all of our Americans.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield 2 minutes to the gentleman from North Carolina (Mr. MEADOWS), my good friend.

Mr. MEADOWS. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, let's be clear: H.R. 1 takes money from hardworking American taxpayers and puts it straight in the pockets of politicians.

Let me be abundantly clear: This bill that the Democrats have proposed provides taxpayer funding for Federal campaigns, Mr. Chair.

By voting for this bill, the Democrats are voting to take the American hardworking taxpayers' money and actually give it back to be used for their own campaigns. By voting for this bill, the Democrats are saying, ''We deserve to stay elected.''

This is a money grab for politicians. This unfairly benefits elected incumbents. It protects career politicians. Under the guise of campaign finance reform and dark money reform, this 600-page bill does nothing but fill the campaign coffers of people who have already been elected.

Not only that, this bill now includes a tax stuck in last night as a manager's amendment in Rules. Yes, they are wanting to tax American citizens to make sure that they get reelected and put money back in their own campaign.

Mr. Chair, if this is how the majority party believes that we are going to get transparency in Congress, it is not doing it. It is not living up to that.

I find it even interesting, because it seems to trample on our First Amendment rights to speak freely and voluntarily participate in the process that we hold as a privilege of electing our elected leaders. To top it off, Mr. Chair,

they want you and every hardworking American taxpayer to pay for it.

Now, I can see it coming up, because it is going to come very soon, and they may talk about all the wonderful virtues of this particular bill, but when they vote for it, they are actually voting to send taxpayer moneys to get me reelected. So I look for that endgame when we say: Democrats vote to give $3.5 million to reelect the Freedom Caucus chairman.

I don't think that that is what America is all about.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, before I reserve, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Illinois has 24 minutes remaining. The gentlewoman from California has 37¼ minutes remaining.

Ms. LOFGREN. Mr. Chair, I yield myself as much time as I may consume.

Mr. Chairman, before yielding to the chairman of the Homeland Security Committee, I would just like to say that saying it is tax money does not make it so. We have prohibited appropriations into the freedom from influence fund. The total source of funding is a 2.75 percent assessment on people who have committed tax crimes or corporate malfeasance.

Mr. Chair, I yield 2 minutes to the gentleman from Mississippi (Mr. THOMPSON), the chairman of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Chairman, I thank the gentlewoman from California for giving me the time.

Mr. Chair, I rise today in strong support of H.R. 1. Last Congress, House Democrats sought to address Russia's meddling in the Presidential election. Unfortunately, the then-majority would not prioritize the issue, so Democrats formed a Congressional Task Force on Election Security, which I co-chaired.

In February of 2018, after a series of public meetings with experts in national security, cybersecurity, and election administration, the task force released a report charting a course for how we could better protect our election infrastructure.

I am pleased that H.R. 1 includes the Election Security Act, legislation I introduced to implement the task force's recommendation. Under the Election Security Act, States are provided surge funding to replace decades-old, outdated election equipment with more modern, secure technologies.

Additionally, to move the Nation off the crisis-to-crisis model we have been on, it provides grants, ongoing maintenance, and security. It also improves transparency with election infrastructure vendors and provides cybersecurity training to election officials.

Last month, at my committee's hearing on election security, some of my Republican colleagues balked at the bill's price tag. Mr. Chair, to put the bill's cost in context, the $1.8 billion provided here to secure our elections from the Russians and other foreign adversaries is half of what Congress provided in response to the hanging chads.

For the sake of our democracy, we cannot leave State and local election officials to fend for themselves against sophisticated adversaries like Russia. We have to help.

The Acting CHAIR. The time of the gentleman has expired.

Ms. LOFGREN. Mr. Chair, I yield an additional 15 seconds to the gentleman.

Mr. THOMPSON of Mississippi. Mr. Chair, I thank the gentlewoman from California (Ms. LOFGREN) for yielding.

Mr. Chair, before I close, I would like to thank Speaker PELOSI, Chairwoman LOFGREN, and Mr. SARBANES for all the work they and their staffs have done to bring this important measure to the floor.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield 2 minutes to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Chair, today I rise in opposition to this effort to conduct a hostile takeover of our elections by Washington, D.C.

H.R. 1 is nothing less than an attempt by the majority party to federalize our election system, strip all authority from the States, and create government-funded political campaigns. All of this will increase the election system's vulnerability for fraud and restrict free speech.

The legislation we consider today will have a long-lasting, devastating impact on our elections:

H.R. 1 will create a 6-to-1 government match for all small donor contributions. This means government funds will be going to help pay for more campaigns, more TV, more radio ads. Americans will be compelled to bankroll candidates they don't support.

My sister, a staunch Republican, shouldn't have to have her hard-earned money go towards Democratic candidates. Her son, a staunch Democrat, shouldn't have his hard-earned money go towards a Republican.

If H.R. 1 is to become law, it will place limits on freedom of speech, putting vague standards on groups who wish to advocate for any legislative issue. This is why even the ACLU does not support H.R. 1. And when the ACLU doesn't support a Democratic election bill, you know it is wrong.

Our Nation was built on individuals advocating for their beliefs. It is our right to advocate the way we wish for a cause we believe in.

If a survivor of domestic violence wishes to quietly donate to a cause dedicated to fighting domestic violence, should the Federal Government be able to come in and publicize their donation? In some States who have done this recently, we have seen donors of advocacy groups be harassed and chased out of their jobs.

H.R. 1 is another example of the Democrats saying Washington knows best. Not one secretary of state was consulted in the drafting of this legislation. In the Constitution, our Founding Fathers give the authority to the States to regulate their own elections.

Simply put, this is a power grab, a power grab by Democrats.

Mr. Chair, for these reasons, I urge my colleagues to not support this legislation.

Ms. LOFGREN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, before yielding to the gentleman from New Jersey, I would like to just address a couple of simple points.

The DISCLOSE Act really pivots off the Supreme Court decision in Citizens United. And as they said in that decision: Disclaimer and disclosure requirements impose no ceiling on campaign-related activities and do not prevent anyone from speaking.

Concern has been expressed about the ability to remain private. That is provided for in this bill. It is simple. If you don't want to be disclosed, note that your donation is not for campaign purposes, and you will not be disclosed.

Further, there is an express protection provided for any donor who fears that they may face threat of harassment or reprisal. So we have thought of this, and this was dealt with in our markup.

Mr. Chair, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, the legislation on the floor today contains within it the Presidential Tax Transparency Act, a bill that I lead with our prime sponsor, Representative ANNA ESHOO from California. This legislation requires sitting Presidents as well as future Presidential and Vice Presidential candidates to release 10 years of their tax returns.

The manager's amendment is right to add disclosure of returns of any business in which the candidate is a prime owner.

These commonsense transparency measures will codify into law the precedence of Presidential candidates releasing their tax returns, a precedent that goes back to Richard Nixon.

President Trump broke with more than 40 years of this precedent when he declined to release his tax returns, despite promising to release them. He has yet to do so, and recent polls show 64 percent of Americans support their release.

Thanks to the Oversight Committee, we now have on-the-record testimony in evidence that this President may have committed crimes as President. Michael Cohen received reimbursement for illegal campaign contributions from Trump directly. If President Trump wrote these payments off as a business expense, that would constitute fraud, and his returns will show that.

In addition, The Trump Organization allegedly inflated their revenue in financial documents to obtain loans. The business' tax returns would show whether their profits were accurate or if they filed fraudulent documents.

The President's conflicts of interest and finances must be investigated.

With H.R. 1, we are setting down a marker that we expect standards of ethics and transparency for all Presidents going forward. With norms and precedents being shattered daily, Congress must codify certain norms into law. The law is on our side, 6103.

The Acting CHAIR. The time of the gentleman has expired.

Ms. LOFGREN. Mr. Chair, I yield an additional 30 seconds to the gentleman from New Jersey.

Mr. PASCRELL. Mr. Chair, I support H.R. 1 for taking needed steps to get dark money and foreign money out of our politics; restore voting rights that are under assault in States around the country; improve our election security, as you heard the last gentleman say, BENNIE THOMPSON; and restore integrity to our democratic process.

In too many States, the clock is turning back on voting rights and election integrity. Voter suppression has become a scourge in our democracy. For anybody to deny it on this floor, they haven't been in the country.

Mr. Chair, these reforms are long overdue. I urge my colleagues to vote ''yes.''

The Acting CHAIR. Members are reminded to refrain from engaging in personalities toward the President.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chair, I thank the gentleman for yielding.

Mr. Chairman, consent of the governed is the cornerstone of our democracy. In America, the people are sovereign, and we govern through the votes that we cast. At the very core of this process are fair and free elections.

Every citizen should be free to express themselves and to vote, and no citizen should ever be muzzled or have their legitimate vote canceled out by a fraudulent one.

□ 1600

By definition, one side is always going to be disappointed with the outcome. That is why it is essential that both sides are confident that they were treated fairly.

Democracies die when one party seizes control of the elections process, eliminates the safeguards that have protected the integrity of the ballot, places restrictions on free speech, and seizes the earnings of individual citizens to promote candidates that they may abhor.

That is precisely what this bill does today. It destroys the bipartisan composition of the Federal Election Commission and places a partisan majority in control of every aspect of our Federal elections. It imposes limits on free speech, and that has earned the opposition of the American Civil Liberties Union. It matches a contribution of $200 given to a candidate with $1,200 taken from others who may oppose that candidate.

Worst of all, it undermines the integrity of the ballot and opens the floodgates to fraud. The purpose of registration periods is to allow parties to canvass the rolls and challenge improper registrations, while ensuring candidates know exactly who is going to be voting.

The reason we require election day voting at a polling place is to ensure voters cast their ballots in secret after they have heard the entire debate and after verifying their identity to their neighbors. This bill sweeps away these few remaining vestiges of ballot integrity.

Democracies die by suicide, and we are now face-to-face with such an instrument.

Ms. LOFGREN. Mr. Chairman, I am honored to yield 1 minute to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Chairman, I thank the gentlewoman for yielding to me.

Mr. Chairman, I rise today in support of H.R. 1, the For the People Act.

America is not a democracy if we don't protect the right to vote. We should be expanding voter rolls and making every single American voice heard at the ballot box, and that includes currently and previously incarcerated Americans. A mistake made and paid for should not strip your constitutional rights and silence you for life.

I offered an amendment to this bill that would have included those Americans in our democracy, however, I have withdrawn that amendment at this time. I will continue to work with my colleagues to fight for re-enfranchisement for these Americans.

Mr. Chairman, I close by noting that this bill represents a paradigm shift in our approach to voting rights, and it is a reflection of the priorities of Democratic leadership in this body. It is long overdue and exactly the type of legislation that went overlooked until Democrats retook this Chamber.

Mr. Chairman, I urge all my colleagues to support our democracy by voting for its passage.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, it gives me great pleasure to yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE), the most courageous Member of Congress that I know, the man who bleeds tiger blood.

Mr. SCALISE. Mr. Chairman, I thank my colleague from Illinois for those kind comments. Go Tigers.

Mr. Chairman, I rise in strong opposition to this bill that instead of being called For the People Act should be called ''For the Politicians Act.'' Let's take a look at some of the provisions of this bill that involve a Federal takeover of the elections process.

First of all, section 5111 of the bill will allow billions of dollars of taxpayer money to be funneled into political campaign accounts. That is your hard-earned dollars, in many cases, going to fund a candidate for office that you oppose. Think about that.

Now let's look at section 1402 of this bill, Mr. Chairman, where they allow felons to vote. Let's take, for example, a State that might have a law against felons voting, heavily debated in the State, where they are allowed that ability to set their laws enshrined by the Constitution. Here comes the Federal Government telling a State, for example, that if somebody went to Federal prison for voter fraud, they now have to let them be involved in the political process and vote, even though their own State law prohibits that person who was a felon for voter fraud.

One thing we can't even get an answer on—and there are many, unfortunately—we can't even get an answer on the cost of this bill. Many estimates are that it will be billions of dollars, but nobody can truly tell you because they continue to make changes after changes without even going through the normal committee process that should have been done.

If you look at the felons who can vote, think, for example, Mr. Chairman, a State—and many States have laws against felons who are child molesters from going into public schools. In many places, the polling location is a school. Under this bill, if someone who is convicted as a felon of molesting children and is banned by that State from going into the school, if they show up on election day, now, under this law, they have a hall pass. They can go into the school because of this new Federal law where the State said that child molester shouldn't be allowed in the school.

Again, it goes on and on, the kinds of things you can't even get clear answers on.

What would the cost be? Because they tell you the felons would be able to vote in the Federal election, but if your State law says they can't vote, then you have to have multiple ballots. If somebody shows up to vote, the State is going to have to try to figure this out at what cost to the State, not only the billions it costs the taxpayers?

This bill enshrines voter fraud in so many different places. Many States have voter integrity laws to make sure that the person who votes is the person who is the name on the roll. This says you don't even have to have an ID if the State has a voter ID law. You can show up and just sign your name. You can say this is who I am, and you can vote. The Federal law overrides the State law in this case.

The Acting CHAIR. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield an additional 30 seconds to the gentleman from Louisiana.

Mr. SCALISE. Finally, I would like to talk about the constitutional infringements. And don't take it from me. Let's take groups as divergent as the ACLU and National Right to Life that all cite serious First Amendment concerns.

ACLU says provisions ''unconstitutionally impinge on the free speech

rights of American citizens and public interest organizations.''

National Right to Life: Enactment of H.R. 1 ''would not be a curb on corruption, but itself a type of corruption, an abuse of the lawmaking power, by which incumbent lawmakers employ the threat of criminal sanctions . . . to reduce the amount of private speech regarding the actions of the lawmakers themselves.''

This is a bad bill. It ought to be rejected.

Ms. LOFGREN. Mr. Chairman, how much time remains on both sides?

The Acting CHAIR. The gentlewoman from California has 30¼ minutes remaining. The gentleman from Illinois has 16½ minutes remaining.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Mr. Chairman, I rise today in support of H.R. 1 because I want America to live up to its democratic principles, and that means having a government that really is for the people and not just for those with the means. This bill is about ensuring that all voters, regardless of ZIP Code, race, or party, can participate in our democracy.

I am proud that H.R. 1 includes a bill I introduced, the Same-Day Voter Registration Act, which will increase access to the ballot box across the country.

Same-day registration already exists in 17 States and the District of Columbia. In those locations, more people, not fewer, participate in elections.

I spent nearly two decades organizing to make sure New Mexicans, including those in Indian Country and in rural America, have access to our democracy.

This commonsense provision gets rid of arbitrary registration deadlines, which often fall long before the real time needed to process voter registration applications. Same-day voter registration is one of many provisions in H.R. 1 that will make elections more accessible.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, this has been a long debate. I am enjoying the discussion, enjoying the debate. This is why we all came here to Washington.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. JORDAN), my good friend.

Mr. JORDAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, it is bad enough that this bill is going to tell States how to run elections, bad enough this bill is going to require taxpayers to finance the elections of politicians who created the swamp so they can get back to the swamp, but what is most egregious about this legislation is the attack on free speech.

As the whip mentioned, the ACLU has said we should vote no on this bill because it unconstitutionally burdens free speech and association rights. Let me tell you how it does it. It uses our old friend the IRS.

Remember just a few years ago the IRS systematically targeted people for their political beliefs. They went after conservatives.

Now think about your First Amendment liberties, your right to practice your faith the way you want to, the right to assemble, the right to petition your government, freedom of the press.

What is the most fundamental liberty we have under the First Amendment? Your right to speak and particularly to speak in a political fashion, a political nature. That is what the IRS went after.

This bill does this. It gets rid of the schedule B protections that are currently in law. It says the reason the protection of schedule B information is important has nothing to do with vast conspiracies on the right or left related to so-called dark money. Rather, it dates back to the Supreme Court's 1958 decision NAACP v. Alabama. The Supreme Court formally recognized First Amendment protection of the freedom of association that prevented the NAACP from being compelled to turn over information about its members.

What this bill will do today is, when this information has been leaked, as it has already, everyday Americans will continue to receive death threats, mail containing white powder, all because someone disagrees with what they believe.

This bill should be defeated for one simple reason: It attacks our First Amendment liberties, our most sacred rights. This bill goes after it. That is why we should vote it down, and that is why I urge a ''no'' vote.

Ms. LOFGREN. Mr. Chairman, it is my honor to yield 5 minutes to the gentleman from Maryland (Mr. CUMMINGS), the chairman of the House Oversight and Reform Committee.

Mr. CUMMINGS. Mr. Chairman, I rise in strong support of H.R. 1, the For the People Act.

Mr. Chairman, I thank my friend, Congressman JOHN SARBANES, for his vision and for his tenacity in introducing this bold and historic reform package. He has given his blood, his sweat, and his tears, and I thank him.

This sweeping legislation would clean up corruption in government, fight secret money in politics, and make it easier for American citizens across our great country to vote.

I have heard this bill dismissed as a ''power grab.'' In fact, it is a power restoration. H.R. 1 would restore power to the American people and break the hold of special interests.

For example, title VIII includes a bill that I introduced, the Executive Branch Ethics Reform Act, which would ban senior officials from accepting bonuses and other payments from private-sector employers in exchange for their government service.

H.R. 1 would have prevented Gary Cohn, President Trump's former economic adviser, from receiving more than $100 million in accelerated payments from Goldman Sachs when he left to lead the Trump administration's efforts to slash corporate taxes.

Title VIII also includes another bill that I introduced, the Transition Team Ethics Improvement Act. This legislation would require Presidential transition teams to disclose to Congress the team members they submit to receive security clearances and which team members receive security clearances.

This legislation also would require transition teams to have ethics plans in place and to publicly disclose those plans.

H.R. 1 gives people the power to freely exercise their right to vote. I have said quite often that when my mother died, at 92 years old, her last words were not, ''Elijah, I love you.'' This former sharecropper, her last words were: Elijah, don't let them take away our right to vote.

I believe that we should be doing everything in our power to make it easier, not harder, for American citizens to exercise their constitutional right.

Unfortunately, some oppose our efforts. They think we should make voting more difficult by cutting back on early voting, eliminating polling places, and taking other steps to reduce the number of people who do vote.

□ 1615

In some cases, they have even engaged in illegal efforts to suppress the vote and target minority communities. Just look at what happened in North Carolina.

In 2013, State legislators requested data broken down by race on how residents engaged in a number of voting practices. They then used that data to enact legislation that restricted voting and voter registration in five different ways that disproportionately affected African Americans.

You do not have to take my word. The Fourth Circuit Court of Appeals found that this legislation was enacted with discriminatory intent. In fact, the Fourth Circuit said that in North Carolina legislation targeted African Americans with—they said this—''almost surgical precision.''

We are better than that.

In Georgia, we saw actions just last year by officials to remove people from the voter rolls and prevent them from registering in the first place. H.R. 1 would establish procedures to automatically register people to vote, extend early voting, absentee voting, and give additional funding to States to maintain polling sites so that they can do their job.

This legislation would help make it easier for hardworking Americans to find the time to vote by making election day a Federal holiday and encouraging the private sector to follow suit.

Federal court after Federal court, there are ongoing efforts to stop people from voting. So I will fight until my death to make sure that every citizen, whether they be Republican, Democrat, Independent, Green Party, or whatever, has the right to vote.

The American people gave this Congress a mandate to restore our democracy, and we will clean it up.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield 2 minutes to the gentlemen from Florida (Mr. POSEY), my good friend.

Mr. POSEY. Mr. Chair, I thank the gentleman for yielding the opportunity to speak about H.R. 1.

You have heard it called the ''Welfare for Politicians Act''; you have heard it called the ''Democrat Politician Protection Act''; and you have heard it called a very partisan proposal to hijack elections. I think it may be all those things.

Historically, elections are based on three principles: number one is fairness to everybody who votes, number two is that every vote counts, and number three is that every voter should have the assurance or the confidence that their vote was counted equally and was not compromised in one way or the other. This bill does none of those things. If it did, and if it was at all fair, it would have bipartisan support.

In 2000, after the contentious election between Bush and Gore, I was chairman of the elections committee in the Florida Senate and charged with reforming the election laws.

Working with the minority leader at the time, Steve Geller, we did some historic things. We pioneered the provisional ballot. We pioneered early voting. We got rid of punch cards and went to precinct-based optical scanners that they said would cost Republicans 100,000 votes statewide. It seems like the Republicans knew how to vote and the other side didn't.

We did those things because it was fair and it was the right thing to do. And as a result, for the past 19 years, our elections have worked very well down there, except for two counties, very highly partisan counties who didn't follow the rules.

The measure of credibility for election bills is whether or not you have bipartisan support. Our legislation passed nearly unanimously, if not unanimously. Here, this is very one-sided. It is not fair. If it were fair, you would have a lot of support from this side.

And so I am for the other side to try and consider fairness a little bit in this process so we don't go from one regime to another, back and forth with election law that is not stable, is not good for the voters, is not good for the United States of America.

Ms. LOFGREN. Mr. Chair, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chair, I thank my friend for yielding.

There is a reason that this bill is H.R. 1. It shows that we are not there yet in building a more perfect democracy. Nothing illustrates that better than H.R. 1's findings on D.C. statehood. These findings document the District's long adherence to all the qualifications for statehood.

Since the founding of the Republic, serving in all the Nation's wars, paying Federal income taxes—in fact, leading the country, per capita, in Federal income taxes paid today—if anything, H.R. 1's findings show that the District is overqualified for statehood—witness the $2.8 billion surplus and its population larger than that of two States.

Yesterday marked 200 cosponsors for our D.C. statehood bill. Today, passage of H.R. 1 would set a historic milestone, marking the first vote for the necessity for D.C. statehood in the 218 years the District has been the capital of the Nation.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, it is with great pleasure I get a chance to introduce my good friend, whom I have known for a very long time from Illinois.

Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. BOST), and I would like to ask him to throw his papers in the air and hit them when he is done with his speech, too.

Mr. BOST. Mr. Chair, I thank the gentleman for yielding. I think the papers will remain on the table.

Mr. Chair, Speaker PELOSI said she wants to get money out of politics. She said she wants free speech. But this sham puts more money into politics. It doesn't offer free speech; it offers forced speech.

In fact, for every dollar contributed to a candidate, the American taxpayer will be forced to contribute 6.

Now, let me say that again. For every dollar that is contributed to a candidate, an American taxpayer will be forced to contribute 6.

You heard it right, a 6-to-1 match, whether you support a candidate or not, whether you support their positions on life, the Second Amendment, immigration, taxes, or anything else—6 to 1.

The bill would also require same-day registration, nationwide. States already have the right to determine for themselves if they want same-day registration. My home State of Illinois has it. But with it, can come challenges in ensuring the accuracy of a voter's registration information.

I believe that every single legitimate vote needs to be counted—every single legitimate vote—but it must be a single vote. And we are not just talking about one State. Multiply that by 50.

Without proper safeguards, my colleagues are leaving the States less capable of managing their voter systems. That is a big problem. This is a bad bill.

Mr. Chair, I urge the House to vote ''no.''

Ms. LOFGREN. Mr. Chair, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), the prime author of this bill.

Mr. SARBANES. Mr. Chair, I thank the gentlewoman for yielding and for all her hard work on this bill.

I am concerned that there is a collective delirium that seems to have infected part of this Chamber. I keep hearing our colleagues on the other side say that the public financing system, the 6-to-1 matching system that we want to set up, is taxpayer funded.

Hear this: It is not taxpayer funded. It is not taxpayer funded. It is not taxpayer funded.

It is lawbreaker funded.

We are setting up a fund, called the freedom from influence fund, because we don't want the big money and the special interests to exercise influence in our campaigns anymore.

The freedom from influence fund will be filled with dollars that come from putting a surcharge, an assessment, on people who break the law: corporations who have engaged in criminal activity or are subject to civil penalties. Corporate malfeasance, that is where the dollars will come from. The people who are breaking the law, they are going to fund the freedom from influence account that will be there to match small donations.

Now, let me tell you why it is so important that small donors be the ones that have the power.

If you are a candidate and you have to raise money for your campaign, right now, in order to raise the money you need, you have to go to the deep pocket and the PACs and the lobbyists.

And here is what happens: You start to think like the company you keep. So if you are hanging around with those folks because that is where you are raising your money, you are going to start putting their priorities first, not the public's priorities.

But if we have a 6-to-1 matching system funded by lawbreakers, not taxpayers——

The ACTING CHAIR. The time of the gentleman has expired.

Ms. LOFGREN. Mr. Chair, I yield the gentleman from Maryland an additional 1 minute.

Mr. SARBANES. Mr. Chair, if we have a matching system that gives power to small donors, now the candidate is going to say: If I want to raise money from my campaign and power my campaign, I am going to go spend time with real people in my district. I am going to go to a house party where somebody can give $25 or $50, and then that 6-to-1 match will come in and I can power my campaign.

So instead of hanging out with the lobbyists on K Street or with the big money donors or with the PACs and super-PACs, I am going to spend time with people in my district. They are going to tell me what their priorities are, and then I am going to go to Washington and I am going to fight for them.

That is why we are creating this system: to take power away from the PACs and the big money and the insiders who are calling the shots now and give it back to the people. That is why this bill is called the For the People Act.

So let's restore their voice, give them back the power that they deserve, and give them their rightful ownership of their own democracy.

Mr. Chair, let's support H.R. 1.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, it is great to have the author of the bill here on the floor.

I guess if I had a chance to ask a question, it would be why, then, was this new corporate malfeasance fund put in the manager's amendment that was given to me 30 minutes before our Rules testimony last night?

There are many concerns with this bill, and a lot of those concerns hinge upon this 6-to-1 matching program that, in the end, is a new mandatory spending program that will have to be funded, have to be funded by the taxpayers to make up the difference if corporate money that is now going to be used—that we can't take right now as congressional candidates—is going to be used to fill the coffers of the campaigns that this author talked about.

I had no idea that the Democrats' solution to getting corporate money out of politics was to put more corporate money into campaign coffers of every Member of Congress. It doesn't make sense to me, which is why this bill doesn't make sense to me.

Mr. Chair, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS), my good friend.

Mr. BIGGS. Mr. Chair, I thank the gentleman from Illinois (Mr. RODNEY DAVIS) for yielding me time.

Let me just tell you that this really is a monstrosity of a bill, the ''Democratic Politician Protection Act.''

You see, H.R. 1 was referred to 10 committees, but only one marked it up; 100 pages of this bill fell within the jurisdiction of the Judiciary Committee. We had a hearing but we didn't get to mark it up, which I think was designed—who knows why it was designed, but we couldn't expose all the flaws of this bill.

Let me talk about two of them right now, because these both are patterned after the Arizona law, oddly enough.

The Independent Arizona Redistricting Commission in Arizona, passed by the voters, upheld by the United States Supreme Court, and guess what. We are not going to qualify under this bill.

That redistricting commission produced, actually, a Democratic majority, so we have a blue majority in the house now. But I tell you what, the registration numbers all were for the red, but the IRC in Arizona changed that.

But guess what. Under this bill, it is not good enough. It is going to be taken out of the hands of the State and put in the hands of the Federal Government.

□ 1630

That is a violation of the Constitution and the spirit of electoral law and redistricting throughout the country.

Let me talk about this, having heard now that this is going to be not from taxpayers but from lawbreakers who are going to fund this.

Arizona has something called the Citizens Clean Elections Commission. I was there when that came out, funded ostensibly by lawbreakers who, oddly enough, are taxpayers. They are taxpayers. And guess what else? Arizona's courts have said they are taxpayers and that the whole scheme was problematic.

That is what is happening with this particular bill. It is rife with problems throughout, but these two problems really are dilatory to this bill. I urge Members to vote ''no.''

Ms. LOFGREN. Mr. Chair, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Chairman, H.R. 1 is yet another case of Democrats attempting a power grab from the States with no regard for the Constitution and States' powers. The bill completely disregards the fact that most States have successfully adopted their own process for a fair and honest and constitutional election.

Thirty-eight States, including my home State of Alabama, have already implemented some type of online voter registration, most with safeguards to protect against fraud. Each State is different and has unique circumstances and challenges that only the State and local legislators can effectively address.

For instance, in Alabama, where we require voter identification, our election officials recognize the rural nature of the State and have taken steps to ensure that every person has a form of ID, which is required to vote.

Alabama accepts seven different types of ID, including a student or employee ID. They can get a voter ID card for free. The State even goes so far as to have a mobile ID unit that will pick people up and take them to an ID center at no expense.

That is why a Federal judge recently threw out a lawsuit against the ID law because, in the judge's words: There is no person who is qualified to register to vote who cannot get a photo ID.

One of the most important requirements for eligibility to vote is citizenship. H.R. 1 requires States to maintain online voter registration with no safeguards. They can simply upload an electronic signature without any validation through a DMV database.

Many officials from States that have implemented online voter registration will tell you that a huge obstacle is cybersecurity. Any time parts of the process are connected to the internet, it opens it up to hacking attempts.

My Democratic colleagues have spent the better part of 2 years alleging there was Russian influence on the 2016 election. Now they want to invite China to the party? What about Iran and North Korea?

Just this week, FBI Director Wray was asked if China's digital threat was overblown. He responded: There is nothing like it.

Voter fraud and registration fraud are real threats to elections.

The Acting CHAIR. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield an additional 30 seconds to the gentleman from Alabama.

Mr. PALMER. Mr. Chairman, the Texas Attorney General recently indicted four people as part of a vote fraud ring funded by the Texas Democratic Party. Under the new automatic registration scheme in California, they admitted to registering 25,000 ineligible voters, including noncitizens. This bill even allows felons to register to vote, even those who are felons for voter fraud.

Each State is unique, with their own circumstances and challenges. Elections are a State matter, not a Federal matter. We should continue to allow the States to act on their own and implement policies that work best for their State rather than cede the fundamental base of our liberty: our right to choose our leaders in honest and fair elections.

Ms. LOFGREN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I just want to make a couple of observations and perhaps corrections.

It has been alleged that somehow the assessment on tax crimes and corporate malfeasance has been transformed into taxpayer money—I think that is clearly incorrect—but that if the money is insufficient, then the taxpayers would be on the hook.

When we marked up the bill in the House Administration Committee, we outlined how the money would be reduced if there were not enough money in the fund; and in section 5101(f)(3), it talks about mandatory reductions of payments in the voucher program. In 541(d)(2), it talks about mandatory reductions in the congressional program and Presidential and so on, if there were insufficient funds.

So there is no way under the terms of this bill that the taxpayers could ever be on the hook for these funds, and I think it is important to know that.

I want to talk a little bit about the concern about free speech.

I am an advocate of free speech. I think we all are and honor our Constitution here in the House of Representatives. But the ACLU has a storied history of litigating constitutional issues. They have done good work, but we have differed on our approach to campaign finance law, particularly on how to shine a light on secret, dark money in elections.

The ACLU has opposed applying disclosure laws to organizations spending money on electioneering communications, which are paid ads that mention candidates in the days leading up to the election.

As we have mentioned earlier, the Court, in Citizens United, said the public has an interest in knowing who is speaking about a candidate before an election and pointed out that disclosure does not prevent speech. I think that is one of the reasons why we have

gotten a marvelous letter from the National Association for the Advancement of Colored People, the NAACP, which I include in the RECORD.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, March 4, 2019.

Re NAACP strong support for H.R. 1, legislation to greatly improve and expand the democratic voting process

Hon. U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I would like to urge you, in the strongest terms possible to support through passage H.R. 1 and to oppose any weakening amendments. This legislation will expand Americans' access to the ballot box, reduce the discriminatory influence of big money in politics, prevent voter fraud, and strengthen ethics rules and accountability for public servants. H.R. 1 is supported and celebrated by the NAACP: since our founding in 1909, free and unfettered access to the ballot for all eligible Americans, and the assurance that our vote has been counted, has been a critical driver behind all that we do.

H.R. 1 represents a coordinated effort to protect and promote the voting rights of all Americans. This vital legislation includes many of the tools the NAACP has identified throughout our nation as improving voter turn-out and successful voter participation: it includes provisions to establish on-line and automatic voter registration. H.R. 1 would require early voting in all states; voting would have to start at least 15 days before an election, including weekends. H.R. 1 would require same-day voter registration on election-day and during early voting. Under a provision in H.R. 1, states would be prohibited from restricting an individuals' ability to vote by mail. H.R. 1 would require that ''provisional ballots'' be counted and provides assistance to states and localities in improving the provisional ballot process. The measure would prohibit voter caging, voter deception and voter intimidation. H.R. 1 also promotes voter registration via the internet and establishes a strict code of ethics for all federally elected and appointed officials, including the President, the Vice President, his cabinet, and every Member of Congress, so we are not constantly distracted by the ''scandal of the day.''

H.R. 1 would also re-enfranchise ex-felony offenders who have served their sentence and have been released from prison. Because voting is such an integral part of being a productive member of American society, the NAACP has advocated strongly to allow felons who are no longer incarcerated to reintegrate themselves into society and vote in federal elections.

H.R. 1 also begins to fix the damage done to the crucial 1965 Voting Rights Act by the US Supreme Court decision in Shelby v. Holder. The legislation specifically states that Congress is committed to reversing the effects of the 2013 Supreme Court decision which effectively invalidated a requirement that certain states and jurisdictions receive federal preclearance on changes to voting procedures. Prior to the Shelby decision preclearance was required for states and local jurisdictions that had a history of voter discrimination.

The measure would state that Congress should respond by modernizing the electoral system to improve access to the ballot, enhance voting integrity and security, ensure greater accountability, and restore protections for voters. Finally, but no less importantly, H.R. 1 contains strong provisions to bring about genuine campaign finance reform measures which will withstand the scrutiny of the Courts.

The NAACP strongly supports H.R. 1. This is not a partisan issue: the right to vote should be supported by all Americans who believe in democracy. We should be making voting and involvement in the democratic process easier, not throwing up barriers which may seem insurmountable to whole groups of eligible voters. Should you have any questions or comments, please do not hesitate to contact me at my office.

Sincerely,

HILARY O. SHELTON,
Director, NAACP Washington Bureau and Senior Vice President for Policy and Advocacy.

Ms. LOFGREN. Mr. Chair, I will not read the entire letter, but it does say this:

''Dear Representative,

''On behalf of the NAACP, our nation's oldest, largest, and most widely-recognized grassroots-based civil rights organization, I would like to urge you, in the strongest terms possible, to support through passage H.R. 1 and to oppose any weakening amendments.''

It goes on to say: ''This legislation will expand Americans' access to the ballot box, reduce the discriminatory influence of big money in politics, prevent voter fraud, and strengthen ethics rules and accountability for public servants. H.R. 1 is supported and celebrated by the NAACP.''

I would urge us to support this bill and listen to the advice that we have received from the NAACP on this, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, it is interesting, my colleague, Chairperson LOFGREN, mentioned the NAACP, because the next gentleman that I am going to introduce, he and I both share Springfield, Illinois, which is known, after the 1908 race riots, to be somewhat of the birthplace of the NAACP.

Mr. Chair, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD), my good friend.

Mr. LAHOOD. Mr. Chairman, I want to thank my colleague, Congressman RODNEY DAVIS, my good friend, for his strong leadership on this bill and his strong leadership on the Committee on House Administration for leading the way on this.

Mr. Chairman, I rise today strongly opposed to H.R. 1. Among the numerous, egregious provisions of H.R. 1, I am here to shed light on one proposal that has increased vulnerabilities in our election system in our home State of Illinois.

Under H.R. 1, Democrats are proposing a blanket, nationwide mandate for States to adopt same-day registration practices with no safeguards. Once again, my colleagues across the aisle are advocating a Big Government solution, but, in fact, they are threatening the integrity of our elections at every level of government.

Coming from Illinois where same-day registration and other lax election laws have been passed by our Democrat-controlled legislature, uncertainty has followed. The practice of same-day registration has caused confusion for our election administrators and has opened the door to fraud.

Under same-day registration in Illinois, an individual can arrive at their polling place with a copy of their utility bill and cast a full ballot without being fully verified thanks to same-day registration.

Election officials are having difficulty verifying residents in a timely manner, particularly on college campuses where students have been told that they can use a receipt from Jimmy John's sub shop to confirm their voting domicile.

Under H.R. 1, these vulnerabilities and problems will be seen across the country and exacerbated by provisions that will allow individuals to use sworn statements in place of government IDs when registering to vote.

H.R. 1 fails to address issues our States and others have seen with same-day registration. We need stricter standards for same-day registration, but H.R. 1 fails to provide any sufficient enforcement mechanisms to verify voter registration.

The Acting CHAIR. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield an additional 30 seconds to the gentleman from Illinois.

Mr. LAHOOD. Mr. Chairman, furthermore, H.R. 1 fails to deter bad actors from taking advantage of the system by not criminalizing fraudulent registrations.

Mr. Chairman, Republicans want more registered voters. We want more Americans to fulfill their civic duty, but we can't simply push legislation that jeopardizes the integrity of our election process and potentially undermines our democracy.

H.R. 1 unconstitutionally mandates a one-size-fits-all Federal approach to voter registration, fails to adequately address vulnerabilities in our registration system, weaponizes the Federal Election Commission, and, as the left-leaning ACLU says, infringes on Americans' free speech right.

I strongly urge a ''no'' vote.

Ms. LOFGREN. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House, representing San Francisco.

Ms. PELOSI. Mr. Chairman, I thank the gentlewoman for yielding, and I commend her and congratulate her on her success in bringing this important legislation to the floor of the House.

I want to salute our colleague from Maryland, Congressman JOHN SARBANES, for being a relentless and persistent advocate, for honoring the Constitution of the United States and giving people confidence that their voice and their vote count as much as anyone's in this country.

That is what H.R. 1 is about: giving people confidence that we can do what we say without the influence of big,

dark, special interest money weighing in on the process.

Our Constitution, Mr. Chairman, as you know, begins, ''We the people,'' a beautiful statement of purpose for our Nation. ''We the people.''

Our Founders envisioned a government that would work for the people, serving the people's interests, fighting for their aspirations, hopes, and dreams.

We have a responsibility to honor that vision of our Founders, honoring our oath of office to uphold the Constitution of the United States, honoring the sacrifice of our men and women in uniform for the sacrifices that they make for our freedom and freedom throughout the world, and worthy of the aspirations of our children. We can only do this if we have a government that is committed to transparency, to as much bipartisanship as possible, and to being unifying for our country.

In the election, the American people voted for just that. They voted for a Congress that would restore transparency, bipartisanship, and unity and be unifying in Washington, D.C., so that the government would again—I can't say it enough—work for the people.

On day one, reflecting the priorities of our outstanding freshman class, our new Democratic majority honored the people's trust by introducing H.R. 1, the For the People Act.

Again, let me salute Congressman JOHN SARBANES, the chair of our Democracy Reform Task Force, who was the godfather of this bill.

Today, we are proud to be bringing this transformative legislation to the floor of the House. H.R. 1—and it is H.R. 1 because it is of primary importance—restores the people's faith that government will work for the people and not the special interests.

We are ending the dominance of big, dark, special interest money in politics.

We are ensuring clean, fair elections with Congressman JOHN LEWIS, our hero, with his Voter Empowerment Act, to increase access to the ballot box.

Democrats or Republicans or people who are Independent, who do not register with a party, should want everyone to be able to vote without obstacles. This legislation will remove obstacles to participation. Whether obstacles of closing polling places in certain neighborhoods, obstacles of reducing hours that those polling places are open, reducing the number of days for early voting, and the rest, it will reduce those obstacles.

□ 1645

We also are protecting the sacred right to vote through Congresswoman TERRI SEWELL's H.R. 4, which is an offspring of this legislation, the Voting Rights Advancement Act, to secure, again, and restore the Voting Rights Act. It is part of H.R. 1, but it will be taken up separately because of the need to establish the constitutional basis in an ironclad way as we go forward.

I am so pleased, Mr. Chairman, and I thank the chairwoman of the House Administration Committee for reinstating the House Administration Subcommittee on Elections led by Congresswoman MARCIA FUDGE which began its out-of-Washington hearings in Brownsville, Texas. I was just in Texas, and people were delighted that Chairwoman FUDGE's subcommittee came there to hear the stories of voter suppression that exists throughout the country, especially among people who may have a last name that may sound foreign to some and questionable therefore to them, but who are American citizens eligible to vote.

We are cleaning up corruption and ensuring that public officials again work for the people's interests. You can't say it enough, Mr. Chairman.

We must pass this legislation so we can break the grip of special interests. We talk about obstacles to participation and suppression of the vote, and we talk about what we talked about earlier, whether it is voting, number of polling places, number of hours, number of days, degree of identification that is required in some areas more so than in others and different surnames and the rest, but one of the biggest suppressors of the vote is the suffocation of the airwaves by big, dark special interest money. There are some people in our country—I hope none of them in this body—who think that the only way to win an election is to suppress the vote one way or another, and bombarding and suffocating the airwaves with information that is not factual, by disrupting elections and by putting out messages in the social media that are misleading, the resources that make all of this possible are as much a voter suppressor as anything you can name.

So that is why when we put forth our For the People agenda; one, to lower healthcare costs by reducing the cost of prescription drugs; secondly, to increase paychecks, lower healthcare costs, bigger paychecks by building the infrastructure of America in a green way, people had confidence that we could do that because H.R. 1, which was essential to our For the People agenda, would, again, diminish the role of big, special interest money and increase the voice of every person in our country, including increase the impact of small donor participation in elections.

When we put power back in the hands of the American people, as this legislation does, we can make much more progress on hard issues facing our Nation, and the American people know that. It removes a great deal of skepticism that they have in politics and government. It instills confidence that their voice will be heard, that their cause will be addressed, and that their interests will be served.

Again, lowering healthcare costs by reducing the cost of prescription drugs, people's voices will be heard, a big issue in re-election; increasing paychecks by rebuilding the infrastructure of America in a bold, green and modern way; safeguarding consumer protections, workers' rights and the rights of the LGBTQ community; and addressing the concerns of our beautiful Dreamers in legislation that we will take up and launch next week; protecting clean air and clean water, confronting the climate crisis, and so much more will be taken up.

Let me add that a bill that we passed last week—which was historic in the House—finally passing a bill for commonsense background checks for gun violence prevention, again, defies the big money in that arena.

There should be nothing partisan or political about empowering the American people and making sure that government works for them. Our Founders provided a vision for our country. They wrote a constitution making us the freest people in the world, a model for the rest of the world that enabled people—oh, thank God they made it amendable so that we could ever expand power, voting rights, and the rest.

What is exciting about this Congress, which has over 100 women in it for the first time, is that in the course of this Congress, we will be celebrating the 100th anniversary of women having the right to vote. But the right to vote must be accompanied by removing obstacles to that participation, and that is what we are doing today.

How do we answer our Founders if one day we are meeting them in the next life?

How do we say to them: I did everything in my power to suppress the vote?

Or do we say: Honoring your vision, we removed every obstacle for those who are legitimately eligible to vote to do so and to have their vote counted as cast?

To honor the oath we take and to honor the people's trust, I strongly urge a bipartisan vote for this bill, for the people.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I have no further speakers, and I am ready to close.

I reserve the balance of my time, Mr. Chairman.

Ms. LOFGREN. Mr. Chairman, if the gentleman would like to wrap up, I will also wrap up.

Mr. RODNEY DAVIS of Illinois. But before I do, Mr. Chairman, may I inquire how much time is remaining.

The Acting CHAIR (Mr. SCHRADER). The gentleman has 2½ minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield myself the balance of my time and that is not nearly enough to talk about all the bad provisions in this bill once again.

There are so many provisions in this bill that many of my colleagues graciously came down to the floor to talk about them. As a matter of fact, I have with me a file of letters from groups

like the U.S. Chamber of Commerce, the ACLU, the National Right to Life, and all others that have been outspoken in their opposition to this behemoth partisan piece of legislation.

Let me remind everybody once again: we Republicans—there are only three of us on the House Administration Committee—were not consulted at all by anyone who wrote this bill, nor by any of the groups who were pointed out at the press conference announcing this piece of legislation that they helped to write this bill. Make no bones about it, this shell game, this nebulous freedom from influence or whatever fund you want to call it, the CBO estimates they don't even have enough information on it. They are estimating the taxpayers will be on the hook for at least $1 billion, and that goes in addition to the over $2 billion that the rest of the bill is going to cost the taxpayers of this country.

Now, it is interesting, I just read a tweet—I never met the gentleman, Dan McLaughlin, but it is a pretty good explanation of what I think this bill is. His tweet says: ''Professional politicians do unethical things that they've written the rules to allow.''

This bill has written the rules to allow Members of Congress to enrich their own campaign coffers that will eventually be on the backs of government and the taxpayers. This is not why we should be here.

I am for the American voter. I support that every eligible voter have easier ways to register to vote and get easier access to the polls. What I am not for is for Washington, D.C., taking over elections and enriching the campaign coffers of the people who sit in this room.

I know what difficult elections look like. It is the worst of partisan politics, and it is personal to me. I know what it looks like when people take well-intentioned laws and use them to their political advantage. I don't want that to happen, and I believe H.R. 1 will allow that to happen.

We have had disagreements. I respect the fact that my colleagues have come here to debate this bill, but this is the furthest thing from a bipartisan bill. I can't say it enough how opposed to this bill I am.

Mr. Chairman, I yield back the balance of my time.

Ms. LOFGREN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this is an important bill for many reasons. We have seen all over the United States efforts to prevent Americans from being able to vote, from moving polling places out of a jurisdiction without any public transportation so voters can't get there, to reducing early voting, to voter ID requirements that have a disparate result and disadvantage young people. For example, in Texas you can show your hunting license but not your University of Texas ID. I think there is a rationale behind that.

We have had enough. We believe that American citizens ought to be able to vote and that we should do everything in Federal elections as the Constitution provides to allow those American citizens to vote.

That is why this bill provides for at least 15 days of early voting for Federal elections, no-excuse absentee ballots, that provisional ballots are treated uniformly so a voter in one State is treated the same way as a voter in another State when they are voting for the House of Representatives. We want to improve access for voters with disabilities and for overseas and military voters.

We know that we are vulnerable to hacking. We have voting machines that are using software that is no longer even updated. They are vulnerable to hacking. We have got to have paper ballots that are subject to a recount.

Much has been said about elements of this, but one of the things that I think is very important is the Federal congressional redistricting provisions. If there is one thing that makes Americans upset it is politicians manipulating the districts so that even if they don't get the votes, they get to win the seats. That is gerrymandering. This bill does away with it for the House of Representatives.

It requires all States to establish independent redistricting commissions for the purpose of developing and enacting congressional redistricting plans. It exempts States that meet the minimum requirements, including the State of Arizona, contrary to one of the comments made earlier here today.

There has been a lot of discussion about money, but I will include in the RECORD the preliminary report we have received from the Joint Committee on Taxation.

The estimate of the proposed 2.75 percent special assessment on criminal penalties and civil penalties is that it would raise $1.948 billion between 2019 and 2029 and that it would reduce the deficit by $83 million because people would be deterred by the additional penalty. That is from the Joint Committee on Taxation. I didn't make that up.

So this bill has a lot of sound provisions in it. It discloses big money so that there is transparency, as the court in Citizens United suggested that we do. It empowers small donors so the big money guys don't own the government. It reforms the ethics process for the President, the Congress, and for the judiciary.

I am sorry to say that some candidates win only when they suppress the vote, and we have seen that happen across the United States. We are not going to allow that to happen. Every American has a right to vote, to have their vote counted and let the chips fall where they may. That is what H.R. 1 will do.

Mr. Chairman, I urge its passage, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise today in strong support of H.R. 1, The ''For the People Act of 2019,'' which expands access to the ballot box, reduces the influence of big money in politics, and strengthens ethics rules for public servants.

I am proud to be one of 226, co-sponsors, and one of the original cosponsors, of H.R. 1, which will increase public confidence in our democracy by reducing the role of money in politics, restoring ethical standards and integrity to government, and strengthening laws to protect voting.

Specifically, the For the People Act will:

1. Make it easier, not harder, to vote by implementing automatic voter registration, requiring early voting and vote by mail, committing Congress to reauthorizing the Voting Rights Act and ensuring the integrity of our elections by modernizing and strengthening our voting systems and ending partisan redistricting.

2. Reform the campaign finance system by requiring all political organizations to disclose large donors, updating political advertisement laws for the digital age, establishing a public matching system for citizen-owned elections, and revamping the Federal Election Commission to ensure there's a cop on the campaign finance beat; and

3. Strengthen ethics laws to ensure that public officials work in the public interest by extending conflict of interest laws to the President and Vice President; requiring the release of their tax returns; closing loopholes that allow former members of Congress to avoid cooling-off periods for lobbying; closing the revolving door between industry and the federal government; and establishing a code of conduct for the Supreme Court.

H.R. 1 expands access to the ballot box by taking aim at institutional barriers to voting.

This bill ensures that individuals who have completed felony sentences have their full rights restored and expands early voting and simplify absentee voting; and modernize the U.S. voting system.

Mr. Chair, this legislation and this hearing is particularly timely because more than half a century after the passage of the Voting Rights Act of 1965, we are still discussing voter suppression—something which should be a bygone relic of the past, but yet continues to disenfranchise racial minorities, immigrants, women, and young people.

The Voting Rights Act of 1965 was a watershed moment for the Civil Rights Movement—it liberated communities of color from legal restrictions barring them from exercising the fundamental right to civic engagement and political representation.

But uncaged by Supreme Court's infamous 2013 decision in Shelby County v. Holder, 570 U.S. 529 (2013), which neutered the preclearance provision of the Voting Rights Act, 14 states, including my state of Texas, took extreme measures to enforce new voting

restrictions before the 2016 presidential election.

It is not a coincidence that many of these same states have experienced increasing numbers of black and Hispanic voters in recent elections.

If not for invidious, state-sponsored voter suppression policies like discriminatory voter ID laws, reduced early voting periods, and voter intimidation tactics that directly or indirectly target racial minorities, the 2016 presidential election might have had a drastically different outcome.

Mr. Chair, H.R. 1 must be passed because many of the civil rights that I fought for as a student and young lawyer have been undermined or been rolled back by reactionary forces in recent years.

To add insult to injury, the Trump Administration issued an Executive Order establishing a so-called ''Election Integrity'' Commission to investigate not voter suppression, but so-called ''voter fraud'' in the 2016 election.

Trump and his followers have been unceasing in their efforts to perpetuate the myth of voter fraud, but it remains just that: a myth.

Between 2000 and 2014, there were 35 credible allegations of voter fraud out of more than 834 million ballots cast—that is less than 1 in 28 million votes.

An extensive study by social scientists at Dartmouth College uncovered no evidence to support Trump's hysterical and outrageous allegations of widespread voter fraud ''rigging'' the 2016 election.

Just for the record, Mr. Chair, the popular vote of the 2016 presidential election was:

Hillary Clinton, 65,853,516.

Donald Trump, 62,884,824.

Trump's deficit of 2.9 million was the largest of any Electoral College winner in history by a massive margin, and despite the allegations of the current Administration, there have been only 4 documented cases of voter fraud in the 2016 election.

The Voter Fraud Commission, like many of Trump's business schemes, was a massive scam built on countless lies that do not hold up to any level of scrutiny.

As Members of Congress, we should be devoting our time, energy, and resources addressing Russian infiltration of our election infrastructure and campaigns, along with other pressing issues.

Instead of enjoying and strengthening the protections guaranteed in the Voting Rights Act—people of color, women, LGBTQ individuals, and immigrants—have been given the joyless, exhausting task of fending off the constant barrage of attacks levelled at our communities by Trump and other conspiracy theorists.

Not only are we tasked with reversing the current dismal state of voter suppression against minorities; we are forced to refute the blatant, propagandist lie of voter fraud.

To this end, I have been persistent in my efforts to protect the rights of disenfranchised communities in my district of inner-city Houston and across the nation.

Throughout my tenure in Congress, I have cosponsored dozens of bills, amendments, and resolutions seeking to improve voters' rights at all stages and levels of the election process.

This includes legislation aimed at:

1. Increasing voter outreach and turnout;

2. Ensuring both early and same-day registration;

3. Standardizing physical and language accessibility at polling places;

4. Expanding early voting periods;

5. Decreasing voter wait times;

6. Guaranteeing absentee ballots, especially for displaced citizens;

7. Modernizing voting technologies and strengthening our voter record systems;

8. Establishing the federal Election Day as a national holiday; and

9. Condemning and criminalizing deceptive practices, voter intimidation, and other suppression tactics;

Along with many of my CBC colleagues, I was an original cosponsor of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act, which became public law on July 27, 2006.

I also authored H.R. 745 in the 110th Congress, which added the legendary Barbara Jordan to the list of civil rights trailblazers whose memories are honored in the naming the Voting Rights Act Reauthorization and Amendments Act.

This bill strengthened the original Voting Rights Act by replacing federal voting examiners with federal voting observers a significant enhancement that made it easier to safeguard against racially biased voter suppression tactics.

In the 114th Congress, I introduced H.R. 75, the Coretta Scott King Mid-Decade Redistricting Prohibition Act of 2015, which prohibits states whose congressional districts have been redistricted after a decennial census from redrawing their district lines until the next census.

Prejudiced redistricting, or gerrymandering as it is more commonly known, has been used for decades to weaken the voting power of African Americans, Latino Americans, and other minorities since the Civil Rights Era.

Immediately after the Shelby County ruling, which lifted preclearance requirements for states with histories of discrimination seeking to change their voting laws or practices, redistricting became a favorite tool for Republicans who connived to unfairly gain 3 congressional seats in Texas.

In the 110th Congress, I was the original sponsor of H.R. 6778, the Ex-Offenders Voting Rights Act of 2008, which prohibited denial of the right to vote in a federal election on the basis of an individual's status as a formerly incarcerated person.

The Ex-Offenders Voting Rights Act sought to reverse discriminatory voter restrictions that disproportionately affect the African American voting population, which continues to be targeted by mass incarceration, police profiling, and a biased criminal justice system.

Those of us who cherish the right to vote justifiably are skeptical of Voter ID laws because we understand how these laws, like poll taxes and literacy tests, can be used to impede or negate the ability of seniors, racial and language minorities, and young people to cast their votes.

Voter ID laws are just one of the means that can be used to abridge or suppress the right to vote but there are others, including:

1. Curtailing or Eliminating Early Voting;

2. Ending Same-Day Registration;

3. Not counting provisional ballots cast in the wrong precinct on Election Day will not count;

4. Eliminating Teenage Pre-Registration;

5. Shortened Poll Hours;

6. Lessening the standards governing voter challenges used by vigilantes, like the King Street Patriots in my city of Houston, to cause trouble at the polls;

7. ''Voter Caging,'' to suppress the turnout of minority voters by sending non-forwardable mail to targeted populations and, once the mail is returned, using the returned mail to compile lists of voters whose eligibility is then challenged on the basis of residence under state law; and

8. Employing targeted redistricting techniques to dilute minority voting strength, notably ''Cracking'' (i.e., fragmenting and dispersing concentrations of minority populations); ''Stacking'' (combining concentrations of minority voters with greater concentrations of white populations); and ''Packing'' (i.e., over-concentrating minority voters in as few districts as possible).

Mr. Chair, we must not allow our democracy to slide back into the worst elements of this country's past, to stand idly by as our treasured values of democracy, progress, and equality are poisoned and dismantled.

I urge all members to join me in voting to pass H.R. 1, the ''For The People Act of 2019.''

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on House Administration, printed in the bill, the amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–7, modified by the amendment printed in part A of House Report 116–16, shall be considered as adopted. The bill, as amended, shall be considered as an original bill for purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''For the People Act of 2019''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 3 divisions as follows:

(1) Division A—Voting.

(2) Division B—Campaign Finance.

(3) Division C—Ethics.

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

SEC. 1000. SHORT TITLE; STATEMENT OF POLICY.

(a) SHORT TITLE.—This title may be cited as the ''Voter Empowerment Act of 2019''.

(b) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) all eligible citizens of the United States should access and exercise their constitutional right to vote in a free, fair, and timely manner; and

(2) the integrity, security, and accountability of the voting process must be vigilantly protected, maintained, and enhanced in order to protect and preserve electoral and participatory democracy in the United States.

Subtitle A—Voter Registration Modernization

SEC. 1000A. SHORT TITLE.

This subtitle may be cited as the ''Voter Registration Modernization Act of 2019''.

PART 1—PROMOTING INTERNET REGISTRATION

SEC. 1001. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.

(a) REQUIRING AVAILABILITY OF INTERNET FOR REGISTRATION.—The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) is amended by inserting after section 6 the following new section:

''SEC. 6A. INTERNET REGISTRATION.

''(a) REQUIRING AVAILABILITY OF INTERNET FOR ONLINE REGISTRATION.—

''(1) AVAILABILITY OF ONLINE REGISTRATION AND CORRECTION OF EXISTING REGISTRATION INFORMATION.—Each State, acting through the chief State election official, shall ensure that the following services are available to the public at any time on the official public websites of the appropriate State and local election officials in the State, in the same manner and subject to the same terms and conditions as the services provided by voter registration agencies under section 7(a):

''(A) Online application for voter registration.

''(B) Online assistance to applicants in applying to register to vote.

''(C) Online completion and submission by applicants of the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2), including assistance with providing a signature as required under subsection (c).

''(D) Online receipt of completed voter registration applications.

''(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—A State shall accept an online voter registration application provided by an individual under this section, and ensure that the individual is registered to vote in the State, if—

''(1) the individual meets the same voter registration requirements applicable to individuals who register to vote by mail in accordance with section 6(a)(1) using the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2); and

''(2) the individual meets the requirements of subsection (c) to provide a signature in electronic form (but only in the case of applications submitted during or after the second year in which this section is in effect in the State).

''(c) SIGNATURE REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of this section, an individual meets the requirements of this subsection as follows:

''(A) In the case of an individual who has a signature on file with a State agency, including the State motor vehicle authority, that is required to provide voter registration services under this Act or any other law, the individual consents to the transfer of that electronic signature.

''(B) If subparagraph (A) does not apply, the individual submits with the application an electronic copy of the individual's handwritten signature through electronic means.

''(C) If subparagraph (A) and subparagraph (B) do not apply, the individual executes a computerized mark in the signature field on an online voter registration application, in accordance with reasonable security measures established by the State, but only if the State accepts such mark from the individual.

''(2) TREATMENT OF INDIVIDUALS UNABLE TO MEET REQUIREMENT.—If an individual is unable to meet the requirements of paragraph (1), the State shall—

''(A) permit the individual to complete all other elements of the online voter registration application;

''(B) permit the individual to provide a signature at the time the individual requests a ballot in an election (whether the individual requests the ballot at a polling place or requests the ballot by mail); and

''(C) if the individual carries out the steps described in subparagraph (A) and subparagraph (B), ensure that the individual is registered to vote in the State.

''(3) NOTICE.—The State shall ensure that individuals applying to register to vote online are notified of the requirements of paragraph (1) and of the treatment of individuals unable to meet such requirements, as described in paragraph (2).

''(d) CONFIRMATION AND DISPOSITION.—

''(1) CONFIRMATION OF RECEIPT.—Upon the online submission of a completed voter registration application by an individual under this section, the appropriate State or local election official shall send the individual a notice confirming the State's receipt of the application and providing instructions on how the individual may check the status of the application.

''(2) NOTICE OF DISPOSITION.—Not later than 7 days after the appropriate State or local election official has approved or rejected an application submitted by an individual under this section, the official shall send the individual a notice of the disposition of the application.

''(3) METHOD OF NOTIFICATION.—The appropriate State or local election official shall send the notices required under this subsection by regular mail, and, in the case of an individual who has provided the official with an electronic mail address, by both electronic mail and regular mail.

''(e) PROVISION OF SERVICES IN NONPARTISAN MANNER.—The services made available under subsection (a) shall be provided in a manner that ensures that, consistent with section 7(a)(5)—

''(1) the online application does not seek to influence an applicant's political preference or party registration; and

''(2) there is no display on the website promoting any political preference or party allegiance, except that nothing in this paragraph may be construed to prohibit an applicant from registering to vote as a member of a political party.

''(f) PROTECTION OF SECURITY OF INFORMATION.—In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent

to the greatest extent practicable any unauthorized access to information provided by individuals using the services made available under subsection (a).

''(g) ACCESSIBILITY OF SERVICES.—A state shall ensure that the services made available under this section are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

''(h) USE OF ADDITIONAL TELEPHONE-BASED SYSTEM.—A State shall make the services made available online under subsection (a) available through the use of an automated telephone-based system, subject to the same terms and conditions applicable under this section to the services made available online, in addition to making the services available online in accordance with the requirements of this section.

''(i) NONDISCRIMINATION AMONG REGISTERED VOTERS USING MAIL AND ONLINE REGISTRATION.—In carrying out this Act, the Help America Vote Act of 2002, or any other Federal, State, or local law governing the treatment of registered voters in the State or the administration of elections for public office in the State, a State shall treat a registered voter who registered to vote online in accordance with this section in the same manner as the State treats a registered voter who registered to vote by mail.''.

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

(1) TREATMENT AS INDIVIDUALS REGISTERING TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME VOTER IDENTIFICATION REQUIREMENTS.—Section 303(b)(1)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(b)(1)(A)) is amended by striking ''by mail'' and inserting ''by mail or online under section 6A of the National Voter Registration Act of 1993''.

(2) REQUIRING SIGNATURE FOR FIRST-TIME VOTERS IN JURISDICTION.—Section 303(b) of such Act (52 U.S.C. 21083(b)) is amended—

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

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

''(5) SIGNATURE REQUIREMENTS FOR FIRST-TIME VOTERS USING ONLINE REGISTRATION.—

''(A) IN GENERAL.—A State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of subparagraph (B) if—

''(i) the individual registered to vote in the State online under section 6A of the National Voter Registration Act of 1993; and

''(ii) the individual has not previously voted in an election for Federal office in the State.

''(B) REQUIREMENTS.—An individual meets the requirements of this subparagraph if—

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

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

''(C) INAPPLICABILITY.—Subparagraph (A) does not apply in the case of an individual who is—

''(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302 et seq.);

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

''(iii) entitled to vote otherwise than in person under any other Federal law.''.

(3) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(2)(A) of such Act (52 U.S.C. 21083(d)(2)(A)) is amended by striking ''Each State'' and inserting ''Except as provided in subsection (b)(5), each State''.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1)) is amended—

(A) by striking ''and'' at the end of subparagraph (C);

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

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

''(D) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 30 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and''.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (52 U.S.C. 20507(a)(5)) is amended by striking ''and 7'' and inserting ''6A, and 7''.

SEC. 1002. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)) is amended by adding at the end the following new paragraph:

''(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

''(A) IN GENERAL.—The appropriate State or local election official shall ensure that any registered voter on the computerized list may at any time update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, so long as the voter attests to the contents of the update by providing a signature in electronic form in the same manner required under section 6A(c) of the National Voter Registration Act of 1993.

''(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS.—If a registered voter updates registration information under subparagraph (A), the appropriate State or local election official shall—

''(i) revise any information on the computerized list to reflect the update made by the voter; and

''(ii) if the updated registration information affects the voter's eligibility to vote in an election for Federal office, ensure that the information is processed with respect to the election if the voter updates the information not later than the lesser of 7 days, or the period provided by State law, before the date of the election.

''(C) CONFIRMATION AND DISPOSITION.—

''(i) CONFIRMATION OF RECEIPT.—Upon the online submission of updated registration information by an individual under this paragraph, the appropriate State or local election official shall send the individual a notice confirming the State's receipt of the updated information and providing instructions on how the individual may check the status of the update.

''(ii) NOTICE OF DISPOSITION.—Not later than 7 days after the appropriate State or local election official has accepted or rejected updated information submitted by an individual under this paragraph, the official shall send the individual a notice of the disposition of the update.

''(iii) METHOD OF NOTIFICATION.—The appropriate State or local election official shall send the notices required under this subparagraph by regular mail, and, in the case of an individual who has requested that the State provide voter registration and voting information through electronic mail, by both electronic mail and regular mail.''.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(1)(A) of such Act (52 U.S.C. 21083(d)(1)(A)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B) and subsection (a)(6)''.

(b) ABILITY OF REGISTRANT TO USE ONLINE UPDATE TO PROVIDE INFORMATION ON RESIDENCE.—Section 8(d)(2)(A) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(d)(2)(A)) is amended—

(1) in the first sentence, by inserting after ''return the card'' the following: ''or update the registrant's information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002''; and

(2) in the second sentence, by striking ''returned,'' and inserting the following: ''returned or if the registrant does not update the registrant's information on the computerized Statewide voter registration list using such online method,''.

SEC. 1003. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTE.

(a) INCLUDING OPTION ON VOTER REGISTRATION APPLICATION TO PROVIDE E–MAIL ADDRESS AND RECEIVE INFORMATION.—

(1) IN GENERAL.—Section 9(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20508(b)) is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

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

''(5) shall include a space for the applicant to provide (at the applicant's option) an electronic mail address, together with a statement that, if the applicant so requests, instead of using regular mail the appropriate State and local election officials shall provide to the applicant, through electronic mail sent to that address, the same voting information (as defined in section 302(b)(2) of the Help America Vote Act of 2002) which the officials would provide to the applicant through regular mail.''.

(2) PROHIBITING USE FOR PURPOSES UNRELATED TO OFFICIAL DUTIES OF ELECTION OFFICIALS.—Section 9 of such Act (52 U.S.C. 20508) is amended by adding at the end the following new subsection:

''(c) PROHIBITING USE OF ELECTRONIC MAIL ADDRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The chief State election official shall ensure that any electronic mail address provided by an applicant under subsection (b)(5) is used only for purposes of carrying out official duties of election officials and is not transmitted by any State or local election official (or any agent of such an official, including a contractor) to any person who does not require the address to carry out such official duties and who is not under the direct supervision and control of a State or local election official.''.

(b) REQUIRING PROVISION OF INFORMATION BY ELECTION OFFICIALS.—Section 302(b) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)) is amended by adding at the end the following new paragraph:

''(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL.—If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official, through electronic mail transmitted not later than 7 days before the

date of the election for Federal office involved, shall provide the individual with information on how to obtain the following information by electronic means:

''(A) The name and address of the polling place at which the individual is assigned to vote in the election.

''(B) The hours of operation for the polling place.

''(C) A description of any identification or other information the individual may be required to present at the polling place.''.

SEC. 1004. CLARIFICATION OF REQUIREMENT REGARDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.

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

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) REQUIREMENT FOR STATE TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.—For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if—

''(1) the applicant has substantially completed the application form and attested to the statement required by section 9(b)(2); and

''(2) in the case of an applicant who registers to vote online in accordance with section 6A, the applicant provides a signature in accordance with subsection (c) of such section.''.

SEC. 1005. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this part (other than the amendments made by section 1004) shall take effect January 1, 2020.

(b) WAIVER.—Subject to the approval of the Election Assistance Commission, if a State certifies to the Election Assistance Commission that the State will not meet the deadline referred to in subsection (a) because of extraordinary circumstances and includes in the certification the reasons for the failure to meet the deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2020'' were a reference to ''January 1, 2022''.

PART 2—AUTOMATIC VOTER REGISTRATION

SEC. 1011. SHORT TITLE; FINDINGS AND PURPOSE.

(a) SHORT TITLE.—This part may be cited as the ''Automatic Voter Registration Act of 2019''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the right to vote is a fundamental right of citizens of the United States;

(B) it is the responsibility of the State and Federal Governments to ensure that every eligible citizen is registered to vote;

(C) existing voter registration systems can be inaccurate, costly, inaccessible and confusing, with damaging effects on voter participation in elections and disproportionate impacts on young people, persons with disabilities, and racial and ethnic minorities; and

(D) voter registration systems must be updated with 21st Century technologies and procedures to maintain their security.

(2) PURPOSE.—It is the purpose of this part—

(A) to establish that it is the responsibility of government at every level to ensure that all eligible citizens are registered to vote;

(B) to enable the State and Federal Governments to register all eligible citizens to vote with accurate, cost-efficient, and up-to-date procedures;

(C) to modernize voter registration and list maintenance procedures with electronic and Internet capabilities; and

(D) to protect and enhance the integrity, accuracy, efficiency, and accessibility of the electoral process for all eligible citizens.

SEC. 1012. AUTOMATIC REGISTRATION OF ELIGIBLE INDIVIDUALS.

(a) REQUIRING STATES TO ESTABLISH AND OPERATE AUTOMATIC REGISTRATION SYSTEM.—

(1) IN GENERAL.—The chief State election official of each State shall establish and operate a system of automatic registration for the registration of eligible individuals to vote for elections for Federal office in the State, in accordance with the provisions of this part.

(2) DEFINITION.—The term ''automatic registration'' means a system that registers an individual to vote in elections for Federal office in a State, if eligible, by electronically transferring the information necessary for registration from government agencies to election officials of the State so that, unless the individual affirmatively declines to be registered, the individual will be registered to vote in such elections.

(b) REGISTRATION OF VOTERS BASED ON NEW AGENCY RECORDS.—The chief State election official shall—

(1) not later than 15 days after a contributing agency has transmitted information with respect to an individual pursuant to section 1013, ensure that the individual is registered to vote in elections for Federal office in the State if the individual is eligible to be registered to vote in such elections; and

(2) not later than 120 days after a contributing agency has transmitted such information with respect to the individual, send written notice to the individual, in addition to other means of notice established by this part, of the individual's voter registration status.

(c) ONE-TIME REGISTRATION OF VOTERS BASED ON EXISTING CONTRIBUTING AGENCY RECORDS.—The chief State election official shall—

(1) identify all individuals whose information is transmitted by a contributing agency pursuant to section 1014 and who are eligible to be, but are not currently, registered to vote in that State;

(2) promptly send each such individual written notice, in addition to other means of notice established by this part, which shall not identify the contributing agency that transmitted the information but shall include—

(A) an explanation that voter registration is voluntary, but if the individual does not decline registration, the individual will be registered to vote;

(B) a statement offering the opportunity to decline voter registration through means consistent with the requirements of this part;

(C) in the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, a statement offering the individual the opportunity to affiliate or enroll with a political party or to decline to affiliate or enroll with a political party, through means consistent with the requirements of this part;

(D) the substantive qualifications of an elector in the State as listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9 of the National Voter Registration Act of 1993, the consequences of false registration, and a statement that the individual should decline to register if the individual does not meet all those qualifications;

(E) instructions for correcting any erroneous information; and

(F) instructions for providing any additional information which is listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9 of the National Voter Registration Act of 1993;

(3) ensure that each such individual who is eligible to register to vote in elections for Federal office in the State is promptly registered to vote not later than 45 days after the official sends the individual the written notice under paragraph (2), unless, during the 30-day period which begins on the date the election official sends the individual such written notice, the individual declines registration in writing, through a communication made over the Internet, or by an officially-logged telephone communication; and

(4) send written notice to each such individual, in addition to other means of notice established by this part, of the individual's voter registration status.

(d) TREATMENT OF INDIVIDUALS UNDER 18 YEARS OF AGE.—A State may not refuse to treat an individual as an eligible individual for purposes of this part on the grounds that the individual is less than 18 years of age at the time a contributing agency receives information with respect to the individual, so long as the individual is at least 16 years of age at such time.

(e) CONTRIBUTING AGENCY DEFINED.—In this part, the term ''contributing agency'' means, with respect to a State, an agency listed in section 1013(e).

SEC. 1013. CONTRIBUTING AGENCY ASSISTANCE IN REGISTRATION.

(a) IN GENERAL.—In accordance with this part, each contributing agency in a State shall assist the State's chief election official in registering to vote all eligible individuals served by that agency.

(b) REQUIREMENTS FOR CONTRIBUTING AGENCIES.—

(1) INSTRUCTIONS ON AUTOMATIC REGISTRATION.—With each application for service or assistance, and with each related recertification, renewal, or change of address, or, in the case of an institution of higher education, with each registration of a student for enrollment in a course of study, each contributing agency that (in the normal course of its operations) requests individuals to affirm United States citizenship (either directly or as part of the overall application for service or assistance) shall inform each such individual who is a citizen of the United States of the following:

(A) Unless that individual declines to register to vote, or is found ineligible to vote, the individual will be registered to vote or, if applicable, the individual's registration will be updated.

(B) The substantive qualifications of an elector in the State as listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9 of the National Voter Registration Act of 1993, the consequences of false registration, and the individual should decline to register if the individual does not meet all those qualifications.

(C) In the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, the requirement that the individual must affiliate or enroll with a political party in order to participate in such an election.

(D) Voter registration is voluntary, and neither registering nor declining to register

to vote will in any way affect the availability of services or benefits, nor be used for other purposes.

(2) OPPORTUNITY TO DECLINE REGISTRATION REQUIRED.—Each contributing agency shall ensure that each application for service or assistance, and each related recertification, renewal, or change of address, or, in the case of an institution of higher education, each registration of a student for enrollment in a course of study, cannot be completed until the individual is given the opportunity to decline to be registered to vote.

(3) INFORMATION TRANSMITTAL.—Upon the expiration of the 30-day period which begins on the date the contributing agency informs the individual of the information described in paragraph (1), each contributing agency shall electronically transmit to the appropriate State election official, in a format compatible with the statewide voter database maintained under section 303 of the Help America Vote Act of 2002 (52 U.S.C. 21083), the following information, unless during such 30-day period the individual declined to be registered to vote:

(A) The individual's given name(s) and surname(s).

(B) The individual's date of birth.

(C) The individual's residential address.

(D) Information showing that the individual is a citizen of the United States.

(E) The date on which information pertaining to that individual was collected or last updated.

(F) If available, the individual's signature in electronic form.

(G) Information regarding the individual's affiliation or enrollment with a political party, if the individual provides such information.

(H) Any additional information listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9 of the National Voter Registration Act of 1993, including any valid driver's license number or the last 4 digits of the individual's social security number, if the individual provided such information.

(c) ALTERNATE PROCEDURE FOR CERTAIN CONTRIBUTING AGENCIES.—With each application for service or assistance, and with each related recertification, renewal, or change of address, any contributing agency that in the normal course of its operations does not request individuals applying for service or assistance to affirm United States citizenship (either directly or as part of the overall application for service or assistance) shall—

(1) complete the requirements of section 7(a)(6) of the National Voter Registration Act of 1993 (52 U.S.C. 20506(a)(6));

(2) ensure that each applicant's transaction with the agency cannot be completed until the applicant has indicated whether the applicant wishes to register to vote or declines to register to vote in elections for Federal office held in the State; and

(3) for each individual who wishes to register to vote, transmit that individual's information in accordance with subsection (b)(3).

(d) REQUIRED AVAILABILITY OF AUTOMATIC REGISTRATION OPPORTUNITY WITH EACH APPLICATION FOR SERVICE OR ASSISTANCE.—Each contributing agency shall offer each individual, with each application for service or assistance, and with each related recertification, renewal, or change of address, or in the case of an institution of higher education, with each registration of a student for enrollment in a course of study, the opportunity to register to vote as prescribed by this section without regard to whether the individual previously declined a registration opportunity.

(e) CONTRIBUTING AGENCIES.—

(1) STATE AGENCIES.—In each State, each of the following agencies shall be treated as a contributing agency:

(A) Each agency in a State that is required by Federal law to provide voter registration services, including the State motor vehicle authority and other voter registration agencies under the National Voter Registration Act of 1993.

(B) Each agency in a State that administers a program pursuant to title III of the Social Security Act (42 U.S.C. 501 et seq.), title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or the Patient Protection and Affordable Care Act (Public Law 111–148).

(C) Each State agency primarily responsible for regulating the private possession of firearms.

(D) Each State agency primarily responsible for maintaining identifying information for students enrolled at public secondary schools, including, where applicable, the State agency responsible for maintaining the education data system described in section 6201(e)(2) of the America COMPETES Act (20 U.S.C. 9871(e)(2)).

(E) In the case of a State in which an individual disenfranchised by a criminal conviction may become eligible to vote upon completion of a criminal sentence or any part thereof, or upon formal restoration of rights, the State agency responsible for administering that sentence, or part thereof, or that restoration of rights.

(F) Any other agency of the State which is designated by the State as a contributing agency.

(2) FEDERAL AGENCIES.—In each State, each of the following agencies of the Federal government shall be treated as a contributing agency with respect to individuals who are residents of that State (except as provided in subparagraph (C)):

(A) The Social Security Administration, the Department of Veterans Affairs, the Defense Manpower Data Center of the Department of Defense, the Employee and Training Administration of the Department of Labor, and the Center for Medicare & Medicaid Services of the Department of Health and Human Services.

(B) The Bureau of Citizenship and Immigration Services, but only with respect to individuals who have completed the naturalization process.

(C) In the case of an individual who is a resident of a State in which an individual disenfranchised by a criminal conviction under Federal law may become eligible to vote upon completion of a criminal sentence or any part thereof, or upon formal restoration of rights, the Federal agency responsible for administering that sentence or part thereof (without regard to whether the agency is located in the same State in which the individual is a resident), but only with respect to individuals who have completed the criminal sentence or any part thereof.

(D) Any other agency of the Federal government which the State designates as a contributing agency, but only if the State and the head of the agency determine that the agency collects information sufficient to carry out the responsibilities of a contributing agency under this section.

(3) SPECIAL RULE FOR INSTITUTIONS OF HIGHER EDUCATION.—

(A) SPECIAL RULE.—For purposes of this part, each institution of higher education described in subparagraph (B) shall be treated as a contributing agency in the State in which it is located, except that—

(i) the institution shall be treated as a contributing agency only if, in its normal course of operations, the institution requests each student registering for enrollment in a course of study, including enrollment in a program of distance education, as defined in section 103(7) of the Higher Education Act of 1965 (20 U.S.C. 1003(7)), to affirm whether or not the student is a United States citizen; and

(ii) if the institution is treated as a contributing agency in a State pursuant to clause (i), the institution shall serve as a contributing agency only with respect to students, including students enrolled in a program of distance education, as defined in section 103(7) of the Higher Education Act of 1965 (20 U.S.C. 1003(7)), who reside in the State.

(B) INSTITUTIONS DESCRIBED.—An institution described in this subparagraph is an institution of higher education which has a program participation agreement in effect with the Secretary of Education under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) and which is located in a State to which section 4(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(b)) does not apply.

(4) PUBLICATION.—Not later than 180 days prior to the date of each election for Federal office held in the State, the chief State election official shall publish on the public website of the official an updated list of all contributing agencies in that State.

(5) PUBLIC EDUCATION.—The chief State election official of each State, in collaboration with each contributing agency, shall take appropriate measures to educate the public about voter registration under this section.

SEC. 1014. ONE-TIME CONTRIBUTING AGENCY ASSISTANCE IN REGISTRATION OF ELIGIBLE VOTERS IN EXISTING RECORDS.

(a) INITIAL TRANSMITTAL OF INFORMATION.—For each individual already listed in a contributing agency's records as of the date of enactment of this Act, and for whom the agency has the information listed in section 1013(b)(3), the agency shall promptly transmit that information to the appropriate State election official in accordance with section 1013(b)(3) not later than the effective date described in section 1011(a).

(b) TRANSITION.—For each individual listed in a contributing agency's records as of the effective date described in section 1011(a) (but who was not listed in a contributing agency's records as of the date of enactment of this Act), and for whom the agency has the information listed in section 1013(b)(3), the Agency shall promptly transmit that information to the appropriate State election official in accordance with section 1013(b)(3) not later than 6 months after the effective date described in section 1011(a).

SEC. 1015. VOTER PROTECTION AND SECURITY IN AUTOMATIC REGISTRATION.

(a) PROTECTIONS FOR ERRORS IN REGISTRATION.—An individual shall not be prosecuted under any Federal or State law, adversely affected in any civil adjudication concerning immigration status or naturalization, or subject to an allegation in any legal proceeding that the individual is not a citizen of the United States on any of the following grounds:

(1) The individual notified an election office of the individual's automatic registration to vote under this part.

(2) The individual is not eligible to vote in elections for Federal office but was automatically registered to vote under this part.

(3) The individual was automatically registered to vote under this part at an incorrect address.

(4) The individual declined the opportunity to register to vote or did not make an affirmation of citizenship, including through automatic registration, under this part.

(b) LIMITS ON USE OF AUTOMATIC REGISTRATION.—The automatic registration of any individual or the fact that an individual declined the opportunity to register to vote or

did not make an affirmation of citizenship (including through automatic registration) under this part may not be used as evidence against that individual in any State or Federal law enforcement proceeding, and an individual's lack of knowledge or willfulness of such registration may be demonstrated by the individual's testimony alone.

(c) PROTECTION OF ELECTION INTEGRITY.—Nothing in subsections (a) or (b) may be construed to prohibit or restrict any action under color of law against an individual who—

(1) knowingly and willfully makes a false statement to effectuate or perpetuate automatic voter registration by any individual; or

(2) casts a ballot knowingly and willfully in violation of State law or the laws of the United States.

(d) CONTRIBUTING AGENCIES' PROTECTION OF INFORMATION.—Nothing in this part authorizes a contributing agency to collect, retain, transmit, or publicly disclose any of the following:

(1) An individual's decision to decline to register to vote or not to register to vote.

(2) An individual's decision not to affirm his or her citizenship.

(3) Any information that a contributing agency transmits pursuant to section 1013(b)(3), except in pursuing the agency's ordinary course of business.

(e) ELECTION OFFICIALS' PROTECTION OF INFORMATION.—

(1) PUBLIC DISCLOSURE PROHIBITED.—

(A) IN GENERAL.—Subject to subparagraph (B), with respect to any individual for whom any State election official receives information from a contributing agency, the State election officials shall not publicly disclose any of the following:

(i) The identity of the contributing agency.

(ii) Any information not necessary to voter registration.

(iii) Any voter information otherwise shielded from disclosure under State law or section 8(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)).

(iv) Any portion of the individual's social security number.

(v) Any portion of the individual's motor vehicle driver's license number.

(vi) The individual's signature.

(vii) The individual's telephone number.

(viii) The individual's email address.

(B) SPECIAL RULE FOR INDIVIDUALS REGISTERED TO VOTE.—With respect to any individual for whom any State election official receives information from a contributing agency and who, on the basis of such information, is registered to vote in the State under this part, the State election officials shall not publicly disclose any of the following:

(i) The identity of the contributing agency.

(ii) Any information not necessary to voter registration.

(iii) Any voter information otherwise shielded from disclosure under State law or section 8(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)).

(iv) Any portion of the individual's social security number.

(v) Any portion of the individual's motor vehicle driver's license number.

(vi) The individual's signature.

(2) VOTER RECORD CHANGES.—Each State shall maintain for at least 2 years and shall make available for public inspection (and, where available, photocopying at a reasonable cost), including in electronic form and through electronic methods, all records of changes to voter records, including removals, the reasons for removals, and updates.

(3) DATABASE MANAGEMENT STANDARDS.—The Director of the National Institute of Standards and Technology shall, after providing the public with notice and the opportunity to comment—

(A) establish standards governing the comparison of data for voter registration list maintenance purposes, identifying as part of such standards the specific data elements, the matching rules used, and how a State may use the data to determine and deem that an individual is ineligible under State law to vote in an election, or to deem a record to be a duplicate or outdated;

(B) ensure that the standards developed pursuant to this paragraph are uniform and nondiscriminatory and are applied in a uniform and nondiscriminatory manner; and

(C) not later than 45 days after the deadline for public notice and comment, publish the standards developed pursuant to this paragraph on the Director's website and make those standards available in written form upon request.

(4) SECURITY POLICY.—The Director of the National Institute of Standards and Technology shall, after providing the public with notice and the opportunity to comment, publish privacy and security standards for voter registration information not later than 45 days after the deadline for public notice and comment. The standards shall require the chief State election official of each State to adopt a policy that shall specify—

(A) each class of users who shall have authorized access to the computerized statewide voter registration list, specifying for each class the permission and levels of access to be granted, and setting forth other safeguards to protect the privacy, security, and accuracy of the information on the list; and

(B) security safeguards to protect personal information transmitted through the information transmittal processes of section 1013 or section 1014, the online system used pursuant to section 1017, any telephone interface, the maintenance of the voter registration database, and any audit procedure to track access to the system.

(5) STATE COMPLIANCE WITH NATIONAL STANDARDS.—

(A) CERTIFICATION.—The chief executive officer of the State shall annually file with the Election Assistance Commission a statement certifying to the Director of the National Institute of Standards and Technology that the State is in compliance with the standards referred to in paragraphs (3) and (4). A State may meet the requirement of the previous sentence by filing with the Commission a statement which reads as follows: ''_____ hereby certifies that it is in compliance with the standards referred to in paragraphs (3) and (4) of section 1015(e) of the Automatic Voter Registration Act of 2019.'' (with the blank to be filled in with the name of the State involved).

(B) PUBLICATION OF POLICIES AND PROCEDURES.—The chief State election official of a State shall publish on the official's website the policies and procedures established under this section, and shall make those policies and procedures available in written form upon public request.

(C) FUNDING DEPENDENT ON CERTIFICATION.—If a State does not timely file the certification required under this paragraph, it shall not receive any payment under this part for the upcoming fiscal year.

(D) COMPLIANCE OF STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to carry out an activity covered by any certification submitted under this paragraph, for a period of not more than 2 years the State shall be permitted to make the certification notwithstanding that the legislation has not been enacted at the time the certification is submitted, and such State shall submit an additional certification once such legislation is enacted.

(f) RESTRICTIONS ON USE OF INFORMATION.—No person acting under color of law may discriminate against any individual based on, or use for any purpose other than voter registration, election administration, or enforcement relating to election crimes, any of the following:

(1) Voter registration records.

(2) An individual's declination to register to vote or complete an affirmation of citizenship under section 1013(b).

(3) An individual's voter registration status.

(g) PROHIBITION ON THE USE OF VOTER REGISTRATION INFORMATION FOR COMMERCIAL PURPOSES.—Information collected under this part shall not be used for commercial purposes. Nothing in this subsection may be construed to prohibit the transmission, exchange, or dissemination of information for political purposes, including the support of campaigns for election for Federal, State, or local public office or the activities of political committees (including committees of political parties) under the Federal Election Campaign Act of 1971.

SEC. 1016. REGISTRATION PORTABILITY AND CORRECTION.

(a) CORRECTING REGISTRATION INFORMATION AT POLLING PLACE.—Notwithstanding section 302(a) of the Help America Vote Act of 2002 (52 U.S.C. 21082(a)), if an individual is registered to vote in elections for Federal office held in a State, the appropriate election official at the polling pace for any such election (including a location used as a polling place on a date other than the date of the election) shall permit the individual to—

(1) update the individual's address for purposes of the records of the election official;

(2) correct any incorrect information relating to the individual, including the individual's name and political party affiliation, in the records of the election official; and

(3) cast a ballot in the election on the basis of the updated address or corrected information, and to have the ballot treated as a regular ballot and not as a provisional ballot under section 302(a) of such Act.

(b) UPDATES TO COMPUTERIZED STATEWIDE VOTER REGISTRATION LISTS.—If an election official at the polling place receives an updated address or corrected information from an individual under subsection (a), the official shall ensure that the address or information is promptly entered into the computerized Statewide voter registration list in accordance with section 303(a)(1)(A)(vi) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)(1)(A)(vi)).

SEC. 1017. PAYMENTS AND GRANTS.

(a) IN GENERAL.—The Election Assistance Commission shall make grants to each eligible State to assist the State in implementing the requirements of this part (or, in the case of an exempt State, in implementing its existing automatic voter registration program).

(b) ELIGIBILITY; APPLICATION.—A State is eligible to receive a grant under this section if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

(1) a description of the activities the State will carry out with the grant;

(2) an assurance that the State shall carry out such activities without partisan bias and without promoting any particular point of view regarding any issue; and

(3) such other information and assurances as the Commission may require.

(c) AMOUNT OF GRANT; PRIORITIES.—The Commission shall determine the amount of a grant made to an eligible State under this

section. In determining the amounts of the grants, the Commission shall give priority to providing funds for those activities which are most likely to accelerate compliance with the requirements of this part (or, in the case of an exempt State, which are most likely to enhance the ability of the State to automatically register individuals to vote through its existing automatic voter registration program), including—

(1) investments supporting electronic information transfer, including electronic collection and transfer of signatures, between contributing agencies and the appropriate State election officials;

(2) updates to online or electronic voter registration systems already operating as of the date of the enactment of this Act;

(3) introduction of online voter registration systems in jurisdictions in which those systems did not previously exist; and

(4) public education on the availability of new methods of registering to vote, updating registration, and correcting registration.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to carry out this section—

(A) $500,000,000 for fiscal year 2019; and

(B) such sums as may be necessary for each succeeding fiscal year.

(2) CONTINUING AVAILABILITY OF FUNDS.—Any amounts appropriated pursuant to the authority of this subsection shall remain available without fiscal year limitation until expended.

SEC. 1018. TREATMENT OF EXEMPT STATES.

(a) WAIVER OF REQUIREMENTS.—Except as provided in subsection (b), this part does not apply with respect to an exempt State.

(b) EXCEPTIONS.—The following provisions of this part apply with respect to an exempt State:

(1) section 1016 (relating to registration portability and correction).

(2) section 1017 (relating to payments and grants).

(3) Section 1019(e) (relating to enforcement).

(4) Section 1019(f) (relating to relation to other laws).

SEC. 1019. MISCELLANEOUS PROVISIONS.

(a) ACCESSIBILITY OF REGISTRATION SERVICES.—Each contributing agency shall ensure that the services it provides under this part are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

(b) TRANSMISSION THROUGH SECURE THIRD PARTY PERMITTED.—Nothing in this part shall be construed to prevent a contributing agency from contracting with a third party to assist the agency in meeting the information transmittal requirements of this part, so long as the data transmittal complies with the applicable requirements of this part, including the privacy and security provisions of section 1015.

(c) NONPARTISAN, NONDISCRIMINATORY PROVISION OF SERVICES.—The services made available by contributing agencies under this part and by the State under sections 1015 and 1016 shall be made in a manner consistent with paragraphs (4), (5), and (6)(C) of section 7(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20506(a)).

(d) NOTICES.—Each State may send notices under this part via electronic mail if the individual has provided an electronic mail address and consented to electronic mail communications for election-related materials. All notices sent pursuant to this part that require a response must offer the individual notified the opportunity to respond at no cost to the individual.

(e) ENFORCEMENT.—Section 11 of the National Voter Registration Act of 1993 (52 U.S.C. 20510), relating to civil enforcement and the availability of private rights of action, shall apply with respect to this part in the same manner as such section applies to such Act.

(f) RELATION TO OTHER LAWS.—Except as provided, nothing in this part may be construed to authorize or require conduct prohibited under, or to supersede, restrict, or limit the application of any of the following:

(1) The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(3) The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

(4) The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

SEC. 1020. DEFINITIONS.

In this part, the following definitions apply:

(1) The term ''chief State election official'' means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State's responsibilities under such Act.

(2) The term ''Commission'' means the Election Assistance Commission.

(3) The term ''exempt State'' means a State which, under law which is in effect continuously on and after the date of the enactment of this Act, operates an automatic voter registration program under which an individual is automatically registered to vote in elections for Federal office in the State if the individual provides the motor vehicle authority of the State (or, in the case of a State in which an individual is automatically registered to vote at the time the individual applies for benefits or services with a Permanent Dividend Fund of the State, provides the appropriate official of such Fund) with such identifying information as the State may require.

(4) The term ''State'' means each of the several States and the District of Columbia.

SEC. 1021. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this part and the amendments made by this part shall apply with respect to a State beginning January 1, 2021.

(b) WAIVER.—Subject to the approval of the Commission, if a State certifies to the Commission that the State will not meet the deadline referred to in subsection (a) because of extraordinary circumstances and includes in the certification the reasons for the failure to meet the deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2021'' were a reference to ''January 1, 2023''.

PART 3—SAME DAY VOTER REGISTRATION

SEC. 1031. SAME DAY REGISTRATION.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

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

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

''SEC. 304. SAME DAY REGISTRATION.

''(a) IN GENERAL.—

''(1) REGISTRATION.—Each State shall permit any eligible individual on the day of a Federal election and on any day when voting, including early voting, is permitted for a Federal election—

''(A) to register to vote in such election at the polling place using a form that meets the requirements under section 9(b) of the National Voter Registration Act of 1993 (or, if the individual is already registered to vote, to revise any of the individual's voter registration information); and

''(B) to cast a vote in such election.

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

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means, with respect to any election for Federal office, an individual who is otherwise qualified to vote in that election.

''(c) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of subsection (a) for the regularly scheduled general election for Federal office occurring in November 2020 and for any subsequent election for Federal office.''.

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''sections 301, 302, and 303'' and inserting ''subtitle A of title III''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(1) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306; and

(2) by inserting after the item relating to section 303 the following new item:

''Sec. 304. Same day registration.''.

PART 4—CONDITIONS ON REMOVAL ON BASIS OF INTERSTATE CROSS-CHECKS

SEC. 1041. CONDITIONS ON REMOVAL OF REGISTRANTS FROM OFFICIAL LIST OF ELIGIBLE VOTERS ON BASIS OF INTERSTATE CROSS-CHECKS.

(a) MINIMUM INFORMATION REQUIRED FOR REMOVAL UNDER CROSS-CHECK.—Section 8(c)(2) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(c)(2)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by inserting after subparagraph (A) the following new subparagraphs:

''(B) To the extent that the program carried out by a State under subparagraph (A) to systematically remove the names of ineligible voters from the official lists of eligible voters uses information obtained in an interstate cross-check, in addition to any other conditions imposed under this Act on the authority of the State to remove the name of the voter from such a list, the State may not remove the name of the voter from such a list unless—

''(i) the State obtained the voter's full name (including the voter's middle name, if any) and date of birth, and the last 4 digits of the voter's social security number, in the interstate cross-check; or

''(ii) the State obtained documentation from the ERIC system that the voter is no longer a resident of the State.

''(C) In this paragraph—

''(i) the term 'interstate cross-check' means the transmission of information from an election official in one State to an election official of another State; and

''(ii) the term 'ERIC system' means the system operated by the Electronic Registration Information Center to share voter registration information and voter identification information among participating States.''.

(b) REQUIRING COMPLETION OF CROSS-CHECKS NOT LATER THAN 6 MONTHS PRIOR TO ELECTION.—Subparagraph (A) of section 8(c)(2) of such Act (52 U.S.C. 20507(c)(2)) is amended by striking ''not later than 90 days'' and inserting the following: ''not later than 90 days (or, in the case of a program in which the State uses interstate cross-checks, not later than 6 months)''.

(c) CONFORMING AMENDMENT.—Subparagraph (D) of section 8(c)(2) of such Act (52

U.S.C. 20507(c)(2)), as redesignated by subsection (a)(1), is amended by striking ''Subparagraph (A)'' and inserting ''This paragraph''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to elections held on or after the expiration of the 6-month period which begins on the date of the enactment of this Act.

PART 5—OTHER INITIATIVES TO PROMOTE VOTER REGISTRATION

SEC. 1051. ANNUAL REPORTS ON VOTER REGISTRATION STATISTICS.

(a) ANNUAL REPORT.—Not later than 90 days after the end of each year, each State shall submit to the Election Assistance Commission and Congress a report containing the following categories of information for the year:

(1) The number of individuals who were registered under part 2.

(2) The number of voter registration application forms completed by individuals that were transmitted by motor vehicle authorities in the State (pursuant to section 5(d) of the National Voter Registration Act of 1993) and voter registration agencies in the State (as designated under section 7 of such Act) to the chief State election official of the State, broken down by each such authority and agency.

(3) The number of such individuals whose voter registration application forms were accepted and who were registered to vote in the State and the number of such individuals whose forms were rejected and who were not registered to vote in the State, broken down by each such authority and agency.

(4) The number of change of address forms and other forms of information indicating that an individual's identifying information has been changed that were transmitted by such motor vehicle authorities and voter registration agencies to the chief State election official of the State, broken down by each such authority and agency and the type of form transmitted.

(5) The number of individuals on the Statewide computerized voter registration list (as established and maintained under section 303 of the Help America Vote Act of 2002) whose voter registration information was revised by the chief State election official as a result of the forms transmitted to the official by such motor vehicle authorities and voter registration agencies (as described in paragraph (3)), broken down by each such authority and agency and the type of form transmitted.

(6) The number of individuals who requested the chief State election official to revise voter registration information on such list, and the number of individuals whose information was revised as a result of such a request.

(b) BREAKDOWN OF INFORMATION BY RACE AND ETHNICITY OF INDIVIDUALS.—In preparing the report under this section, the State shall, for each category of information described in subsection (a), include a breakdown by race and ethnicity of the individuals whose information is included in the category, to the extent that information on the race and ethnicity of such individuals is available to the State.

(c) CONFIDENTIALITY OF INFORMATION.—In preparing and submitting a report under this section, the chief State election official shall ensure that no information regarding the identification of any individual is revealed.

(d) STATE DEFINED.—In this section, a ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, but does not include any State in which, under a State law in effect continuously on and after the date of the enactment of this Act, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.

PART 6—AVAILABILITY OF HAVA REQUIREMENTS PAYMENTS

SEC. 1061. AVAILABILITY OF REQUIREMENTS PAYMENTS UNDER HAVA TO COVER COSTS OF COMPLIANCE WITH NEW REQUIREMENTS.

(a) IN GENERAL.—Section 251(b) of the Help America Vote Act of 2002 (52 U.S.C. 21001(b)) is amended—

(1) in paragraph (1), by striking ''as provided in paragraphs (2) and (3)'' and inserting ''as otherwise provided in this subsection''; and

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

''(4) CERTAIN VOTER REGISTRATION ACTIVITIES.—A State may use a requirements payment to carry out any of the requirements of the Voter Registration Modernization Act of 2019, including the requirements of the National Voter Registration Act of 1993 which are imposed pursuant to the amendments made to such Act by the Voter Registration Modernization Act of 2019.''.

(b) CONFORMING AMENDMENT.—Section 254(a)(1) of such Act (52 U.S.C. 21004(a)(1)) is amended by striking ''section 251(a)(2)'' and inserting ''section 251(b)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2018 and each succeeding fiscal year.

PART 7—PROHIBITING INTERFERENCE WITH VOTER REGISTRATION

SEC. 1071. PROHIBITING HINDERING, INTERFERING WITH, OR PREVENTING VOTER REGISTRATION.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code is amended by adding at the end the following new section:

''§ 612. Hindering, interfering with, or preventing registering to vote

''(a) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to corruptly hinder, interfere with, or prevent another person from registering to vote or to corruptly hinder, interfere with, or prevent another person from aiding another person in registering to vote.

''(b) ATTEMPT.—Any person who attempts to commit any offense described in subsection (a) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(c) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned not more than 5 years, or both.''.

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

''612. Hindering, interfering with, or preventing registering to vote.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections held on or after the date of the enactment of this Act, except that no person may be found to have violated section 612 of title 18, United States Code (as added by subsection (a)), on the basis of any act occurring prior to the date of the enactment of this Act.

SEC. 1072. ESTABLISHMENT OF BEST PRACTICES.

(a) BEST PRACTICES.—Not later than 180 days after the date of the enactment of this Act, the Election Assistance Commission shall develop and publish recommendations for best practices for States to use to deter and prevent violations of section 612 of title 18, United States Code (as added by section 1071), and section 12 of the National Voter Registration Act of 1993 (52 U.S.C. 20511) (relating to the unlawful interference with registering to vote, or voting, or attempting to register to vote or vote), including practices to provide for the posting of relevant information at polling places and voter registration agencies under such Act, the training of poll workers and election officials, and relevant educational materials. For purposes of this subsection, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) INCLUSION IN VOTER INFORMATION REQUIREMENTS.—Section 302(b)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(G) information relating to the prohibitions of section 612 of title 18, United States Code, and section 12 of the National Voter Registration Act of 1993 (52 U.S.C. 20511) (relating to the unlawful interference with registering to vote, or voting, or attempting to register to vote or vote), including information on how individuals may report allegations of violations of such prohibitions.''.

Subtitle B—Access to Voting for Individuals With Disabilities

SEC. 1101. REQUIREMENTS FOR STATES TO PROMOTE ACCESS TO VOTER REGISTRATION AND VOTING FOR INDIVIDUALS WITH DISABILITIES.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), is amended—

(1) by redesignating sections 305 and 306 as sections 306 and 307; and

(2) by inserting after section 304 the following new section:

''SEC. 305. ACCESS TO VOTER REGISTRATION AND VOTING FOR INDIVIDUALS WITH DISABILITIES.

''(a) TREATMENT OF APPLICATIONS AND BALLOTS.—Each State shall—

''(1) permit individuals with disabilities to use absentee registration procedures and to vote by absentee ballot in elections for Federal office;

''(2) accept and process, with respect to any election for Federal office, any otherwise valid voter registration application and absentee ballot application from an individual with a disability if the application is received by the appropriate State election official within the deadline for the election which is applicable under Federal law;

''(3) in addition to any other method of registering to vote or applying for an absentee ballot in the State, establish procedures—

''(A) for individuals with disabilities to request by mail and electronically voter registration applications and absentee ballot applications with respect to elections for Federal office in accordance with subsection (c);

''(B) for States to send by mail and electronically (in accordance with the preferred method of transmission designated by the individual under subparagraph (C)) voter registration applications and absentee ballot applications requested under subparagraph (A) in accordance with subsection (c); and

''(C) by which such an individual can designate whether the individual prefers that such voter registration application or absentee ballot application be transmitted by mail or electronically;

''(4) in addition to any other method of transmitting blank absentee ballots in the State, establish procedures for transmitting by mail and electronically blank absentee ballots to individuals with disabilities with respect to elections for Federal office in accordance with subsection (d);

''(5) transmit a validly requested absentee ballot to an individual with a disability—

''(A) except as provided in subsection (e), in the case in which the request is received at least 45 days before an election for Federal office, not later than 45 days before the election; and

''(B) in the case in which the request is received less than 45 days before an election for Federal office—

''(i) in accordance with State law; and

''(ii) if practicable and as determined appropriate by the State, in a manner that expedites the transmission of such absentee ballot; and

''(6) if the State declares or otherwise holds a runoff election for Federal office, establish a written plan that provides absentee ballots are made available to individuals with disabilities in a manner that gives them sufficient time to vote in the runoff election.

''(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR ALL DISABLED VOTERS IN STATE.—Each State shall designate a single office which shall be responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used by individuals with disabilities with respect to elections for Federal office to all individuals with disabilities who wish to register to vote or vote in any jurisdiction in the State.

''(c) DESIGNATION OF MEANS OF ELECTRONIC COMMUNICATION FOR INDIVIDUALS WITH DISABILITIES TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR OTHER PURPOSES RELATED TO VOTING INFORMATION.—

''(1) IN GENERAL.—Each State shall, in addition to the designation of a single State office under subsection (b), designate not less than 1 means of electronic communication—

''(A) for use by individuals with disabilities who wish to register to vote or vote in any jurisdiction in the State to request voter registration applications and absentee ballot applications under subsection (a)(3);

''(B) for use by States to send voter registration applications and absentee ballot applications requested under such subsection; and

''(C) for the purpose of providing related voting, balloting, and election information to individuals with disabilities.

''(2) CLARIFICATION REGARDING PROVISION OF MULTIPLE MEANS OF ELECTRONIC COMMUNICATION.—A State may, in addition to the means of electronic communication so designated, provide multiple means of electronic communication to individuals with disabilities, including a means of electronic communication for the appropriate jurisdiction of the State.

''(3) INCLUSION OF DESIGNATED MEANS OF ELECTRONIC COMMUNICATION WITH INFORMATIONAL AND INSTRUCTIONAL MATERIALS THAT ACCOMPANY BALLOTING MATERIALS.—Each State shall include a means of electronic communication so designated with all informational and instructional materials that accompany balloting materials sent by the State to individuals with disabilities.

''(4) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an individual with a disability does not designate a preference under subsection (a)(3)(C), the State shall transmit the voter registration application or absentee ballot application by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(d) TRANSMISSION OF BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—

''(1) IN GENERAL.—Each State shall establish procedures—

''(A) to securely transmit blank absentee ballots by mail and electronically (in accordance with the preferred method of transmission designated by the individual with a disability under subparagraph (B)) to individuals with disabilities for an election for Federal office; and

''(B) by which the individual with a disability can designate whether the individual prefers that such blank absentee ballot be transmitted by mail or electronically.

''(2) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an individual with a disability does not designate a preference under paragraph (1)(B), the State shall transmit the ballot by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(3) APPLICATION OF METHODS TO TRACK DELIVERY TO AND RETURN OF BALLOT BY INDIVIDUAL REQUESTING BALLOT.—Under the procedures established under paragraph (1), the State shall apply such methods as the State considers appropriate, such as assigning a unique identifier to the ballot, to ensure that if an individual with a disability requests the State to transmit a blank absentee ballot to the individual in accordance with this subsection, the voted absentee ballot which is returned by the individual is the same blank absentee ballot which the State transmitted to the individual.

''(e) HARDSHIP EXEMPTION.—

''(1) IN GENERAL.—If the chief State election official determines that the State is unable to meet the requirement under subsection (a)(5)(A) with respect to an election for Federal office due to an undue hardship described in paragraph (2)(B), the chief State election official shall request that the Attorney General grant a waiver to the State of the application of such subsection. Such request shall include—

''(A) a recognition that the purpose of such subsection is to individuals with disabilities enough time to vote in an election for Federal office;

''(B) an explanation of the hardship that indicates why the State is unable to transmit such individuals an absentee ballot in accordance with such subsection;

''(C) the number of days prior to the election for Federal office that the State requires absentee ballots be transmitted to such individuals; and

''(D) a comprehensive plan to ensure that such individuals are able to receive absentee ballots which they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office, which includes—

''(i) the steps the State will undertake to ensure that such individuals have time to receive, mark, and submit their ballots in time to have those ballots counted in the election;

''(ii) why the plan provides such individuals sufficient time to vote as a substitute for the requirements under such subsection; and

''(iii) the underlying factual information which explains how the plan provides such sufficient time to vote as a substitute for such requirements.

''(2) APPROVAL OF WAIVER REQUEST.—The Attorney General shall approve a waiver request under paragraph (1) if the Attorney General determines each of the following requirements are met:

''(A) The comprehensive plan under subparagraph (D) of such paragraph provides individuals with disabilities sufficient time to receive absentee ballots they have requested and submit marked absentee ballots to the appropriate State election official in time to have that ballot counted in the election for Federal office.

''(B) One or more of the following issues creates an undue hardship for the State:

''(i) The State's primary election date prohibits the State from complying with subsection (a)(5)(A).

''(ii) The State has suffered a delay in generating ballots due to a legal contest.

''(iii) The State Constitution prohibits the State from complying with such subsection.

''(3) TIMING OF WAIVER.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), a State that requests a waiver under paragraph (1) shall submit to the Attorney General the written waiver request not later than 90 days before the election for Federal office with respect to which the request is submitted. The Attorney General shall approve or deny the waiver request not later than 65 days before such election.

''(B) EXCEPTION.—If a State requests a waiver under paragraph (1) as the result of an undue hardship described in paragraph (2)(B)(ii), the State shall submit to the Attorney General the written waiver request as soon as practicable. The Attorney General shall approve or deny the waiver request not later than 5 business days after the date on which the request is received.

''(4) APPLICATION OF WAIVER.—A waiver approved under paragraph (2) shall only apply with respect to the election for Federal office for which the request was submitted. For each subsequent election for Federal office, the Attorney General shall only approve a waiver if the State has submitted a request under paragraph (1) with respect to such election.

''(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to allow the marking or casting of ballots over the internet.

''(g) INDIVIDUAL WITH A DISABILITY DEFINED.—In this section, an 'individual with a disability' means an individual with an impairment that substantially limits any major life activities and who is otherwise qualified to vote in elections for Federal office.

''(h) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2020.''.

(b) CONFORMING AMENDMENT RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 311(b) of such Act (52 U.S.C. 21101(b)) is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

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

''(4) in the case of the recommendations with respect to section 305, January 1, 2020.''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1031(c), is amended—

(1) by redesignating the items relating to sections 305 and 306 as relating to sections 306 and 307; and

(2) by inserting after the item relating to section 304 the following new item:

''Sec. 305. Access to voter registration and voting for individuals with disabilities.''.

SEC. 1102. EXPANSION AND REAUTHORIZATION OF GRANT PROGRAM TO ASSURE VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES.

(a) PURPOSES OF PAYMENTS.—Section 261(b) of the Help America Vote Act of 2002 (52 U.S.C. 21021(b)) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) making absentee voting and voting at home accessible to individuals with the full range of disabilities (including impairments involving vision, hearing, mobility, or dexterity) through the implementation of accessible absentee voting systems that work in conjunction with assistive technologies for which individuals have access at their homes, independent living centers, or other facilities;

''(2) making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with disabilities, including the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters; and

''(3) providing solutions to problems of access to voting and elections for individuals with disabilities that are universally designed and provide the same opportunities for individuals with and without disabilities.''.

(b) REAUTHORIZATION.—Section 264(a) of such Act (52 U.S.C. 21024(a)) is amended by adding at the end the following new paragraph:

''(4) For fiscal year 2020 and each succeeding fiscal year, such sums as may be necessary to carry out this part.''.

(c) PERIOD OF AVAILABILITY OF FUNDS.—Section 264 of such Act (52 U.S.C. 21024) is amended—

(1) in subsection (b), by striking ''Any amounts'' and inserting ''Except as provided in subsection (b), any amounts''; and

(2) by adding at the end the following new subsection:

''(c) RETURN AND TRANSFER OF CERTAIN FUNDS.—

''(1) DEADLINE FOR OBLIGATION AND EXPENDITURE.—In the case of any amounts appropriated pursuant to the authority of subsection (a) for a payment to a State or unit of local government for fiscal year 2020 or any succeeding fiscal year, any portion of such amounts which have not been obligated or expended by the State or unit of local government prior to the expiration of the 4-year period which begins on the date the State or unit of local government first received the amounts shall be transferred to the Commission.

''(2) REALLOCATION OF TRANSFERRED AMOUNTS.—

''(A) IN GENERAL.—The Commission shall use the amounts transferred under paragraph (1) to make payments on a pro rata basis to each covered payment recipient described in subparagraph (B), which may obligate and expend such payment for the purposes described in section 261(b) during the 1-year period which begins on the date of receipt.

''(B) COVERED PAYMENT RECIPIENTS DESCRIBED.—In subparagraph (A), a 'covered payment recipient' is a State or unit of local government with respect to which—

''(i) amounts were appropriated pursuant to the authority of subsection (a); and

''(ii) no amounts were transferred to the Commission under paragraph (1).''.

SEC. 1103. PILOT PROGRAMS FOR ENABLING INDIVIDUALS WITH DISABILITIES TO REGISTER TO VOTE PRIVATELY AND INDEPENDENTLY AT RESIDENCES.

(a) ESTABLISHMENT OF PILOT PROGRAMS.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall, subject to the availability of appropriations to carry out this section, make grants to eligible States to conduct pilot programs under which individuals with disabilities may use electronic means (including the Internet and telephones utilizing assistive devices) to register to vote and to request and receive absentee ballots in a manner which permits such individuals to do so privately and independently at their own residences.

(b) REPORTS—

(1) IN GENERAL.—A State receiving a grant for a year under this section shall submit a report to the Commission on the pilot programs the State carried out with the grant with respect to elections for public office held in the State during the year.

(2) DEADLINE.A State shall submit a report under paragraph (1) not later than 90 days after the last election for public office held in the State during the year.

(c) ELIGIBILITY.—A State is eligible to receive a grant under this section if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing such information and assurances as the Commission may require.

(d) TIMING.—The Commission shall make the first grants under this section for pilot programs which will be in effect with respect to elections for Federal office held in 2020, or, at the option of a State, with respect to other elections for public office held in the State in 2020.

(e) STATE DEFINED.—In this section, the term ''State'' includes the District of Columbia, the Common-wealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Subtitle C—Prohibiting Voter Caging

SEC. 1201. VOTER CAGING AND OTHER QUESTIONABLE CHALLENGES PROHIBITED.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, as amended by section 1071(a), is amended by adding at the end the following:

''§ 613. Voter caging and other questionable challenges

''(a) DEFINITIONS.—In this section—

''(1) the term 'voter caging document' means—

''(A) a nonforwardable document that is returned to the sender or a third party as undelivered or undeliverable despite an attempt to deliver such document to the address of a registered voter or applicant; or

''(B) any document with instructions to an addressee that the document be returned to the sender or a third party but is not so returned, despite an attempt to deliver such document to the address of a registered voter or applicant, unless at least two Federal election cycles have passed since the date of the attempted delivery;

''(2) the term 'voter caging list' means a list of individuals compiled from voter caging documents; and

''(3) the term 'unverified match list' means a list produced by matching the information of registered voters or applicants for voter registration to a list of individuals who are ineligible to vote in the registrar's jurisdiction, by virtue of death, conviction, change of address, or otherwise; unless one of the pieces of information matched includes a signature, photograph, or unique identifying number ensuring that the information from each source refers to the same individual.

''(b) PROHIBITION AGAINST VOTER CAGING.—No State or local election official shall prevent an individual from registering or voting in any election for Federal office, or permit in connection with any election for Federal office a formal challenge under State law to an individual's registration status or eligibility to vote, if the basis for such decision is evidence consisting of—

''(1) a voter caging document or voter caging list;

''(2) an unverified match list;

''(3) an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material to an individual's eligibility to vote under section 2004 of the Revised Statutes, as amended (52 U.S.C. 10101(a)(2)(B)); or

''(4) any other evidence so designated for purposes of this section by the Election Assistance Commission,

except that the election official may use such evidence if it is corroborated by independent evidence of the individual's ineligibility to register or vote.

''(c) REQUIREMENTS FOR CHALLENGES BY PERSONS OTHER THAN ELECTION OFFICIALS.—

''(1) REQUIREMENTS FOR CHALLENGES.—No person, other than a State or local election official, shall submit a formal challenge to an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office unless that challenge is supported by personal knowledge regarding the grounds for ineligibility which is—

''(A) documented in writing; and

''(B) subject to an oath or attestation under penalty of perjury that the challenger has a good faith factual basis to believe that the individual who is the subject of the challenge is ineligible to register to vote or vote in that election, except a challenge which is based on the race, ethnicity, or national origin of the individual who is the subject of the challenge may not be considered to have a good faith factual basis for purposes of this paragraph.

''(2) PROHIBITION ON CHALLENGES ON OR NEAR DATE OF ELECTION.—No person, other than a State or local election official, shall be permitted—

''(A) to challenge an individual's eligibility to vote in an election for Federal office on Election Day, or

''(B) to challenge an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office less than 10 days before the election unless the individual registered to vote less than 20 days before the election.

''(d) PENALTIES FOR KNOWING MISCONDUCT.—Whoever knowingly challenges the eligibility of one or more individuals to register or vote or knowingly causes the eligibility of such individuals to be challenged in violation of this section with the intent that one or more eligible voters be disqualified, shall be fined under this title or imprisoned not more than 1 year, or both, for each such violation. Each violation shall be a separate offense.

''(e) NO EFFECT ON RELATED LAWS.—Nothing in this section is intended to override the protections of the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) or to affect the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, as amended by section 1071(b), is amended by adding at the end the following:

''613. Voter caging and other questionable challenges.''.

SEC. 1202. DEVELOPMENT AND ADOPTION OF BEST PRACTICES FOR PREVENTING VOTER CAGING.

(a) BEST PRACTICES.—Not later than 180 days after the date of the enactment of this Act, the Election Assistance Commission shall develop and publish for the use of States recommendations for best practices to deter and prevent violations of section 613 of title 18, United States Code, as added by section 1201(a), including practices to provide for the posting of relevant information at polling places and voter registration agencies, the training of poll workers and election officials, and relevant educational measures. For purposes of this subsection, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) INCLUSION IN VOTING INFORMATION REQUIREMENTS.—Section 302(b)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)(2)), as amended by section 1072(b), is amended—

(1) by striking ''and'' at the end of subparagraph (F);

(2) by striking the period at the end of subparagraph (G) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(H) information relating to the prohibition against voter caging and other questionable challenges (as set forth in section 613 of title 18, United States Code), including information on how individuals may report allegations of violations of such prohibition.''.

Subtitle D—Prohibiting Deceptive Practices and Preventing Voter Intimidation

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the ''Deceptive Practices and Voter Intimidation Prevention Act of 2019''.

SEC. 1302. PROHIBITION ON DECEPTIVE PRACTICES IN FEDERAL ELECTIONS.

(a) PROHIBITION.—Subsection (b) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)) is amended—

(1) by striking ''No person'' and inserting the following:

''(1) IN GENERAL.—No person''; and

(2) by inserting at the end the following new paragraphs:

''(2) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time, place, or manner of holding any election described in paragraph (5); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(3) FALSE STATEMENTS REGARDING PUBLIC ENDORSEMENTS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate, or cause to be communicated, a materially false statement about an endorsement, if such person—

''(i) knows such statement to be false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) DEFINITION OF 'MATERIALLY FALSE'.—For purposes of subparagraph (A), a statement about an endorsement is 'materially false' if, with respect to an upcoming election described in paragraph (5)—

''(i) the statement states that a specifically named person, political party, or organization has endorsed the election of a specific candidate for a Federal office described in such paragraph; and

''(ii) such person, political party, or organization has not endorsed the election of such candidate.

''(4) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in paragraph (5).

''(5) ELECTION DESCRIBED.—An election described in this paragraph is any general, primary, run-off, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.''.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—Subsection (c) of section 2004 of the Revised Statutes (52 U.S.C. 10101(c)) is amended—

(A) by striking ''Whenever any person'' and inserting the following:

''(1) Whenever any person''; and

(B) by adding at the end the following new paragraph:

''(2) Any person aggrieved by a violation of subsection (b)(2), (b)(3), or (b)(4) may institute a civil action for preventive relief, including an application in a United States district court for a permanent or temporary injunction, restraining order, or other order. In any such action, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.''.

(2) CONFORMING AMENDMENTS.—

(A) Subsection (e) of section 2004 of the Revised Statutes (52 U.S.C. 10101(e)) is amended by striking ''subsection (c)'' and inserting ''subsection (c)(1)''.

(B) Subsection (g) of section 2004 of the Revised Statutes (52 U.S.C. 10101(g)) is amended by striking ''subsection (c)'' and inserting ''subsection (c)(1)''.

(c) CRIMINAL PENALTIES.—

(1) DECEPTIVE ACTS.—Section 594 of title 18, United States Code, is amended—

(A) by striking ''Whoever'' and inserting the following:

''(a) INTIMIDATION.—Whoever'';

(B) in subsection (a), as inserted by subparagraph (A), by striking ''at any election'' and inserting ''at any general, primary, run-off, or special election''; and

(C) by adding at the end the following new subsections:

''(b) DECEPTIVE ACTS.—

''(1) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, within 60 days before an election described in subsection (e), by any means, including by means of written, electronic, or telephonic communications, to communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to mislead voters, or the intent to impede or prevent another person from exercising the right to vote in an election described in subsection (e).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time or place of holding any election described in subsection (e); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(c) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—

''(1) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in subsection (e).

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(d) ATTEMPT.—Any person who attempts to commit any offense described in subsection (a), (b)(1), or (c)(1) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(e) ELECTION DESCRIBED.—An election described in this subsection is any general, primary, run-off, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.''.

(2) MODIFICATION OF PENALTY FOR VOTER INTIMIDATION.—Section 594(a) of title 18, United States Code, as amended by paragraph (1), is amended by striking ''fined under this title or imprisoned not more than one year'' and inserting ''fined not more than $100,000, imprisoned for not more than 5 years''.

(3) SENTENCING GUIDELINES.—

(A) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 594 of title 18, United States Code, as amended by this section.

(B) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal Sentencing Guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(4) PAYMENTS FOR REFRAINING FROM VOTING.—Subsection (c) of section 11 of the Voting Rights Act of 1965 (52 U.S.C. 10307) is amended by striking ''either for registration to vote or for voting'' and inserting ''for registration to vote, for voting, or for not voting''.

SEC. 1303. CORRECTIVE ACTION.

(a) CORRECTIVE ACTION.—

(1) IN GENERAL.—If the Attorney General receives a credible report that materially false information has been or is being communicated in violation of paragraphs (2) and (3) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 1302(a), and if the Attorney General determines that State and local election officials have not taken adequate steps to promptly communicate accurate information to correct the materially false information, the Attorney General shall, pursuant to the written procedures and standards under subsection (b), communicate to the public, by any means, including by means of written, electronic, or telephonic communications, accurate information designed to correct the materially false information.

(2) COMMUNICATION OF CORRECTIVE INFORMATION.—Any information communicated by the Attorney General under paragraph (1)—

(A) shall—

(i) be accurate and objective;

(ii) consist of only the information necessary to correct the materially false information that has been or is being communicated; and

(iii) to the extent practicable, be by a means that the Attorney General determines will reach the persons to whom the materially false information has been or is being communicated; and

(B) shall not be designed to favor or disfavor any particular candidate, organization, or political party.

(b) WRITTEN PROCEDURES AND STANDARDS FOR TAKING CORRECTIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall publish written procedures and standards for determining when and how corrective action will be taken under this section.

(2) INCLUSION OF APPROPRIATE DEADLINES.—The procedures and standards under paragraph (1) shall include appropriate deadlines, based in part on the number of days remaining before the upcoming election.

(3) CONSULTATION.—In developing the procedures and standards under paragraph (1), the Attorney General shall consult with the Election Assistance Commission, State and local election officials, civil rights organizations, voting rights groups, voter protection groups, and other interested community organizations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this subtitle.

SEC. 1304. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after each general election for Federal office, the Attorney General shall submit to Congress a report compiling all allegations received by the Attorney General of deceptive practices described in paragraphs (2), (3), and (4) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 1302(a), relating to the general election for Federal office and any primary, run-off, or a special election for Federal office held in the 2 years preceding the general election.

(b) CONTENTS.—

(1) IN GENERAL.—Each report submitted under subsection (a) shall include—

(A) a description of each allegation of a deceptive practice described in subsection (a), including the geographic location, racial and ethnic composition, and language minority-group membership of the persons toward whom the alleged deceptive practice was directed;

(B) the status of the investigation of each allegation described in subparagraph (A);

(C) a description of each corrective action taken by the Attorney General under section 4(a) in response to an allegation described in subparagraph (A);

(D) a description of each referral of an allegation described in subparagraph (A) to other Federal, State, or local agencies;

(E) to the extent information is available, a description of any civil action instituted under section 2004(c)(2) of the Revised Statutes (52 U.S.C. 10101(c)(2)), as added by section 1302(b), in connection with an allegation described in subparagraph (A); and

(F) a description of any criminal prosecution instituted under section 594 of title 18, United States Code, as amended by section 3(c), in connection with the receipt of an allegation described in subparagraph (A) by the Attorney General.

(2) EXCLUSION OF CERTAIN INFORMATION.—

(A) IN GENERAL.—The Attorney General shall not include in a report submitted under subsection (a) any information protected from disclosure by rule 6(e) of the Federal Rules of Criminal Procedure or any Federal criminal statute.

(B) EXCLUSION OF CERTAIN OTHER INFORMATION.—The Attorney General may determine that the following information shall not be included in a report submitted under subsection (a):

(i) Any information that is privileged.

(ii) Any information concerning an ongoing investigation.

(iii) Any information concerning a criminal or civil proceeding conducted under seal.

(iv) Any other nonpublic information that the Attorney General determines the disclosure of which could reasonably be expected to infringe on the rights of any individual or adversely affect the integrity of a pending or future criminal investigation.

(c) REPORT MADE PUBLIC.—On the date that the Attorney General submits the report under subsection (a), the Attorney General shall also make the report publicly available through the Internet and other appropriate means.

Subtitle E—Democracy Restoration

SEC. 1401. SHORT TITLE.

This subtitle may be cited as the ''Democracy Restoration Act of 2019''.

SEC. 1402. RIGHTS OF CITIZENS.

The right of an individual who is a citizen of the United States to vote in any election for Federal office shall not be denied or abridged because that individual has been convicted of a criminal offense unless such individual is serving a felony sentence in a correctional institution or facility at the time of the election.

SEC. 1403. ENFORCEMENT.

(a) ATTORNEY GENERAL.—The Attorney General may, in a civil action, obtain such declaratory or injunctive relief as is necessary to remedy a violation of this subtitle.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—A person who is aggrieved by a violation of this subtitle may provide written notice of the violation to the chief election official of the State involved.

(2) RELIEF.—Except as provided in paragraph (3), if the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

(3) EXCEPTION.—If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action to obtain declaratory or injunctive relief with respect to the violation.

SEC. 1404. NOTIFICATION OF RESTORATION OF VOTING RIGHTS.

(a) STATE NOTIFICATION.—

(1) NOTIFICATION.—On the date determined under paragraph (2), each State shall notify in writing any individual who has been convicted of a criminal offense under the law of that State that such individual has the right to vote in an election for Federal office pursuant to the Democracy Restoration Act of 2019 and may register to vote in any such election.

(2) DATE OF NOTIFICATION.—

(A) FELONY CONVICTION.—In the case of such an individual who has been convicted of a felony, the notification required under paragraph (1) shall be given on the date on which the individual—

(i) is sentenced to serve only a term of probation; or

(ii) is released from the custody of that State (other than to the custody of another State or the Federal Government to serve a term of imprisonment for a felony conviction).

(B) MISDEMEANOR CONVICTION.—In the case of such an individual who has been convicted of a misdemeanor, the notification required under paragraph (1) shall be given on the date on which such individual is sentenced by a State court.

(b) FEDERAL NOTIFICATION.—

(1) NOTIFICATION.—Any individual who has been convicted of a criminal offense under Federal law shall be notified in accordance with paragraph (2) that such individual has the right to vote in an election for Federal office pursuant to the Democracy Restoration Act of 2019 and may register to vote in any such election.

(2) DATE OF NOTIFICATION.—

(A) FELONY CONVICTION.—In the case of such an individual who has been convicted of a felony, the notification required under paragraph (1) shall be given—

(i) in the case of an individual who is sentenced to serve only a term of probation, by the Assistant Director for the Office of Probation and Pretrial Services of the Administrative Office of the United States Courts on the date on which the individual is sentenced; or

(ii) in the case of any individual committed to the custody of the Bureau of Prisons, by the Director of the Bureau of Prisons, during the period beginning on the date that is 6 months before such individual is released and ending on the date such individual is released from the custody of the Bureau of Prisons.

(B) MISDEMEANOR CONVICTION.—In the case of such an individual who has been convicted of a misdemeanor, the notification required under paragraph (1) shall be given on the date on which such individual is sentenced by a court established by an Act of Congress.

SEC. 1405. DEFINITIONS.

For purposes of this subtitle:

(1) CORRECTIONAL INSTITUTION OR FACILITY.—The term ''correctional institution or facility'' means any prison, penitentiary, jail, or other institution or facility for the confinement of individuals convicted of criminal offenses, whether publicly or privately operated, except that such term does not include any residential community treatment center (or similar public or private facility).

(2) ELECTION.—The term ''election'' means—

(A) a general, special, primary, or runoff election;

(B) a convention or caucus of a political party held to nominate a candidate;

(C) a primary election held for the selection of delegates to a national nominating convention of a political party; or

(D) a primary election held for the expression of a preference for the nomination of persons for election to the office of President.

(3) FEDERAL OFFICE.—The term ''Federal office'' means the office of President or Vice President of the United States, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States.

(4) PROBATION.—The term ''probation'' means probation, imposed by a Federal, State, or local court, with or without a condition on the individual involved concerning—

(A) the individual's freedom of movement;

(B) the payment of damages by the individual;

(C) periodic reporting by the individual to an officer of the court; or

(D) supervision of the individual by an officer of the court.

SEC. 1406. RELATION TO OTHER LAWS.

(a) STATE LAWS RELATING TO VOTING RIGHTS.—Nothing in this subtitle be construed to prohibit the States from enacting any State law which affords the right to vote in any election for Federal office on terms less restrictive than those established by this subtitle.

(b) CERTAIN FEDERAL ACTS.—The rights and remedies established by this subtitle are in addition to all other rights and remedies provided by law, and neither rights and remedies established by this Act shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) or the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

SEC. 1407. FEDERAL PRISON FUNDS.

No State, unit of local government, or other person may receive or use, to construct or otherwise improve a prison, jail, or other place of incarceration, any Federal funds unless that person has in effect a program under which each individual incarcerated in that person's jurisdiction who is a citizen of the United States is notified, upon release from such incarceration, of that individual's rights under section 1402.

SEC. 1408. EFFECTIVE DATE.

This subtitle shall apply to citizens of the United States voting in any election for Federal office held after the date of the enactment of this Act.

Subtitle F—Promoting Accuracy, Integrity, and Security Through Voter-Verified Permanent Paper Ballot

SEC. 1501. SHORT TITLE.

This subtitle may be cited as the ''Voter Confidence and Increased Accessibility Act of 2019''.

SEC. 1502. PAPER BALLOT AND MANUAL COUNTING REQUIREMENTS.

(a) IN GENERAL.—Section 301(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is amended to read as follows:

''(2) PAPER BALLOT REQUIREMENT.—

''(A) VOTER-VERIFIED PAPER BALLOTS.—

''(i) PAPER BALLOT REQUIREMENT.—(I) The voting system shall require the use of an individual, durable, voter-verified paper ballot of the voter's vote that shall be marked and made available for inspection and verification by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. For purposes of this subclause, the term 'individual, durable, voter-verified paper ballot' means a paper ballot marked by the voter by hand or a paper ballot marked through the use of a nontabulating ballot marking device or system, so long as the voter shall have the option to mark his or her ballot by hand.

''(II) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the permanent voter-verified paper ballot is preserved in accordance with clause (ii).

''(III) The voting system shall not preserve the voter-verified paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote without the voter's consent.

''(ii) PRESERVATION AS OFFICIAL RECORD.—The individual, durable, voter-verified paper ballot used in accordance with clause (i) shall constitute the official ballot and shall be preserved and used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used.

''(iii) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS AND AUDITS.—(I) Each paper ballot used pursuant to clause (i) shall be suitable for a manual audit, and shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.

''(II) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified paper ballots used pursuant to clause (i), and subject to subparagraph (B), the individual, durable, voter-verified paper ballots shall be the true and correct record of the votes cast.

''(iv) APPLICATION TO ALL BALLOTS.—The requirements of this subparagraph shall apply to all ballots cast in elections for Federal office, including ballots cast by absent uniformed services voters and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act and other absentee voters.

''(B) SPECIAL RULE FOR TREATMENT OF DISPUTES WHEN PAPER BALLOTS HAVE BEEN SHOWN TO BE COMPROMISED.—

''(i) IN GENERAL.—In the event that—

''(I) there is any inconsistency between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified paper ballots used pursuant to subparagraph (A)(i) with respect to any election for Federal office; and

''(II) it is demonstrated by clear and convincing evidence (as determined in accordance with the applicable standards in the jurisdiction involved) in any recount, audit, or contest of the result of the election that the paper ballots have been compromised (by damage or mischief or otherwise) and that a sufficient number of the ballots have been so compromised that the result of the election could be changed,

the determination of the appropriate remedy with respect to the election shall be made in accordance with applicable State law, except that the electronic tally shall not be used as the exclusive basis for determining the official certified result.

''(ii) RULE FOR CONSIDERATION OF BALLOTS ASSOCIATED WITH EACH VOTING MACHINE.—For purposes of clause (i), only the paper ballots deemed compromised, if any, shall be considered in the calculation of whether or not the result of the election could be changed due to the compromised paper ballots.''.

(b) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting ''(including the paper ballots required to be used under paragraph (2))'' after ''voting system''.

(c) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(2) in subparagraph (A)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(3) in subparagraph (A)(iii), by striking ''counted'' each place it appears and inserting ''counted, in accordance with paragraphs (2) and (3)''; and

(4) in subparagraph (B)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)''.

SEC. 1503. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Section 301(a)(3)(B) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is amended to read as follows:

''(B)(i) ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verified paper ballot as for other voters;

''(ii) satisfy the requirement of subparagraph (A) through the use of at least one voting system equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired, at each polling place; and

''(iii) meet the requirements of subparagraph (A) and paragraph (2)(A) by using a system that—

''(I) allows the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote counting or auditing; and

''(II) allows the voter to privately and independently verify and cast the permanent paper ballot without requiring the voter to manually handle the paper ballot;''.

(b) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.—

(1) STUDY AND REPORTING.—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating section 247 as section 248; and

(B) by inserting after section 246 the following new section:

''SEC. 247. STUDY AND REPORT ON ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.

''(a) STUDY AND REPORT.—The Director of the National Science Foundation shall make grants to not fewer than 3 eligible entities to study, test, and develop accessible paper ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including best practices for the mechanisms themselves and the processes through which the mechanisms are used.

''(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Director (at such time and in such form as the Director may require) an application containing—

''(1) certifications that the entity shall specifically investigate enhanced methods or devices, including non-electronic devices, that will assist such individuals and voters in marking voter-verified paper ballots and presenting or transmitting the information printed or marked on such ballots back to such individuals and voters, and casting such ballots;

''(2) a certification that the entity shall complete the activities carried out with the grant not later than December 31, 2020; and

''(3) such other information and certifications as the Director may require.

''(c) AVAILABILITY OF TECHNOLOGY.—Any technology developed with the grants made under this section shall be treated as nonproprietary and shall be made available to the public, including to manufacturers of voting systems.

''(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Director shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Director and Commission determine necessary to provide for the advancement of accessible voting technology.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out subsection (a) $5,000,000, to remain available until expended.''.

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

(A) by redesignating the item relating to section 247 as relating to section 248; and

(B) by inserting after the item relating to section 246 the following new item:

''Sec. 247. Study and report on accessible paper ballot verification mechanisms.''.

(c) CLARIFICATION OF ACCESSIBILITY STANDARDS UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In adopting any voluntary guidance under subtitle B of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable under the voluntary guidance adopted for accessible voting systems under such subtitle.

(d) PERMITTING USE OF FUNDS FOR PROTECTION AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO ENFORCE ELECTION-RELATED DISABILITY ACCESS.—Section 292(a) of the Help America Vote Act of 2002 (52 U.S.C. 21062(a)) is amended by striking ''; except that'' and all that follows and inserting a period.

SEC. 1504. DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)) is amended by adding at the end the following new paragraph:

''(7) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.—

''(A) DURABILITY REQUIREMENTS FOR PAPER BALLOTS.—

''(i) IN GENERAL.—All voter-verified paper ballots required to be used under this Act shall be marked or printed on durable paper.

''(ii) DEFINITION.—For purposes of this Act, paper is 'durable' if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

''(B) READABILITY REQUIREMENTS FOR PAPER BALLOTS MARKED BY BALLOT MARKING DEVICE.—All voter-verified paper ballots completed by the voter through the use of a ballot marking device shall be clearly readable by the voter without assistance (other than eyeglasses or other personal vision enhancing devices) and by an optical character recognition device or other device equipped for individuals with disabilities.''.

SEC. 1505. EFFECTIVE DATE FOR NEW REQUIREMENTS.

Section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)) is amended to read as follows:

''(d) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

''(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the requirements of this section which are first imposed on a State and jurisdiction pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2019 shall apply with respect to voting systems used for any election for Federal office held in 2020 or any succeeding year.

''(B) DELAY FOR JURISDICTIONS USING CERTAIN PAPER RECORD PRINTERS OR CERTAIN SYSTEMS USING OR PRODUCING VOTER-VERIFIABLE PAPER RECORDS IN 2018.—

''(i) DELAY.—In the case of a jurisdiction described in clause (ii), subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to '2020' were a reference to '2022', but only with respect to the following requirements of this section:

''(I) Paragraph (2)(A)(i)(I) of subsection (a) (relating to the use of voter-verified paper ballots).

''(II) Paragraph (3)(B)(ii)(I) and (II) of subsection (a) (relating to access to verification from and casting of the durable paper ballot).

''(III) Paragraph (7) of subsection (a) (relating to durability and readability requirements for ballots).

''(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

''(I) which used voter verifiable paper record printers attached to direct recording electronic voting machines, or which used other voting systems that used or produced paper records of the vote verifiable by voters but that are not in compliance with paragraphs (2)(A)(i)(I), (3)(B)(iii)(I) and (II), and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2019), for the administration of the regularly scheduled general election for Federal office held in November 2018; and

''(II) which will continue to use such printers or systems for the administration of elections for Federal office held in years before 2022.

''(iii) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES USING GRANDFATHERED PRINTERS AND SYSTEMS.—

''(I) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—The appropriate election official at each polling place that uses a printer or system described in clause (ii)(I) for the administration of elections for Federal office shall offer each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank pre-printed paper ballot which the individual may mark by hand and which is not produced by the direct recording electronic voting machine or other such system. The official shall provide the individual with the ballot and the supplies necessary to mark the ballot, and shall ensure (to the greatest extent practicable) that the waiting period for the individual to cast a vote is the lesser of 30 minutes or the average waiting period for an individual who does not agree to cast the vote using such a paper ballot under this clause.

''(II) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this clause shall be counted and otherwise treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for the precinct) and not as a provisional ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot.

''(III) POSTING OF NOTICE.—The appropriate election official shall ensure there is prominently displayed at each polling place a notice that describes the obligation of the official to offer individuals the opportunity to cast votes using a pre-printed blank paper ballot.

''(IV) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under subclause (III), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank pre-printed paper ballot.

''(V) PERIOD OF APPLICABILITY.—The requirements of this clause apply only during the period in which the delay is in effect under clause (i).

''(C) SPECIAL RULE FOR JURISDICTIONS USING CERTAIN NONTABULATING BALLOT MARKING DEVICES.—In the case of a jurisdiction which uses a nontabulating ballot marking device which automatically deposits the ballot into a privacy sleeve, subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to 'any election for Federal office held in 2020 or any succeeding year' were a reference to 'elections for Federal office occurring held in 2022 or each succeeding year', but only with respect to paragraph (3)(B)(iii)(II) of subsection (a) (relating to nonmanual casting of the durable paper ballot).''.

Subtitle G—Provisional Ballots

SEC. 1601. REQUIREMENTS FOR COUNTING PROVISIONAL BALLOTS; ESTABLISHMENT OF UNIFORM AND NONDISCRIMINATORY STANDARDS.

(a) IN GENERAL.—Section 302 of the Help America Vote Act of 2002 (52 U.S.C. 21082) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d) STATEWIDE COUNTING OF PROVISIONAL BALLOTS.—

''(1) IN GENERAL.—For purposes of subsection (a)(4), notwithstanding the precinct or polling place at which a provisional ballot is cast within the State, the appropriate election official shall count each vote on such ballot for each election in which the individual who cast such ballot is eligible to vote.

''(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2020.

''(e) UNIFORM AND NONDISCRIMINATORY STANDARDS.—

''(1) IN GENERAL.—Consistent with the requirements of this section, each State shall establish uniform and nondiscriminatory standards for the issuance, handling, and counting of provisional ballots.

''(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2020.''.

(b) CONFORMING AMENDMENT.—Section 302(f) of such Act (52 U.S.C. 21082(f)), as redesignated by subsection (a), is amended by striking ''Each State'' and inserting ''Except as provided in subsections (d)(2) and (e)(2), each State''.

Subtitle H—Early Voting

SEC. 1611. EARLY VOTING.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a) and section 1101(a), is amended—

(1) by redesignating sections 306 and 307 as sections 307 and 308; and

(2) by inserting after section 305 the following new section:

''SEC. 306. EARLY VOTING.

''(a) REQUIRING VOTING PRIOR TO DATE OF ELECTION.—

''(1) IN GENERAL.—Each State shall allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, in the same manner as voting is allowed on such date.

''(2) LENGTH OF PERIOD.—The early voting period required under this subsection with respect to an election shall consist of a period of consecutive days (including weekends) which begins on the 15th day before the date of the election (or, at the option of the State, on a day prior to the 15th day before the date of the election) and ends on the date of the election.

''(b) MINIMUM EARLY VOTING REQUIREMENTS.—Each polling place which allows voting during an early voting period under subsection (a) shall—

''(1) allow such voting for no less than 4 hours on each day, except that the polling place may allow such voting for fewer than 4 hours on Sundays; and

''(2) have uniform hours each day for which such voting occurs.

''(c) LOCATION OF POLLING PLACES NEAR PUBLIC TRANSPORTATION.—To the greatest extent practicable, a State shall ensure that each polling place which allows voting during an early voting period under subsection (a) is located within walking distance of a stop on a public transportation route.

''(d) STANDARDS.—

''(1) IN GENERAL.—The Commission shall issue standards for the administration of voting prior to the day scheduled for a Federal election. Such standards shall include the nondiscriminatory geographic placement of polling places at which such voting occurs.

''(2) DEVIATION.—The standards described in paragraph (1) shall permit States, upon providing adequate public notice, to deviate from any requirement in the case of unforeseen circumstances such as a natural disaster, terrorist attack, or a change in voter turnout.

''(e) EFFECTIVE DATE.—This section shall apply with respect to elections held on or after January 1, 2020.''.

(b) CONFORMING AMENDMENT RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 311(b) of such Act (52 U.S.C. 21101(b)), as amended by section 1101(b), is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

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

''(5) in the case of the recommendations with respect to section 306, June 30, 2020.''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1031(c) and section 1101(d), is amended—

(1) by redesignating the items relating to sections 306 and 307 as relating to sections 307 and 308; and

(2) by inserting after the item relating to section 305 the following new item:

''Sec. 306. Early voting.''.

Subtitle I—Voting by Mail

SEC. 1621. VOTING BY MAIL.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1101(a), and section 1611(a), is amended—

(1) by redesignating sections 307 and 308 as sections 308 and 309; and

(2) by inserting after section 306 the following new section:

''SEC. 307. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL.

''(a) IN GENERAL.—If an individual in a State is eligible to cast a vote in an election for Federal office, the State may not impose any additional conditions or requirements on the eligibility of the individual to cast the vote in such election by absentee ballot by mail, except as required under subsection (b) and except to the extent that the State imposes a deadline for requesting the ballot and related voting materials from the appropriate State or local election official and for returning the ballot to the appropriate State or local election official.

''(b) REQUIRING SIGNATURE VERIFICATION.—

''(1) REQUIREMENT.—A State may not accept and process an absentee ballot submitted by any individual with respect to an election for Federal office unless the State verifies the identification of the individual by comparing the individual's signature on the absentee ballot with the individual's signature on the official list of registered voters in the State, in accordance with such procedures as the State may adopt (subject to the requirements of paragraph (2)).

''(2) DUE PROCESS REQUIREMENTS.—

''(A) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY.—If an individual submits an absentee ballot and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State, such election official, prior to making a final determination as to the validity of such ballot, shall make a good faith effort to immediately notify such individual by mail, telephone, and (if available) electronic mail that—

''(i) a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State;

''(ii) such individual may provide the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods; and

''(iii) if such discrepancy is not cured prior to the expiration of the 7-day period which begins on the date of the election, such ballot will not be counted.

''(B) OTHER REQUIREMENTS.—An election official may not make a determination that a discrepancy exists between the signature on an absentee ballot and the signature of the individual who submits the ballot on the official list of registered voters in the State unless—

''(i) at least 2 election officials make the determination; and

''(ii) each official who makes the determination has received training in procedures used to verify signatures.

''(c) DEADLINE FOR PROVIDING BALLOTING MATERIALS.—If an individual requests to vote by absentee ballot in an election for Federal office, the appropriate State or local election official shall ensure that the ballot and relating voting materials are received by the individual—

''(1) not later than 2 weeks before the date of the election; or

''(2) in the case of a State which imposes a deadline for requesting an absentee ballot and related voting materials which is less than 2 weeks before the date of the election, as expeditiously as possible before the date of the election.

''(d) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—Consistent with section 305, the State shall ensure that all absentee ballots and related voting materials in elections for Federal office are accessible to individuals with disabilities in a manner that provides the same opportunity for access and participation (including with privacy and independence) as for other voters.

''(e) PAYMENT OF POSTAGE ON BALLOTS.—Consistent with regulations of the United States Postal Service, the State or the unit of local government responsible for the administration of an election for Federal office shall prepay the postage on any ballot in the election which is cast by mail.

''(f) UNIFORM DEADLINE FOR ACCEPTANCE OF MAILED BALLOTS.—If a ballot submitted by an individual by mail with respect to an election for Federal office in a State is postmarked on or before the date of the election, the State may not refuse to accept or process the ballot on the grounds that the individual did not meet a deadline for returning the ballot to the appropriate State or local election official.

''(g) NO EFFECT ON BALLOTS SUBMITTED BY ABSENT MILITARY AND OVERSEAS VOTERS.—Nothing in this section may be construed to affect the treatment of any ballot submitted by an individual who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

''(h) EFFECTIVE DATE.—This section shall apply with respect to elections held on or after January 1, 2020.''.

(b) CONFORMING AMENDMENT RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 311(b) of such Act (52 U.S.C. 21101(b)), as amended by section 1101(b) and section 1611(b), is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

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

''(6) in the case of the recommendations with respect to section 307, June 30, 2020.''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1031(c), section 1101(d), and section 1611(c), is amended—

(1) by redesignating the items relating to sections 307 and 308 as relating to sections 308 and 309; and

(2) by inserting after the item relating to section 306 the following new item:

''Sec. 307. Promoting ability of voters to vote by mail.''.

(d) DEVELOPMENT OF BIOMETRIC VERIFICATION.—

(1) DEVELOPMENT OF STANDARDS.—The National Institute of Standards, in consultation with the Election Assistance Commission, shall develop standards for the use of biometric methods which could be used voluntarily in place of the signature verification requirements of section 307(b) of the Help America Vote Act of 2002 (as added by subsection (a)) for purposes of verifying the identification of an individual voting by absentee ballot in elections for Federal office.

(2) PUBLIC NOTICE AND COMMENT.—The National Institute of Standards shall solicit comments from the public in the development of standards under paragraph (1).

(3) DEADLINE.—Not later than one year after the date of the enactment of this Act, the National Institute of Standards shall publish the standards developed under paragraph (1).

Subtitle J—Absent Uniformed Services Voters and Overseas Voters

SEC. 1701. PRE-ELECTION REPORTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.

Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(c)) is amended to read as follows:

''(c) REPORTS ON AVAILABILITY, TRANSMISSION, AND RECEIPT OF ABSENTEE BALLOTS.—

''(1) PRE-ELECTION REPORT ON ABSENTEE BALLOT AVAILABILITY.—Not later than 55 days before any regularly scheduled general election for Federal office, each State shall submit a report to the Attorney General, the Election Assistance Commission (hereafter in this subsection referred to as the 'Commission'), and the Presidential Designee, and make that report publicly available that same day, certifying that absentee ballots for the election are or will be available for transmission to absent uniformed services voters and overseas voters by not later than 45 days before the election. The report shall be in a form prescribed jointly by the Attorney General and the Commission and shall require the State to certify specific information about ballot availability from each unit of local government which will administer the election.

''(2) PRE-ELECTION REPORT ON ABSENTEE BALLOT TRANSMISSION.—Not later than 43 days before any regularly scheduled general election for Federal office, each State shall submit a report to the Attorney General, the Commission, and the Presidential Designee, and make that report publicly available that same day, certifying whether all absentee ballots have been transmitted by not later than 45 days before the election to all qualified absent uniformed services and overseas voters whose requests were received at least 45 days before the election. The report shall be in a form prescribed jointly by the Attorney General and the Commission, and shall require the State to certify specific information about ballot transmission, including the total numbers of ballot requests received and ballots transmitted, from each unit of local government which will administer the election.

''(3) POST-ELECTION REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Attorney General, the Commission, and the Presidential Designee on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such report available to the general public that same day.''.

SEC. 1702. ENFORCEMENT.

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20307) is amended to read as follows:

''SEC. 105. ENFORCEMENT.

''(a) ACTION BY ATTORNEY GENERAL.—

''(1) IN GENERAL.—The Attorney General may bring civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(2) PENALTY.—In a civil action brought under paragraph (1), if the court finds that the State violated any provision of this title, it may, to vindicate the public interest, assess a civil penalty against the State—

''(A) in an amount not to exceed $110,000 for each such violation, in the case of a first violation; or

''(B) in an amount not to exceed $220,000 for each such violation, for any subsequent violation.

''(3) REPORT TO CONGRESS.—Not later than December 31 of each year, the Attorney General shall submit to Congress an annual report on any civil action brought under paragraph (1) during the preceding year.

''(b) PRIVATE RIGHT OF ACTION.—A person who is aggrieved by a State's violation of this title may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(c) STATE AS ONLY NECESSARY DEFENDANT.—In any action brought under this section, the only necessary party defendant is the State, and it shall not be a defense to any such action that a local election official or a unit of local government is not named as a defendant, notwithstanding that a State has exercised the authority described in section 576 of the Military and Overseas Voter Empowerment Act to delegate to another jurisdiction in the State any duty or responsibility which is the subject of an action brought under this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

SEC. 1703. REVISIONS TO 45-DAY ABSENTEE BALLOT TRANSMISSION RULE.

(a) REPEAL OF WAIVER AUTHORITY.—

(1) IN GENERAL.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 102(a)(8)(A) of such Act (52 U.S.C. 20302(a)(8)(A)) is amended by striking ''except as provided in subsection (g),''.

(b) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO MEET REQUIREMENT.—Section 102 of such Act (52 U.S.C. 20302), as amended by subsection (a), is amended by inserting after subsection (f) the following new subsection:

''(g) REQUIRING USE OF EXPRESS DELIVERY IN CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN DEADLINES.—

''(1) TRANSMISSION OF BALLOT BY EXPRESS DELIVERY.—If a State fails to meet the requirement of subsection (a)(8)(A) to transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter not later than 45 days before the election (in the case in which the request is received at least 45 days before the election)—

''(A) the State shall transmit the ballot to the voter by express delivery; or

''(B) in the case of a voter who has designated that absentee ballots be transmitted electronically in accordance with subsection (f)(1), the State shall transmit the ballot to the voter electronically.

''(2) SPECIAL RULE FOR TRANSMISSION FEWER THAN 40 DAYS BEFORE THE ELECTION.—If, in carrying out paragraph (1), a State transmits an absentee ballot to an absent uniformed services voter or overseas voter fewer than 40 days before the election, the State shall enable the ballot to be returned by the voter by express delivery, except that in the case of an absentee ballot of an absent uniformed services voter for a regularly scheduled general election for Federal office, the State may satisfy the requirement of this paragraph by notifying the voter of the procedures for the collection and delivery of such ballots under section 103A.

''(3) PAYMENT FOR USE OF EXPRESS DELIVERY.—The State shall be responsible for the payment of the costs associated with the use of express delivery for the transmittal of ballots under this subsection.''.

(c) CLARIFICATION OF TREATMENT OF WEEKENDS.—Section 102(a)(8)(A) of such Act (52 U.S.C. 20302(a)(8)(A)) is amended by striking ''the election;'' and inserting the following: ''the election (or, if the 45th day preceding the election is a weekend or legal public holiday, not later than the most recent weekday which precedes such 45th day and which is not a legal public holiday, but only if the request is received by at least such most recent weekday);''.

SEC. 1704. USE OF SINGLE ABSENTEE BALLOT APPLICATION FOR SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20306) is amended to read as follows:

''SEC. 104. USE OF SINGLE APPLICATION FOR SUBSEQUENT ELECTIONS.

''(a) IN GENERAL.—If a State accepts and processes an official post card form (prescribed under section 101) submitted by an absent uniformed services voter or overseas voter for simultaneous voter registration and absentee ballot application (in accordance with section 102(a)(4)) and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next regularly scheduled general election for Federal office (including any runoff elections which may occur as a result of the outcome of such general election), the State shall provide an absentee ballot to the voter for each such subsequent election.

''(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State or is otherwise no longer eligible to vote in the State.

''(c) PROHIBITION OF REFUSAL OF APPLICATION ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or to process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter or overseas voter on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that election which are submitted by absentee voters who are not members of the uniformed services or overseas citizens.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to voter registration and absentee ballot applications which are submitted to a State or local election official on or after the date of the enactment of this Act.

SEC. 1705. EFFECTIVE DATE.

The amendments made by this subtitle shall apply with respect to elections occurring on or after January 1, 2020.

Subtitle K—Poll Worker Recruitment and Training

SEC. 1801. GRANTS TO STATES FOR POLL WORKER RECRUITMENT AND TRAINING.

(a) GRANTS BY ELECTION ASSISTANCE COMMISSION.—

(1) IN GENERAL.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall, subject to the availability of appropriations provided to carry out this section, make a grant to each eligible State for recruiting and training individuals to serve as poll workers on dates of elections for public office.

(2) USE OF COMMISSION MATERIALS.—In carrying out activities with a grant provided under this section, the recipient of the grant shall use the manual prepared by the Commission on successful practices for poll worker recruiting, training and retention as an interactive training tool, and shall develop training programs with the participation and input of experts in adult learning.

(b) REQUIREMENTS FOR ELIGIBILITY.—

(1) APPLICATION.—Each State that desires to receive a payment under this section shall submit an application for the payment to the Commission at such time and in such manner and containing such information as the Commission shall require.

(2) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall—

(A) describe the activities for which assistance under this section is sought;

(B) provide assurances that the funds provided under this section will be used to supplement and not supplant other funds used to carry out the activities;

(C) provide assurances that the State will furnish the Commission with information on the number of individuals who served as poll workers after recruitment and training with the funds provided under this section; and

(D) provide such additional information and certifications as the Commission determines to be essential to ensure compliance with the requirements of this section.

(c) AMOUNT OF GRANT.—

(1) IN GENERAL.—The amount of a grant made to a State under this section shall be equal to the product of—

(A) the aggregate amount made available for grants to States under this section; and

(B) the voting age population percentage for the State.

(2) VOTING AGE POPULATION PERCENTAGE DEFINED.—In paragraph (1), the ''voting age population percentage'' for a State is the quotient of—

(A) the voting age population of the State (as determined on the basis of the most recent information available from the Bureau of the Census); and

(B) the total voting age population of all States (as determined on the basis of the most recent information available from the Bureau of the Census).

(d) REPORTS TO CONGRESS.—

(1) REPORTS BY RECIPIENTS OF GRANTS.—Not later than 6 months after the date on which the final grant is made under this section, each recipient of a grant shall submit a report to the Commission on the activities conducted with the funds provided by the grant.

(2) REPORTS BY COMMISSION.—Not later than 1 year after the date on which the final grant is made under this section, the Commission shall submit a report to Congress on the grants made under this section and the activities carried out by recipients with the grants, and shall include in the report such recommendations as the Commission considers appropriate.

(e) FUNDING.—

(1) CONTINUING AVAILABILITY OF AMOUNT APPROPRIATED.—Any amount appropriated to carry out this section shall remain available without fiscal year limitation until expended.

(2) ADMINISTRATIVE EXPENSES.—Of the amount appropriated for any fiscal year to carry out this section, not more than 3 percent shall be available for administrative expenses of the Commission.

SEC. 1802. STATE DEFINED.

In this subtitle, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Subtitle L—Enhancement of Enforcement

SEC. 1811. ENHANCEMENT OF ENFORCEMENT OF HELP AMERICA VOTE ACT OF 2002.

(a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Section 401 of the Help America Vote Act of 2002 (52 U.S.C. 21111) is amended—

(1) by striking ''The Attorney General'' and inserting ''(a) IN GENERAL.—The Attorney General''; and

(2) by adding at the end the following new subsections:

''(b) FILING OF COMPLAINTS BY AGGRIEVED PERSONS.—

''(1) IN GENERAL.—A person who is aggrieved by a violation of title III which has occurred, is occurring, or is about to occur may file a written, signed, notarized complaint with the Attorney General describing the violation and requesting the Attorney General to take appropriate action under this section. The Attorney General shall immediately provide a copy of a complaint filed under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

''(2) RESPONSE BY ATTORNEY GENERAL.—The Attorney General shall respond to each complaint filed under paragraph (1), in accordance with procedures established by the Attorney General that require responses and determinations to be made within the same (or shorter) deadlines which apply to a State under the State-based administrative complaint procedures described in section 402(a)(2). The Attorney General shall immediately provide a copy of the response made under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

''(c) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Any person who is authorized to file a complaint under subsection (b)(1) (including any individual who seeks to enforce the individual's right to a voter-verified paper ballot, the right to have the voter-verified paper ballot counted in accordance with this Act, or any other right under title III) may file an action under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) to enforce the uniform and nondiscriminatory election technology and administration requirements under subtitle A of title III.

''(d) NO EFFECT ON STATE PROCEDURES.—Nothing in this section may be construed to affect the availability of the State-based administrative complaint procedures required under section 402 to any person filing a complaint under this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring with respect to elections for Federal office held in 2020 or any succeeding year.

Subtitle M—Federal Election Integrity

SEC. 1821. PROHIBITION ON CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION ADMINISTRATION OFFICIALS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by inserting after section 319 the following new section:

''CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION ADMINISTRATION OFFICIALS

''SEC. 319A. (a) PROHIBITION.—It shall be unlawful for a chief State election administration official to take an active part in political management or in a political campaign with respect to any election for Federal office over which such official has supervisory authority.

''(b) CHIEF STATE ELECTION ADMINISTRATION OFFICIAL.—The term 'chief State election administration official' means the highest State official with responsibility for the administration of Federal elections under State law.

''(c) ACTIVE PART IN POLITICAL MANAGEMENT OR IN A POLITICAL CAMPAIGN.—The term 'active part in political management or in a political campaign' means—

''(1) serving as a member of an authorized committee of a candidate for Federal office;

''(2) the use of official authority or influence for the purpose of interfering with or affecting the result of an election for Federal office;

''(3) the solicitation, acceptance, or receipt of a contribution from any person on behalf of a candidate for Federal office; and

''(4) any other act which would be prohibited under paragraph (2) or (3) of section 7323(b) of title 5, United States Code, if taken by an individual to whom such paragraph applies (other than any prohibition on running for public office).

''(d) EXCEPTION IN CASE OF RECUSAL FROM ADMINISTRATION OF ELECTIONS INVOLVING OFFICIAL OR IMMEDIATE FAMILY MEMBER.—

''(1) IN GENERAL.—This section does not apply to a chief State election administration official with respect to an election for Federal office in which the official or an immediate family member of the official is a candidate, but only if—

''(A) such official recuses himself or herself from all of the official's responsibilities for the administration of such election; and

''(B) the official who assumes responsibility for supervising the administration of the election does not report directly to such official.

''(2) IMMEDIATE FAMILY MEMBER DEFINED.—In paragraph (1), the term 'immediate family member' means, with respect to a candidate, a father, mother, son, daughter, brother, sister, husband, wife, father-in-law, or mother-in-law.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to elections for Federal office held after December 2019.

Subtitle N—Promoting Voter Access Through Election Administration Improvements

PART 1—PROMOTING VOTER ACCESS

SEC. 1901. TREATMENT OF INSTITUTIONS OF HIGHER EDUCATION.

(a) TREATMENT OF CERTAIN INSTITUTIONS AS VOTER REGISTRATION AGENCIES UNDER NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 7(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20506(a)) is amended—

(1) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) each institution of higher education which has a program participation agreement in effect with the Secretary of Education under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094), other than an institution which is treated as a contributing agency under the Automatic Voter Registration Act of 2019.''; and

(2) in paragraph (6)(A), by inserting ''or, in the case of an institution of higher education, with each registration of a student for enrollment in a course of study, including enrollment in a program of distance education, as defined in section 103(7) of the Higher Education Act of 1965 (20 U.S.C. 1003(7)),'' after ''assistance,''.

(b) RESPONSIBILITIES OF INSTITUTIONS UNDER HIGHER EDUCATION ACT OF 1965.—

(1) IN GENERAL.—Section 487(a)(23) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(23)) is amended to read as follows:

''(23)(A)(i) The institution will ensure that an appropriate staff person or office is designated publicly as a 'Campus Vote Coordinator' and will ensure that such person's or office's contact information is included on the institution's website.

''(ii) Not fewer than twice during each calendar year (beginning with 2020), the Campus Vote Coordinator shall transmit electronically to each student enrolled in the institution (including students enrolled in distance education programs) a message containing the following information:

''(I) Information on the location of polling places in the jurisdiction in which the institution is located, together with information on available methods of transportation to and from such polling places.

''(II) A referral to a government-affiliated website or online platform which provides centralized voter registration information for all States, including access to applicable voter registration forms and information to assist individuals who are not registered to vote in registering to vote.

''(III) Any additional voter registration and voting information the Coordinator considers appropriate, in consultation with the appropriate State election official.

''(iii) In addition to transmitting the message described in clause (ii) not fewer than twice during each calendar year, the Campus Vote Coordinator shall transmit the message under such clause not fewer than 30 days prior to the deadline for registering to vote for any election for Federal, State, or local office in the State.

''(B) If the institution in its normal course of operations requests each student registering for enrollment in a course of study, including students registering for enrollment in a program of distance education, to affirm whether or not the student is a United States citizen, the institution will comply with the applicable requirements for a contributing agency under the Automatic Voter Registration Act of 2019.

''(C) If the institution is not described in subparagraph (B), the institution will comply with the requirements for a voter registration agency in the State in which it is located in accordance with section 7 of the National Voter Registration Act of 1993 (52 U.S.C. 20506).

''(D) This paragraph applies only with respect to an institution which is located in a State to which section 4(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(b)) does not apply.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to elections held on or after January 1, 2020.

(c) GRANTS TO INSTITUTIONS DEMONSTRATING EXCELLENCE IN STUDENT VOTER REGISTRATION.—

(1) GRANTS AUTHORIZED.—The Secretary of Education may award competitive grants to public and private nonprofit institutions of higher education that are subject to the requirements of section 487(a)(23) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(23)), as amended by subsection (a) and that the Secretary determines have demonstrated excellence in registering students to vote in elections for public office beyond meeting the minimum requirements of such section.

(2) ELIGIBILITY.—An institution of higher education is eligible to receive a grant under this subsection if the institution submits to the Secretary of Education, at such time and in such form as the Secretary may require, an application containing such information and assurances as the Secretary may require to make the determination described in paragraph (1), including information and assurances that the institution carried out activities to promote voter registration by students, such as the following:

(A) Sponsoring large on-campus voter mobilization efforts.

(B) Engaging the surrounding community in nonpartisan voter registration and get out the vote efforts.

(C) Creating a website for students with centralized information about voter registration and election dates.

(D) Inviting candidates to speak on campus.

(E) Offering rides to students to the polls to increase voter education, registration, and mobilization.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2020 and each succeeding fiscal year such sums as may be necessary to award grants under this subsection.

(d) SENSE OF CONGRESS RELATING TO OPTION OF STUDENTS TO REGISTER IN JURISDICTION OF INSTITUTION OF HIGHER EDUCATION OR JURISDICTION OF DOMICILE.—It is the sense of Congress that, as provided under existing law, students who attend an institution of higher education and reside in the jurisdiction of the institution while attending the institution should have the option of registering to vote in elections for Federal office in that jurisdiction or in the jurisdiction of their own domicile.

SEC. 1902. MINIMUM NOTIFICATION REQUIREMENTS FOR VOTERS AFFECTED BY POLLING PLACE CHANGES.

(a) REQUIREMENTS.—Section 302 of the Help America Vote Act of 2002 (52 U.S.C. 21082), as amended by section 1601(a), is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) MINIMUM NOTIFICATION REQUIREMENTS FOR VOTERS AFFECTED BY POLLING PLACE CHANGES.—

''(1) IN GENERAL.—If a State assigns an individual who is a registered voter in a State to a polling place with respect to an election for Federal office which is not the same polling place to which the individual was previously assigned with respect to the most recent election for Federal office in the State in which the individual was eligible to vote—

''(A) the State shall notify the individual of the location of the polling place not later than 7 days before the date of the election; or

''(B) if the State makes such an assignment fewer than 7 days before the date of the election and the individual appears on the date of the election at the polling place to which the individual was previously assigned, the State shall make every reasonable effort to enable the individual to vote on the date of the election.

''(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2020.''.

(b) CONFORMING AMENDMENT.—Section 302(g) of such Act (52 U.S.C. 21082(g)), as redesignated by subsection (a) and as amended by section 1601(b), is amended by striking ''(d)(2) and (e)(2)'' and inserting ''(d)(2), (e)(2), and (f)(2)''.

SEC. 1903. PERMITTING USE OF SWORN WRITTEN STATEMENT TO MEET IDENTIFICATION REQUIREMENTS FOR VOTING.

(a) PERMITTING USE OF STATEMENT.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. PERMITTING USE OF SWORN WRITTEN STATEMENT TO MEET IDENTIFICATION REQUIREMENTS.

''(a) USE OF STATEMENT.—

''(1) IN GENERAL.—Except as provided in subsection (c), if a State has in effect a requirement that an individual present identification as a condition of receiving and casting a ballot in an election for Federal office, the State shall permit the individual to meet the requirement—

''(A) in the case of an individual who desires to vote in person, by presenting the appropriate State or local election official with a sworn written statement, signed by the individual under penalty of perjury, attesting to the individual's identity and attesting that the individual is eligible to vote in the election; or

''(B) in the case of an individual who desires to vote by mail, by submitting with the ballot the statement described in subparagraph (A).

''(2) DEVELOPMENT OF PRE-PRINTED VERSION OF STATEMENT BY COMMISSION.—The Commission shall develop a pre-printed version of the statement described in paragraph (1)(A) which includes a blank space for an individual to provide a name and signature for use by election officials in States which are subject to paragraph (1).

''(3) PROVIDING PRE-PRINTED COPY OF STATEMENT.—A State which is subject to paragraph (1) shall—

''(A) make copies of the pre-printed version of the statement described in paragraph (1)(A) which is prepared by the Commission available at polling places for election officials to distribute to individuals who desire to vote in person; and

''(B) include a copy of such pre-printed version of the statement with each blank absentee or other ballot transmitted to an individual who desires to vote by mail.

''(b) REQUIRING USE OF BALLOT IN SAME MANNER AS INDIVIDUALS PRESENTING IDENTIFICATION.—An individual who presents or submits a sworn written statement in accordance with subsection (a)(1) shall be permitted to cast a ballot in the election in the same manner as an individual who presents identification.

''(c) EXCEPTION FOR FIRST-TIME VOTERS REGISTERING BY MAIL.—Subsections (a) and (b) do not apply with respect to any individual described in paragraph (1) of section 303(b) who is required to meet the requirements of paragraph (2) of such section.''.

(b) REQUIRING STATES TO INCLUDE INFORMATION ON USE OF SWORN WRITTEN STATEMENT IN VOTING INFORMATION MATERIAL POSTED AT POLLING PLACES.—Section 302(b)(2) of such Act (52 U.S.C. 21082(b)(2)), as amended by section 1072(b) and section 1202(b), is amended—

(1) by striking ''and'' at the end of subparagraph (G);

(2) by striking the period at the end of subparagraph (H) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(I) in the case of a State that has in effect a requirement that an individual present identification as a condition of receiving and casting a ballot in an election for Federal office, information on how an individual may meet such requirement by presenting a sworn written statement in accordance with section 303A.''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Permitting use of sworn written statement to meet identification requirements.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

SEC. 1904. POSTAGE-FREE BALLOTS.

(a) IN GENERAL.—Chapter 34 of title 39, United States Code, is amended by adding after section 3406 the following:

''§ 3407. Absentee ballots

''(a) Any absentee ballot for any election for Federal office shall be carried expeditiously, with postage prepaid by the State or unit of local government responsible for the administration of the election.

''(b) As used in this section, the term 'absentee ballot' means any ballot transmitted by a voter by mail in an election for Federal office, but does not include any ballot covered by section 3406.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 34 of such title is amended by inserting after the item relating to section 3406 the following:

''3407. Absentee ballots carried free of postage.''.

SEC. 1905. REIMBURSEMENT FOR COSTS INCURRED BY STATES IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS.

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

"PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

"SEC. 297. PAYMENTS TO STATES.

''(a) PAYMENTS FOR COSTS OF ESTABLISHING PROGRAM.—In accordance with this section, the Commission shall make a payment to a State to reimburse the State for the costs incurred in establishing, if the State so chooses to establish, an absentee ballot tracking program with respect to elections for Federal office held in the State (including costs incurred prior to the date of the enactment of this part).

''(b) ABSENTEE BALLOT TRACKING PROGRAM DESCRIBED.—

''(1) PROGRAM DESCRIBED.—

''(A) IN GENERAL.—In this part, an 'absentee ballot tracking program' is a program to track and confirm the receipt of absentee ballots in an election for Federal office under which the State or local election official responsible for the receipt of voted absentee ballots in the election carries out procedures to track and confirm the receipt of such ballots, and makes information on the receipt of such ballots available to the individual who cast the ballot, by means of online access using the Internet site of the official's office.

''(B) INFORMATION ON WHETHER VOTE WAS COUNTED.—The information referred to under subparagraph (A) with respect to the receipt of an absentee ballot shall include information regarding whether the vote cast on the ballot was counted, and, in the case of a vote which was not counted, the reasons therefor.

''(2) USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.—A program established by a State or local election official whose office does not have an Internet site may meet the description of a program under paragraph (1) if the official has established a toll-free telephone number that may be used by an individual who cast an absentee ballot to obtain the information on the receipt of the voted absentee ballot as provided under such paragraph.

''(c) CERTIFICATION OF COMPLIANCE AND COSTS.—

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

''(A) a certification that the State has established an absentee ballot tracking program with respect to elections for Federal office held in the State; and

''(B) a statement of the costs incurred by the State in establishing the program.

''(2) AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section shall be equal to the costs incurred by the State in establishing the absentee ballot tracking program, as set forth in the statement submitted under paragraph (1), except that such amount may not exceed the product of—

''(A) the number of jurisdictions in the State which are responsible for operating the program; and

''(B) $3,000.

''(3) LIMIT ON NUMBER OF PAYMENTS RECEIVED.—A State may not receive more than one payment under this part.

"SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated to the Commission for fiscal year 2020 and each succeeding fiscal year such sums as may be necessary for payments under this part.

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

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

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''Sec. 297. Payments to States.

''Sec. 297A. Authorization of appropriations.''.

SEC. 1906. VOTER INFORMATION RESPONSE SYSTEMS AND HOTLINE.

(a) ESTABLISHMENT AND OPERATION OF SYSTEMS AND SERVICES.—

(1) STATE-BASED RESPONSE SYSTEMS.—The Attorney General shall coordinate the establishment of a State-based response system for responding to questions and complaints from individuals voting or seeking to vote, or registering to vote or seeking to register to vote, in elections for Federal office. Such system shall provide—

(A) State-specific, same-day, and immediate assistance to such individuals, including information on how to register to vote, the location and hours of operation of polling places, and how to obtain absentee ballots; and

(B) State-specific, same-day, and immediate assistance to individuals encountering problems with registering to vote or voting, including individuals encountering intimidation or deceptive practices.

(2) HOTLINE.—The Attorney General, in consultation with State election officials, shall establish and operate a toll-free telephone service, using a telephone number that is accessible throughout the United States and that uses easily identifiable numerals, through which individuals throughout the United States—

(A) may connect directly to the State-based response system described in paragraph (1) with respect to the State involved;

(B) may obtain information on voting in elections for Federal office, including information on how to register to vote in such elections, the locations and hours of operation of polling places, and how to obtain absentee ballots; and

(C) may report information to the Attorney General on problems encountered in registering to vote or voting, including incidences of voter intimidation or suppression.

(3) COLLABORATION WITH STATE AND LOCAL ELECTION OFFICIALS.—

(A) COLLECTION OF INFORMATION FROM STATES.—The Attorney General shall coordinate the collection of information on State and local election laws and policies, including information on the Statewide computerized voter registration lists maintained under title III of the Help America Vote Act of 2002, so that individuals who contact the free telephone service established under paragraph (2) on the date of an election for Federal office may receive an immediate response on that day.

(B) FORWARDING QUESTIONS AND COMPLAINTS TO STATES.—If an individual contacts the free telephone service established under paragraph (2) on the date of an election for Federal office with a question or complaint with respect to a particular State or jurisdiction within a State, the Attorney General shall forward the question or complaint immediately to the appropriate election official of the State or jurisdiction so that the official may answer the question or remedy the complaint on that date.

(4) CONSULTATION REQUIREMENTS FOR DEVELOPMENT OF SYSTEMS AND SERVICES.—The Attorney General shall ensure that the State-based response system under paragraph (1) and the free telephone service under paragraph (2) are each developed in consultation with civil rights organizations, voting rights groups, State and local election officials, voter protection groups, and other interested community organizations, especially those that have experience in the operation of similar systems and services.

(b) USE OF SERVICE BY INDIVIDUALS WITH DISABILITIES AND INDIVIDUALS WITH LIMITED ENGLISH LANGUAGE PROFICIENCY.—The Attorney General shall design and operate the telephone service established under this section in a manner that ensures that individuals with disabilities are fully able to use the service, and that assistance is provided in any language in which the State (or any jurisdiction in the State) is required to provide election materials under section 203 of the Voting Rights Act of 1965..

(c) VOTER HOTLINE TASK FORCE.—

(1) APPOINTMENT BY ATTORNEY GENERAL.—The Attorney General shall appoint individuals (in such number as the Attorney General considers appropriate but in no event fewer than 3) to serve on a Voter Hotline Task Force to provide ongoing analysis and assessment of the operation of the telephone service established under this section, and shall give special consideration in making appointments to the Task Force to individuals who represent civil rights organizations. At least one member of the Task Force shall be a representative of an organization promoting voting rights or civil rights which has experience in the operation of similar telephone services or in protecting the rights of individuals to vote, especially individuals who are members of racial, ethnic, or linguistic minorities or of communities who have been adversely affected by efforts to suppress voting rights.

(2) ELIGIBILITY.—An individual shall be eligible to serve on the Task Force under this subsection if the individual meets such criteria as the Attorney General may establish, except that an individual may not serve on the task force if the individual has been convicted of any criminal offense relating to voter intimidation or voter suppression.

(3) TERM OF SERVICE.—An individual appointed to the Task Force shall serve a single term of 2 years, except that the initial terms of the members first appointed to the Task Force shall be staggered so that there are at least 3 individuals serving on the Task Force during each year. A vacancy in the membership of the Task Force shall be filled in the same manner as the original appointment.

(4) NO COMPENSATION FOR SERVICE.—Members of the Task Force shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(d) BI-ANNUAL REPORT TO CONGRESS.—Not later than March 1 of each odd-numbered year, the Attorney General shall submit a report to Congress on the operation of the telephone service established under this section during the previous 2 years, and shall include in the report—

(1) an enumeration of the number and type of calls that were received by the service;

(2) a compilation and description of the reports made to the service by individuals citing instances of voter intimidation or suppression;

(3) an assessment of the effectiveness of the service in making information available to all households in the United States with telephone service;

(4) any recommendations developed by the Task Force established under subsection (c) with respect to how voting systems may be maintained or upgraded to better accommodate voters and better ensure the integrity

of elections, including but not limited to identifying how to eliminate coordinated voter suppression efforts and how to establish effective mechanisms for distributing updates on changes to voting requirements; and

(5) any recommendations on best practices for the State-based response systems established under subsection (a)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Attorney General for fiscal year 2019 and each succeeding fiscal year such sums as may be necessary to carry out this section.

(2) SET-ASIDE FOR OUTREACH.—Of the amounts appropriated to carry out this section for a fiscal year pursuant to the authorization under paragraph (1), not less than 15 percent shall be used for outreach activities to make the public aware of the availability of the telephone service established under this section, with an emphasis on outreach to individuals with disabilities and individuals with limited proficiency in the English language.

PART 2—IMPROVEMENTS IN OPERATION OF ELECTION ASSISTANCE COMMISSION

SEC. 1911. REAUTHORIZATION OF ELECTION ASSISTANCE COMMISSION.

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

(1) by striking ''for each of the fiscal years 2003 through 2005'' and inserting ''for fiscal year 2019 and each succeeding fiscal year''; and

(2) by striking ''(but not to exceed $10,000,000 for each such year)''.

SEC. 1913. REQUIRING STATES TO PARTICIPATE IN POST-GENERAL ELECTION SURVEYS.

(a) REQUIREMENT.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1903(a), is further amended by inserting after section 303A the following new section:

''SEC. 303B. REQUIRING PARTICIPATION IN POST-GENERAL ELECTION SURVEYS.

''(a) REQUIREMENT.—Each State shall furnish to the Commission such information as the Commission may request for purposes of conducting any post-election survey of the States with respect to the administration of a regularly scheduled general election for Federal office.

''(b) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2020 and any succeeding election.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1903(c), is further amended by inserting after the item relating to section 303A the following new item:

''Sec. 303B. Requiring participation in post-general election surveys.''.

SEC. 1914. REPORTS BY NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ON USE OF FUNDS TRANSFERRED FROM ELECTION ASSISTANCE COMMISSION.

(a) REQUIRING REPORTS ON USE FUNDS AS CONDITION OF RECEIPT.—Section 231 of the Help America Vote Act of 2002 (52 U.S.C. 20971) is amended by adding at the end the following new subsection:

''(e) REPORT ON USE OF FUNDS TRANSFERRED FROM COMMISSION.—To the extent that funds are transferred from the Commission to the Director of the National Institute of Standards and Technology for purposes of carrying out this section during any fiscal year, the Director may not use such funds unless the Director certifies at the time of transfer that the Director will submit a report to the Commission not later than 90 days after the end of the fiscal year detailing how the Director used such funds during the year.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2020 and each succeeding fiscal year.

SEC. 1915. RECOMMENDATIONS TO IMPROVE OPERATIONS OF ELECTION ASSISTANCE COMMISSION.

(a) ASSESSMENT OF INFORMATION TECHNOLOGY AND CYBERSECURITY.—Not later than December 31, 2019, the Election Assistance Commission shall carry out an assessment of the security and effectiveness of the Commission's information technology systems, including the cybersecurity of such systems.

(b) IMPROVEMENTS TO ADMINISTRATIVE COMPLAINT PROCEDURES.—

(1) REVIEW OF PROCEDURES.—The Election Assistance Commission shall carry out a review of the effectiveness and efficiency of the State-based administrative complaint procedures established and maintained under section 402 of the Help America Vote Act of 2002 (52 U.S.C. 21112) for the investigation and resolution of allegations of violations of title III of such Act.

(2) RECOMMENDATIONS TO STREAMLINE PROCEDURES.—Not later than December 31, 2019, the Commission shall submit to Congress a report on the review carried out under paragraph (1), and shall include in the report such recommendations as the Commission considers appropriate to streamline and improve the procedures which are the subject of the review.

SEC. 1916. REPEAL OF EXEMPTION OF ELECTION ASSISTANCE COMMISSION FROM CERTAIN GOVERNMENT CONTRACTING REQUIREMENTS.

(a) IN GENERAL.—Section 205 of the Help America Vote Act of 2002 (52 U.S.C. 20925) is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into by the Election Assistance Commission on or after the date of the enactment of this Act.

PART 3—MISCELLANEOUS PROVISIONS

SEC. 1921. APPLICATION OF LAWS TO COMMONWEALTH OF NORTHERN MARIANA ISLANDS.

(a) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 3(4) of the National Voter Registration Act of 1993 (52 U.S.C. 20502(4)) is amended by striking ''States and the District of Columbia'' and inserting ''States, the District of Columbia, and the Commonwealth of the Northern Mariana Islands''.

(b) HELP AMERICA VOTE ACT OF 2002.—

(1) COVERAGE OF COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141) is amended by striking ''and the United States Virgin Islands'' and inserting ''the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

(2) CONFORMING AMENDMENTS TO HELP AMERICA VOTE ACT OF 2002.—Such Act is further amended as follows:

(A) The second sentence of section 213(a)(2) (52 U.S.C. 20943(a)(2)) is amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

(B) Section 252(c)(2) (52 U.S.C. 21002(c)(2)) is amended by striking ''or the United States Virgin Islands'' and inserting ''the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands''.

(3) CONFORMING AMENDMENT RELATING TO CONSULTATION OF HELP AMERICA VOTE FOUNDATION WITH LOCAL ELECTION OFFICIALS.—Section 90102(c) of title 36, United States Code, is amended by striking ''and the United States Virgin Islands'' and inserting ''the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to fiscal years beginning with the first fiscal year which begins after funds are appropriated to the Commonwealth of the Northern Mariana Islands pursuant to the payment under section 2.

SEC. 1922. NO EFFECT ON OTHER LAWS.

(a) IN GENERAL.—Except as specifically provided, nothing in this title may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.).

(3) The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(4) The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(b) NO EFFECT ON PRECLEARANCE OR OTHER REQUIREMENTS UNDER VOTING RIGHTS ACT.—The approval by any person of a payment or grant application under this title, or any other action taken by any person under this title, shall not be considered to have any effect on requirements for preclearance under section 5 of the Voting Rights Act of 1965 (52 U.S.C. 10304) or any other requirements of such Act.

(c) NO EFFECT ON AUTHORITY OF STATES TO PROVIDE GREATER OPPORTUNITIES FOR VOTING.—Nothing in this title or the amendments made by this title may be construed to prohibit any State from enacting any law which provides greater opportunities for individuals to register to vote and to vote in elections for Federal office than are provided by this title and the amendments made by this title.

Subtitle O—Severability

SEC. 1931. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

TITLE II—ELECTION INTEGRITY

Congress finds the following:

(1) The right to vote for all Americans is sacrosanct and rules for voting and election administration should protect the right to vote and promote voter participation.

(2) The Voting Rights Act has empowered the Department of Justice and Federal courts for nearly a half a century to block discriminatory voting practices before their implementation in States and localities with the most troubling histories and ongoing records of racial discrimination.

(3) There continues to be an alarming movement to erect barriers to make it more difficult for Americans to participate in our Nation's democratic process. The Nation has witnessed unprecedented efforts to turn back the clock and erect barriers to voting for communities of color which have faced historic and continuing discrimination, as well as disabled, young, elderly, and low-income Americans.

(4) The Supreme Court's 2013 *Shelby County* v. *Holder* decision gutted decades-long Federal protections for communities of color that face historic and continuing discrimination, emboldening States and local jurisdictions to pass voter suppression laws and implement procedures, such as those requiring photo identification, limiting early voting hours, eliminating same-day registration, purging voters from the rolls, and reducing the number of polling places. Congress is committed to reversing the devastating impact of this decision.

(5) Racial discrimination in voting is a clear and persistent problem. The actions of States and localities around the country post-*Shelby County*, including at least 10 findings by Federal courts of intentional discrimination, underscore the need for Congress to conduct investigatory and evidentiary hearings to determine the legislation necessary to restore the Voting Rights Act and combat continuing efforts in America that suppress the free exercise of the franchise in communities of color.

(6) The 2018 midterm election provides further evidence that systemic voter discrimination and intimidation continues to occur in communities of color across the country, making it clear that democracy reform cannot be achieved until Congress restores key provisions of the Voting Rights Act.

(7) Congress must remain vigilant in protecting every eligible citizen's right to vote. Congress should respond by modernizing the electoral system to—

(A) improve access to the ballot;

(B) enhance the integrity and security of our voting systems;

(C) ensure greater accountability for the administration of elections; and

(D) restore protections for voters against practices in States and localities plagued by the persistence of voter disenfranchisement; and

(E) ensure that Federal civil rights laws protect the rights of voters against discriminatory and deceptive practices.

Subtitle B—Findings Relating to Native American Voting Rights

SEC. 2101. FINDINGS RELATING TO NATIVE AMERICAN VOTING RIGHTS.

Congress finds the following:

(1) The right to vote for all Americans is sacred. Congress must fulfill the Federal Government's trust responsibility to protect and promote Native Americans' exercise of their fundamental right to vote, including equal access to voter registration voting mechanisms and locations, and the ability to serve as election officials.

(2) The Native American Voting Rights Coalition's four-State survey of voter discrimination (2016) and nine field hearings in Indian Country (2017-2018) revealed obstacles that Native Americans must overcome, including a lack of accessible and proximate registration and polling sites, nontraditional addresses for residents on Indian reservations, inadequate language assistance for Tribal members, and voter identification laws that discriminate against Native Americans. The Department of Justice and courts have recognized that some jurisdictions have been unresponsive to reasonable requests from federally recognized Indian Tribes for more accessible and proximate voter registration sites and in-person voting locations.

(3) The 2018 elections provide further evidence that systemic voter discrimination and intimidation continues to occur in communities of color and Tribal lands across the country, making it clear that democracy reform cannot be achieved until Congress restores key provisions of the Voting Rights Act and passes additional protections.

(4) Congress has broad, plenary authority to enact legislation to safeguard the voting rights of Native American voters.

(5) Congress must conduct investigatory and evidentiary hearings to determine the necessary legislation to restore the Voting Rights Act and combat continuous efforts that suppress the voter franchise within Tribal lands, to include, but not to be limited to, the Native American Voting Rights Act (NAVRA) and the Voting Rights Advancement Act (VRAA).

Subtitle C—Findings Relating to District of Columbia Statehood

SEC. 2201. FINDINGS RELATING TO DISTRICT OF COLUMBIA STATEHOOD.

Congress finds the following:

(1) District of Columbia residents deserve full congressional voting rights and self-government, which only statehood can provide.

(2) The 700,000 residents of the District of Columbia pay more Federal taxes per capita than residents of any State in the country, yet do not have full and equal representation in Congress and self-government.

(3) Since the founding of the United States, the residents of the District of Columbia have always carried all the obligations of citizenship, including serving in all of the Nation's wars and paying Federal taxes, all without voting representation on the floor in either Chamber of Congress or freedom from congressional interference in purely local matters.

(4) There are no constitutional, historical, financial, or economic reasons why the 700,000 Americans who live in the District of Columbia should not be granted statehood.

(5) The District of Columbia has a larger population than two States, Wyoming and Vermont, and is close to the population of the seven States that have a population of under one million fully represented residents.

(6) The District of Columbia government has one of the strongest fiscal positions of any jurisdiction in the United States, with a $14.6 billion budget for fiscal year 2019 and a $2.8 billion general fund balance as of September 30, 2018.

(7) The District of Columbia's total personal income is higher than that of seven States, its per capita personal consumption expenditures is higher than those of any State, and its total personal consumption expenditures is greater than those of seven States.

(8) Congress has authority under article IV, section 3, clause 1, which gives Congress power to admit new states to the Union, and Article I, Section 8, Clause 17, which grants Congress power over the seat of the Federal Government, to admit the new State carved out of the residential areas of the Federal seat of Government, while maintaining as the Federal seat of Government the United States Capitol Complex, the principal Federal monuments, Federal buildings and grounds, the National Mall, the White House and other Federal property.

Subtitle D—Territorial Voting Rights

SEC. 2301. FINDINGS RELATING TO TERRITORIAL VOTING RIGHTS.

Congress finds the following:

(1) The right to vote is one of the most powerful instruments residents of the territories of the United States have to ensure that their voices are heard.

(2) These Americans have played an important part in the American democracy for more than 120 years.

(3) Political participation and the right to vote are among the highest concerns of territorial residents in part because they were not always afforded these rights.

(4) Voter participation in the territories consistently ranks higher than many communities on the mainland.

(5) Territorial residents serve and die, on a per capita basis, at a higher rate in every United States war and conflict since WWI, as an expression of their commitment to American democratic principles and patriotism.

SEC. 2302. CONGRESSIONAL TASK FORCE ON VOTING RIGHTS OF UNITED STATES CITIZEN RESIDENTS OF TERRITORIES OF THE UNITED STATES.

(a) ESTABLISHMENT.—There is established within the legislative branch a Congressional Task Force on Voting Rights of United

States Citizen Residents of Territories of the United States (in this section referred to as the ''Task Force'').

(b) MEMBERSHIP.—The Task Force shall be composed of 12 members as follows:

(1) One Member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on Natural Resources of the House of Representatives.

(2) One Member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on the Judiciary of the House of Representatives.

(3) One Member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on House Administration of the House of Representatives.

(4) One Member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on Natural Resources of the House of Representatives.

(5) One Member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on the Judiciary of the House of Representatives.

(6) One Member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on House Administration of the House of Representatives.

(7) One Member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on Energy and Natural Resources of the Senate.

(8) One Member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on the Judiciary of the Senate.

(9) One Member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on Rules and Administration of the Senate.

(10) One Member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on Energy and Natural Resources of the Senate.

(11) One Member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on the Judiciary of the Senate.

(12) One Member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on Rules and Administration of the Senate.

(c) DEADLINE FOR APPOINTMENT.—All appointments to the Task Force shall be made not later than 30 days after the date of enactment of this Act.

(d) CHAIR.—The Speaker shall designate one Member to serve as chair of the Task Force.

(e) VACANCIES.—Any vacancy in the Task Force shall be filled in the same manner as the original appointment.

(f) STATUS UPDATE.—Between September 1, 2019, and September 30, 2019, the Task Force shall provide a status update to the House of Representatives and the Senate that includes—

(1) information the Task Force has collected; and

(2) a discussion on matters that the chairman of the Task Force deems urgent for consideration by Congress.

(g) REPORT.—Not later than December 31, 2019, the Task Force shall issue a report of its findings to the House of Representatives and the Senate regarding—

(1) the economic and societal consequences (through statistical data and other metrics) that come with political disenfranchisement of United States citizens in territories of the United States;

(2) impediments to full and equal voting rights for United States citizens who are residents of territories of the United States in Federal elections, including the election of the President and Vice President of the United States;

(3) impediments to full and equal voting representation in the House of Representatives for United States citizens who are residents of territories of the United States;

(4) recommended changes that, if adopted, would allow for full and equal voting rights for United States citizens who are residents of territories of the United States in Federal elections, including the election of the President and Vice President of the United States;

(5) recommended changes that, if adopted, would allow for full and equal voting representation in the House of Representatives for United States citizens who are residents of territories of the United States; and

(6) additional information the Task Force deems appropriate.

(h) CONSENSUS VIEWS.—To the greatest extent practicable, the report issued under subsection (g) shall reflect the shared views of all 12 Members, except that the report may contain dissenting views.

(i) HEARINGS AND SESSIONS.—The Task Force may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Task Force considers appropriate.

(j) STAKEHOLDER PARTICIPATION.—In carrying out its duties, the Task Force shall consult with the governments of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(k) RESOURCES.—The Task Force shall carry out its duties by utilizing existing facilities, services, and staff of the House of Representatives and the Senate.

(l) TERMINATION.—The Task Force shall terminate upon issuing the report required under subsection (g).

Subtitle E—Redistricting Reform

SEC. 2400. SHORT TITLE; FINDING OF CONSTITUTIONAL AUTHORITY.

(a) SHORT TITLE.—This subtitle may be cited as the ''Redistricting Reform Act of 2019''.

(b) FINDING OF CONSTITUTIONAL AUTHORITY.—Congress finds that it has the authority to establish the terms and conditions States must follow in carrying out congressional redistricting after an apportionment of Members of the House of Representatives because—

(1) the authority granted to Congress under article I, section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives; and

(2) the authority granted to Congress under section 5 of the fourteenth amendment to the Constitution gives Congress the power to enact laws to enforce section 2 of such amendment, which requires Representatives to be apportioned among the several States according to their number.

PART 1—REQUIREMENTS FOR CONGRESSIONAL REDISTRICTING

SEC. 2401. REQUIRING CONGRESSIONAL REDISTRICTING TO BE CONDUCTED THROUGH PLAN OF INDEPENDENT STATE COMMISSION.

(a) USE OF PLAN REQUIRED.—Notwithstanding any other provision of law, and except as provided in subsection (c), any congressional redistricting conducted by a State shall be conducted in accordance with—

(1) the redistricting plan developed and enacted into law by the independent redistricting commission established in the State, in accordance with part 2; or

(2) if a plan developed by such commission is not enacted into law, the redistricting plan developed and enacted into law by a 3-judge court, in accordance with section 2421.

(b) CONFORMING AMENDMENT.—Section 22(c) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a(c)), is amended by striking ''in the manner provided by the law thereof'' and inserting: ''in the manner provided by the Redistricting Reform Act of 2019''.

(c) SPECIAL RULE FOR EXISTING COMMISSIONS.—Subsection (a) does not apply to any State in which, under law in effect continuously on and after the date of the enactment of this Act, congressional redistricting is carried out in accordance with a plan developed and approved by an independent redistricting commission which is in compliance with each of the following requirements:

(1) PUBLICLY AVAILABLE APPLICATION PROCESS.—Membership on the commission is open to citizens of the State through a publicly available application process.

(2) DISQUALIFICATIONS FOR GOVERNMENT SERVICE AND POLITICAL APPOINTMENT.—Individuals who, for a covered period of time as established by the State, hold or have held public office, individuals who are or have been candidates for elected public office, and individuals who serve or have served as an officer, employee, or paid consultant of a campaign committee of a candidate for public office are disqualified from serving on the commission.

(3) SCREENING FOR CONFLICTS.—Individuals who apply to serve on the commission are screened through a process that excludes persons with conflicts of interest from the pool of potential commissioners.

(4) MULTI-PARTISAN COMPOSITION.—Membership on the commission represents those who are affiliated with the two political parties whose candidates received the most votes in the most recent Statewide election for Federal office held in the State, as well as those who are unaffiliated with any party or who are affiliated with political parties other than the two political parties whose candidates received the most votes in the most recent Statewide election for Federal office held in the State.

(5) CRITERIA FOR REDISTRICTING.—Members of the commission are required to meet certain criteria in the map drawing process, including minimizing the division of communities of interest and a ban on drawing maps to favor a political party.

(6) PUBLIC INPUT.—Public hearings are held and comments from the public are accepted before a final map is approved.

(7) BROAD-BASED SUPPORT FOR APPROVAL OF FINAL PLAN.—The approval of the final redistricting plan requires a majority vote of the members of the commission, including the support of at least one member of each of the following:

(A) Members who are affiliated with the political party whose candidate received the

most votes in the most recent Statewide election for Federal office held in the State.

(B) Members who are affiliated with the political party whose candidate received the second most votes in the most recent Statewide election for Federal office held in the State.

(C) Members who not affiliated with any political party or who are affiliated with political parties other than the political parties described in subparagraphs (A) and (B).

SEC. 2402. BAN ON MID-DECADE REDISTRICTING.

A State that has been redistricted in accordance with this subtitle and a State described in section 2401(c) may not be redistricted again until after the next apportionment of Representatives under section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a), unless a court requires the State to conduct such subsequent redistricting to comply with the Constitution of the United States, the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the Constitution of the State, or the terms or conditions of this subtitle.

PART 2—INDEPENDENT REDISTRICTING COMMISSIONS

SEC. 2411. INDEPENDENT REDISTRICTING COMMISSION.

(a) APPOINTMENT OF MEMBERS.—

(1) IN GENERAL.—The nonpartisan agency established or designated by a State under section 2414(a) shall establish an independent redistricting commission for the State, which shall consist of 15 members appointed by the agency as follows:

(A) Not later than October 1 of a year ending in the numeral zero, the agency shall, at a public meeting held not earlier than 15 days after notice of the meeting has been given to the public, first appoint 6 members as follows:

(i) The agency shall appoint 2 members on a random basis from the majority category of the approved selection pool (as described in section 2412(b)(1)(A)).

(ii) The agency shall appoint 2 members on a random basis from the minority category of the approved selection pool (as described in section 2412(b)(1)(B)).

(iii) The agency shall appoint 2 members on a random basis from the independent category of the approved selection pool (as described in section 2412(b)(1)(C)).

(B) Not later than November 15 of a year ending in the numeral zero, the members appointed by the agency under subparagraph (A) shall, at a public meeting held not earlier than 15 days after notice of the meeting has been given to the public, then appoint 9 members as follows:

(i) The members shall appoint 3 members from the majority category of the approved selection pool (as described in section 2412(b)(1)(A)).

(ii) The members shall appoint 3 members from the minority category of the approved selection pool (as described in section 2412(b)(1)(B)).

(iii) The members shall appoint 3 members from the independent category of the approved selection pool (as described in section 2412(b)(1)(C)).

(2) RULES FOR APPOINTMENT OF MEMBERS APPOINTED BY FIRST MEMBERS.—

(A) AFFIRMATIVE VOTE OF AT LEAST 4 MEMBERS.—The appointment of any of the 9 members of the independent redistricting commission who are appointed by the first members of the commission pursuant to subparagraph (B) of paragraph (1), as well as the designation of alternates for such members pursuant to subparagraph (B) of paragraph (3) and the appointment of alternates to fill vacancies pursuant to subparagraph (B) of paragraph (4), shall require the affirmative vote of at least 4 of the members appointed by the nonpartisan agency under subparagraph (A) of paragraph (1), including at least one member from each of the categories referred to in such subparagraph.

(B) ENSURING DIVERSITY.—In appointing the 9 members pursuant to subparagraph (B) of paragraph (1), as well as in designating alternates pursuant to subparagraph (B) of paragraph (3) and in appointing alternates to fill vacancies pursuant to subparagraph (B) of paragraph (4), the first members of the independent redistricting commission shall ensure that the membership is representative of the demographic groups (including racial, ethnic, economic, and gender) and geographic regions of the State, and provides racial, ethnic, and language minorities protected under the Voting Rights Act of 1965 with a meaningful opportunity to participate in the development of the State's redistricting plan.

(3) DESIGNATION OF ALTERNATES TO SERVE IN CASE OF VACANCIES.—

(A) MEMBERS APPOINTED BY AGENCY.—At the time the agency appoints the members of the independent redistricting commission under subparagraph (A) of paragraph (1) from each of the categories referred to in such subparagraph, the agency shall, on a random basis, designate 2 other individuals from such category to serve as alternate members who may be appointed to fill vacancies in the commission in accordance with paragraph (4).

(B) MEMBERS APPOINTED BY FIRST MEMBERS.—At the time the members appointed by the agency appoint the other members of the independent redistricting commission under subparagraph (B) of paragraph (1) from each of the categories referred to in such subparagraph, the members shall, in accordance with the special rules described in paragraph (2), designate 2 other individuals from such category to serve as alternate members who may be appointed to fill vacancies in the commission in accordance with paragraph (4).

(4) APPOINTMENT OF ALTERNATES TO SERVE IN CASE OF VACANCIES.—

(A) MEMBERS APPOINTED BY AGENCY.—If a vacancy occurs in the commission with respect to a member who was appointed by the nonpartisan agency under subparagraph (A) of paragraph (1) from one of the categories referred to in such subparagraph, the agency shall fill the vacancy by appointing, on a random basis, one of the 2 alternates from such category who was designated under subparagraph (A) of paragraph (3). At the time the agency appoints an alternate to fill a vacancy under the previous sentence, the agency shall designate, on a random basis, another individual from the same category to serve as an alternate member, in accordance with subparagraph (A) of paragraph (3).

(B) MEMBERS APPOINTED BY FIRST MEMBERS.—If a vacancy occurs in the commission with respect to a member who was appointed by the first members of the commission under subparagraph (B) of paragraph (1) from one of the categories referred to in such subparagraph, the first members shall, in accordance with the special rules described in paragraph (2), fill the vacancy by appointing one of the 2 alternates from such category who was designated under subparagraph (B) of paragraph (3). At the time the first members appoint an alternate to fill a vacancy under the previous sentence, the first members shall, in accordance with the special rules described in paragraph (2), designate another individual from the same category to serve as an alternate member, in accordance with subparagraph (B) of paragraph (3).

(5) REMOVAL.—A member of the independent redistricting commission may be removed by a majority vote of the remaining members of the commission if it is shown by a preponderance of the evidence that the member is not eligible to serve on the commission under section 2412(a).

(b) PROCEDURES FOR CONDUCTING COMMISSION BUSINESS.—

(1) CHAIR.—Members of an independent redistricting commission established under this section shall select by majority vote one member who was appointed from the independent category of the approved selection pool described in section 2412(b)(1)(C) to serve as chair of the commission. The commission may not take any action to develop a redistricting plan for the State under section 2413 until the appointment of the commission's chair.

(2) REQUIRING MAJORITY APPROVAL FOR ACTIONS.—The independent redistricting commission of a State may not publish and disseminate any draft or final redistricting plan, or take any other action, without the approval of at least—

(A) a majority of the whole membership of the commission; and

(B) at least one member of the commission appointed from each of the categories of the approved selection pool described in section 2412(b)(1).

(3) QUORUM.—A majority of the members of the commission shall constitute a quorum.

(c) STAFF; CONTRACTORS.—

(1) STAFF.—Under a public application process in which all application materials are available for public inspection, the independent redistricting commission of a State shall appoint and set the pay of technical experts, legal counsel, consultants, and such other staff as it considers appropriate, subject to State law.

(2) CONTRACTORS.—The independent redistricting commission of a State may enter into such contracts with vendors as it considers appropriate, subject to State law, except that any such contract shall be valid only if approved by the vote of a majority of the members of the commission, including at least one member appointed from each of the categories of the approved selection pool described in section 2412(b)(1).

(3) REPORTS ON EXPENDITURES FOR POLITICAL ACTIVITY.—

(A) REPORT BY APPLICANTS.—Each individual who applies for a position as an employee of the independent redistricting commission and each vendor who applies for a contract with the commission shall, at the time of applying, file with the commission a report summarizing—

(i) any expenditure for political activity made by such individual or vendor during the 10 most recent calendar years; and

(ii) any income received by such individual or vendor during the 10 most recent calendar years which is attributable to an expenditure for political activity.

(B) ANNUAL REPORTS BY EMPLOYEES AND VENDORS.—Each person who is an employee or vendor of the independent redistricting commission shall, not later than one year after the person is appointed as an employee or enters into a contract as a vendor (as the case may be) and annually thereafter for each year during which the person serves as an employee or a vendor, file with the commission a report summarizing the expenditures and income described in subparagraph (A) during the 10 most recent calendar years.

(C) EXPENDITURE FOR POLITICAL ACTIVITY DEFINED.—In this paragraph, the term ''expenditure for political activity'' means a disbursement for any of the following:

(i) An independent expenditure, as defined in section 301(17) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(17)).

(ii) An electioneering communication, as defined in section 304(f)(3) of such Act (52 U.S.C. 30104(f)(3)) or any other public communication, as defined in section 301(22) of such Act (52 U.S.C. 30101(22)) that would be an electioneering communication if it were a broadcast, cable, or satellite communication.

(iii) Any dues or other payments to trade associations or organizations described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that are, or could reasonably be anticipated to be, used or transferred to another association or organization for a use described in paragraphs (1), (2), or (4) of section 501(c) of such Code.

(4) GOAL OF IMPARTIALITY.—The commission shall take such steps as it considers appropriate to ensure that any staff appointed under this subsection, and any vendor with whom the commission enters into a contract under this subsection, will work in an impartial manner, and may require any person who applies for an appointment to a staff position or for a vendor's contract with the commission to provide information on the person's history of political activity beyond the information on the person's expenditures for political activity provided in the reports required under paragraph (3) (including donations to candidates, political committees, and political parties) as a condition of the appointment or the contract.

(5) DISQUALIFICATION; WAIVER.—

(A) IN GENERAL.—The independent redistricting commission may not appoint an individual as an employee, and may not enter into a contract with a vendor, if the individual or vendor meets any of the criteria for the disqualification of an individual from serving as a member of the commission which are set forth in section 2412(a)(2).

(B) WAIVER.—The commission may by unanimous vote of its members waive the application of subparagraph (A) to an individual or a vendor after receiving and reviewing the report filed by the individual or vendor under paragraph (3).

(d) TERMINATION.—

(1) IN GENERAL.—The independent redistricting commission of a State shall terminate on the earlier of—

(A) June 14 of the next year ending in the numeral zero; or

(B) the day on which the nonpartisan agency established or designated by a State under section 2414(a) has, in accordance with section 2412(b)(1), submitted a selection pool to the Select Committee on Redistricting for the State established under section 2414(b).

(2) PRESERVATION OF RECORDS.—The State shall ensure that the records of the independent redistricting commission are retained in the appropriate State archive in such manner as may be necessary to enable the State to respond to any civil action brought with respect to congressional redistricting in the State.

SEC. 2412. ESTABLISHMENT OF SELECTION POOL OF INDIVIDUALS ELIGIBLE TO SERVE AS MEMBERS OF COMMISSION.

(a) CRITERIA FOR ELIGIBILITY.—

(1) IN GENERAL.—An individual is eligible to serve as a member of an independent redistricting commission if the individual meets each of the following criteria:

(A) As of the date of appointment, the individual is registered to vote in elections for Federal office held in the State.

(B) During the 3-year period ending on the date of the individual's appointment, the individual has been continuously registered to vote with the same political party, or has not been registered to vote with any political party.

(C) The individual submits to the nonpartisan agency established or designated by a State under section 2413, at such time and in such form as the agency may require, an application for inclusion in the selection pool under this section, and includes with the application a written statement, with an attestation under penalty of perjury, containing the following information and assurances:

(i) The full current name and any former names of, and the contact information for, the individual, including an electronic mail address, the address of the individual's residence, mailing address, and telephone numbers.

(ii) The individual's race, ethnicity, gender, age, date of birth, and household income for the most recent taxable year.

(iii) The political party with which the individual is affiliated, if any.

(iv) The reason or reasons the individual desires to serve on the independent redistricting commission, the individual's qualifications, and information relevant to the ability of the individual to be fair and impartial, including, but not limited to—

(I) any involvement with, or financial support of, professional, social, political, religious, or community organizations or causes;

(II) the individual's employment and educational history.

(v) An assurance that the individual shall commit to carrying out the individual's duties under this subtitle in an honest, independent, and impartial fashion, and to upholding public confidence in the integrity of the redistricting process.

(vi) An assurance that, during the covered periods described in paragraph (3), the individual has not taken and will not take any action which would disqualify the individual from serving as a member of the commission under paragraph (2).

(2) DISQUALIFICATIONS.—An individual is not eligible to serve as a member of the commission if any of the following applies during any of the covered periods described in paragraph (3):

(A) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual holds public office or is a candidate for election for public office.

(B) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual serves as an officer of a political party or as an officer, employee, or paid consultant of a campaign committee of a candidate for public office or of any political action committee (as determined in accordance with the law of the State).

(C) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual holds a position as a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) or an equivalent State or local law.

(D) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual is an employee of an elected public official, a contractor with the government of the State, or a donor to the campaign of any candidate for public office or to any political action committee (other than a donor who, during any of such covered periods, gives an aggregate amount of $1,000 or less to the campaigns of all candidates for all public offices and to all political action committees).

(3) COVERED PERIODS DESCRIBED.—In this subsection, the term ''covered period'' means, with respect to the appointment of an individual to the commission, any of the following:

(A) The 10-year period ending on the date of the individual's appointment.

(B) The period beginning on the date of the individual's appointment and ending on August 14 of the next year ending in the numeral one.

(C) The 10-year period beginning on the day after the last day of the period described in subparagraph (B).

(4) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term ''immediate family member'' means, with respect to an individual, a father, stepfather, mother, stepmother, son, stepson, daughter, stepdaughter, brother, stepbrother, sister, stepsister, husband, wife, father-in-law, or mother-in-law.

(b) DEVELOPMENT AND SUBMISSION OF SELECTION POOL.—

(1) IN GENERAL.—Not later than June 15 of each year ending in the numeral zero, the nonpartisan agency established or designated by a State under section 2414(a) shall develop and submit to the Select Committee on Redistricting for the State established under section 2414(b) a selection pool of 36 individuals who are eligible to serve as members of the independent redistricting commission of the State under this subtitle, consisting of individuals in the following categories:

(A) A majority category, consisting of 12 individuals who are affiliated with the political party whose candidate received the most votes in the most recent Statewide election for Federal office held in the State.

(B) A minority category, consisting of 12 individuals who are affiliated with the political party whose candidate received the second most votes in the most recent Statewide election for Federal office held in the State.

(C) An independent category, consisting of 12 individuals who are not affiliated with either of the political parties described in subparagraph (A) or subparagraph (B).

(2) FACTORS TAKEN INTO ACCOUNT IN DEVELOPING POOL.—In selecting individuals for the selection pool under this subsection, the nonpartisan agency shall—

(A) ensure that the pool is representative of the demographic groups (including racial, ethnic, economic, and gender) and geographic regions of the State, and includes applicants who would allow racial, ethnic, and language minorities protected under the Voting Rights Act of 1965 a meaningful opportunity to participate in the development of the State's redistricting plan; and

(B) take into consideration the analytical skills of the individuals selected in relevant fields (including mapping, data management, law, community outreach, demography, and the geography of the State) and their ability to work on an impartial basis.

(3) INTERVIEWS OF APPLICANTS.—To assist the nonpartisan agency in developing the selection pool under this subsection, the nonpartisan agency shall conduct interviews of applicants under oath. If an individual is included in a selection pool developed under this section, all of the interviews of the individual shall be transcribed and the transcriptions made available on the nonpartisan agency's website contemporaneously with release of the report under paragraph (6).

(4) DETERMINATION OF POLITICAL PARTY AFFILIATION OF INDIVIDUALS IN SELECTION POOL.—For purposes of this section, an individual shall be considered to be affiliated with a political party only if the nonpartisan agency is able to verify (to the greatest extent possible) the information the individual provides in the application submitted under subsection (a)(1)(D), including by considering additional information provided by other

persons with knowledge of the individual's history of political activity.

(5) ENCOURAGING RESIDENTS TO APPLY FOR INCLUSION IN POOL.—The nonpartisan agency shall take such steps as may be necessary to ensure that residents of the State across various geographic regions and demographic groups are aware of the opportunity to serve on the independent redistricting commission, including publicizing the role of the panel and using newspapers, broadcast media, and online sources, including ethnic media, to encourage individuals to apply for inclusion in the selection pool developed under this subsection.

(6) REPORT ON ESTABLISHMENT OF SELECTION POOL.—At the time the nonpartisan agency submits the selection pool to the Select Committee on Redistricting under paragraph (1), it shall publish and post on the agency's public website a report describing the process by which the pool was developed, and shall include in the report a description of how the individuals in the pool meet the eligibility criteria of subsection (a) and of how the pool reflects the factors the agency is required to take into consideration under paragraph (2).

(7) PUBLIC COMMENT ON SELECTION POOL.—During the 14-day period which begins on the date the nonpartisan agency publishes the report under paragraph (6), the agency shall accept comments from the public on the individuals included in the selection pool. The agency shall post all such comments contemporaneously on the nonpartisan agency's website and shall transmit them to the Select Committee on Redistricting immediately upon the expiration of such period.

(8) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not earlier than 15 days and not later than 21 days after receiving the selection pool from the nonpartisan agency under paragraph (1), the Select Committee on Redistricting shall—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 2411(a)(1); or

(ii) reject the pool, in which case the nonpartisan agency shall develop and submit a replacement selection pool in accordance with subsection (c).

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

(c) DEVELOPMENT OF REPLACEMENT SELECTION POOL.—

(1) IN GENERAL.—If the Select Committee on Redistricting rejects the selection pool submitted by the nonpartisan agency under subsection (b), not later than 14 days after the rejection, the nonpartisan agency shall develop and submit to the Select Committee a replacement selection pool, under the same terms and conditions that applied to the development and submission of the selection pool under paragraphs (1) through (7) of subsection (b). The replacement pool submitted under this paragraph may include individuals who were included in the rejected selection pool submitted under subsection (b), so long as at least one of the individuals in the replacement pool was not included in such rejected pool.

(2) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not later than 21 days after receiving the replacement selection pool from the nonpartisan agency under paragraph (1), the Select Committee on Redistricting shall—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 2411(a)(1); or

(ii) reject the pool, in which case the nonpartisan agency shall develop and submit a second replacement selection pool in accordance with subsection (d).

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

(d) DEVELOPMENT OF SECOND REPLACEMENT SELECTION POOL.—

(1) IN GENERAL.—If the Select Committee on Redistricting rejects the replacement selection pool submitted by the nonpartisan agency under subsection (c), not later than 14 days after the rejection, the nonpartisan agency shall develop and submit to the Select Committee a second replacement selection pool, under the same terms and conditions that applied to the development and submission of the selection pool under paragraphs (1) through (7) of subsection (b). The second replacement selection pool submitted under this paragraph may include individuals who were included in the rejected selection pool submitted under subsection (b) or the rejected replacement selection pool submitted under subsection (c), so long as at least one of the individuals in the replacement pool was not included in either such rejected pool.

(2) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not earlier than 15 days and not later than 14 days after receiving the second replacement selection pool from the nonpartisan agency under paragraph (1), the Select Committee on Redistricting shall—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 2411(a)(1); or

(ii) reject the pool.

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

(C) EFFECT OF REJECTION.—If the Select Committee on Redistricting rejects the second replacement pool from the nonpartisan agency under paragraph (1), the redistricting plan for the State shall be developed and enacted in accordance with part 3.

SEC. 2413. CRITERIA FOR REDISTRICTING PLAN BY INDEPENDENT COMMISSION; PUBLIC NOTICE AND INPUT.

(a) DEVELOPMENT OF REDISTRICTING PLAN.—

(1) CRITERIA.—In developing a redistricting plan of a State, the independent redistricting commission of a State shall establish single-member congressional districts using the following criteria as set forth in the following order of priority:

(A) Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

(B) Districts shall comply with the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) and all applicable Federal laws.

(C) Districts shall provide racial, ethnic, and language minorities with an equal opportunity to participate in the political process and to elect candidates of choice and shall not dilute or diminish their ability to elect candidates of choice whether alone or in coalition with others.

(D) Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with the requirements of subparagraphs (A) through (C). A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, social, cultural, geographic or historic indentities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, municipalities, or school districts, but shall not include common relationships with political parties or political candidates.

(2) NO FAVORING OR DISFAVORING OF POLITICAL PARTIES.—Except as may be required to meet the criteria described in paragraph (1), the redistricting plan developed by the independent redistricting commission shall not, when considered on a Statewide basis, unduly favor or disfavor any political party.

(3) FACTORS PROHIBITED FROM CONSIDERATION.—In developing the redistricting plan for the State, the independent redistricting commission may not take into consideration any of the following factors, except to the extent necessary to comply with the criteria described in subparagraphs (A) through (C) of paragraph (1), paragraph (2), and to enable the redistricting plan to be measured against the external metrics described in subsection (e):

(A) The residence of any Member of the House of Representatives or candidate.

(B) The political party affiliation or voting history of the population of a district.

(b) PUBLIC NOTICE AND INPUT.—

(1) USE OF OPEN AND TRANSPARENT PROCESS.—The independent redistricting commission of a State shall hold each of its meetings in public, shall solicit and take into consideration comments from the public, including proposed maps, throughout the process of developing the redistricting plan for the State, and shall carry out its duties in an open and transparent manner which provides for the widest public dissemination reasonably possible of its proposed and final redistricting plans.

(2) WEBSITE.—

(A) FEATURES.—The commission shall maintain a public Internet site which is not affiliated with or maintained by the office of any elected official and which includes the following features:

(i) General information on the commission, its role in the redistricting process, and its members, including contact information.

(ii) An updated schedule of commission hearings and activities, including deadlines for the submission of comments.

(iii) All draft redistricting plans developed by the commission under subsection (c) and the final redistricting plan developed under subsection (d), including the accompanying written evaluation under subsection (e).

(iv) All comments received from the public on the commission's activities, including any proposed maps submitted under paragraph (1).

(v) Live streaming of commission hearings and an archive of previous meetings, including any documents considered at any such meeting, which the commission shall post not later than 24 hours after the conclusion of the meeting.

(vi) Access in an easily useable format to the demographic and other data used by the commission to develop and analyze the proposed redistricting plans, together with access to any software used to draw maps of proposed districts and to any reports analyzing and evaluating any such maps.

(vii) A method by which members of the public may submit comments and proposed maps directly to the commission.

(viii) All records of the commission, including all communications to or from members, employees, and contractors regarding the work of the commission.

(ix) A list of all contractors receiving payment from the commission, together with the annual disclosures submitted by the contractors under section 2411(c)(3).

(x) A list of the names of all individuals who submitted applications to serve on the commission, together with the applications

submitted by individuals included in any selection pool, except that the commission may redact from such applications any financial or other personally sensitive information.

(B) SEARCHABLE FORMAT.—The commission shall ensure that all information posted and maintained on the site under this paragraph, including information and proposed maps submitted by the public, shall be maintained in an easily searchable format.

(C) DEADLINE.—The commission shall ensure that the public internet site under this paragraph is operational (in at least a preliminary format) not later than January 1 of the year ending in the numeral one.

(3) PUBLIC COMMENT PERIOD.—The commission shall solicit, accept, and consider comments from the public with respect to its duties, activities, and procedures at any time during the period—

(A) which begins on January 1 of the year ending in the numeral one; and

(B) which ends 7 days before the date of the meeting at which the commission shall vote on approving the final redistricting plan for enactment into law under subsection (d)(2).

(4) MEETINGS AND HEARINGS IN VARIOUS GEOGRAPHIC LOCATIONS.—To the greatest extent practicable, the commission shall hold its meetings and hearings in various geographic regions and locations throughout the State.

(5) MULTIPLE LANGUAGE REQUIREMENTS FOR ALL NOTICES.—The commission shall make each notice which is required to be posted and published under this section available in any language in which the State (or any jurisdiction in the State) is required to provide election materials under section 203 of the Voting Rights Act of 1965.

(c) DEVELOPMENT AND PUBLICATION OF PRELIMINARY REDISTRICTING PLAN.—

(1) IN GENERAL.—Prior to developing and publishing a final redistricting plan under subsection (d), the independent redistricting commission of a State shall develop and publish a preliminary redistricting plan.

(2) MINIMUM PUBLIC HEARINGS AND OPPORTUNITY FOR COMMENT PRIOR TO DEVELOPMENT.—

(A) 3 HEARINGS REQUIRED.—Prior to developing a preliminary redistricting plan under this subsection, the commission shall hold not fewer than 3 public hearings at which members of the public may provide input and comments regarding the potential contents of redistricting plans for the State and the process by which the commission will develop the preliminary plan under this subsection.

(B) MINIMUM PERIOD FOR NOTICE PRIOR TO HEARINGS.—Not fewer than 14 days prior to the date of each hearing held under this paragraph, the commission shall post notices of the hearing in on the website maintained under subsection (b)(2), and shall provide for the publication of such notices in newspapers of general circulation throughout the State. Each such notice shall specify the date, time, and location of the hearing.

(C) SUBMISSION OF PLANS AND MAPS BY MEMBERS OF THE PUBLIC.—Any member of the public may submit maps or portions of maps for consideration by the commission. As provided under subsection (b)(2)(A), any such map shall be made publicly available on the commission's website and open to comment.

(3) PUBLICATION OF PRELIMINARY PLAN.—

(A) IN GENERAL.—The commission shall post the preliminary redistricting plan developed under this subsection, together with a report that includes the commission's responses to any public comments received under subsection (b)(3), on the website maintained under subsection (b)(2), and shall provide for the publication of each such plan in newspapers of general circulation throughout the State.

(B) MINIMUM PERIOD FOR NOTICE PRIOR TO PUBLICATION.—Not fewer than 14 days prior to the date on which the commission posts and publishes the preliminary plan under this paragraph, the commission shall notify the public through the website maintained under subsection (b)(2), as well as through publication of notice in newspapers of general circulation throughout the State, of the pending publication of the plan.

(4) MINIMUM POST-PUBLICATION PERIOD FOR PUBLIC COMMENT.—The commission shall accept and consider comments from the public (including through the website maintained under subsection (b)(2)) with respect to the preliminary redistricting plan published under paragraph (3), including proposed revisions to maps, for not fewer than 30 days after the date on which the plan is published.

(5) POST-PUBLICATION HEARINGS.—

(A) 3 HEARINGS REQUIRED.—After posting and publishing the preliminary redistricting plan under paragraph (3), the commission shall hold not fewer than 3 public hearings in different geographic areas of the State at which members of the public may provide input and comments regarding the preliminary plan.

(B) MINIMUM PERIOD FOR NOTICE PRIOR TO HEARINGS.—Not fewer than 14 days prior to the date of each hearing held under this paragraph, the commission shall post notices of the hearing in on the website maintained under subsection (b)(2), and shall provide for the publication of such notices in newspapers of general circulation throughout the State. Each such notice shall specify the date, time, and location of the hearing.

(6) PERMITTING MULTIPLE PRELIMINARY PLANS.—At the option of the commission, after developing and publishing the preliminary redistricting plan under this subsection, the commission may develop and publish subsequent preliminary redistricting plans, so long as the process for the development and publication of each such subsequent plan meets the requirements set forth in this subsection for the development and publication of the first preliminary redistricting plan.

(d) PROCESS FOR ENACTMENT OF FINAL REDISTRICTING PLAN.—

(1) IN GENERAL.—After taking into consideration comments from the public on any preliminary redistricting plan developed and published under subsection (c), the independent redistricting commission of a State shall develop and publish a final redistricting plan for the State.

(2) MEETING; FINAL VOTE.—Not later than the deadline specified in subsection (h), the commission shall hold a public hearing at which the members of the commission shall vote on approving the final plan for enactment into law.

(3) PUBLICATION OF PLAN AND ACCOMPANYING MATERIALS.—Not fewer than 14 days before the date of the meeting under paragraph (2), the commission shall provide the following information to the public through the website maintained under subsection (b)(2), as well as through newspapers of general circulation throughout the State:

(A) The final redistricting plan, including all relevant maps.

(B) A report by the commission to accompany the plan which provides the background for the plan and the commission's reasons for selecting the plan as the final redistricting plan, including responses to the public comments received on any preliminary redistricting plan developed and published under subsection (c).

(C) Any dissenting or additional views with respect to the plan of individual members of the commission.

(4) ENACTMENT.—The final redistricting plan developed and published under this subsection shall be deemed to be enacted into law if—

(A) the plan is approved by a majority of the whole membership of the commission; and

(B) at least one member of the commission appointed from each of the categories of the approved selection pool described in section 2412(b)(1) approves the plan.

(e) WRITTEN EVALUATION OF PLAN AGAINST EXTERNAL METRICS.—The independent redistricting commission shall include with each redistricting plan developed and published under this section a written evaluation that measures each such plan against external metrics which cover the criteria set forth in paragraph (1) of subsection (a), including the impact of the plan on the ability of communities of color to elect candidates of choice, measures of partisan fairness using multiple accepted methodologies, and the degree to which the plan preserves or divides communities of interest.

(f) TIMING.—The independent redistricting commission of a State may begin its work on the redistricting plan of the State upon receipt of relevant population information from the Bureau of the Census, and shall approve a final redistricting plan for the State in each year ending in the numeral one not later than 8 months after the date on which the State receives the State apportionment notice or October 1, whichever occurs later.

SEC. 2414. ESTABLISHMENT OF RELATED ENTITIES.

(a) ESTABLISHMENT OR DESIGNATION OF NONPARTISAN AGENCY OF STATE LEGISLATURE.—

(1) IN GENERAL.—Each State shall establish a nonpartisan agency in the legislative branch of the State government to appoint the members of the independent redistricting commission for the State in accordance with section 2411.

(2) NONPARTISANSHIP DESCRIBED.—For purposes of this subsection, an agency shall be considered to be nonpartisan if under law the agency—

(A) is required to provide services on a nonpartisan basis;

(B) is required to maintain impartiality; and

(C) is prohibited from advocating for the adoption or rejection of any legislative proposal.

(3) TRAINING OF MEMBERS APPOINTED TO COMMISSION.—Not later than January 15 of a year ending in the numeral one, the nonpartisan agency established or designated under this subsection shall provide the members of the independent redistricting commission with initial training on their obligations as members of the commission, including obligations under the Voting Rights Act of 1965 and other applicable laws.

(4) REGULATIONS.—The nonpartisan agency established or designated under this subsection shall adopt and publish regulations, after notice and opportunity for comment, establishing the procedures that the agency will follow in fulfilling its duties under this subtitle, including the procedures to be used in vetting the qualifications and political affiliation of applicants and in creating the selection pools, the randomized process to be used in selecting the initial members of the independent redistricting commission, and the rules that the agency will apply to ensure that the agency carries out its duties under this subtitle in a maximally transparent, publicly accessible, and impartial manner.

(5) DESIGNATION OF EXISTING AGENCY.—At its option, a State may designate an existing agency in the legislative branch of its government to appoint the members of the independent redistricting commission plan for the State under this subtitle, so long as the

agency meets the requirements for nonpartisanship under this subsection.

(6) TERMINATION OF AGENCY SPECIFICALLY ESTABLISHED FOR REDISTRICTING.—If a State does not designate an existing agency under paragraph (5) but instead establishes a new agency to serve as the nonpartisan agency under this section, the new agency shall terminate upon the enactment into law of the redistricting plan for the State.

(7) PRESERVATION OF RECORDS.—The State shall ensure that the records of the nonpartisan agency are retained in the appropriate State archive in such manner as may be necessary to enable the State to respond to any civil action brought with respect to congressional redistricting in the State.

(8) DEADLINE.—The State shall meet the requirements of this subsection not later than each October 15 of a year ending in the numeral nine.

(b) ESTABLISHMENT OF SELECT COMMITTEE ON REDISTRICTING.—

(1) IN GENERAL.—Each State shall appoint a Select Committee on Redistricting to approve or disapprove a selection pool developed by the independent redistricting commission for the State under section 2412.

(2) APPOINTMENT.—The Select Committee on Redistricting for a State under this subsection shall consist of the following members:

(A) 1 member of the upper house of the State legislature, who shall be appointed by the leader of the party with the greatest number of seats in the upper house.

(B) 1 member of the upper house of the State legislature, who shall be appointed by the leader of the party with the second greatest number of seats in the upper house.

(C) 1 member of the lower house of the State legislature, who shall be appointed by the leader of the party with the greatest number of seats in the lower house.

(D) 1 member of the lower house of the State legislature, who shall be appointed by the leader of the party with the second greatest number of seats in the lower house.

(3) SPECIAL RULE FOR STATES WITH UNICAMERAL LEGISLATURE.—In the case of a State with a unicameral legislature, the Select Committee on Redistricting for the State under this subsection shall consist of the following members:

(A) 2 members of the State legislature appointed by the chair of the political party of the State whose candidate received the highest percentage of votes in the most recent Statewide election for Federal office held in the State.

(B) 2 members of the State legislature appointed by the chair of the political party whose candidate received the second highest percentage of votes in the most recent Statewide election for Federal office held in the State.

(4) DEADLINE.—The State shall meet the requirements of this subsection not later than each January 15 of a year ending in the numeral zero.

PART 3—ROLE OF COURTS IN DEVELOPMENT OF REDISTRICTING PLANS

SEC. 2421. ENACTMENT OF PLAN DEVELOPED BY 3-JUDGE COURT.

(a) DEVELOPMENT OF PLAN.—If any of the triggering events described in subsection (f) occur with respect to a State—

(1) not later than December 15 of the year in which the triggering event occurs, the United States district court for the applicable venue, acting through a 3-judge Court convened pursuant to section 2284 of title 28, United States Code, shall develop and publish the congressional redistricting plan for the State; and

(2) the final plan developed and published by the Court under this section shall be deemed to be enacted on the date on which the Court publishes the final plan, as described in subsection (d).

(b) APPLICABLE VENUE DESCRIBED.—For purposes of this section, the ''applicable venue'' with respect to a State is the District of Columbia or the judicial district in which the capital of the State is located, as selected by the first party to file with the court sufficient evidence of the occurrence of a triggering event described in subsection (f).

(c) PROCEDURES FOR DEVELOPMENT OF PLAN.—

(1) CRITERIA.—In developing a redistricting plan for a State under this section, the Court shall adhere to the same terms and conditions that applied (or that would have applied, as the case may be) to the development of a plan by the independent redistricting commission of the State under section 2413(a).

(2) ACCESS TO INFORMATION AND RECORDS OF COMMISSION.—The Court shall have access to any information, data, software, or other records and material that was used (or that would have been used, as the case may be) by the independent redistricting commission of the State in carrying out its duties under this subtitle.

(3) HEARING; PUBLIC PARTICIPATION.—In developing a redistricting plan for a State, the Court shall—

(A) hold one or more evidentiary hearings at which interested members of the public may appear and be heard and present testimony, including expert testimony, in accordance with the rules of the Court; and

(B) consider other submissions and comments by the public, including proposals for redistricting plans to cover the entire State or any portion of the State.

(4) USE OF SPECIAL MASTER.—To assist in the development and publication of a redistricting plan for a State under this section, the Court may appoint a special master to make recommendations to the Court on possible plans for the State.

(d) PUBLICATION OF PLAN.—

(1) PUBLIC AVAILABILITY OF INITIAL PLAN.—Upon completing the development of one or more initial redistricting plans, the Court shall make the plans available to the public at no cost, and shall also make available the underlying data used by the Court to develop the plans and a written evaluation of the plans against external metrics (as described in section 2413(e)).

(2) PUBLICATION OF FINAL PLAN.—At any time after the expiration of the 14-day period which begins on the date the Court makes the plans available to the public under paragraph (1), and taking into consideration any submissions and comments by the public which are received during such period, the Court shall develop and publish the final redistricting plan for the State.

(e) USE OF INTERIM PLAN.—In the event that the Court is not able to develop and publish a final redistricting plan for the State with sufficient time for an upcoming election to proceed, the Court may develop and publish an interim redistricting plan which shall serve as the redistricting plan for the State until the Court develops and publishes a final plan in accordance with this section. Nothing in this subsection may be construed to limit or otherwise affect the authority or discretion of the Court to develop and publish the final redistricting plan, including but not limited to the discretion to make any changes the Court deems necessary to an interim redistricting plan.

(f) TRIGGERING EVENTS DESCRIBED.—The ''triggering events'' described in this subsection are as follows:

(1) The failure of the State to establish or designate a nonpartisan agency of the State legislature under section 2414(a) prior to the expiration of the deadline set forth in section 2414(a)(5).

(2) The failure of the State to appoint a Select Committee on Redistricting under section 2414(b) prior to the expiration of the deadline set forth in section 2414(b)(4).

(3) The failure of the Select Committee on Redistricting to approve any selection pool under section 2412 prior to the expiration of the deadline set forth for the approval of the second replacement selection pool in section 2412(d)(2).

(4) The failure of the independent redistricting commission of the State to approve a final redistricting plan for the State prior to the expiration of the deadline set forth in section 2413(f).

SEC. 2422. SPECIAL RULE FOR REDISTRICTING CONDUCTED UNDER ORDER OF FEDERAL COURT.

If a Federal court requires a State to conduct redistricting subsequent to an apportionment of Representatives in the State in order to comply with the Constitution or to enforce the Voting Rights Act of 1965, section 2413 shall apply with respect to the redistricting, except that the court may revise any of the deadlines set forth in such section if the court determines that a revision is appropriate in order to provide for a timely enactment of a new redistricting plan for the State.

PART 4—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

SEC. 2431. PAYMENTS TO STATES FOR CARRYING OUT REDISTRICTING.

(a) AUTHORIZATION OF PAYMENTS.—Subject to subsection (d), not later than 30 days after a State receives a State apportionment notice, the Election Assistance Commission shall, subject to the availability of appropriations provided pursuant to subsection (e), make a payment to the State in an amount equal to the product of—

(1) the number of Representatives to which the State is entitled, as provided under the notice; and

(2) $150,000.

(b) USE OF FUNDS.—A State shall use the payment made under this section to establish and operate the State's independent redistricting commission, to implement the State redistricting plan, and to otherwise carry out congressional redistricting in the State.

(c) NO PAYMENT TO STATES WITH SINGLE MEMBER.—The Election Assistance Commission shall not make a payment under this section to any State which is not entitled to more than one Representative under its State apportionment notice.

(d) REQUIRING SUBMISSION OF SELECTION POOL AS CONDITION OF PAYMENT.—

(1) REQUIREMENT.—Except as provided in paragraph (2), the Election Assistance Commission may not make a payment to a State under this section until the State certifies to the Commission that the nonpartisan agency established or designated by a State under section 2414(a) has, in accordance with section 2412(b)(1), submitted a selection pool to the Select Committee on Redistricting for the State established under section 2414(b).

(2) EXCEPTION FOR STATES WITH EXISTING COMMISSIONS.—In the case of a State which, pursuant to section 2401(c), is exempt from the requirements of section 2401(a), the Commission may not make a payment to the State under this section until the State certifies to the Commission that its redistricting commission meets the requirements of section 2401(c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for payments under this section.

SEC. 2432. CIVIL ENFORCEMENT.

(a) CIVIL ENFORCEMENT.—

(1) ACTIONS BY ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such relief as may be appropriate to carry out this subtitle.

(2) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Any citizen of a State who is aggrieved by the failure of the State to meet the requirements of this subtitle may bring a civil action in the United States district court for the applicable venue for such relief as may be appropriate to remedy the failure. For purposes of this section, the ''applicable venue'' is the District of Columbia or the judicial district in which the capital of the State is located, as selected by the person who brings the civil action.

(b) EXPEDITED CONSIDERATION.—In any action brought forth under this section, the following rules shall apply:

(1) The action shall be filed in the district court of the United States for the District of Columbia or for the judicial district in which the capital of the State is located, as selected by the person bringing the action.

(2) The action shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(3) The 3-judge court shall consolidate actions brought for relief under subsection (b)(1) with respect to the same State redistricting plan.

(4) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(5) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(6) It shall be the duty of the district court and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(c) ATTORNEY'S FEES.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) RELATION TO OTHER LAWS.—

(1) RIGHTS AND REMEDIES ADDITIONAL TO OTHER RIGHTS AND REMEDIES.—The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this subtitle shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) VOTING RIGHTS ACT OF 1965.—Nothing in this subtitle authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

SEC. 2433. STATE APPORTIONMENT NOTICE DEFINED.

In this subtitle, the ''State apportionment notice'' means, with respect to a State, the notice sent to the State from the Clerk of the House of Representatives under section 22(b) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a), of the number of Representatives to which the State is entitled.

SEC. 2434. NO EFFECT ON ELECTIONS FOR STATE AND LOCAL OFFICE.

Nothing in this subtitle or in any amendment made by this subtitle may be construed to affect the manner in which a State carries out elections for State or local office, including the process by which a State establishes the districts used in such elections.

SEC. 2435. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall apply with respect to redistricting carried out pursuant to the decennial census conducted during 2020 or any succeeding decennial census.

Subtitle F—Saving Eligible Voters From Voter Purging

SEC. 2501. SHORT TITLE.

This subtitle may be cited as the ''Stop Automatically Voiding Eligible Voters Off Their Enlisted Rolls in States Act'' or the ''Save Voters Act''.

SEC. 2502. CONDITIONS FOR REMOVAL OF VOTERS FROM LIST OF REGISTERED VOTERS.

(a) CONDITIONS DESCRIBED.—The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) is amended by inserting after section 8 the following new section:

''SEC. 8A. CONDITIONS FOR REMOVAL OF VOTERS FROM OFFICIAL LIST OF REGISTERED VOTERS.

''(a) VERIFICATION ON BASIS OF OBJECTIVE AND RELIABLE EVIDENCE OF INELIGIBILITY.—

''(1) REQUIRING VERIFICATION.—Notwithstanding any other provision of this Act, a State may not remove the name of any registrant from the official list of voters eligible to vote in elections for Federal office in the State unless the State verifies, on the basis of objective and reliable evidence, that the registrant is ineligible to vote in such elections.

''(2) FACTORS NOT CONSIDERED AS OBJECTIVE AND RELIABLE EVIDENCE OF INELIGIBILITY.—For purposes of paragraph (1), the following factors, or any combination thereof, shall not be treated as objective and reliable evidence of a registrant's ineligibility to vote:

''(A) The failure of the registrant to vote in any election.

''(B) The failure of the registrant to respond to any notice sent under section 8(d), unless the notice has been returned as undeliverable.

''(C) The failure of the registrant to take any other action with respect to voting in any election or with respect to the registrant's status as a registrant.

''(b) NOTICE AFTER REMOVAL.—

''(1) NOTICE TO INDIVIDUAL REMOVED.—

''(A) IN GENERAL.—Not later than 48 hours after a State removes the name of a registrant from the official list of eligible voters for any reason (other than the death of the registrant), the State shall send notice of the removal to the former registrant, and shall include in the notice the grounds for the removal and information on how the former registrant may contest the removal or be reinstated, including a telephone number for the appropriate election official.

''(B) EXCEPTIONS.—Subparagraph (A) does not apply in the case of a registrant—

''(i) who sends written confirmation to the State that the registrant is no longer eligible to vote in the registrar's jurisdiction in which the registrant was registered; or

''(ii) who is removed from the official list of eligible voters by reason of the death of the registrant.

''(2) PUBLIC NOTICE.—Not later than 48 hours after conducting any general program to remove the names of ineligible voters from the official list of eligible voters (as described in section 8(a)(4)), the State shall disseminate a public notice through such methods as may be reasonable to reach the general public (including by publishing the notice in a newspaper of wide circulation or posting the notice on the websites of the appropriate election officials) that list maintenance is taking place and that registrants should check their registration status to ensure no errors or mistakes have been made. The State shall ensure that the public notice disseminated under this paragraph is in a format that is reasonably convenient and accessible to voters with disabilities, including voters who have low vision or are blind.''.

(b) CONDITIONS FOR TRANSMISSION OF NOTICES OF REMOVAL.—Section 8(d) of such Act (52 U.S.C. 20507(d)) is amended by adding at the end the following new paragraph:

''(4) A State may not transmit a notice to a registrant under this subsection unless the State obtains objective and reliable evidence (in accordance with the standards for such evidence which are described in section 8A(a)(2)) that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered.''.

(c) CONFORMING AMENDMENTS.—

(1) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 8(a) of such Act (52 U.S.C. 20507(a)) is amended—

(A) in paragraph (3), by striking ''provide'' and inserting ''subject to section 8A, provide''; and

(B) in paragraph (4), by striking ''conduct'' and inserting ''subject to section 8A, conduct''.

(2) HELP AMERICA VOTE ACT OF 2002.—Section 303(a)(4)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)(4)(A)) is amended by striking '', registrants'' and inserting '', and subject to section 8A of such Act, registrants''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle G—No Effect on Authority of States to Provide Greater Opportunities for Voting

SEC. 2601. NO EFFECT ON AUTHORITY OF STATES TO PROVIDE GREATER OPPORTUNITIES FOR VOTING.

Nothing in this title or the amendments made by this title may be construed to prohibit any State from enacting any law which provides greater opportunities for individuals to register to vote and to vote in elections for Federal office than are provided by this title and the amendments made by this title.

Subtitle H—Severability

SEC. 2701. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

TITLE III—ELECTION SECURITY

SEC. 3000. SHORT TITLE; SENSE OF CONGRESS.

(a) SHORT TITLE.—This title may be cited as the ''Election Security Act''.

(b) SENSE OF CONGRESS ON NEED TO IMPROVE ELECTION INFRASTRUCTURE SECURITY.—It is the sense of Congress that, in light of the lessons learned from Russian interference in the 2016 Presidential election, the Federal Government should intensify its efforts to improve the security of election infrastructure in the United States, including through the use of individual, durable, paper ballots marked by the voter by hand.

Subtitle A—Financial Support for Election Infrastructure

PART 1—VOTING SYSTEM SECURITY IMPROVEMENT GRANTS

SEC. 3001. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

(a) AVAILABILITY OF GRANTS.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 1905(a), is amended by adding at the end the following new part:

''PART 8—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''SEC. 298. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

''(a) AVAILABILITY AND USE OF GRANT.—The Commission shall make a grant to each eligible State—

''(1) to replace a voting system—

''(A) which does not meet the requirements which are first imposed on the State pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2019 with a voting system which does meet such requirements, for use in the regularly scheduled general elections for Federal office held in November 2020, or

''(B) which does meet such requirements but which is not in compliance with the most recent voluntary voting system guidelines issued by the Commission prior to the regularly scheduled general election for Federal office held in November 2020 with another system which does meet such requirements and is in compliance with such guidelines; and

''(2) to carry out voting system security improvements described in section 298A with respect to the regularly scheduled general elections for Federal office held in November 2020 and each succeeding election for Federal office.

''(b) AMOUNT OF GRANT.—The amount of a grant made to a State under this section shall be such amount as the Commission determines to be appropriate, except that such amount may not be less than the product of $1 and the average of the number of individuals who cast votes in any of the two most recent regularly scheduled general elections for Federal office held in the State.

''(c) PRO RATA REDUCTIONS.—If the amount of funds appropriated for grants under this part is insufficient to ensure that each State receives the amount of the grant calculated under subsection (b), the Commission shall make such pro rata reductions in such amounts as may be necessary to ensure that the entire amount appropriated under this part is distributed to the States.

''(d) ABILITY OF REPLACEMENT SYSTEMS TO ADMINISTER RANKED CHOICE ELECTIONS.—To the greatest extent practicable, an eligible State which receives a grant to replace a voting system under this section shall ensure that the replacement system is capable of administering a system of ranked choice voting under which each voter shall rank the candidates for the office in the order of the voter's preference.

''SEC. 298A. VOTING SYSTEM SECURITY IMPROVEMENTS DESCRIBED.

''(a) PERMITTED USES.—A voting system security improvement described in this section is any of the following:

''(1) The acquisition of goods and services from qualified election infrastructure vendors by purchase, lease, or such other arrangements as may be appropriate.

''(2) Cyber and risk mitigation training.

''(3) A security risk and vulnerability assessment of the State's election infrastructure which is carried out by a provider of cybersecurity services under a contract entered into between the chief State election official and the provider.

''(4) The maintenance of election infrastructure, including addressing risks and vulnerabilities which are identified under either of the security risk and vulnerability assessments described in paragraph (3), except that none of the funds provided under this part may be used to renovate or replace a building or facility which is used primarily for purposes other than the administration of elections for public office.

''(5) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part of the State's election infrastructure or designates as critical to the operation of the State's election infrastructure.

''(6) Enhancing the cybersecurity and operations of the information technology infrastructure described in paragraph (4).

''(7) Enhancing the cybersecurity of voter registration systems.

''(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS DESCRIBED.—

''(1) IN GENERAL.—For purposes of this part, a 'qualified election infrastructure vendor' is any person who provides, supports, or maintains, or who seeks to provide, support, or maintain, election infrastructure on behalf of a State, unit of local government, or election agency (as defined in section 3501 of the Election Security Act) who meets the criteria described in paragraph (2).

''(2) CRITERIA.—The criteria described in this paragraph are such criteria as the Chairman, in coordination with the Secretary of Homeland Security, shall establish and publish, and shall include each of the following requirements:

''(A) The vendor must be owned and controlled by a citizen or permanent resident of the United States.

''(B) The vendor must disclose to the Chairman and the Secretary, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under this part, of any sourcing outside the United States for parts of the election infrastructure.

''(C) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

''(D) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

''(E) The vendor agrees to meet the requirements of paragraph (3) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under this part.

''(F) The vendor agrees to permit independent security testing by the Commission (in accordance with section 231(a)) and by the Secretary of the goods and services provided by the vendor pursuant to a grant under this part.

''(3) CYBERSECURITY INCIDENT REPORTING REQUIREMENTS.—

''(A) IN GENERAL.—A vendor meets the requirements of this paragraph if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided by the vendor pursuant to a grant under this part—

''(i) the vendor promptly assesses whether or not such an incident occurred, and submits a notification meeting the requirements of subparagraph (B) to the Secretary and the Chairman of the assessment as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred);

''(ii) if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the requirements of subparagraph (B) to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and

''(iii) the vendor provides all necessary updates to any notification submitted under clause (i) or clause (ii).

''(B) CONTENTS OF NOTIFICATIONS.—Each notification submitted under clause (i) or clause (ii) of subparagraph (A) shall contain the following information with respect to any election cybersecurity incident covered by the notification:

''(i) The date, time, and time zone when the election cybersecurity incident began, if known.

''(ii) The date, time, and time zone when the election cybersecurity incident was detected.

''(iii) The date, time, and duration of the election cybersecurity incident.

''(iv) The circumstances of the election cybersecurity incident, including the specific election infrastructure systems believed to have been accessed and information acquired, if any.

''(v) Any planned and implemented technical measures to respond to and recover from the incident.

''(vi) In the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.

''SEC. 298B. ELIGIBILITY OF STATES.

''A State is eligible to receive a grant under this part if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

''(1) a description of how the State will use the grant to carry out the activities authorized under this part;

''(2) a certification and assurance that, not later than 5 years after receiving the grant, the State will carry out risk-limiting audits and will carry out voting system security improvements, as described in section 298A; and

''(3) such other information and assurances as the Commission may require.

''SEC. 298C. REPORTS TO CONGRESS.

''Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the appropriate congressional committees, including the Committees on Homeland Security, House Administration, and the Judiciary of the House of Representatives and the Committees on Homeland Security and Governmental Affairs, the Judiciary, and Rules and Administration of the Senate, on the activities carried out with the funds provided under this part.

''SEC. 298D. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated for grants under this part—

''(1) $1,000,000,000 for fiscal year 2019; and

''(2) $175,000,000 for each of the fiscal years 2020, 2022, 2024, and 2026.

''(b) CONTINUING AVAILABILITY OF AMOUNTS.—Any amounts appropriated pursuant to the authorization of this section shall remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1905(b), is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 8—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''Sec. 298. Grants for obtaining compliant paper ballot voting systems and carrying out voting system security improvements.

''Sec. 298A. Voting system security improvements described.

''Sec. 298B. Eligibility of States.

''Sec. 298C. Reports to Congress.

''Sec. 298D. Authorization of appropriations.

SEC. 3002. COORDINATION OF VOTING SYSTEM SECURITY ACTIVITIES WITH USE OF REQUIREMENTS PAYMENTS AND ELECTION ADMINISTRATION REQUIREMENTS UNDER HELP AMERICA VOTE ACT OF 2002.

(a) DUTIES OF ELECTION ASSISTANCE COMMISSION.—Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended in the matter preceding paragraph (1) by striking ''by'' and inserting ''and the security of election infrastructure by''.

(b) MEMBERSHIP OF SECRETARY OF HOMELAND SECURITY ON BOARD OF ADVISORS OF ELECTION ASSISTANCE COMMISSION.—Section 214(a) of such Act (52 U.S.C. 20944(a)) is amended—

(1) by striking ''37 members'' and inserting ''38 members''; and

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

''(17) The Secretary of Homeland Security or the Secretary's designee.''.

(c) REPRESENTATIVE OF DEPARTMENT OF HOMELAND SECURITY ON TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(c)(1) of such Act (52 U.S.C. 20961(c)(1)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) A representative of the Department of Homeland Security.''.

(d) GOALS OF PERIODIC STUDIES OF ELECTION ADMINISTRATION ISSUES; CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.—Section 241(a) of such Act (52 U.S.C. 20981(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''the Commission shall'' and inserting ''the Commission, in consultation with the Secretary of Homeland Security (as appropriate), shall'';

(2) by striking ''and'' at the end of paragraph (3);

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following new paragraph:

''(4) will be secure against attempts to undermine the integrity of election systems by cyber or other means; and''.

(e) REQUIREMENTS PAYMENTS.—

(1) USE OF PAYMENTS FOR VOTING SYSTEM SECURITY IMPROVEMENTS.—Section 251(b) of such Act (52 U.S.C. 21001(b)), as amended by section 1061(a)(2), is further amended by adding at the end the following new paragraph:

''(5) PERMITTING USE OF PAYMENTS FOR VOTING SYSTEM SECURITY IMPROVEMENTS.—A State may use a requirements payment to carry out any of the following activities:

''(A) Cyber and risk mitigation training.

''(B) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part of the State's election infrastructure or designates as critical to the operation of the State's election infrastructure.

''(C) Enhancing the cybersecurity and operations of the information technology infrastructure described in subparagraph (B).

''(D) Enhancing the security of voter registration databases.''.

(2) INCORPORATION OF ELECTION INFRASTRUCTURE PROTECTION IN STATE PLANS FOR USE OF PAYMENTS.—Section 254(a)(1) of such Act (52 U.S.C. 21004(a)(1)) is amended by striking the period at the end and inserting '', including the protection of election infrastructure.''.

(3) COMPOSITION OF COMMITTEE RESPONSIBLE FOR DEVELOPING STATE PLAN FOR USE OF PAYMENTS.—Section 255 of such Act (52 U.S.C. 21005) is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

''(b) GEOGRAPHIC REPRESENTATION.—The members of the committee shall be a representative group of individuals from the State's counties, cities, towns, and Indian tribes, and shall represent the needs of rural as well as urban areas of the State, as the case may be.''.

(f) ENSURING PROTECTION OF COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a)(3) of such Act (52 U.S.C. 21083(a)(3)) is amended by striking the period at the end and inserting '', as well as other measures to prevent and deter cybersecurity incidents, as identified by the Commission, the Secretary of Homeland Security, and the Technical Guidelines Development Committee.''.

SEC. 3003. INCORPORATION OF DEFINITIONS.

(a) IN GENERAL.—Section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141) is amended to read as follows:

''SEC. 901. DEFINITIONS.

''In this Act, the following definitions apply:

''(1) The term 'cybersecurity incident' has the meaning given the term 'incident' in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).

''(2) The term 'election infrastructure' has the meaning given such term in section 3501 of the Election Security Act.

''(3) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by amending the item relating to section 901 to read as follows:

''Sec. 901. Definitions.''.

PART 2—GRANTS FOR RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS

SEC. 3011. GRANTS TO STATES FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS.

(a) AVAILABILITY OF GRANTS.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by sections 1905(a) and 3001(a), is amended by adding at the end the following new part:

''PART 9—GRANTS FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS

''SEC. 299. GRANTS FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS.

''(a) AVAILABILITY OF GRANTS.—The Commission shall make a grant to each eligible State to conduct risk-limiting audits as described in subsection (b) with respect to the regularly scheduled general elections for Federal office held in November 2020 and each succeeding election for Federal office.

''(b) RISK-LIMITING AUDITS DESCRIBED.—In this part, a 'risk-limiting audit' is a post-election process—

''(1) which is conducted in accordance with rules and procedures established by the chief State election official of the State which meet the requirements of subsection (c); and

''(2) under which, if the reported outcome of the election is incorrect, there is at least a predetermined percentage chance that the audit will replace the incorrect outcome with the correct outcome as determined by a full, hand-to-eye tabulation of all votes validly cast in that election that ascertains voter intent manually and directly from voter-verifiable paper records.

''(c) REQUIREMENTS FOR RULES AND PROCEDURES.—The rules and procedures established for conducting a risk-limiting audit shall include the following elements:

''(1) Rules for ensuring the security of ballots and documenting that prescribed procedures were followed.

''(2) Rules and procedures for ensuring the accuracy of ballot manifests produced by election agencies.

''(3) Rules and procedures for governing the format of ballot manifests, cast vote records, and other data involved in the audit.

''(4) Methods to ensure that any cast vote records used in the audit are those used by the voting system to tally the election results sent to the chief State election official and made public.

''(5) Procedures for the random selection of ballots to be inspected manually during each audit.

''(6) Rules for the calculations and other methods to be used in the audit and to determine whether and when the audit of an election is complete.

''(7) Procedures and requirements for testing any software used to conduct risk-limiting audits.

''(d) DEFINITIONS.—In this part, the following definitions apply:

''(1) The term 'ballot manifest' means a record maintained by each election agency that meets each of the following requirements:

''(A) The record is created without reliance on any part of the voting system used to tabulate votes.

''(B) The record functions as a sampling frame for conducting a risk-limiting audit.

''(C) The record contains the following information with respect to the ballots cast and counted in the election:

''(i) The total number of ballots cast and counted by the agency (including undervotes, overvotes, and other invalid votes).

''(ii) The total number of ballots cast in each election administered by the agency (including undervotes, overvotes, and other invalid votes).

''(iii) A precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

''(2) The term 'incorrect outcome' means an outcome that differs from the outcome that would be determined by a full tabulation of all votes validly cast in the election, determining voter intent manually, directly from voter-verifiable paper records.

''(3) The term 'outcome' means the winner of an election, whether a candidate or a position.

''(4) The term 'reported outcome' means the outcome of an election which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

''SEC. 299A. ELIGIBILITY OF STATES.

''A State is eligible to receive a grant under this part if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

''(1) a certification that, not later than 5 years after receiving the grant, the State will conduct risk-limiting audits of the results of elections for Federal office held in the State as described in section 299;

''(2) a certification that, not later than one year after the date of the enactment of this section, the chief State election official of the State has established or will establish the rules and procedures for conducting the audits which meet the requirements of section 299(c);

''(3) a certification that the audit shall be completed not later than the date on which the State certifies the results of the election;

''(4) a certification that, after completing the audit, the State shall publish a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly;

''(5) a certification that, if a risk-limiting audit conducted under this part leads to a full manual tally of an election, State law requires that the State or election agency shall use the results of the full manual tally as the official results of the election; and

''(6) such other information and assurances as the Commission may require.

''SEC. 299B. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated for grants under this part $20,000,000 for fiscal year 2019, to remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by sections 1905(b) and 3001(b), is further amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 9—GRANTS FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS OF ELECTIONS

''Sec. 299. Grants for conducting risk-limiting audits of results of elections.

''Sec. 299A. Eligibility of States.

''Sec. 299B. Authorization of appropriations.

SEC. 3012. GAO ANALYSIS OF EFFECTS OF AUDITS.

(a) ANALYSIS.—Not later than 6 months after the first election for Federal office is held after grants are first awarded to States for conducting risk-limiting audits under part 9 of subtitle D of title II of the Help America Vote Act of 2002 (as added by section 3011) for conducting risk-limiting audits of elections for Federal office, the Comptroller General of the United States shall conduct an analysis of the extent to which such audits have improved the administration of such elections and the security of election infrastructure in the States receiving such grants.

(b) REPORT.—The Comptroller General of the United States shall submit a report on the analysis conducted under subsection (a) to the appropriate congressional committees.

PART 3—ELECTION INFRASTRUCTURE INNOVATION GRANT PROGRAM

SEC. 3021. ELECTION INFRASTRUCTURE INNOVATION GRANT PROGRAM.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended—

(1) by redesignating the second section 319 (relating to EMP and GMD mitigation research and development) as section 320; and

(2) by adding at the end the following new section:

''SEC. 321. ELECTION INFRASTRUCTURE INNOVATION GRANT PROGRAM.

''(a) ESTABLISHMENT.—The Secretary, acting through the Under Secretary for Science and Technology, in coordination with the Chairman of the Election Assistance Commission (established pursuant to the Help America Vote Act of 2002) and in consultation with the Director of the National Science Foundation, shall establish a competitive grant program to award grants to eligible entities, on a competitive basis, for purposes of research and development that are determined to have the potential to significantly improve the security (including cybersecurity), quality, reliability, accuracy, accessibility, and affordability of election infrastructure.

''(b) REPORT TO CONGRESS.—Not later than 90 days after the conclusion of each fiscal year for which grants are awarded under this section, the Secretary shall submit to the Committee on Homeland Security and the Committee on House Administration of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Rules and Administration of the Senate a report describing such grants and analyzing the impact, if any, of such grants on the security and operation of election infrastructure.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $6,250,000 for each of fiscal years 2019 through 2027 for purposes of carrying out this section.

''(d) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

''(1) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), including an institution of higher education that is a historically Black college or university (which has the meaning given the term ''part B institution'' in section 322 of such Act (20 U.S.C. 1061)) or other minority-serving institution listed in section 371(a) of such Act (20 U.S.C. 1067q(a));

''(2) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; or

''(3) an organization, association, or a for-profit company, including a small business concern (as such term is defined under section 3 of the Small Business Act (15 U.S.C. 632)), including a small business concern owned and controlled by socially and economically disadvantaged individuals as defined under section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).''.

(b) DEFINITION.—Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (6) through (20) as paragraphs (7) through (21), respectively; and

(2) by inserting after paragraph (5) the following new paragraph:

''(6) ELECTION INFRASTRUCTURE.—The term 'election infrastructure' means storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology, including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by striking both items relating to section 319 and the item relating to section 318 and inserting the following new items:

''Sec. 318. Social media working group.

''Sec. 319. Transparency in research and development.

''Sec. 320. EMP and GMD mitigation research and development.

''Sec. 321. Election infrastructure innovation grant program.''.

Subtitle B—Security Measures

SEC. 3101. ELECTION INFRASTRUCTURE DESIGNATION.

Subparagraph (J) of section 2001(3) of the Homeland Security Act of 2002 (6 U.S.C. 601(3)) is amended by inserting '', including election infrastructure'' before the period at the end.

SEC. 3102. TIMELY THREAT INFORMATION.

Subsection (d) of section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following new paragraph:

''(24) To provide timely threat information regarding election infrastructure to the chief State election official of the State with respect to which such information pertains.''.

SEC. 3103. SECURITY CLEARANCE ASSISTANCE FOR ELECTION OFFICIALS.

In order to promote the timely sharing of information on threats to election infrastructure, the Secretary may—

(1) help expedite a security clearance for the chief State election official and other appropriate State personnel involved in the administration of elections, as designated by the chief State election official;

(2) sponsor a security clearance for the chief State election official and other appropriate State personnel involved in the administration of elections, as designated by the chief State election official; and

(3) facilitate the issuance of a temporary clearance to the chief State election official and other appropriate State personnel involved in the administration of elections, as designated by the chief State election official, if the Secretary determines classified information to be timely and relevant to the election infrastructure of the State at issue.

SEC. 3104. SECURITY RISK AND VULNERABILITY ASSESSMENTS.

(a) IN GENERAL.—Paragraph (6) of section 2209(c) of the Homeland Security Act of 2002 (6 U.S.C. 659(c)) is amended by inserting ''(including by carrying out a security risk and vulnerability assessment)'' after ''risk management support''.

(b) PRIORITIZATION TO ENHANCE ELECTION SECURITY.—

(1) IN GENERAL.—Not later than 90 days after receiving a written request from a chief State election official, the Secretary shall, to the extent practicable, commence a security risk and vulnerability assessment (pursuant to paragraph (6) of section 2209(c) of the Homeland Security Act of 2002, as amended by subsection (a)) on election infrastructure in the State at issue.

(2) NOTIFICATION.—If the Secretary, upon receipt of a request described in paragraph (1), determines that a security risk and vulnerability assessment cannot be commenced within 90 days, the Secretary shall expeditiously notify the chief State election official who submitted such request.

SEC. 3105. ANNUAL REPORTS.

(a) REPORTS ON ASSISTANCE AND ASSESSMENTS.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2026, the Secretary shall submit to the appropriate congressional committees—

(1) efforts to carry out section 203 during the prior year, including specific information on which States were helped, how many officials have been helped in each State, how many security clearances have been sponsored in each State, and how many temporary clearances have been issued in each State; and

(2) efforts to carry out section 205 during the prior year, including specific information on which States were helped, the dates on which the Secretary received a request for a security risk and vulnerability assessment pursuant to such section, the dates on which the Secretary commenced each such request, and the dates on which the Secretary transmitted a notification in accordance with subsection (b)(2) of such section.

(b) REPORTS ON FOREIGN THREATS.—Not later than 90 days after the end of each fiscal year (beginning with fiscal year 2019), the Secretary and the Director of National Intelligence, in coordination with the heads of appropriate offices of the Federal government, shall submit a joint report to the appropriate congressional committees on foreign threats to elections in the United States, including physical and cybersecurity threats.

(c) INFORMATION FROM STATES.—For purposes of preparing the reports required under this section, the Secretary shall solicit and consider information and comments from States and election agencies, except that the provision of such information and comments by a State or election agency shall be voluntary and at the discretion of the State or agency.

Subtitle C—Enhancing Protections for United States Democratic Institutions

SEC. 3201. NATIONAL STRATEGY TO PROTECT UNITED STATES DEMOCRATIC INSTITUTIONS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the President, acting through the Secretary, in consultation with the Chairman, the Secretary of Defense, the Secretary of State, the Attorney General, the Secretary of Education, the Director of National Intelligence, the Chairman of the Federal Election Commission, and the heads of any other appropriate Federal agencies, shall issue a national strategy to protect against cyber attacks, influence operations, disinformation campaigns, and other activities that could undermine the security and integrity of United States democratic institutions.

(b) CONSIDERATIONS.—The national strategy required under subsection (a) shall include consideration of the following:

(1) The threat of a foreign state actor, foreign terrorist organization (as designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)), or a domestic actor carrying out a cyber attack, influence operation, disinformation campaign, or other activity aimed at undermining the security and integrity of United States democratic institutions.

(2) The extent to which United States democratic institutions are vulnerable to a cyber attack, influence operation, disinformation campaign, or other activity aimed at undermining the security and integrity of such democratic institutions.

(3) Potential consequences, such as an erosion of public trust or an undermining of the rule of law, that could result from a successful cyber attack, influence operation, disinformation campaign, or other activity aimed at undermining the security and integrity of United States democratic institutions.

(4) Lessons learned from other Western governments the institutions of which were subject to a cyber attack, influence operation, disinformation campaign, or other activity aimed at undermining the security and integrity of such institutions, as well as actions that could be taken by the United States Government to bolster collaboration with foreign partners to detect, deter, prevent, and counter such activities.

(5) Potential impacts such as an erosion of public trust in democratic institutions as could be associated with a successful cyber breach or other activity negatively-affecting election infrastructure.

(6) Roles and responsibilities of the Secretary, the Chairman, and the heads of other Federal entities and non-Federal entities, including chief State election officials and representatives of multi-state information sharing and analysis center.

(7) Any findings, conclusions, and recommendations to strengthen protections for United States democratic institutions that have been agreed to by a majority of Commission members on the National Commission to Protect United States Democratic Institutions, authorized pursuant to section 3202.

(c) IMPLEMENTATION PLAN.—Not later than 90 days after the issuance of the national strategy required under subsection (a), the President, acting through the Secretary, in coordination with the Chairman, shall issue an implementation plan for Federal efforts to implement such strategy that includes the following:

(1) Strategic objectives and corresponding tasks.

(2) Projected timelines and costs for the tasks referred to in paragraph (1).

(3) Metrics to evaluate performance of such tasks.

(d) CLASSIFICATION.—The national strategy required under subsection (a) shall be in unclassified form.

(e) CIVIL RIGHTS REVIEW.—Not later than 60 days after the issuance of the national strategy required under subsection (a), and not later than 60 days after the issuance of the implementation plan required under subsection (c), the Privacy and Civil Liberties Oversight Board (established under subsection 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee)) shall submit a report to Congress on any potential privacy and civil liberties impacts of such strategy and implementation plan, respectively.

SEC. 3202. NATIONAL COMMISSION TO PROTECT UNITED STATES DEMOCRATIC INSTITUTIONS.

(a) ESTABLISHMENT.—There is established within the legislative branch the National Commission to Protect United States Democratic Institutions (hereafter in this section referred to as the ''Commission'').

(b) PURPOSE.—The purpose of the Commission is to counter efforts to undermine democratic institutions within the United States.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Commission shall be composed of 10 members appointed for the life of the Commission as follows:

(A) One member shall be appointed by the Secretary.

(B) One member shall be appointed by the Chairman.

(C) 2 members shall be appointed by the majority leader of the Senate, in consultation with the Chairman of the Committee on Homeland Security and Governmental Affairs, the Chairman of the Committee on the Judiciary, and the Chairman of the Committee on Rules and Administration.

(D) 2 members shall be appointed by the minority leader of the Senate, in consultation with the ranking minority member of the Committee on Homeland Security and Governmental Affairs, the ranking minority member of the Committee on the Judiciary, and the ranking minority member of the Committee on Rules and Administration.

(E) 2 members shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairman of the Committee on Homeland Security, the Chairman of the Committee on House Administration, and the Chairman of the Committee on the Judiciary.

(F) 2 members shall be appointed by the minority leader of the House of Representatives, in consultation with the ranking minority member of the Committee on Homeland Security, the ranking minority member of the Committee on the Judiciary, and the ranking minority member of the Committee on House Administration.

(2) QUALIFICATIONS.—Individuals shall be selected for appointment to the Commission solely on the basis of their professional qualifications, achievements, public stature, experience, and expertise in relevant fields, including, but not limited to cybersecurity,

national security, and the Constitution of the United States.

(3) NO COMPENSATION FOR SERVICE.—Members shall not receive compensation for service on the Commission, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with chapter 57 of title 5, United States Code.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed no later than 60 days after the date of the enactment of this Act.

(5) VACANCIES.—A vacancy on the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made. The appointment of the replacement member shall be made not later than 60 days after the date on which the vacancy occurs.

(d) CHAIR AND VICE CHAIR.—The Commission shall elect a Chair and Vice Chair from among its members.

(e) QUORUM AND MEETINGS.—

(1) QUORUM.—The Commission shall meet and begin the operations of the Commission not later than 30 days after the date on which all members have been appointed or, if such meeting cannot be mutually agreed upon, on a date designated by the Speaker of the House of Representatives and the President pro Tempore of the Senate. Each subsequent meeting shall occur upon the call of the Chair or a majority of its members. A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold meetings.

(2) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this section.

(f) POWERS.—

(1) HEARINGS AND EVIDENCE.—The Commission (or, on the authority of the Commission, any subcommittee or member thereof) may, for the purpose of carrying out this section, hold hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission considers advisable to carry out its duties.

(2) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this section.

(g) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance provided under paragraph (1), the Department of Homeland Security, the Election Assistance Commission, and other appropriate departments and agencies of the United States shall provide to the Commission such services, funds, facilities, and staff as they may determine advisable and as may be authorized by law.

(h) PUBLIC MEETINGS.—Any public meetings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

(i) SECURITY CLEARANCES.—

(1) IN GENERAL.—The heads of appropriate departments and agencies of the executive branch shall cooperate with the Commission to expeditiously provide Commission members and staff with appropriate security clearances to the extent possible under applicable procedures and requirements.

(2) PREFERENCES.—In appointing staff, obtaining detailees, and entering into contracts for the provision of services for the Commission, the Commission shall give preference to individuals otherwise who have active security clearances.

(j) REPORTS.—

(1) INTERIM REPORTS.—At any time prior to the submission of the final report under paragraph (2), the Commission may submit interim reports to the President and Congress such findings, conclusions, and recommendations to strengthen protections for democratic institutions in the United States as have been agreed to by a majority of the members of the Commission.

(2) FINAL REPORT.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations to strengthen protections for democratic institutions in the United States as have been agreed to by a majority of the members of the Commission.

(k) TERMINATION.—

(1) IN GENERAL.—The Commission shall terminate upon the expiration of the 60-day period which begins on the date on which the Commission submits the final report required under subsection (j)(2).

(2) ADMINISTRATIVE ACTIVITIES PRIOR TO TERMINATION.—During the 60-day period described in paragraph (2), the Commission may carry out such administrative activities as may be required to conclude its work, including providing testimony to committees of Congress concerning the final report and disseminating the final report.

Subtitle D—Promoting Cybersecurity Through Improvements in Election Administration

SEC. 3301. TESTING OF EXISTING VOTING SYSTEMS TO ENSURE COMPLIANCE WITH ELECTION CYBERSECURITY GUIDELINES AND OTHER GUIDELINES.

(a) REQUIRING TESTING OF EXISTING VOTING SYSTEMS.—

(1) IN GENERAL.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971(a)) is amended by adding at the end the following new paragraph:

''(3) TESTING TO ENSURE COMPLIANCE WITH GUIDELINES.—

''(A) TESTING.—Not later than 9 months before the date of each regularly scheduled general election for Federal office, the Commission shall provide for the testing by accredited laboratories under this section of the voting system hardware and software which was certified for use in the most recent such election, on the basis of the most recent voting system guidelines applicable to such hardware or software (including election cybersecurity guidelines) issued under this Act.

''(B) DECERTIFICATION OF HARDWARE OR SOFTWARE FAILING TO MEET GUIDELINES.—If, on the basis of the testing described in subparagraph (A), the Commission determines that any voting system hardware or software does not meet the most recent guidelines applicable to such hardware or software issued under this Act, the Commission shall decertify such hardware or software.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to the regularly scheduled general election for Federal office held in November 2020 and each succeeding regularly scheduled general election for Federal office.

(b) ISSUANCE OF CYBERSECURITY GUIDELINES BY TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended by adding at the end the following new paragraph:

''(3) ELECTION CYBERSECURITY GUIDELINES.—Not later than 6 months after the date of the enactment of this paragraph, the Development Committee shall issue election cybersecurity guidelines, including standards and best practices for procuring, maintaining, testing, operating, and updating election systems to prevent and deter cybersecurity incidents.''.

SEC. 3302. TREATMENT OF ELECTRONIC POLL BOOKS AS PART OF VOTING SYSTEMS.

(a) INCLUSION IN DEFINITION OF VOTING SYSTEM.—Section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21081(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this Act'';

(2) by striking ''and'' at the end of paragraph (1);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following new paragraph:

''(2) any electronic poll book used with respect to the election; and''.

(b) DEFINITION.—Section 301 of such Act (52 U.S.C. 21081) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e); and

(2) by inserting after subsection (b) the following new subsection:

''(c) ELECTRONIC POLL BOOK DEFINED.—In this Act, the term 'electronic poll book' means the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—

''(1) to retain the list of registered voters at a polling location, or vote center, or other location at which voters cast votes in an election for Federal office; and

''(2) to identify registered voters who are eligible to vote in an election.''.

(c) EFFECTIVE DATE.—Section 301(e) of such Act (52 U.S.C. 21081(e)), as redesignated by subsection (b), is amended by striking the period at the end and inserting the following: '', or, with respect to any requirements relating to electronic poll books, on and after January 1, 2020.''.

SEC. 3303. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

(a) REQUIRING STATES TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 301 the following new section:

''SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

''(a) REQUIRING STATES TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Commission containing a detailed voting system usage plan for each jurisdiction in the State which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system.

''(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to the regularly scheduled general election for Federal office held in November 2020 and each succeeding regularly scheduled general election for Federal office.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 301 the following new item:

''Sec. 301A. Pre-election reports on voting system usage.''.

SEC. 3304. STREAMLINING COLLECTION OF ELECTION INFORMATION.

Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended—

(1) by striking ''The Commission'' and inserting ''(a) IN GENERAL.—The Commission''; and

(2) by adding at the end the following new subsection:

''(b) WAIVER OF CERTAIN REQUIREMENTS.—Subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for purposes of maintaining the clearinghouse described in paragraph (1) of subsection (a).''.

Subtitle E—Preventing Election Hacking

SEC. 3401. SHORT TITLE.

This subtitle may be cited as the ''Prevent Election Hacking Act of 2019''.

SEC. 3402. ELECTION SECURITY BUG BOUNTY PROGRAM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a program to be known as the ''Election Security Bug Bounty Program'' (hereafter in this subtitle referred to as the ''Program'') to improve the cybersecurity of the systems used to administer elections for Federal office by facilitating and encouraging assessments by independent technical experts, in cooperation with State and local election officials and election service providers, to identify and report election cybersecurity vulnerabilities.

(b) VOLUNTARY PARTICIPATION BY ELECTION OFFICIALS AND ELECTION SERVICE PROVIDERS.—

(1) NO REQUIREMENT TO PARTICIPATE IN PROGRAM.—Participation in the Program shall be entirely voluntary for State and local election officials and election service providers.

(2) ENCOURAGING PARTICIPATION AND INPUT FROM ELECTION OFFICIALS.—In developing the Program, the Secretary shall solicit input from, and encourage participation by, State and local election officials.

(c) ACTIVITIES FUNDED.—In establishing and carrying out the Program, the Secretary shall—

(1) establish a process for State and local election officials and election service providers to voluntarily participate in the Program;

(2) designate appropriate information systems to be included in the Program;

(3) provide compensation to eligible individuals, organizations, and companies for reports of previously unidentified security vulnerabilities within the information systems designated under subparagraph (A) and establish criteria for individuals, organizations, and companies to be considered eligible for such compensation in compliance with Federal laws;

(4) consult with the Attorney General on how to ensure that approved individuals, organizations, or companies that comply with the requirements of the Program are protected from prosecution under section 1030 of title 18, United States Code, and similar provisions of law, and from liability under civil actions for specific activities authorized under the Program;

(5) consult with the Secretary of Defense and the heads of other departments and agencies that have implemented programs to provide compensation for reports of previously undisclosed vulnerabilities in information systems, regarding lessons that may be applied from such programs;

(6) develop an expeditious process by which an individual, organization, or company can register with the Department, submit to a background check as determined by the Department, and receive a determination as to eligibility for participation in the Program; and

(7) engage qualified interested persons, including representatives of private entities, about the structure of the Program and, to the extent practicable, establish a recurring competition for independent technical experts to assess election systems for the purpose of identifying and reporting election cybersecurity vulnerabilities;

(d) USE OF SERVICE PROVIDERS.—The Secretary may award competitive contracts as necessary to manage the Program.

SEC. 3403. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) The terms ''election'' and ''Federal office'' have the meanings given such terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(2) The term ''election cybersecurity vulnerability'' means any security vulnerability (as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) that affects an election system.

(3) The term ''election service provider'' means any person providing, supporting, or maintaining an election system on behalf of a State or local election official, such as a contractor or vendor.

(4) The term ''election system'' means any information system (as defined in section 3502 of title 44, United States Code) which is part of an election infrastructure.

(5) The term ''Secretary'' means the Secretary of Homeland Security, or, upon designation by the Secretary of Homeland Security, the Deputy Secretary of Homeland Security, the Director of Cybersecurity and Infrastructure Security of the Department of Homeland Security, or a Senate-confirmed official that reports to the Director.

(6) The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands.

(7) The term ''voting system'' has the meaning given such term in section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21081(b)).

Subtitle F—Miscellaneous Provisions

SEC. 3501. DEFINITIONS.

Except as provided in section 3403, in this title, the following definitions apply:

(1) The term ''Chairman'' means the chair of the Election Assistance Commission.

(2) The term ''appropriate congressional committees'' means the Committees on Homeland Security and House Administration of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Rules and Administration of the Senate.

(3) The term ''chief State election official'' means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State's responsibilities under such Act.

(4) The term ''Commission'' means the Election Assistance Commission.

(5) The term ''democratic institutions'' means the diverse range of institutions that are essential to ensuring an independent judiciary, free and fair elections, and rule of law.

(6) The term ''election agency'' means any component of a State, or any component of a unit of local government in a State, which is responsible for the administration of elections for Federal office in the State.

(7) The term ''election infrastructure'' means storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology, including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

(8) The term ''Secretary'' means the Secretary of Homeland Security.

(9) The term ''State'' has the meaning given such term in section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141).

SEC. 3502. INITIAL REPORT ON ADEQUACY OF RESOURCES AVAILABLE FOR IMPLEMENTATION.

Not later than 120 days after enactment of this Act, the Chairman and the Secretary shall submit a report to the appropriate committees of Congress, including the Committees on Homeland Security and House Administration of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, analyzing the adequacy of the funding, resources, and personnel available to carry out this title and the amendments made by this title.

Subtitle G—Severability

SEC. 3601. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

DIVISION B—CAMPAIGN FINANCE

TITLE IV—CAMPAIGN FINANCE TRANSPARENCY

Subtitle A—Findings Relating to Illicit Money Undermining Our Democracy

Subtitle B—DISCLOSE Act

PART 1—REGULATION OF CERTAIN POLITICAL SPENDING

PART 2—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS

PART 3—OTHER ADMINISTRATIVE REFORMS

Subtitle C—Honest Ads

Subtitle A—Findings Relating to Illicit Money Undermining Our Democracy

SEC. 4001. FINDINGS RELATING TO ILLICIT MONEY UNDERMINING OUR DEMOCRACY.

Congress finds the following:

(1) Criminals, terrorists, and corrupt government officials frequently abuse anonymously held Limited Liability Companies (LLCs), also known as ''shell companies,'' to hide, move, and launder the dirty money derived from illicit activities such as trafficking, bribery, exploitation, and embezzlement. Ownership and control of the finances that run through shell companies are obscured to regulators and law enforcement because little information is required and collected when establishing these entities.

(2) The public release of the ''Panama Papers'' in 2016 and the ''Paradise Papers'' in 2017 revealed that these shell companies often purchase and sell United States real estate. United States anti-money laundering laws do not apply to cash transactions involving real estate effectively concealing the beneficiaries and transactions from regulators and law enforcement.

(3) Congress should curb the use of anonymous shell companies for illicit purposes by requiring United States companies to disclose their beneficial owners, strengthening anti-money laundering and counter-terrorism finance laws.

(4) Congress should examine the money laundering and terrorist financing risks in the real estate market, including the role of anonymous parties, and review legislation to address any vulnerabilities identified in this sector.

(5) Congress should examine the methods by which corruption flourishes and the means to detect and deter the financial misconduct that fuels this driver of global instability. Congress should monitor government efforts to enforce United States anti-corruption laws and regulations.

Subtitle B—DISCLOSE Act

SEC. 4100. SHORT TITLE.

This subtitle may be cited as the ''Democracy Is Strengthened by Casting Light On Spending in Elections Act of 2019'' or the ''DISCLOSE Act of 2019''.

PART 1—REGULATION OF CERTAIN POLITICAL SPENDING

SEC. 4101. CLARIFICATION OF PROHIBITION ON PARTICIPATION BY FOREIGN NATIONALS IN ELECTION-RELATED ACTIVITIES.

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

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

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

''(3) a foreign national to direct, dictate, control, or directly or indirectly participate in the decision making process of any person (including a corporation, labor organization, political committee, or political organization) with regard to such person's Federal or non-Federal election-related activity, including any decision concerning the making of contributions, donations, expenditures, or disbursements in connection with an election for any Federal, State, or local office or any decision concerning the administration of a political committee.''.

(b) CERTIFICATION OF COMPLIANCE.—Section 319 of such Act (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

''(c) CERTIFICATION OF COMPLIANCE REQUIRED PRIOR TO CARRYING OUT ACTIVITY.—Prior to the making in connection with an election for Federal office of any contribution, donation, expenditure, independent expenditures, or disbursement for an electioneering communication by a corporation, limited liability corporation, or partnership during a year, the chief executive officer of the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, under penalty or perjury, that a foreign national did not direct, dictate, control, or directly or indirectly participate in the decision making process relating to such activity in violation of subsection (a)(3), unless the chief executive officer has previously filed such a certification during that calendar year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 4102. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

(a) APPLICATION TO DISBURSEMENTS TO SUPER PACS.—Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by striking the semicolon and inserting the following: '', including any disbursement to a political committee which accepts donations or contributions that do not comply with the limitations, prohibitions, and reporting requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions);''.

(b) CONDITIONS UNDER WHICH CORPORATE PACS MAY MAKE CONTRIBUTIONS AND EXPENDITURES.—Section 316(b) of such Act (52 U.S.C. 30118(b)) is amended by adding at the end the following new paragraph:

''(8) A separate segregated fund established by a corporation may not make a contribution or expenditure during a year unless the fund has certified to the Commission the following during the year:

''(A) Each individual who manages the fund, and who is responsible for exercising decisionmaking authority for the fund, is a citizen of the United States or is lawfully admitted for permanent residence in the United States.

''(B) No foreign national under section 319 participates in any way in the decisionmaking processes of the fund with regard to contributions or expenditures under this Act.

''(C) The fund does not solicit or accept recommendations from any foreign national under section 319 with respect to the contributions or expenditures made by the fund.

''(D) Any member of the board of directors of the corporation who is a foreign national under section 319 abstains from voting on matters concerning the fund or its activities.''.

PART 2—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS

SEC. 4111. REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS.

(a) DISCLOSURE REQUIREMENTS FOR CORPORATIONS, LABOR ORGANIZATIONS, AND CERTAIN OTHER ENTITIES.—

(1) IN GENERAL.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126) is amended to read as follows:

''SEC. 324. DISCLOSURE OF CAMPAIGN-RELATED DISBURSEMENTS BY COVERED ORGANIZATIONS.

''(a) DISCLOSURE STATEMENT.—

''(1) IN GENERAL.—Any covered organization that makes campaign-related disbursements aggregating more than $10,000 in an election reporting cycle shall, not later than 24 hours after each disclosure date, file a statement with the Commission made under penalty of perjury that contains the information described in paragraph (2)—

''(A) in the case of the first statement filed under this subsection, for the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the first such disclosure date) and ending on the first such disclosure date; and

''(B) in the case of any subsequent statement filed under this subsection, for the period beginning on the previous disclosure date and ending on such disclosure date.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph is as follows:

''(A) The name of the covered organization and the principal place of business of such organization and, in the case of a covered organization that is a corporation (other than a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d))) or an entity described in subsection

(e)(2), a list of the beneficial owners (as defined in paragraph (4)(A)) of the entity that—

''(i) identifies each beneficial owner by name and current residential or business street address; and

''(ii) if any beneficial owner exercises control over the entity through another legal entity, such as a corporation, partnership, limited liability company, or trust, identifies each such other legal entity and each such beneficial owner who will use that other entity to exercise control over the entity.

''(B) The amount of each campaign-related disbursement made by such organization during the period covered by the statement of more than $1,000, and the name and address of the person to whom the disbursement was made.

''(C) In the case of a campaign-related disbursement that is not a covered transfer, the election to which the campaign-related disbursement pertains and if the disbursement is made for a public communication, the name of any candidate identified in such communication and whether such communication is in support of or in opposition to a candidate.

''(D) A certification by the chief executive officer or person who is the head of the covered organization that the campaign-related disbursement is not made in cooperation, consultation, or concert with or at the request or suggestion of a candidate, authorized committee, or agent of a candidate, political party, or agent of a political party.

''(E)(i) If the covered organization makes campaign-related disbursements using exclusively funds in a segregated bank account consisting of funds that were paid directly to such account by persons other than the covered organization that controls the account, for each such payment to the account—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the account in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2020, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be 2020.

''(F)(i) If the covered organization makes campaign-related disbursements using funds other than funds in a segregated bank account described in subparagraph (E), for each payment to the covered organization—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the covered organization in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2020, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be 2020.

''(G) Such other information as required in rules established by the Commission to promote the purposes of this section.

''(3) EXCEPTIONS.—

''(A) AMOUNTS RECEIVED IN ORDINARY COURSE OF BUSINESS.—The requirement to include in a statement filed under paragraph (1) the information described in paragraph (2) shall not apply to amounts received by the covered organization in commercial transactions in the ordinary course of any trade or business conducted by the covered organization or in the form of investments (other than investments by the principal shareholder in a limited liability corporation) in the covered organization. For purposes of this subparagraph, amounts received by a covered organization as remittances from an employee to the employee's collective bargaining representative shall be treated as amounts received in commercial transactions in the ordinary course of the business conducted by the covered organization.

''(B) DONOR RESTRICTION ON USE OF FUNDS.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (F) of paragraph (2) shall not apply if—

''(i) the person described in such subparagraph prohibited, in writing, the use of the payment made by such person for campaign-related disbursements; and

''(ii) the covered organization agreed to follow the prohibition and deposited the payment in an account which is segregated from any account used to make campaign-related disbursements.

''(C) THREAT OF HARASSMENT OR REPRISAL.—The requirement to include any information relating to the name or address of any person (other than a candidate) in a statement submitted under paragraph (1) shall not apply if the inclusion of the information would subject the person to serious threats, harassment, or reprisals.

''(4) OTHER DEFINITIONS.—For purposes of this section:

''(A) BENEFICIAL OWNER DEFINED.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'beneficial owner' means, with respect to any entity, a natural person who, directly or indirectly—

''(I) exercises substantial control over an entity through ownership, voting rights, agreement, or otherwise; or

''(II) has a substantial interest in or receives substantial economic benefits from the assets of an entity.

''(ii) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(I) a minor child;

''(II) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(III) a person acting solely as an employee of an entity and whose control over or economic benefits from the entity derives solely from the employment status of the person;

''(IV) a person whose only interest in an entity is through a right of inheritance, unless the person also meets the requirements of clause (i); or

''(V) a creditor of an entity, unless the creditor also meets the requirements of clause (i).

''(iii) ANTI-ABUSE RULE.—The exceptions under clause (ii) shall not apply if used for the purpose of evading, circumventing, or abusing the provisions of clause (i) or paragraph (2)(A).

''(B) DISCLOSURE DATE.—The term 'disclosure date' means—

''(i) the first date during any election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000; and

''(ii) any other date during such election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000 since the most recent disclosure date for such election reporting cycle.

''(C) ELECTION REPORTING CYCLE.—The term 'election reporting cycle' means the 2-year period beginning on the date of the most recent general election for Federal office.

''(D) PAYMENT.—The term 'payment' includes any contribution, donation, transfer, payment of dues, or other payment.

''(b) COORDINATION WITH OTHER PROVISIONS.—

''(1) OTHER REPORTS FILED WITH THE COMMISSION.—Information included in a statement filed under this section may be excluded from statements and reports filed under section 304.

''(2) TREATMENT AS SEPARATE SEGREGATED FUND.—A segregated bank account referred to in subsection (a)(2)(E) may be treated as a separate segregated fund for purposes of section 527(f)(3) of the Internal Revenue Code of 1986.

''(c) FILING.—Statements required to be filed under subsection (a) shall be subject to the requirements of section 304(d) to the same extent and in the same manner as if such reports had been required under subsection (c) or (g) of section 304.

''(d) CAMPAIGN-RELATED DISBURSEMENT DEFINED.—

''(1) IN GENERAL.—In this section, the term 'campaign-related disbursement' means a disbursement by a covered organization for any of the following:

''(A) An independent expenditure which expressly advocates the election or defeat of a clearly identified candidate for election for Federal office, or is the functional equivalent of express advocacy because, when taken as a whole, it can be interpreted by a reasonable person only as advocating the election or defeat of a candidate for election for Federal office.

''(B) Any public communication which refers to a clearly identified candidate for election for Federal office and which promotes or supports the election of a candidate for that office, or attacks or opposes the election of a candidate for that office, without regard to whether the communication expressly advocates a vote for or against a candidate for that office.

''(C) An electioneering communication, as defined in section 304(f)(3).

''(D) A covered transfer.

''(2) INTENT NOT REQUIRED.—A disbursement for an item described in subparagraph (A), (B), (C), or (D) of paragraph (1) shall be treated as a campaign-related disbursement regardless of the intent of the person making the disbursement.

''(e) COVERED ORGANIZATION DEFINED.—In this section, the term 'covered organization' means any of the following:

''(1) A corporation (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(2) A limited liability corporation that is not otherwise treated as a corporation for

purposes of this Act (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(3) An organization described in section 501(c) of such Code and exempt from taxation under section 501(a) of such Code (other than an organization described in section 501(c)(3) of such Code).

''(4) A labor organization (as defined in section 316(b)).

''(5) Any political organization under section 527 of the Internal Revenue Code of 1986, other than a political committee under this Act (except as provided in paragraph (6)).

''(6) A political committee with an account that accepts donations or contributions that do not comply with the contribution limits or source prohibitions under this Act, but only with respect to such accounts.

''(f) COVERED TRANSFER DEFINED.—

''(1) IN GENERAL.—In this section, the term 'covered transfer' means any transfer or payment of funds by a covered organization to another person if the covered organization—

''(A) designates, requests, or suggests that the amounts be used for—

''(i) campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(B) made such transfer or payment in response to a solicitation or other request for a donation or payment for—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(C) engaged in discussions with the recipient of the transfer or payment regarding—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) donating or transferring any amount of such transfer or payment to another person for the purpose of making or paying for such campaign-related disbursements;

''(D) made campaign-related disbursements (other than a covered transfer) in an aggregate amount of $50,000 or more during the 2-year period ending on the date of the transfer or payment, or knew or had reason to know that the person receiving the transfer or payment made such disbursements in such an aggregate amount during that 2-year period; or

''(E) knew or had reason to know that the person receiving the transfer or payment would make campaign-related disbursements in an aggregate amount of $50,000 or more during the 2-year period beginning on the date of the transfer or payment.

''(2) EXCLUSIONS.—The term 'covered transfer' does not include any of the following:

''(A) A disbursement made by a covered organization in a commercial transaction in the ordinary course of any trade or business conducted by the covered organization or in the form of investments made by the covered organization.

''(B) A disbursement made by a covered organization if—

''(i) the covered organization prohibited, in writing, the use of such disbursement for campaign-related disbursements; and

''(ii) the recipient of the disbursement agreed to follow the prohibition and deposited the disbursement in an account which is segregated from any account used to make campaign-related disbursements.

''(3) SPECIAL RULE REGARDING TRANSFERS AMONG AFFILIATES.—

''(A) SPECIAL RULE.—A transfer of an amount by one covered organization to another covered organization which is treated as a transfer between affiliates under subparagraph (C) shall be considered a covered transfer by the covered organization which transfers the amount only if the aggregate amount transferred during the year by such covered organization to that same covered organization is equal to or greater than $50,000.

''(B) DETERMINATION OF AMOUNT OF CERTAIN PAYMENTS AMONG AFFILIATES.—In determining the amount of a transfer between affiliates for purposes of subparagraph (A), to the extent that the transfer consists of funds attributable to dues, fees, or assessments which are paid by individuals on a regular, periodic basis in accordance with a per-individual calculation which is made on a regular basis, the transfer shall be attributed to the individuals paying the dues, fees, or assessments and shall not be attributed to the covered organization.

''(C) DESCRIPTION OF TRANSFERS BETWEEN AFFILIATES.—A transfer of amounts from one covered organization to another covered organization shall be treated as a transfer between affiliates if—

''(i) one of the organizations is an affiliate of the other organization; or

''(ii) each of the organizations is an affiliate of the same organization,

except that the transfer shall not be treated as a transfer between affiliates if one of the organizations is established for the purpose of making campaign-related disbursements.

''(D) DETERMINATION OF AFFILIATE STATUS.—For purposes of subparagraph (C), a covered organization is an affiliate of another covered organization if—

''(i) the governing instrument of the organization requires it to be bound by decisions of the other organization;

''(ii) the governing board of the organization includes persons who are specifically designated representatives of the other organization or are members of the governing board, officers, or paid executive staff members of the other organization, or whose service on the governing board is contingent upon the approval of the other organization; or

''(iii) the organization is chartered by the other organization.

''(E) COVERAGE OF TRANSFERS TO AFFILIATED SECTION 501(c)(3) ORGANIZATIONS.—This paragraph shall apply with respect to an amount transferred by a covered organization to an organization described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code in the same manner as this paragraph applies to an amount transferred by a covered organization to another covered organization.

''(g) NO EFFECT ON OTHER REPORTING REQUIREMENTS.—Nothing in this section shall be construed to waive or otherwise affect any other requirement of this Act which relates to the reporting of campaign-related disbursements.''.

(2) CONFORMING AMENDMENT.—Section 304(f)(6) of such Act (52 U.S.C. 30104) is amended by striking ''Any requirement'' and inserting ''Except as provided in section 324(b), any requirement''.

(b) COORDINATION WITH FINCEN.—

(1) IN GENERAL.—The Director of the Financial Crimes Enforcement Network of the Department of the Treasury shall provide the Federal Election Commission with such information as necessary to assist in administering and enforcing section 324 of the Federal Election Campaign Act of 1971, as added by this section.

(2) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Federal Election Commission, in consultation with the Director of the Financial Crimes Enforcement Network of the Department of the Treasury, shall submit to Congress a report with recommendations for providing further legislative authority to assist in the administration and enforcement of such section 324.

SEC. 4112. APPLICATION OF FOREIGN MONEY BAN TO DISBURSEMENTS FOR CAMPAIGN-RELATED DISBURSEMENTS CONSISTING OF COVERED TRANSFERS.

Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)), as amended by section 4102, is amended by striking the semicolon and inserting the following: '', and any disbursement, other than an disbursement described in section 324(a)(3)(A), to another person who made a campaign-related disbursement consisting of a covered transfer (as described in section 324) during the 2-year period ending on the date of the disbursement;''.

SEC. 4113. EFFECTIVE DATE.

The amendments made by this part shall apply with respect to disbursements made on or after January 1, 2020, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

PART 3—OTHER ADMINISTRATIVE REFORMS

SEC. 4121. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 4122. JUDICIAL REVIEW OF ACTIONS RELATED TO CAMPAIGN FINANCE LAWS.

(a) IN GENERAL.—Title IV of the Federal Election Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is amended by inserting after section 406 the following new section:

''SEC. 407. JUDICIAL REVIEW.

''(a) IN GENERAL.—Notwithstanding section 373(f), if any action is brought for declaratory or injunctive relief to challenge the constitutionality of any provision of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the following rules shall apply:

''(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit.

''(2) In the case of an action relating to declaratory or injunctive relief to challenge the constitutionality of a provision—

''(A) a copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate; and

''(B) it shall be the duty of the United States District Court for the District of Columbia, the Court of Appeals for the District of Columbia, and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

''(b) INTERVENTION BY MEMBERS OF CONGRESS.—In any action in which the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986 is raised, any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to

require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

''(c) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986.''.

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—

(A) Section 9011 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9011. JUDICIAL REVIEW.

''For provisions relating to judicial review of certifications, determinations, and actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(B) Section 9041 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9041. JUDICIAL REVIEW.

''For provisions relating to judicial review of actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(C) Section 403 of the Bipartisan Campaign Reform Act of 2002 (52 U.S.C. 30110 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to actions brought on or after January 1, 2019.

Subtitle C—Honest Ads

SEC. 4201. SHORT TITLE.

This subtitle may be cited as the ''Honest Ads Act''.

SEC. 4202. PURPOSE.

The purpose of this subtitle is to enhance the integrity of American democracy and national security by improving disclosure requirements for online political advertisements in order to uphold the Supreme Court's well-established standard that the electorate bears the right to be fully informed.

SEC. 4203. FINDINGS.

Congress makes the following findings:

(1) On January 6, 2017, the Office of the Director of National Intelligence published a report titled ''Assessing Russian Activities and Intentions in Recent U.S. Elections'', noting that ''Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election . . .''. Moscow's influence campaign followed a Russian messaging strategy that blends covert intelligence operation—such as cyber activity—with overt efforts by Russian Government agencies, state-funded media, third-party intermediaries, and paid social media users or ''trolls''.

(2) On November 24, 2016, The Washington Post reported findings from 2 teams of independent researchers that concluded Russians ''exploited American-made technology platforms to attack U.S. democracy at a particularly vulnerable moment . . . as part of a broadly effective strategy of sowing distrust in U.S. democracy and its leaders.''.

(3) Findings from a 2017 study on the manipulation of public opinion through social media conducted by the Computational Propaganda Research Project at the Oxford Internet Institute found that the Kremlin is using pro-Russian bots to manipulate public discourse to a highly targeted audience. With a sample of nearly 1,300,000 tweets, researchers found that in the 2016 election's 3 decisive States, propaganda constituted 40 percent of the sampled election-related tweets that went to Pennsylvanians, 34 percent to Michigan voters, and 30 percent to those in Wisconsin. In other swing States, the figure reached 42 percent in Missouri, 41 percent in Florida, 40 percent in North Carolina, 38 percent in Colorado, and 35 percent in Ohio.

(4) On September 6, 2017, the nation's largest social media platform disclosed that between June 2015 and May 2017, Russian entities purchased $100,000 in political advertisements, publishing roughly 3,000 ads linked to fake accounts associated with the Internet Research Agency, a pro-Kremlin organization. According to the company, the ads purchased focused ''on amplifying divisive social and political messages . . .''.

(5) In 2002, the Bipartisan Campaign Reform Act became law, establishing disclosure requirements for political advertisements distributed from a television or radio broadcast station or provider of cable or satellite television. In 2003, the Supreme Court upheld regulations on electioneering communications established under the Act, noting that such requirements ''provide the electorate with information and insure that the voters are fully informed about the person or group who is speaking.''.

(6) According to a study from Borrell Associates, in 2016, $1,415,000,000 was spent on online advertising, more than quadruple the amount in 2012.

(7) The reach of a few large internet platforms—larger than any broadcast, satellite, or cable provider—has greatly facilitated the scope and effectiveness of disinformation campaigns. For instance, the largest platform has over 210,000,000 Americans users—over 160,000,000 of them on a daily basis. By contrast, the largest cable television provider has 22,430,000 subscribers, while the largest satellite television provider has 21,000,000 subscribers. And the most-watched television broadcast in United States history had 118,000,000 viewers.

(8) The public nature of broadcast television, radio, and satellite ensures a level of publicity for any political advertisement. These communications are accessible to the press, fact-checkers, and political opponents; this creates strong disincentives for a candidate to disseminate materially false, inflammatory, or contradictory messages to the public. Social media platforms, in contrast, can target portions of the electorate with direct, ephemeral advertisements often on the basis of private information the platform has on individuals, enabling political advertisements that are contradictory, racially or socially inflammatory, or materially false.

(9) According to comScore, 2 companies own 8 of the 10 most popular smartphone applications as of June 2017, including the most popular social media and email services—which deliver information and news to users without requiring proactivity by the user. Those same 2 companies accounted for 99 percent of revenue growth from digital advertising in 2016, including 77 percent of gross spending. 79 percent of online Americans—representing 68 percent of all Americans—use the single largest social network, while 66 percent of these users are most likely to get their news from that site.

(10) In its 2006 rulemaking, the Federal Election Commission noted that only 18 percent of all Americans cited the internet as their leading source of news about the 2004 Presidential election; by contrast, the Pew Research Center found that 65 percent of Americans identified an internet-based source as their leading source of information for the 2016 election.

(11) The Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process by providing transparency and administering campaign finance laws, has failed to take action to address online political advertisements.

(12) In testimony before the Senate Select Committee on Intelligence titled, ''Disinformation: A Primer in Russian Active Measures and Influence Campaigns'', multiple expert witnesses testified that while the disinformation tactics of foreign adversaries have not necessarily changed, social media services now provide ''platform[s] practically purpose-built for active measures[.]'' Similarly, as Gen. Keith B. Alexander (RET.), the former Director of the National Security Agency, testified, during the Cold War ''if the Soviet Union sought to manipulate information flow, it would have to do so principally through its own propaganda outlets or through active measures that would generate specific news: planting of leaflets, inciting of violence, creation of other false materials and narratives. But the news itself was hard to manipulate because it would have required actual control of the organs of media, which took long-term efforts to penetrate. Today, however, because the clear majority of the information on social media sites is uncurated and there is a rapid proliferation of information sources and other sites that can reinforce information, there is an increasing likelihood that the information available to average consumers may be inaccurate (whether intentionally or otherwise) and may be more easily manipulable than in prior eras.''.

(13) Current regulations on political advertisements do not provide sufficient transparency to uphold the public's right to be fully informed about political advertisements made online.

SEC. 4204. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the dramatic increase in digital political advertisements, and the growing centrality of online platforms in the lives of Americans, requires the Congress and the Federal Election Commission to take meaningful action to ensure that laws and regulations provide the accountability and transparency that is fundamental to our democracy;.

(2) free and fair elections require both transparency and accountability which give the public a right to know the true sources of funding for political advertisements in order to make informed political choices and hold elected officials accountable; and

(3) transparency of funding for political advertisements is essential to enforce other campaign finance laws, including the prohibition on campaign spending by foreign nationals.

SEC. 4205. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) IN GENERAL.—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking ''or satellite communication'' and inserting ''satellite, paid internet, or paid digital communication''.

(b) TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)(v), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''; and

(2) in paragraph (9)(B)—

(A) by amending clause (i) to read as follows:

''(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''; and

(B) in clause (iv), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''.

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking ''financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''financing any public communication''; and

(2) by striking ''solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''solicits any contribution through any public communication''.

SEC. 4206. EXPANSION OF DEFINITION OF ELECTIONEERING COMMUNICATION.

(a) EXPANSION TO ONLINE COMMUNICATIONS.—

(1) APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—

(A) IN GENERAL.—Subparagraph (A) of section 304(f)(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking ''or satellite communication'' each place it appears in clauses (i) and (ii) and inserting ''satellite, or qualified internet or digital communication''.

(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

''(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term 'qualified internet or digital communication' means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (j)(3)).''.

(2) NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting ''any broadcast, cable, or satellite'' before ''communication''.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2020.

SEC. 4207. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking ''shall clearly state'' each place it appears in paragraphs (1), (2), and (3) and inserting ''shall state in a clear and conspicuous manner''; and

(2) by adding at the end the following flush sentence: ''For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.''.

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

''(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

''(A) state the name of the person who paid for the communication; and

''(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

''(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

''(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

''(i) appears in letters at least as large as the majority of the text in the communication; and

''(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

''(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

''(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

''(i) is included at either the beginning or the end of the communication; and

''(ii) is made both in—

''(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

''(II) an audible format that meets the requirements of subparagraph (B).

''(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).''.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971).

(c) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''which is transmitted through radio'' and inserting ''which is in an audio format''; and

(B) by striking ''BY RADIO'' in the heading and inserting ''AUDIO FORMAT'';

(2) in paragraph (1)(B)—

(A) by striking ''which is transmitted through television'' and inserting ''which is in video format''; and

(B) by striking ''BY TELEVISION'' in the heading and inserting ''VIDEO FORMAT''; and

(3) in paragraph (2)—

(A) by striking ''transmitted through radio or television'' and inserting ''made in audio or video format''; and

(B) by striking ''through television'' in the second sentence and inserting ''in video format''.

SEC. 4208. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.—

''(1) IN GENERAL.—

''(A) REQUIREMENTS FOR ONLINE PLATFORMS.—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds $500.

''(B) REQUIREMENTS FOR ADVERTISERS.—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1)(A) shall contain—

''(A) a digital copy of the qualified political advertisement;

''(B) a description of the audience targeted by the advertisement, the number of views generated from the advertisement, and the date and time that the advertisement is first displayed and last displayed; and

''(C) information regarding—

''(i) the average rate charged for the advertisement;

''(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

''(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name and address of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

''(3) ONLINE PLATFORM.—For purposes of this subsection, the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

''(A) sells qualified political advertisements; and

''(B) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months.

''(4) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term 'qualified political advertisement' means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

''(A) is made by or on behalf of a candidate; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be

made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

''(6) SAFE HARBOR FOR PLATFORMS MAKING BEST EFFORTS TO IDENTIFY REQUESTS WHICH ARE SUBJECT TO RECORD MAINTENANCE REQUIREMENTS.—In accordance with rules established by the Commission, if an online platform shows that the platform used best efforts to determine whether or not a request to purchase a qualified political advertisement was subject to the requirements of this subsection, the online platform shall not be considered to be in violation of such requirements.

''(7) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.''.

(b) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) requiring common data formats for the record required to be maintained under section 304(j) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format; and

(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date; and

(3) establishing the criteria for the safe harbor exception provided under paragraph (6) of section 304(j) of such Act (as added by subsection (a)).

(c) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(j) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

SEC. 4209. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121), as amended by section 4101(a)(2) and section 4101(b), is further amended by adding at the end the following new subsection:

''(e) RESPONSIBILITIES OF BROADCAST STATIONS, PROVIDERS OF CABLE AND SATELLITE TELEVISION, AND ONLINE PLATFORMS.—Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(j)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly.''.

Subtitle D—Stand By Every Ad

SEC. 4301. SHORT TITLE.

This subtitle may be cited as the ''Stand By Every Ad Act''.

SEC. 4302. STAND BY EVERY AD.

(a) EXPANDED DISCLAIMER REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120), as amended by section 4207(b)(1), is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) EXPANDED DISCLAIMER REQUIREMENTS FOR COMMUNICATIONS NOT AUTHORIZED BY CANDIDATES OR COMMITTEES.—

''(1) IN GENERAL.—Except as provided in paragraph (6), any communication described in paragraph (3) of subsection (a) which is transmitted in an audio or video format (including an Internet or digital communication), or which is an Internet or digital communication transmitted in a text or graphic format, shall include, in addition to the requirements of paragraph (3) of subsection (a), the following:

''(A) The individual disclosure statement described in paragraph (2)(A) (if the person paying for the communication is an individual) or the organizational disclosure statement described in paragraph (2)(B) (if the person paying for the communication is not an individual).

''(B) If the communication is transmitted in a video format, or is an Internet or digital communication which is transmitted in a text or graphic format, and is paid for in whole or in part with a payment which is treated as a campaign-related disbursement under section 324—

''(i) the Top Five Funders list (if applicable); or

''(ii) in the case of a communication which, as determined on the basis of criteria established in regulations issued by the Commission, is of such short duration that including the Top Five Funders list in the communication would constitute a hardship to the person paying for the communication by requiring a disproportionate amount of the content of the communication to consist of the Top Five Funders list, the name of a website which contains the Top Five Funders list (if applicable) or, in the case of an Internet or digital communication, a hyperlink to such website.

''(C) If the communication is transmitted in an audio format and is paid for in whole or in part with a payment which is treated as a campaign-related disbursement under section 324—

''(i) the Top Two Funders list (if applicable); or

''(ii) in the case of a communication which, as determined on the basis of criteria established in regulations issued by the Commission, is of such short duration that including the Top Two Funders list in the communication would constitute a hardship to the person paying for the communication by requiring a disproportionate amount of the content of the communication to consist of the Top Two Funders list, the name of a website which contains the Top Two Funders list (if applicable).

''(2) DISCLOSURE STATEMENTS DESCRIBED.—

''(A) INDIVIDUAL DISCLOSURE STATEMENTS.—The individual disclosure statement described in this subparagraph is the following: 'I am _____, and I approve this message.', with the blank filled in with the name of the applicable individual.

''(B) ORGANIZATIONAL DISCLOSURE STATEMENTS.—The organizational disclosure statement described in this subparagraph is the following: 'I am _____, the _____ of _____, and _____ approves this message.', with—

''(i) the first blank to be filled in with the name of the applicable individual;

''(ii) the second blank to be filled in with the title of the applicable individual; and

''(iii) the third and fourth blank each to be filled in with the name of the organization or other person paying for the communication.

''(3) METHOD OF CONVEYANCE OF STATEMENT.—

''(A) COMMUNICATIONS IN TEXT OR GRAPHIC FORMAT.—In the case of a communication to which this subsection applies which is transmitted in a text or graphic format, the disclosure statements required under paragraph (1) shall appear in letters at least as large as the majority of the text in the communication.

''(B) COMMUNICATIONS TRANSMITTED IN AUDIO FORMAT.—In the case of a communication to which this subsection applies which is transmitted in an audio format, the disclosure statements required under paragraph (1) shall be made by audio by the applicable individual in a clear and conspicuous manner.

''(C) COMMUNICATIONS TRANSMITTED IN VIDEO FORMAT.—In the case of a communication to which this subsection applies which is transmitted in a video format, the information required under paragraph (1)—

''(i) shall appear in writing at the end of the communication or in a crawl along the bottom of the communication in a clear and conspicuous manner, with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 6 seconds; and

''(ii) shall also be conveyed by an unobscured, full-screen view of the applicable individual or by the applicable individual making the statement in voice-over accompanied by a clearly identifiable photograph or similar image of the individual, except in the case of a Top Five Funders list.

''(4) APPLICABLE INDIVIDUAL DEFINED.—The term 'applicable individual' means, with respect to a communication to which this subsection applies—

''(A) if the communication is paid for by an individual, the individual involved;

''(B) if the communication is paid for by a corporation, the chief executive officer of the corporation (or, if the corporation does not have a chief executive officer, the highest ranking official of the corporation);

''(C) if the communication is paid for by a labor organization, the highest ranking officer of the labor organization; and

''(D) if the communication is paid for by any other person, the highest ranking official of such person.

''(5) TOP FIVE FUNDERS LIST AND TOP TWO FUNDERS LIST DEFINED.—

''(A) TOP FIVE FUNDERS LIST.—The term 'Top Five Funders list' means, with respect to a communication which is paid for in whole or in part with a campaign-related disbursement (as defined in section 324), a list of the five persons who, during the 12-month period ending on the date of the disbursement, provided the largest payments of any type in an aggregate amount equal to or exceeding $10,000 to the person who is paying for the communication and the amount of the payments each such person provided. If two or more people provided the fifth largest of such payments, the person paying for the communication shall select one of those persons to be included on the Top Five Funders list.

''(B) TOP TWO FUNDERS LIST.—The term 'Top Two Funders list' means, with respect to a communication which is paid for in whole or in part with a campaign-related disbursement (as defined in section 324), a list of the persons who, during the 12-month period ending on the date of the disbursement, provided the largest and the second largest payments of any type in an aggregate amount equal to or exceeding $10,000 to the person who is paying for the communication and the amount of the payments each such person provided. If two or more persons provided the second largest of such payments, the person paying for the communication

shall select one of those persons to be included on the Top Two Funders list.

''(C) EXCLUSION OF CERTAIN PAYMENTS.—For purposes of subparagraphs (A) and (B), in determining the amount of payments made by a person to a person paying for a communication, there shall be excluded the following:

''(i) Any amounts provided in the ordinary course of any trade or business conducted by the person paying for the communication or in the form of investments in the person paying for the communication.

''(ii) Any payment which the person prohibited, in writing, from being used for campaign-related disbursements, but only if the person paying for the communication agreed to follow the prohibition and deposited the payment in an account which is segregated from any account used to make campaign-related disbursements.

''(6) SPECIAL RULES FOR CERTAIN COMMUNICATIONS.—

''(A) EXCEPTION FOR COMMUNICATIONS PAID FOR BY POLITICAL PARTIES AND CERTAIN POLITICAL COMMITTEES.—This subsection does not apply to any communication to which subsection (d)(2) applies.

''(B) TREATMENT OF VIDEO COMMUNICATIONS LASTING 10 SECONDS OR LESS.—In the case of a communication to which this subsection applies which is transmitted in a video format, or is an Internet or digital communication which is transmitted in a text or graphic format, the communication shall meet the following requirements:

''(i) The communication shall include the individual disclosure statement described in paragraph (2)(A) (if the person paying for the communication is an individual) or the organizational disclosure statement described in paragraph (2)(B) (if the person paying for the communication is not an individual).

''(ii) The statement described in clause (i) shall appear in writing at the end of the communication, or in a crawl along the bottom of the communication, in a clear and conspicuous manner, with a reasonable degree of color contrast between the background and the printed statement, for a period of at least 4 seconds.

''(iii) The communication shall include, in a clear and conspicuous manner, a website address with a landing page which will provide all of the information described in paragraph (1) with respect to the communication. Such address shall appear for the full duration of the communication.

''(iv) To the extent that the format in which the communication is made permits the use of a hyperlink, the communication shall include a hyperlink to the website address described in clause (iii).''.

(b) APPLICATION OF EXPANDED REQUIREMENTS TO PUBLIC COMMUNICATIONS CONSISTING OF CAMPAIGN-RELATED DISBURSEMENTS.—Section 318(a) of such Act (52 U.S.C. 30120(a)) is amended by striking ''for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate'' and inserting ''for a campaign-related disbursement, as defined in section 324, consisting of a public communication''.

(c) EXCEPTION FOR COMMUNICATIONS PAID FOR BY POLITICAL PARTIES AND CERTAIN POLITICAL COMMITTEES.—Section 318(d)(2) of such Act (52 U.S.C. 30120(d)(2)) is amended—

(1) in the heading, by striking ''OTHERS'' and inserting ''CERTAIN POLITICAL COMMITTEES'';

(2) by striking ''Any communication'' and inserting ''(A) Any communication'';

(3) by inserting ''which (except to the extent provided in subparagraph (B)) is paid for by a political committee (including a political committee of a political party) and'' after ''subsection (a)'';

(4) by striking ''or other person'' each place it appears; and

(5) by adding at the end the following new subparagraph:

''(B)(i) This paragraph does not apply to a communication paid for in whole or in part during a calendar year with a campaign-related disbursement, but only if the covered organization making the campaign-related disbursement made campaign-related disbursements (as defined in section 324) aggregating more than $10,000 during such calendar year.

''(ii) For purposes of clause (i), in determining the amount of campaign-related disbursements made by a covered organization during a year, there shall be excluded the following:

''(I) Any amounts received by the covered organization in the ordinary course of any trade or business conducted by the covered organization or in the form of investments in the covered organization.

''(II) Any amounts received by the covered organization from a person who prohibited, in writing, the organization from using such amounts for campaign-related disbursements, but only if the covered organization agreed to follow the prohibition and deposited the amounts in an account which is segregated from any account used to make campaign-related disbursements.''.

SEC. 4303. DISCLAIMER REQUIREMENTS FOR COMMUNICATIONS MADE THROUGH PRERECORDED TELEPHONE CALLS.

(a) APPLICATION OF REQUIREMENTS.—

(1) IN GENERAL.—Section 318(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)), as amended by section 4205(c), is amended by inserting after ''public communication'' each place it appears the following: ''(including a telephone call consisting in substantial part of a prerecorded audio message)''.

(2) APPLICATION TO COMMUNICATIONS SUBJECT TO EXPANDED DISCLAIMER REQUIREMENTS.—Section 318(e)(1) of such Act (52 U.S.C. 30120(e)(1)), as added by section 4302(a), is amended in the matter preceding subparagraph (A) by striking ''which is transmitted in an audio or video format'' and inserting ''which is transmitted in an audio or video format or which consists of a telephone call consisting in substantial part of a prerecorded audio message''.

(b) TREATMENT AS COMMUNICATION TRANSMITTED IN AUDIO FORMAT.—

(1) COMMUNICATIONS BY CANDIDATES OR AUTHORIZED PERSONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended by adding at the end the following new paragraph:

''(3) PRERECORDED TELEPHONE CALLS.—Any communication described in paragraph (1), (2), or (3) of subsection (a) (other than a communication which is subject to subsection (e)) which is a telephone call consisting in substantial part of a prerecorded audio message shall include, in addition to the requirements of such paragraph, the audio statement required under subparagraph (A) of paragraph (1) or the audio statement required under paragraph (2) (whichever is applicable), except that the statement shall be made at the beginning of the telephone call.''.

(2) COMMUNICATIONS SUBJECT TO EXPANDED DISCLAIMER REQUIREMENTS.—Section 318(e)(3) of such Act (52 U.S.C. 30120(e)(3)), as added by section 4302(a), is amended by adding at the end the following new subparagraph:

''(D) PRERECORDED TELEPHONE CALLS.—In the case of a communication to which this subsection applies which is a telephone call consisting in substantial part of a prerecorded audio message, the communication shall be considered to be transmitted in an audio format.''.

SEC. 4304. NO EXPANSION OF PERSONS SUBJECT TO DISCLAIMER REQUIREMENTS ON INTERNET COMMUNICATIONS.

Nothing in this subtitle or the amendments made by this subtitle may be construed to require any person who is not required under section 318 of the Federal Election Campaign Act of 1971 (as provided under section 110.11 of title 11 of the Code of Federal Regulations) to include a disclaimer on communications made by the person through the internet to include any disclaimer on any such communications.

SEC. 4305. EFFECTIVE DATE.

The amendments made by this subtitle shall apply with respect to communications made on or after January 1, 2020, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle E—Secret Money Transparency

SEC. 4401. REPEAL OF RESTRICTION OF USE OF FUNDS BY INTERNAL REVENUE SERVICE TO BRING TRANSPARENCY TO POLITICAL ACTIVITY OF CERTAIN NONPROFIT ORGANIZATIONS.

Section 124 of the Financial Services and General Government Appropriations Act, 2019 (division D of Public Law 116–6) is hereby repealed.

SEC. 4402. REPEAL OF REVENUE PROCEDURE THAT ELIMINATED REQUIREMENT TO REPORT INFORMATION REGARDNG CONTRIBUTIONS TO CERTAIN TAX-EXEMPT ORGANIZATIONS.

Revenue Procedure 2018–38 shall have no force and effect.

Subtitle F—Shareholder Right-to-Know

SEC. 4501. REPEAL OF RESTRICTION ON USE OF FUNDS BY SECURITIES AND EXCHANGE COMMISSION TO ENSURE SHAREHOLDERS OF CORPORATIONS HAVE KNOWLEDGE OF CORPORATION POLITICAL ACTIVITY.

Section 629 of the Financial Services and General Government Appropriations Act, 2019 (division D of Public Law 116–6) is hereby repealed.

Subtitle G—Disclosure of Political Spending by Government Contractors

SEC. 4601. REPEAL OF RESTRICTION ON USE OF FUNDS TO REQUIRE DISCLOSURE OF POLITICAL SPENDING BY GOVERNMENT CONTRACTORS.

Section 735 of the Financial Services and General Government Appropriations Act, 2019 (division D of Public Law 116–6) is hereby repealed.

Subtitle H—Limitation and Disclosure Requirements for Presidential Inaugural Committees

SEC. 4701. SHORT TITLE.

This subtitle may be cited as the ''Presidential Inaugural Committee Oversight Act''.

SEC. 4702. LIMITATIONS AND DISCLOSURE OF CERTAIN DONATIONS TO, AND DISBURSEMENTS BY, INAUGURAL COMMITTEES.

(a) REQUIREMENTS FOR INAUGURAL COMMITTEES.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

''SEC. 325. INAUGURAL COMMITTEES.

''(a) PROHIBITED DONATIONS.—

''(1) IN GENERAL.—It shall be unlawful—

''(A) for an Inaugural Committee—

''(i) to solicit, accept, or receive a donation from a person that is not an individual; or

''(ii) to solicit, accept, or receive a donation from a foreign national;

''(B) for a person—

''(i) to make a donation to an Inaugural Committee in the name of another person, or

to knowingly authorize his or her name to be used to effect such a donation;

''(ii) to knowingly accept a donation to an Inaugural Committee made by a person in the name of another person; or

''(iii) to convert a donation to an Inaugural Committee to personal use as described in paragraph (2); and

''(C) for a foreign national to, directly or indirectly, make a donation, or make an express or implied promise to make a donation, to an Inaugural Committee.

''(2) CONVERSION OF DONATION TO PERSONAL USE.—For purposes of paragraph (1)(B)(iii), a donation shall be considered to be converted to personal use if any part of the donated amount is used to fulfill a commitment, obligation, or expense of a person that would exist irrespective of the responsibilities of the Inaugural Committee under chapter 5 of title 36, United States Code.

''(3) NO EFFECT ON DISBURSEMENT OF UNUSED FUNDS TO NONPROFIT ORGANIZATIONS.—Nothing in this subsection may be construed to prohibit an Inaugural Committee from disbursing unused funds to an organization which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(b) LIMITATION ON DONATIONS.—

''(1) IN GENERAL.—It shall be unlawful for an individual to make donations to an Inaugural Committee which, in the aggregate, exceed $50,000.

''(2) INDEXING.—At the beginning of each Presidential election year (beginning with 2024), the amount described in paragraph (1) shall be increased by the cumulative percent difference determined in section 315(c)(1)(A) since the previous Presidential election year. If any amount after such increase is not a multiple of $1,000, such amount shall be rounded to the nearest multiple of $1,000.

''(c) DISCLOSURE OF CERTAIN DONATIONS AND DISBURSEMENTS.—

''(1) DONATIONS OVER $1,000.—

''(A) IN GENERAL.—An Inaugural Committee shall file with the Commission a report disclosing any donation by an individual to the committee in an amount of $1,000 or more not later than 24 hours after the receipt of such donation.

''(B) CONTENTS OF REPORT.—A report filed under subparagraph (A) shall contain—

''(i) the amount of the donation;

''(ii) the date the donation is received; and

''(iii) the name and address of the individual making the donation.

''(2) FINAL REPORT.—Not later than the date that is 90 days after the date of the Presidential inaugural ceremony, the Inaugural Committee shall file with the Commission a report containing the following information:

''(A) For each donation of money or anything of value made to the committee in an aggregate amount equal to or greater than $200—

''(i) the amount of the donation;

''(ii) the date the donation is received; and

''(iii) the name and address of the individual making the donation.

''(B) The total amount of all disbursements, and all disbursements in the following categories:

''(i) Disbursements made to meet committee operating expenses.

''(ii) Repayment of all loans.

''(iii) Donation refunds and other offsets to donations.

''(iv) Any other disbursements.

''(C) The name and address of each person—

''(i) to whom a disbursement in an aggregate amount or value in excess of $200 is made by the committee to meet a committee operating expense, together with date, amount, and purpose of such operating expense;

''(ii) who receives a loan repayment from the committee, together with the date and amount of such loan repayment;

''(iii) who receives a donation refund or other offset to donations from the committee, together with the date and amount of such disbursement; and

''(iv) to whom any other disbursement in an aggregate amount or value in excess of $200 is made by the committee, together with the date and amount of such disbursement.

''(d) DEFINITIONS.—For purposes of this section:

''(1)(A) The term 'donation' includes—

''(i) any gift, subscription, loan, advance, or deposit of money or anything of value made by any person to the committee; or

''(ii) the payment by any person of compensation for the personal services of another person which are rendered to the committee without charge for any purpose.

''(B) The term 'donation' does not include the value of services provided without compensation by any individual who volunteers on behalf of the committee.

''(2) The term 'foreign national' has the meaning given that term by section 319(b).

''(3) The term 'Inaugural Committee' has the meaning given that term by section 501 of title 36, United States Code.''.

(b) CONFIRMING AMENDMENT RELATED TO REPORTING REQUIREMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

(c) CONFORMING AMENDMENT RELATED TO STATUS OF COMMITTEE.—Section 510 of title 36, United States Code, is amended to read as follows:

''§ 510. Disclosure of and prohibition on certain donations

''A committee shall not be considered to be the Inaugural Committee for purposes of this chapter unless the committee agrees to, and meets, the requirements of section 325 of the Federal Election Campaign Act of 1971.''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to Inaugural Committees established under chapter 5 of title 36, United States Code, for inaugurations held in 2021 and any succeeding year.

Subtitle I—Severability

SEC. 4801. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

TITLE V—CAMPAIGN FINANCE EMPOWERMENT

Subtitle A—Findings Relating to *Citizens United* Decision

SEC. 5001. FINDINGS RELATING TO *CITIZENS UNITED* DECISION.

Congress finds the following:

(1) The American Republic was founded on the principle that all people are created equal, with rights and responsibilities as citizens to vote, be represented, speak, debate, and participate in self-government on equal terms regardless of wealth. To secure these rights and responsibilities, our Constitution not only protects the equal rights of all Americans but also provides checks and balances to prevent corruption and prevent concentrated power and wealth from undermining effective self-government.

(2) The Supreme Court's decisions in *Citizens United* v. *Federal Election Commission*, 558 U.S. 310 (2010) and *McCutcheon* v. *FEC*, 572 U.S. 185 (2014), as well as other court decisions, erroneously invalidated even-handed rules about the spending of money in local, State, and Federal elections. These flawed decisions have empowered large corporations, extremely wealthy individuals, and special interests to dominate election spending, corrupt our politics, and degrade our democracy through tidal waves of unlimited and anonymous spending. These decisions also stand in contrast to a long history of efforts by Congress and the States to regulate money in politics to protect democracy, and they illustrate a troubling deregulatory trend in campaign finance-related court decisions. Additionally, an unknown amount of foreign money continues to be spent in our political system as subsidiaries of foreign-based corporations and hostile foreign actors sometimes connected to nation-States work to influence our elections.

(3) The Supreme Court's misinterpretation of the Constitution to empower monied interests at the expense of the American people in elections has seriously eroded over 100 years of congressional action to promote fairness and protect elections from the toxic influence of money.

(4) In 1907, Congress passed the Tillman Act in response to the concentration of corporate power in the post-Civil War Gilded Age. The Act prohibited corporations from making contributions in connection with Federal elections, aiming ''not merely to prevent the subversion of the integrity of the electoral process [but] . . . to sustain the active, alert responsibility of the individual citizen in a democracy for the wise conduct of government''.

(5) By 1910, Congress began passing disclosure requirements and campaign expenditure limits, and dozens of States passed corrupt practices Acts to prohibit corporate spending in elections. States also enacted campaign spending limits, and some States limited the amount that people could contribute to campaigns.

(6) In 1947, the Taft-Hartley Act prohibited corporations and unions from making campaign contributions or other expenditures to influence elections. In 1962, a Presidential commission on election spending recommended spending limits and incentives to increase small contributions from more people.

(7) The Federal Election Campaign Act of 1971 (FECA), as amended in 1974, required disclosure of contributions and expenditures, imposed contribution and expenditure limits for individuals and groups, set spending limits for campaigns, candidates, and groups, implemented a public funding system for Presidential campaigns, and created the Federal Election Commission to oversee and enforce the new rules.

(8) In the wake of *Citizens United* and other damaging Federal court decisions, Americans have witnessed an explosion of outside spending in elections. Outside spending increased nearly 900 percent between the 2008 and 2016 Presidential election years. Indeed, the 2018 elections once again made clear the overwhelming political power of wealthy special interests, to the tune of over $5,000,000,000. And as political entities adapt to a post- *Citizens United*, post-*McCutcheon* landscape, these trends are getting worse, as evidenced by the experience in the 2018 midterm congressional elections, where outside spending more than doubled from the previous midterm cycle.

(9) The torrent of money flowing into our political system has a profound effect on the democratic process for everyday Americans, whose voices and policy preferences are increasingly being drowned out by those of wealthy special interests. The more campaign cash from wealthy special interests can flood our elections, the more policies that favor those interests are reflected in the national political agenda. When it comes to policy preferences, our Nation's wealthiest tend to have fundamentally different views than do average Americans when it comes to issues ranging from unemployment benefits to the minimum wage to health care coverage.

(10) The Court has tied the hands of Congress and the States, severely restricting them from setting reasonable limits on campaign spending. For example, the Court has held that only the Government's interest in preventing quid pro quo corruption, like bribery, or the appearance of such corruption, can justify limits on campaign contributions. More broadly, the Court has severely curtailed attempts to reduce the ability of the Nation's wealthiest and most powerful to skew our democracy in their favor by buying outsized influence in our elections. Because this distortion of the Constitution has prevented truly meaningful regulation or reform of the way we finance elections in America, a constitutional amendment is needed to achieve a democracy for all the people.

(11) Since the landmark *Citizens United* decision, 19 States and nearly 800 municipalities, including large cities like New York, Los Angeles, Chicago, and Philadelphia, have gone on record supporting a constitutional amendment. Transcending political leanings and geographic location, voters in States and municipalities across the country that have placed amendment questions on the ballot have routinely supported these initiatives by considerably large margins.

(12) At the same time millions of Americans have signed petitions, marched, called their Members of Congress, written letters to the editor, and otherwise demonstrated their public support for a constitutional amendment to overturn *Citizens United* that will allow Congress to reign in the outsized influence of unchecked money in politics. Dozens of organizations, representing tens of millions of individuals, have come together in a shared strategy of supporting such an amendment.

(13) In order to protect the integrity of democracy and the electoral process and to ensure political equality for all, the Constitution should be amended so that Congress and the States may regulate and set limits on the raising and spending of money to influence elections and may distinguish between natural persons and artificial entities, like corporations, that are created by law, including by prohibiting such artificial entities from spending money to influence elections.

Subtitle B—Congressional Elections

SEC. 5100. SHORT TITLE.

This subtitle may be cited as the ''Government By the People Act of 2019''.

PART 1—MY VOICE VOUCHER PILOT PROGRAM

SEC. 5101. ESTABLISHMENT OF PILOT PROGRAM.

(a) ESTABLISHMENT.—The Federal Election Commission (hereafter in this part referred to as the ''Commission'') shall establish a pilot program under which the Commission shall select 3 eligible States to operate a voucher pilot program which is described in section 5102 during the program operation period.

(b) ELIGIBILITY OF STATES.—A State is eligible to be selected to operate a voucher pilot program under this part if, not later than 180 days after the beginning of the program application period, the State submits to the Commission an application containing—

(1) information and assurances that the State will operate a voucher program which contains the elements described in section 5102(a);

(2) information and assurances that the State will establish fraud prevention mechanisms described in section 5102(b);

(3) information and assurances that the State will establish a commission to oversee and implement the program as described in section 5102(c);

(4) information and assurances that the State will carry out a public information campaign as described in section 5102(d);

(5) information and assurances that the State will submit reports as required under section 5103; and

(6) such other information and assurances as the Commission may require.

(c) SELECTION OF PARTICIPATING STATES.—

(1) IN GENERAL.—Not later than 1 year after the beginning of the program application period, the Commission shall select the 3 States which will operate voucher pilot programs under this part.

(2) CRITERIA.—In selecting States for the operation of the voucher pilot programs under this part, the Commission shall apply such criteria and metrics as the Commission considers appropriate to determine the ability of a State to operate the program successfully, and shall attempt to select States in a variety of geographic regions and with a variety of political party preferences.

(3) NO SUPERMAJORITY REQUIRED FOR SELECTION.—The selection of States by the Commission under this subsection shall require the approval of only half of the Members of the Commission.

(d) DUTIES OF STATES DURING PROGRAM PREPARATION PERIOD.—During the program preparation period, each State selected to operate a voucher pilot program under this part shall take such actions as may be necessary to ensure that the State will be ready to operate the program during the program operation period, and shall complete such actions not later than 90 days before the beginning of the program operation period.

(e) TERMINATION.—Each voucher pilot program under this part shall terminate as of

the first day after the program operation period.

(f) REIMBURSEMENT OF COSTS.—

(1) REIMBURSEMENT.—Upon receiving the report submitted by a State under section 5103(a) with respect to an election cycle, the Commission shall transmit a payment to the State in an amount equal to the reasonable costs incurred by the State in operating the voucher pilot program under this part during the cycle.

(2) SOURCE OF FUNDS.—Payments to States under the program shall be made using amounts in the Freedom From Influence Fund under section 541 of the Federal Election Campaign Act of 1971 (as added by section 5111), hereafter referred to as the ''Fund''.

(3) MANDATORY REDUCTION OF PAYMENTS IN CASE OF INSUFFICIENT AMOUNTS IN FREEDOM FROM INFLUENCE FUND.—

(A) ADVANCE AUDITS BY COMMISSION.—Not later than 90 days before the first day of each program operation period, the Commission shall—

(i) audit the Fund to determine whether, after first making payments to participating candidates under title V of the Federal Election Campaign Act of 1971 (as added by section 5111), the amounts remaining in the Fund will be sufficient to make payments to States under this part in the amounts provided under this subsection; and

(ii) submit a report to Congress describing the results of the audit.

(B) REDUCTIONS IN AMOUNT OF PAYMENTS.—

(i) AUTOMATIC REDUCTION ON PRO RATA BASIS.—If, on the basis of the audit described in subparagraph (A), the Commission determines that the amount anticipated to be available in the Fund with respect to an election cycle involved is not, or may not be, sufficient to make payments to States under this part in the full amount provided under this subsection, the Commission shall reduce each amount which would otherwise be paid to a State under this subsection by such pro rata amount as may be necessary to ensure that the aggregate amount of payments anticipated to be made with respect to the cycle will not exceed the amount anticipated to be available for such payments in the Fund with respect to such cycle.

(ii) RESTORATION OF REDUCTIONS IN CASE OF AVAILABILITY OF SUFFICIENT FUNDS DURING ELECTION CYCLE.—If, after reducing the amounts paid to States with respect to an election cycle under clause (i), the Commission determines that there are sufficient amounts in the Fund to restore the amount by which such payments were reduced (or any portion thereof), to the extent that such amounts are available, the Commission may make a payment on a pro rata basis to each such State with respect to the cycle in the amount by which such State's payments were reduced under clause (i) (or any portion thereof, as the case may be).

(iii) NO USE OF AMOUNTS FROM OTHER SOURCES.—In any case in which the Commission determines that there are insufficient moneys in the Fund to make payments to States under this part, moneys shall not be made available from any other source for the purpose of making such payments.

(4) CAP ON AMOUNT OF PAYMENT.—The aggregate amount of payments made to any State with respect to any program operation period may not exceed $10,000,000. If the State determines that the maximum payment amount under this paragraph with respect to the program operation period involved is not, or may not be, sufficient to cover the reasonable costs incurred by the State in operating the program under this part for such period, the State shall reduce the amount of the voucher provided to each qualified individual by such pro rata amount as may be necessary to ensure that the reasonable costs incurred by the State in operating the program will not exceed the amount paid to the State with respect to such period.

SEC. 5102. VOUCHER PROGRAM DESCRIBED.

(a) GENERAL ELEMENTS OF PROGRAM.—

(1) ELEMENTS DESCRIBED.—The elements of a voucher pilot program operated by a State under this part are as follows:

(A) The State shall provide each qualified individual upon the individual's request with a voucher worth $25 to be known as a ''My Voice Voucher'' during the election cycle which will be assigned a routing number and which at the option of the individual will be provided in either paper or electronic form.

(B) Using the routing number assigned to the My Voice Voucher, the individual may submit the My Voice Voucher in either electronic or paper form to qualified candidates for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress and allocate such portion of the value of the My Voice Voucher in increments of $5 as the individual may select to any such candidate.

(C) If the candidate transmits the My Voice Voucher to the Commission, the Commission shall pay the candidate the portion of the value of the My Voice Voucher that the individual allocated to the candidate, which shall be considered a contribution by the individual to the candidate for purposes of the Federal Election Campaign Act of 1971.

(2) DESIGNATION OF QUALIFIED INDIVIDUALS.—For purposes of paragraph (1)(A), a ''qualified individual'' with respect to a State means an individual—

(A) who is a resident of the State;

(B) who will be of voting age as of the date of the election for the candidate to whom the individual submits a My Voice Voucher; and

(C) who is not prohibited under Federal law from making contributions to candidates for election for Federal office.

(3) TREATMENT AS CONTRIBUTION TO CANDIDATE.—For purposes of the Federal Election Campaign Act of 1971, the submission of a My Voice Voucher to a candidate by an individual shall be treated as a contribution to the candidate by the individual in the amount of the portion of the value of the Voucher that the individual allocated to the candidate.

(b) FRAUD PREVENTION MECHANISM.—In addition to the elements described in subsection (a), a State operating a voucher pilot program under this part shall permit an individual to revoke a My Voice Voucher not later than 2 days after submitting the My Voice Voucher to a candidate.

(c) OVERSIGHT COMMISSION.—In addition to the elements described in subsection (a), a State operating a voucher pilot program under this part shall establish a commission or designate an existing entity to oversee and implement the program in the State, except that no such commission or entity may be comprised of elected officials.

(d) PUBLIC INFORMATION CAMPAIGN.—In addition to the elements described in subsection (a), a State operating a voucher pilot program under this part shall carry out a public information campaign to disseminate awareness of the program among qualified individuals.

SEC. 5103. REPORTS.

(a) PRELIMINARY REPORT.—Not later than 6 months after the first election cycle of the program operation period, a State which operates a voucher pilot program under this part shall submit a report to the Commission analyzing the operation and effectiveness of the program during the cycle and including such other information as the Commission may require.

(b) FINAL REPORT.—Not later than 6 months after the end of the program operation period, the State shall submit a final report to the Commission analyzing the operation and effectiveness of the program and including such other information as the Commission may require.

(c) REPORT BY COMMISSION.—Not later than the end of the first election cycle which begins after the program operation period, the Commission shall submit a report to Congress which summarizes and analyzes the results of the voucher pilot program, and shall include in the report such recommendations as the Commission considers appropriate regarding the expansion of the pilot program to all States and territories, along with such other recommendations and other information as the Commission considers appropriate.

SEC. 5104. DEFINITIONS.

(a) ELECTION CYCLE.—In this part, the term ''election cycle'' means the period beginning on the day after the date of the most recent regularly scheduled general election for Federal office and ending on the date of the next regularly scheduled general election for Federal office.

(b) DEFINITIONS RELATING TO PERIODS.—In this part, the following definitions apply:

(1) PROGRAM APPLICATION PERIOD.—The term ''program application period'' means the first election cycle which begins after the date of the enactment of this Act.

(2) PROGRAM PREPARATION PERIOD.—The term ''program preparation period'' means the first election cycle which begins after the program application period.

(3) PROGRAM OPERATION PERIOD.—The term ''program operation period'' means the first 2 election cycles which begin after the program preparation period.

PART 2—SMALL DOLLAR FINANCING OF CONGRESSIONAL ELECTION CAMPAIGNS

SEC. 5111. BENEFITS AND ELIGIBILITY REQUIREMENTS FOR CANDIDATES.

The Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following:

''TITLE V—SMALL DOLLAR FINANCING OF CONGRESSIONAL ELECTION CAMPAIGNS

''Subtitle A—Benefits

''SEC. 501. BENEFITS FOR PARTICIPATING CANDIDATES.

''(a) IN GENERAL.—If a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress is certified as a participating candidate under this title with respect to an election for such office, the candidate shall be entitled to payments as provided under this title.

''(b) AMOUNT OF PAYMENT.—The amount of a payment made under this title shall be equal to 600 percent of the amount of qualified small dollar contributions received by the candidate since the most recent payment made to the candidate under this title during the election cycle, without regard to whether or not the candidate received any of the contributions before, during, or after the Small Dollar Democracy qualifying period applicable to the candidate under section 511(c).

''(c) LIMIT ON AGGREGATE AMOUNT OF PAYMENTS.—The aggregate amount of payments made to a participating candidate with respect to an election cycle under this title may not exceed 50 percent of the average of the 20 greatest amounts of disbursements made by the authorized committees of any winning candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress during the most recent election cycle, rounded to the nearest $100,000.

"SEC. 502. PROCEDURES FOR MAKING PAYMENTS.

''(a) IN GENERAL.—The Commission shall make a payment under section 501 to a candidate who is certified as a participating candidate upon receipt from the candidate of a request for a payment which includes—

''(1) a statement of the number and amount of qualified small dollar contributions received by the candidate since the most recent payment made to the candidate under this title during the election cycle;

''(2) a statement of the amount of the payment the candidate anticipates receiving with respect to the request;

''(3) a statement of the total amount of payments the candidate has received under this title as of the date of the statement; and

''(4) such other information and assurances as the Commission may require.

''(b) RESTRICTIONS ON SUBMISSION OF REQUESTS.—A candidate may not submit a request under subsection (a) unless each of the following applies:

''(1) The amount of the qualified small dollar contributions in the statement referred to in subsection (a)(1) is equal to or greater than $5,000, unless the request is submitted during the 30-day period which ends on the date of a general election.

''(2) The candidate did not receive a payment under this title during the 7-day period which ends on the date the candidate submits the request.

''(c) TIME OF PAYMENT.—The Commission shall, in coordination with the Secretary of the Treasury, take such steps as may be necessary to ensure that the Secretary is able to make payments under this section from the Treasury not later than 2 business days after the receipt of a request submitted under subsection (a).

"SEC. 503. USE OF FUNDS.

''(a) USE OF FUNDS FOR AUTHORIZED CAMPAIGN EXPENDITURES.—A candidate shall use payments made under this title, including payments provided with respect to a previous election cycle which are withheld from remittance to the Commission in accordance with section 524(a)(2), only for making direct payments for the receipt of goods and services which constitute authorized expenditures (as determined in accordance with title III) in connection with the election cycle involved.

''(b) PROHIBITING USE OF FUNDS FOR LEGAL EXPENSES, FINES, OR PENALTIES.—Notwithstanding title III, a candidate may not use payments made under this title for the payment of expenses incurred in connection with any action, claim, or other matter before the Commission or before any court, hearing officer, arbitrator, or other dispute resolution entity, or for the payment of any fine or civil monetary penalty.

"SEC. 504. QUALIFIED SMALL DOLLAR CONTRIBUTIONS DESCRIBED.

''(a) IN GENERAL.—In this title, the term 'qualified small dollar contribution' means, with respect to a candidate and the authorized committees of a candidate, a contribution that meets the following requirements:

''(1) The contribution is in an amount that is—

''(A) not less than $1; and

''(B) not more than $200.

''(2)(A) The contribution is made directly by an individual to the candidate or an authorized committee of the candidate and is not—

''(i) forwarded from the individual making the contribution to the candidate or committee by another person; or

''(ii) received by the candidate or committee with the knowledge that the contribution was made at the request, suggestion, or recommendation of another person.

''(B) In this paragraph—

''(i) the term 'person' does not include an individual (other than an individual described in section 304(i)(7) of the Federal Election Campaign Act of 1971), a political committee of a political party, or any political committee which is not a separate segregated fund described in section 316(b) of the Federal Election Campaign Act of 1971 and which does not make contributions or independent expenditures, does not engage in lobbying activity under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), and is not established by, controlled by, or affiliated with a registered lobbyist under such Act, an agent of a registered lobbyist under such Act, or an organization which retains or employs a registered lobbyist under such Act; and

''(ii) a contribution is not 'made at the request, suggestion, or recommendation of another person' solely on the grounds that the contribution is made in response to information provided to the individual making the contribution by any person, so long as the candidate or authorized committee does not know the identity of the person who provided the information to such individual.

''(3) The individual who makes the contribution does not make contributions to the candidate or the authorized committees of the candidate with respect to the election involved in an aggregate amount that exceeds the amount described in paragraph (1)(B), or any contribution to the candidate or the authorized committees of the candidate with respect to the election involved that otherwise is not a qualified small dollar contribution.

''(b) TREATMENT OF MY VOICE VOUCHERS.—Any payment received by a candidate and the authorized committees of a candidate which consists of a My Voice Voucher under the Government By the People Act of 2019 shall be considered a qualified small dollar contribution for purposes of this title, so long as the individual making the payment meets the requirements of paragraphs (2) and (3) of subsection (a).

''(c) RESTRICTION ON SUBSEQUENT CONTRIBUTIONS.—

''(1) PROHIBITING DONOR FROM MAKING SUBSEQUENT NONQUALIFIED CONTRIBUTIONS DURING ELECTION CYCLE.—

''(A) IN GENERAL.—An individual who makes a qualified small dollar contribution to a candidate or the authorized committees of a candidate with respect to an election may not make any subsequent contribution to such candidate or the authorized committees of such candidate with respect to the election cycle which is not a qualified small dollar contribution.

''(B) EXCEPTION FOR CONTRIBUTIONS TO CANDIDATES WHO VOLUNTARILY WITHDRAW FROM PARTICIPATION DURING QUALIFYING PERIOD.—Subparagraph (A) does not apply with respect to a contribution made to a candidate who, during the Small Dollar Democracy qualifying period described in section 511(c), submits a statement to the Commission under section 513(c) to voluntarily withdraw from participating in the program under this title.

''(2) TREATMENT OF SUBSEQUENT NONQUALIFIED CONTRIBUTIONS.—If, notwithstanding the prohibition described in paragraph (1), an individual who makes a qualified small dollar contribution to a candidate or the authorized committees of a candidate with respect to an election makes a subsequent contribution to such candidate or the authorized committees of such candidate with respect to the election which is prohibited under paragraph (1) because it is not a qualified small dollar contribution, the candidate may take one of the following actions:

''(A) Not later than 2 weeks after receiving the contribution, the candidate may return the subsequent contribution to the individual. In the case of a subsequent contribution which is not a qualified small dollar contribution because the contribution fails to meet the requirements of paragraph (3) of subsection (a) (relating to the aggregate amount of contributions made to the candidate or the authorized committees of the candidate by the individual making the contribution), the candidate may return an amount equal to the difference between the amount of the subsequent contribution and the amount described in paragraph (1)(B) of subsection (a).

''(B) The candidate may retain the subsequent contribution, so long as not later than 2 weeks after receiving the subsequent contribution, the candidate remits to the Commission for deposit in the Freedom From Influence Fund under section 541 an amount equal to any payments received by the candidate under this title which are attributable to the qualified small dollar contribution made by the individual involved.

''(3) NO EFFECT ON ABILITY TO MAKE MULTIPLE CONTRIBUTIONS.—Nothing in this section may be construed to prohibit an individual from making multiple qualified small dollar contributions to any candidate or any number of candidates, so long as each contribution meets each of the requirements of paragraphs (1), (2), and (3) of subsection (a).

''(d) NOTIFICATION REQUIREMENTS FOR CANDIDATES.—

''(1) NOTIFICATION.—Each authorized committee of a candidate who seeks to be a participating candidate under this title shall provide the following information in any materials for the solicitation of contributions, including any internet site through which individuals may make contributions to the committee:

''(A) A statement that if the candidate is certified as a participating candidate under this title, the candidate will receive matching payments in an amount which is based on the total amount of qualified small dollar contributions received.

''(B) A statement that a contribution which meets the requirements set forth in subsection (a) shall be treated as a qualified small dollar contribution under this title.

''(C) A statement that if a contribution is treated as qualified small dollar contribution under this title, the individual who makes the contribution may not make any contribution to the candidate or the authorized committees of the candidate during the election cycle which is not a qualified small dollar contribution.

''(2) ALTERNATIVE METHODS OF MEETING REQUIREMENTS.—An authorized committee may meet the requirements of paragraph (1)—

''(A) by including the information described in paragraph (1) in the receipt provided under section 512(b)(3) to a person making a qualified small dollar contribution; or

''(B) by modifying the information it provides to persons making contributions which is otherwise required under title III (including information it provides through the internet).

"Subtitle B—Eligibility and Certification

"SEC. 511. ELIGIBILITY.

''(a) IN GENERAL.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress is eligible to be certified as a participating candidate under this title with respect to an election if the candidate meets the following requirements:

''(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate.

''(2) The candidate meets the qualifying requirements of section 512.

''(3) The candidate files with the Commission a statement certifying that the authorized committees of the candidate meet the requirements of section 504(d).

''(4) Not later than the last day of the Small Dollar Democracy qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

''(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 521;

''(B) if certified, will run only as a participating candidate for all elections for the office that such candidate is seeking during that election cycle; and

''(C) has either qualified or will take steps to qualify under State law to be on the ballot.

''(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to be certified as a participating candidate under this title for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate is otherwise qualified to be on the ballot under State law.

''(c) SMALL DOLLAR DEMOCRACY QUALIFYING PERIOD DEFINED.—The term 'Small Dollar Democracy qualifying period' means, with respect to any candidate for an office, the 180-day period (during the election cycle for such office) which begins on the date on which the candidate files a statement of intent under section 511(a)(1), except that such period may not continue after the date that is 30 days before the date of the general election for the office.

''SEC. 512. QUALIFYING REQUIREMENTS.

''(a) RECEIPT OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress meets the requirement of this section if, during the Small Dollar Democracy qualifying period described in section 511(c), each of the following occurs:

''(1) Not fewer than 1,000 individuals make a qualified small dollar contribution to the candidate.

''(2) The candidate obtains a total dollar amount of qualified small dollar contributions which is equal to or greater than $50,000.

''(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFIED SMALL DOLLAR CONTRIBUTION.—Each qualified small dollar contribution—

''(1) may be made by means of a personal check, money order, debit card, credit card, electronic payment account, or any other method deemed appropriate by the Commission;

''(2) shall be accompanied by a signed statement (or, in the case of a contribution made online or through other electronic means, an electronic equivalent) containing the contributor's name and address; and

''(3) shall be acknowledged by a receipt that is sent to the contributor with a copy (in paper or electronic form) kept by the candidate for the Commission.

''(c) VERIFICATION OF CONTRIBUTIONS.—The Commission shall establish procedures for the auditing and verification of the contributions received and expenditures made by participating candidates under this title, including procedures for random audits, to ensure that such contributions and expenditures meet the requirements of this title.

''SEC. 513. CERTIFICATION.

''(a) DEADLINE AND NOTIFICATION.—

''(1) IN GENERAL.—Not later than 5 business days after a candidate files an affidavit under section 511(a)(4), the Commission shall—

''(A) determine whether or not the candidate meets the requirements for certification as a participating candidate;

''(B) if the Commission determines that the candidate meets such requirements, certify the candidate as a participating candidate; and

''(C) notify the candidate of the Commission's determination.

''(2) DEEMED CERTIFICATION FOR ALL ELECTIONS IN ELECTION CYCLE.—If the Commission certifies a candidate as a participating candidate with respect to the first election of the election cycle involved, the Commission shall be deemed to have certified the candidate as a participating candidate with respect to all subsequent elections of the election cycle.

''(b) REVOCATION OF CERTIFICATION.—

''(1) IN GENERAL.—The Commission shall revoke a certification under subsection (a) if—

''(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification (other than a candidate certified as a participating candidate with respect to a primary election who fails to qualify to appear on the ballot for a subsequent election in that election cycle);

''(B) a candidate ceases to be a candidate for the office involved, as determined on the basis of an official announcement by an authorized committee of the candidate or on the basis of a reasonable determination by the Commission; or

''(C) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

''(2) EXISTENCE OF CRIMINAL SANCTION.—The Commission shall revoke a certification under subsection (a) if a penalty is assessed against the candidate under section 309(d) with respect to the election.

''(3) EFFECT OF REVOCATION.—If a candidate's certification is revoked under this subsection—

''(A) the candidate may not receive payments under this title during the remainder of the election cycle involved; and

''(B) in the case of a candidate whose certification is revoked pursuant to subparagraph (A) or subparagraph (C) of paragraph (1)—

''(i) the candidate shall repay to the Freedom From Influence Fund established under section 541 an amount equal to the payments received under this title with respect to the election cycle involved plus interest (at a rate determined by the Commission on the basis of an appropriate annual percentage rate for the month involved) on any such amount received; and

''(ii) the candidate may not be certified as a participating candidate under this title with respect to the next election cycle.

''(4) PROHIBITING PARTICIPATION IN FUTURE ELECTIONS FOR CANDIDATES WITH MULTIPLE REVOCATIONS.—If the Commission revokes the certification of an individual as a participating candidate under this title pursuant to subparagraph (A) or subparagraph (C) of paragraph (1) a total of 3 times, the individual may not be certified as a participating candidate under this title with respect to any subsequent election.

''(c) VOLUNTARY WITHDRAWAL FROM PARTICIPATING DURING QUALIFYING PERIOD.—At any time during the Small Dollar Democracy qualifying period described in section 511(c), a candidate may withdraw from participation in the program under this title by submitting to the Commission a statement of withdrawal (without regard to whether or not the Commission has certified the candidate as a participating candidate under this title as of the time the candidate submits such statement), so long as the candidate has not submitted a request for payment under section 502.

''(d) PARTICIPATING CANDIDATE DEFINED.—In this title, a 'participating candidate' means a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress who is certified under this section as eligible to receive benefits under this title.

''Subtitle C—Requirements for Candidates Certified as Participating Candidates

''SEC. 521. CONTRIBUTION AND EXPENDITURE REQUIREMENTS.

''(a) PERMITTED SOURCES OF CONTRIBUTIONS AND EXPENDITURES.—Except as provided in subsection (c), a participating candidate with respect to an election shall, with respect to all elections occurring during the election cycle for the office involved, accept no contributions from any source and make no expenditures from any amounts, other than the following:

''(1) Qualified small dollar contributions.

''(2) Payments under this title.

''(3) Contributions from political committees established and maintained by a national or State political party, subject to the applicable limitations of section 315.

''(4) Subject to subsection (b), personal funds of the candidate or of any immediate family member of the candidate (other than funds received through qualified small dollar contributions).

''(5) Contributions from individuals who are otherwise permitted to make contributions under this Act, subject to the applicable limitations of section 315, except that the aggregate amount of contributions a participating candidate may accept from any individual with respect to any election during the election cycle may not exceed $1,000.

''(6) Contributions from multicandidate political committees, subject to the applicable limitations of section 315.

''(b) SPECIAL RULES FOR PERSONAL FUNDS.—

''(1) LIMIT ON AMOUNT.—A candidate who is certified as a participating candidate may use personal funds (including personal funds of any immediate family member of the candidate) so long as—

''(A) the aggregate amount used with respect to the election cycle (including any period of the cycle occurring prior to the candidate's certification as a participating candidate) does not exceed $50,000; and

''(B) the funds are used only for making direct payments for the receipt of goods and services which constitute authorized expenditures in connection with the election cycle involved.

''(2) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term 'immediate family member' means, with respect to a candidate—

''(A) the candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(c) EXCEPTIONS.—

''(1) EXCEPTION FOR CONTRIBUTIONS RECEIVED PRIOR TO FILING OF STATEMENT OF INTENT.—A candidate who has accepted contributions that are not described in subsection (a) is not in violation of subsection (a), but only if all such contributions are—

''(A) returned to the contributor;

''(B) submitted to the Commission for deposit in the Freedom From Influence Fund established under section 541; or

''(C) spent in accordance with paragraph (2).

''(2) EXCEPTION FOR EXPENDITURES MADE PRIOR TO FILING OF STATEMENT OF INTENT.—If

a candidate has made expenditures prior to the date the candidate files a statement of intent under section 511(a)(1) that the candidate is prohibited from making under subsection (a) or subsection (b), the candidate is not in violation of such subsection if the aggregate amount of the prohibited expenditures is less than the amount referred to in section 512(a)(2) (relating to the total dollar amount of qualified small dollar contributions which the candidate is required to obtain) which is applicable to the candidate.

''(3) EXCEPTION FOR CAMPAIGN SURPLUSES FROM A PREVIOUS ELECTION.—Notwithstanding paragraph (1), unexpended contributions received by the candidate or an authorized committee of the candidate with respect to a previous election may be retained, but only if the candidate places the funds in escrow and refrains from raising additional funds for or spending funds from that account during the election cycle in which a candidate is a participating candidate.

''(4) EXCEPTION FOR CONTRIBUTIONS RECEIVED BEFORE THE EFFECTIVE DATE OF THIS TITLE.—Contributions received and expenditures made by the candidate or an authorized committee of the candidate prior to the effective date of this title shall not constitute a violation of subsection (a) or (b). Unexpended contributions shall be treated the same as campaign surpluses under paragraph (3), and expenditures made shall count against the limit in paragraph (2).

''(d) SPECIAL RULE FOR COORDINATED PARTY EXPENDITURES.—For purposes of this section, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

''(e) PROHIBITION ON JOINT FUNDRAISING COMMITTEES.—

''(1) PROHIBITION.—An authorized committee of a candidate who is certified as a participating candidate under this title with respect to an election may not establish a joint fundraising committee with a political committee other than another authorized committee of the candidate.

''(2) STATUS OF EXISTING COMMITTEES FOR PRIOR ELECTIONS.—If a candidate established a joint fundraising committee described in paragraph (1) with respect to a prior election for which the candidate was not certified as a participating candidate under this title and the candidate does not terminate the committee, the candidate shall not be considered to be in violation of paragraph (1) so long as that joint fundraising committee does not receive any contributions or make any disbursements during the election cycle for which the candidate is certified as a participating candidate under this title.

''(f) PROHIBITION ON LEADERSHIP PACS.—

''(1) PROHIBITION.—A candidate who is certified as a participating candidate under this title with respect to an election may not associate with, establish, finance, maintain, or control a leadership PAC.

''(2) STATUS OF EXISTING LEADERSHIP PACS.—If a candidate established, financed, maintained, or controlled a leadership PAC prior to being certified as a participating candidate under this title and the candidate does not terminate the leadership PAC, the candidate shall not be considered to be in violation of paragraph (1) so long as the leadership PAC does not receive any contributions or make any disbursements during the election cycle for which the candidate is certified as a participating candidate under this title.

''(3) LEADERSHIP PAC DEFINED.—In this subsection, the term 'leadership PAC' has the meaning given such term in section 304(i)(8)(B).

''SEC. 522. ADMINISTRATION OF CAMPAIGN.

''(a) SEPARATE ACCOUNTING FOR VARIOUS PERMITTED CONTRIBUTIONS.—Each authorized committee of a candidate certified as a participating candidate under this title—

''(1) shall provide for separate accounting of each type of contribution described in section 521(a) which is received by the committee; and

''(2) shall provide for separate accounting for the payments received under this title.

''(b) ENHANCED DISCLOSURE OF INFORMATION ON DONORS.—

''(1) MANDATORY IDENTIFICATION OF INDIVIDUALS MAKING QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Each authorized committee of a participating candidate under this title shall elect, in accordance with section 304(b)(3)(A), to include in the reports the committee submits under section 304 the identification of each person who makes a qualified small dollar contribution to the committee.

''(2) MANDATORY DISCLOSURE THROUGH INTERNET.—Each authorized committee of a participating candidate under this title shall ensure that all information reported to the Commission under this Act with respect to contributions and expenditures of the committee is available to the public on the internet (whether through a site established for purposes of this subsection, a hyperlink on another public site of the committee, or a hyperlink on a report filed electronically with the Commission) in a searchable, sortable, and downloadable manner.

''SEC. 523. PREVENTING UNNECESSARY SPENDING OF PUBLIC FUNDS.

''(a) MANDATORY SPENDING OF AVAILABLE PRIVATE FUNDS.—An authorized committee of a candidate certified as a participating candidate under this title may not make any expenditure of any payments received under this title in any amount unless the committee has made an expenditure in an equivalent amount of funds received by the committee which are described in paragraphs (1), (3), (4), (5), and (6) of section 521(a).

''(b) LIMITATION.—Subsection (a) applies to an authorized committee only to the extent that the funds referred to in such subsection are available to the committee at the time the committee makes an expenditure of a payment received under this title.

''SEC. 524. REMITTING UNSPENT FUNDS AFTER ELECTION.

''(a) REMITTANCE REQUIRED.—Not later than the date that is 180 days after the last election for which a candidate certified as a participating candidate qualifies to be on the ballot during the election cycle involved, such participating candidate shall remit to the Commission for deposit in the Freedom From Influence Fund established under section 541 an amount equal to the balance of the payments received under this title by the authorized committees of the candidate which remain unexpended as of such date.

''(b) PERMITTING CANDIDATES PARTICIPATING IN NEXT ELECTION CYCLE TO RETAIN PORTION OF UNSPENT FUNDS.—Notwithstanding subsection (a), a participating candidate may withhold not more than $100,000 from the amount required to be remitted under subsection (a) if the candidate files a signed affidavit with the Commission that the candidate will seek certification as a participating candidate with respect to the next election cycle, except that the candidate may not use any portion of the amount withheld until the candidate is certified as a participating candidate with respect to that next election cycle. If the candidate fails to seek certification as a participating candidate prior to the last day of the Small Dollar Democracy qualifying period for the next election cycle (as described in section 511), or if the Commission notifies the candidate of the Commission's determination does not meet the requirements for certification as a participating candidate with respect to such cycle, the candidate shall immediately remit to the Commission the amount withheld.

''Subtitle D—Enhanced Match Support

''SEC. 531. ENHANCED SUPPORT FOR GENERAL ELECTION.

''(a) AVAILABILITY OF ENHANCED SUPPORT.—In addition to the payments made under subtitle A, the Commission shall make an additional payment to an eligible candidate under this subtitle.

''(b) USE OF FUNDS.—A candidate shall use the additional payment under this subtitle only for authorized expenditures in connection with the election involved.

''SEC. 532. ELIGIBILITY.

''(a) IN GENERAL.—A candidate is eligible to receive an additional payment under this subtitle if the candidate meets each of the following requirements:

''(1) The candidate is on the ballot for the general election for the office the candidate seeks.

''(2) The candidate is certified as a participating candidate under this title with respect to the election.

''(3) During the enhanced support qualifying period, the candidate receives qualified small dollar contributions in a total amount of not less than $50,000.

''(4) During the enhanced support qualifying period, the candidate submits to the Commission a request for the payment which includes—

''(A) a statement of the number and amount of qualified small dollar contributions received by the candidate during the enhanced support qualifying period;

''(B) a statement of the amount of the payment the candidate anticipates receiving with respect to the request; and

''(C) such other information and assurances as the Commission may require.

''(5) After submitting a request for the additional payment under paragraph (4), the candidate does not submit any other application for an additional payment under this subtitle.

''(b) ENHANCED SUPPORT QUALIFYING PERIOD DESCRIBED.—In this subtitle, the term 'enhanced support qualifying period' means, with respect to a general election, the period which begins 60 days before the date of the election and ends 14 days before the date of the election.

''SEC. 533. AMOUNT.

''(a) IN GENERAL.—Subject to subsection (b), the amount of the additional payment made to an eligible candidate under this subtitle shall be an amount equal to 50 percent of—

''(1) the amount of the payment made to the candidate under section 501(b) with respect to the qualified small dollar contributions which are received by the candidate during the enhanced support qualifying period (as included in the request submitted by the candidate under section 532(a)(4)); or

''(2) in the case of a candidate who is not eligible to receive a payment under section 501(b) with respect to such qualified small dollar contributions because the candidate has reached the limit on the aggregate amount of payments under subtitle A for the election cycle under section 501(c), the amount of the payment which would have been made to the candidate under section 501(b) with respect to such qualified small dollar contributions if the candidate had not reached such limit.

''(b) LIMIT.—The amount of the additional payment determined under subsection (a) with respect to a candidate may not exceed $500,000.

''(c) NO EFFECT ON AGGREGATE LIMIT.—The amount of the additional payment made to a candidate under this subtitle shall not be included in determining the aggregate amount of payments made to a participating candidate with respect to an election cycle under section 501(c).

''SEC. 534. WAIVER OF AUTHORITY TO RETAIN PORTION OF UNSPENT FUNDS AFTER ELECTION.

''Notwithstanding section 524(a)(2), a candidate who receives an additional payment under this subtitle with respect to an election is not permitted to withhold any portion from the amount of unspent funds the candidate is required to remit to the Commission under section 524(a)(1).

''Subtitle E—Administrative Provisions

''SEC. 541. FREEDOM FROM INFLUENCE FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the 'Freedom From Influence Fund'.

''(b) AMOUNTS HELD BY FUND.—The Fund shall consist of the following amounts:

''(1) ASSESSMENTS AGAINST FINES, SETTLEMENTS, AND PENALTIES.—Amounts transferred under section 3015 of title 18, United States Code, section 9707 of title 31, United States Code, and section 6761 of the Internal Revenue Code of 1986.

''(2) DEPOSITS.—Amounts deposited into the Fund under—

''(A) section 521(c)(1)(B) (relating to exceptions to contribution requirements);

''(B) section 523 (relating to remittance of unused payments from the Fund); and

''(C) section 544 (relating to violations).

''(3) INVESTMENT RETURNS.—Interest on, and the proceeds from, the sale or redemption of any obligations held by the Fund under subsection (c).

''(c) INVESTMENT.—The Commission shall invest portions of the Fund in obligations of the United States in the same manner as provided under section 9602(b) of the Internal Revenue Code of 1986.

''(d) USE OF FUND TO MAKE PAYMENTS TO PARTICIPATING CANDIDATES.—

''(1) PAYMENTS TO PARTICIPATING CANDIDATES.—Amounts in the Fund shall be available without further appropriation or fiscal year limitation to make payments to participating candidates as provided in this title.

''(2) MANDATORY REDUCTION OF PAYMENTS IN CASE OF INSUFFICIENT AMOUNTS IN FUND.—

''(A) ADVANCE AUDITS BY COMMISSION.—Not later than 90 days before the first day of each election cycle (beginning with the first election cycle that begins after the date of the enactment of this title), the Commission shall—

''(i) audit the Fund to determine whether the amounts in the Fund will be sufficient to make payments to participating candidates in the amounts provided in this title during such election cycle; and

''(ii) submit a report to Congress describing the results of the audit.

''(B) REDUCTIONS IN AMOUNT OF PAYMENTS.—

''(i) AUTOMATIC REDUCTION ON PRO RATA BASIS.—If, on the basis of the audit described in subparagraph (A), the Commission determines that the amount anticipated to be available in the Fund with respect to the election cycle involved is not, or may not be, sufficient to satisfy the full entitlements of participating candidates to payments under this title for such election cycle, the Commission shall reduce each amount which would otherwise be paid to a participating candidate under this title by such pro rata amount as may be necessary to ensure that the aggregate amount of payments anticipated to be made with respect to the election cycle will not exceed the amount anticipated to be available for such payments in the Fund with respect to such election cycle.

''(ii) RESTORATION OF REDUCTIONS IN CASE OF AVAILABILITY OF SUFFICIENT FUNDS DURING ELECTION CYCLE.—If, after reducing the amounts paid to participating candidates with respect to an election cycle under clause (i), the Commission determines that there are sufficient amounts in the Fund to restore the amount by which such payments were reduced (or any portion thereof), to the extent that such amounts are available, the Commission may make a payment on a pro rata basis to each such participating candidate with respect to the election cycle in the amount by which such candidate's payments were reduced under clause (i) (or any portion thereof, as the case may be).

''(iii) NO USE OF AMOUNTS FROM OTHER SOURCES.—In any case in which the Commission determines that there are insufficient moneys in the Fund to make payments to participating candidates under this title, moneys shall not be made available from any other source for the purpose of making such payments.

''(e) USE OF FUND TO MAKE OTHER PAYMENTS.—In addition to the use described in subsection (d), amounts in the Fund shall be available without further appropriation or fiscal year limitation—

''(1) to make payments to States under the My Voice Voucher Program under the Government By the People Act of 2019, subject to reductions under section 5101(f)(3) of such Act;

''(2) to make payments to candidates under chapter 95 of subtitle H of the Internal Revenue Code of 1986, subject to reductions under section 9013(b) of such Code; and

''(3) to make payments to candidates under chapter 96 of subtitle H of the Internal Revenue Code of 1986, subject to reductions under section 9043(b) of such Code.

''(f) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this title.

''SEC. 542. REVIEWS AND REPORTS BY GOVERNMENT ACCOUNTABILITY OFFICE.

''(a) REVIEW OF SMALL DOLLAR FINANCING.—

''(1) IN GENERAL.—After each regularly scheduled general election for Federal office, the Comptroller General of the United States shall conduct a comprehensive review of the Small Dollar financing program under this title, including—

''(A) the maximum and minimum dollar amounts of qualified small dollar contributions under section 504;

''(B) the number and value of qualified small dollar contributions a candidate is required to obtain under section 512(a) to be eligible for certification as a participating candidate;

''(C) the maximum amount of payments a candidate may receive under this title;

''(D) the overall satisfaction of participating candidates and the American public with the program; and

''(E) such other matters relating to financing of campaigns as the Comptroller General determines are appropriate.

''(2) CRITERIA FOR REVIEW.—In conducting the review under subparagraph (A), the Comptroller General shall consider the following:

''(A) QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Whether the number and dollar amounts of qualified small dollar contributions required strikes an appropriate balance regarding the importance of voter involvement, the need to assure adequate incentives for participating, and fiscal responsibility, taking into consideration the number of primary and general election participating candidates, the electoral performance of those candidates, program cost, and any other information the Comptroller General determines is appropriate.

''(B) REVIEW OF PAYMENT LEVELS.—Whether the totality of the amount of funds allowed to be raised by participating candidates (including through qualified small dollar contributions) and payments under this title are sufficient for voters in each State to learn about the candidates to cast an informed vote, taking into account the historic amount of spending by winning candidates, media costs, primary election dates, and any other information the Comptroller General determines is appropriate.

''(3) RECOMMENDATIONS FOR ADJUSTMENT OF AMOUNTS.—Based on the review conducted under subparagraph (A), the Comptroller General may recommend to Congress adjustments of the following amounts:

''(A) The number and value of qualified small dollar contributions a candidate is required to obtain under section 512(a) to be eligible for certification as a participating candidate.

''(B) The maximum amount of payments a candidate may receive under this title.

''(b) REPORTS.—Not later than each June 1 which follows a regularly scheduled general election for Federal office for which payments were made under this title, the Comptroller General shall submit to the Committee on House Administration of the House of Representatives a report—

''(1) containing an analysis of the review conducted under subsection (a), including a detailed statement of Comptroller General's findings, conclusions, and recommendations based on such review, including any recommendations for adjustments of amounts described in subsection (a)(3); and

''(2) documenting, evaluating, and making recommendations relating to the administrative implementation and enforcement of the provisions of this title.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this section.

''SEC. 543. ADMINISTRATION BY COMMISSION.

''The Commission shall prescribe regulations to carry out the purposes of this title, including regulations to establish procedures for—

''(1) verifying the amount of qualified small dollar contributions with respect to a candidate;

''(2) effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

''(3) effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates; and

''(4) monitoring the use of allocations from the Freedom From Influence Fund established under section 541 and matching contributions under this title through audits of not fewer than 1/10 (or, in the case of the first 3 election cycles during which the program under this title is in effect, not fewer than 1/3) of all participating candidates or other mechanisms.

''SEC. 544. VIOLATIONS AND PENALTIES.

''(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate accepts a contribution or makes an expenditure that is prohibited under section 521, the Commission may assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be deposited into the Freedom From Influence Fund established under section 541.

''(b) REPAYMENT FOR IMPROPER USE OF FREEDOM FROM INFLUENCE FUND.—

''(1) IN GENERAL.—If the Commission determines that any payment made to a participating candidate was not used as provided for in this title or that a participating candidate has violated any of the dates for remission of funds contained in this title, the

Commission shall so notify the candidate and the candidate shall pay to the Fund an amount equal to—

''(A) the amount of payments so used or not remitted, as appropriate; and

''(B) interest on any such amounts (at a rate determined by the Commission).

''(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.

''(c) PROHIBITING CANDIDATES SUBJECT TO CRIMINAL PENALTY FROM QUALIFYING AS PARTICIPATING CANDIDATES.—A candidate is not eligible to be certified as a participating candidate under this title with respect to an election if a penalty has been assessed against the candidate under section 309(d) with respect to any previous election.

''SEC. 545. APPEALS PROCESS.

''(a) REVIEW OF ACTIONS.—Any action by the Commission in carrying out this title shall be subject to review by the United States Court of Appeals for the District of Columbia upon petition filed in the Court not later than 30 days after the Commission takes the action for which the review is sought.

''(b) PROCEDURES.—The provisions of chapter 7 of title 5, United States Code, apply to judicial review under this section.

''SEC. 546. INDEXING OF AMOUNTS.

''(a) INDEXING.—In any calendar year after 2024, section 315(c)(1)(B) shall apply to each amount described in subsection (b) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be 2024.

''(b) AMOUNTS DESCRIBED.—The amounts described in this subsection are as follows:

''(1) The amount referred to in section 502(b)(1) (relating to the minimum amount of qualified small dollar contributions included in a request for payment).

''(2) The amounts referred to in section 504(a)(1) (relating to the amount of a qualified small dollar contribution).

''(3) The amount referred to in section 512(a)(2) (relating to the total dollar amount of qualified small dollar contributions).

''(4) The amount referred to in section 521(a)(5) (relating to the aggregate amount of contributions a participating candidate may accept from any individual with respect to an election).

''(5) The amount referred to in section 521(b)(1)(A) (relating to the amount of personal funds that may be used by a candidate who is certified as a participating candidate).

''(6) The amounts referred to in section 524(a)(2) (relating to the amount of unspent funds a candidate may retain for use in the next election cycle).

''(7) The amount referred to in section 532(a)(3) (relating to the total dollar amount of qualified small dollar contributions for a candidate seeking an additional payment under subtitle D).

''(8) The amount referred to in section 533(b) (relating to the limit on the amount of an additional payment made to a candidate under subtitle D).

''SEC. 547. ELECTION CYCLE DEFINED.

''In this title, the term 'election cycle' means, with respect to an election for an office, the period beginning on the day after the date of the most recent general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election) and ending on the date of the next general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election).''.

SEC. 5112. CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE AND POLITICAL PARTY COMMITTEES ON BEHALF OF PARTICIPATING CANDIDATES.

(a) AUTHORIZING CONTRIBUTIONS ONLY FROM SEPARATE ACCOUNTS CONSISTING OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Section 315(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended by adding at the end the following new paragraph:

''(10) In the case of a multicandidate political committee or any political committee of a political party, the committee may make a contribution to a candidate who is a participating candidate under title V with respect to an election only if the contribution is paid from a separate, segregated account of the committee which consists solely of contributions which meet the following requirements:

''(A) Each such contribution is in an amount which meets the requirements for the amount of a qualified small dollar contribution under section 504(a)(1) with respect to the election involved.

''(B) Each such contribution is made by an individual who is not otherwise prohibited from making a contribution under this Act.

''(C) The individual who makes the contribution does not make contributions to the committee during the year in an aggregate amount that exceeds the limit described in section 504(a)(1).''.

(b) PERMITTING UNLIMITED COORDINATED EXPENDITURES FROM SMALL DOLLAR SOURCES BY POLITICAL PARTIES.—Section 315(d) of such Act (52 U.S.C. 30116(d)) is amended—

(1) in paragraph (3), by striking ''The national committee'' and inserting ''Except as provided in paragraph (6), the national committee''; and

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

''(6) The limits described in paragraph (3) do not apply in the case of expenditures in connection with the general election campaign of a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress who is a participating candidate under title V with respect to the election, but only if—

''(A) the expenditures are paid from a separate, segregated account of the committee which is described in subsection (a)(9); and

''(B) the expenditures are the sole source of funding provided by the committee to the candidate.''.

SEC. 5113. PROHIBITING USE OF CONTRIBUTIONS BY PARTICIPATING CANDIDATES FOR PURPOSES OTHER THAN CAMPAIGN FOR ELECTION.

Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended by adding at the end the following new subsection:

''(d) RESTRICTIONS ON PERMITTED USES OF FUNDS BY CANDIDATES RECEIVING SMALL DOLLAR FINANCING.—Notwithstanding paragraph (2), (3), or (4) of subsection (a), if a candidate for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress is certified as a participating candidate under title V with respect to the election, any contribution which the candidate is permitted to accept under such title may be used only for authorized expenditures in connection with the candidate's campaign for such office, subject to section 503(b).''.

SEC. 5114. ASSESSMENTS AGAINST FINES AND PENALTIES.

(a) ASSESSMENTS RELATING TO CRIMINAL OFFENSES.—

(1) IN GENERAL.—Chapter 201 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 3015. Special assessments for Freedom From Influence Fund

''(a) ASSESSMENTS.—

''(1) CONVICTIONS OF CRIMES.—In addition to any assessment imposed under this chapter, the court shall assess on any organizational defendant or any defendant who is a corporate officer or person with equivalent authority in any other organization who is convicted of a criminal offense under Federal law an amount equal to 2.75 percent of any fine imposed on that defendant in the sentence imposed for that conviction.

''(2) SETTLEMENTS.—The court shall assess on any organizational defendant or defendant who is a corporate officer or person with equivalent authority in any other organization who has entered into a settlement agreement or consent decree with the United States in satisfaction of any allegation that the defendant committed a criminal offense under Federal law an amount equal to 2.75 percent of the amount of the settlement.

''(b) MANNER OF COLLECTION.—An amount assessed under subsection (a) shall be collected in the manner in which fines are collected in criminal cases.

''(c) TRANSFERS.—In a manner consistent with section 3302(b) of title 31, there shall be transferred from the General Fund of the Treasury to the Freedom From Influence Fund under section 541 of the Federal Election Campaign Act of 1971 an amount equal to the amount of the assessments collected under this section.''.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 201 of title 18, United States Code, is amended by adding at the end the following:

''3015. Special assessments for Freedom From Influence Fund.''.

(b) ASSESSMENTS RELATING TO CIVIL PENALTIES.—

(1) IN GENERAL.—Chapter 97 of title 31, United States Code, is amended by adding at the end the following new section:

''§ 9707. Special assessments for Freedom From Influence Fund

''(a) ASSESSMENTS.—

''(1) CIVIL PENALTIES.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to impose a civil penalty shall assess on each person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, on whom such a penalty is imposed an amount equal to 2.75 percent of the amount of the penalty.

''(2) ADMINISTRATIVE PENALTIES.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to impose an administrative penalty shall assess on each person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, on whom such a penalty is imposed an amount equal to 2.75 percent of the amount of the penalty.

''(3) SETTLEMENTS.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to enter into a settlement agreement or consent decree with any person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, in satisfaction of any allegation of an action or omission by the person which would be subject to a civil penalty or administrative penalty shall assess on such person an amount equal to 2.75 percent of the amount of the settlement.

''(b) MANNER OF COLLECTION.—An amount assessed under subsection (a) shall be collected—

''(1) in the case of an amount assessed under paragraph (1) of such subsection, in the manner in which civil penalties are collected by the entity of the Federal Government involved; and

''(2) in the case of an amount assessed under paragraph (2) of such subsection, in the manner in which administrative penalties are collected by the entity of the Federal Government involved.

''(3) in the case of an amount assessed under paragraph (3) of such subsection, in the manner in which amounts are collected pursuant to settlement agreements or consent decrees entered into by the entity of the Federal Government involved;

''(c) TRANSFERS.—In a manner consistent with section 3302(b) of this title, there shall be transferred from the General Fund of the Treasury to the Freedom From Influence Fund under section 541 of the Federal Election Campaign Act of 1971 an amount equal to the amount of the assessments collected under this section.

''(d) EXCEPTION FOR PENALTIES AND SETTLEMENTS UNDER AUTHORITY OF THE INTERNAL REVENUE CODE OF 1986.—

''(1) IN GENERAL.—No assessment shall be made under subsection (a) with respect to any civil or administrative penalty imposed, or any settlement agreement or consent decree entered into, under the authority of the Internal Revenue Code of 1986.

''(2) CROSS REFERENCE.—For application of special assessments for the Freedom From Influence Fund with respect to certain penalties under the Internal Revenue Code of 1986, see section 6761 of the Internal Revenue Code of 1986.''.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 97 of title 31, United States Code, is amended by adding at the end the following:

''9707. Special assessments for Freedom From Influence Fund.''.

(c) ASSESSMENTS RELATING TO CERTAIN PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Chapter 68 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

''Subchapter D—Special Assessments for Freedom From Influence Fund

''SEC. 6761. SPECIAL ASSESSMENTS FOR FREEDOM FROM INFLUENCE FUND.

''(a) IN GENERAL.—Each person required to pay a covered penalty shall pay an additional amount equal to 2.75 percent of the amount of such penalty.

''(b) COVERED PENALTY.—For purposes of this section, the term 'covered penalty' means any addition to tax, additional amount, penalty, or other liability provided under subchapter A or B.

''(c) EXCEPTION FOR CERTAIN INDIVIDUALS.—

''(1) IN GENERAL.—In the case of a taxpayer who is an individual, subsection (a) shall not apply to any covered penalty if such taxpayer is an exempt taxpayer for the taxable year for which such covered penalty is assessed.

''(2) EXEMPT TAXPAYER.—For purposes of ths subsection, a taxpayer is an exempt taxpayer for any taxable year if the taxable income of such taxpayer for such taxable year does not exceed the dollar amount at which begins the highest rate bracket in effect under section 1 with respect to such taxpayer for such taxable year.

''(d) APPLICATION OF CERTAIN RULES.—Except as provided in subsection (e), the additional amount determined under subsection (a) shall be treated for purposes of this title in the same manner as the covered penalty to which such additional amount relates.

''(e) TRANSFER TO FREEDOM FROM INFLUENCE FUND.—The Secretary shall deposit any additional amount under subsection (a) in the General Fund of the Treasury and shall transfer from such General Fund to the Freedom From Influence Fund established under section 541 of the Federal Election Campaign Act of 1971 an amount equal to the amounts so deposited (and, notwithstanding subsection (d), such additional amount shall not be the basis for any deposit, transfer, credit, appropriation, or any other payment, to any other trust fund or account). Rules similar to the rules of section 9601 shall apply for purposes of this subsection.''.

(2) CLERICAL AMENDMENT.—The table of subchapters for chapter 68 of such Code is amended by adding at the end the following new item:

''SUBCHAPTER D—SPECIAL ASSESSMENTS FOR FREEDOM FROM INFLUENCE FUND''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to convictions, agreements, and penalties which occur on or after the date of the enactment of this Act.

(2) ASSESSMENTS RELATING TO CERTAIN PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.—The amendments made by subsection (c) shall apply to covered penalties assessed after the date of the enactment of this Act.

SEC. 5115. EFFECTIVE DATE.

(a) IN GENERAL.—Except as may otherwise be provided in this part and in the amendments made by this part, this part and the amendments made by this part shall apply with respect to elections occurring during 2026 or any succeeding year, without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this part and the amendments made by this part by the deadline set forth in subsection (b).

(b) DEADLINE FOR REGULATIONS.—Not later than June 30, 2024, the Federal Election Commission shall promulgate such regulations as may be necessary to carry out this part and the amendments made by this part.

Subtitle C—Presidential Elections

SEC. 5200. SHORT TITLE.

This subtitle may be cited as the ''Empower Act of 2019''.

PART 1—PRIMARY ELECTIONS

SEC. 5201. INCREASE IN AND MODIFICATIONS TO MATCHING PAYMENTS.

(a) INCREASE AND MODIFICATION.—

(1) IN GENERAL.—The first sentence of section 9034(a) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''an amount equal to the amount of each contribution'' and inserting ''an amount equal to 600 percent of the amount of each matchable contribution (disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person for the election exceeds $200)''; and

(B) by striking ''authorized committees'' and all that follows through ''$250'' and inserting ''authorized committees''.

(2) MATCHABLE CONTRIBUTIONS.—Section 9034 of such Code is amended—

(A) by striking the last sentence of subsection (a); and

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

''(c) MATCHABLE CONTRIBUTION DEFINED.—For purposes of this section and section 9033(b)—

''(1) MATCHABLE CONTRIBUTION.—The term 'matchable contribution' means, with respect to the nomination for election to the office of President of the United States, a contribution by an individual to a candidate or an authorized committee of a candidate with respect to which the candidate has certified in writing that—

''(A) the individual making such contribution has not made aggregate contributions (including such matchable contribution) to such candidate and the authorized committees of such candidate in excess of $1,000 for the election;

''(B) such candidate and the authorized committees of such candidate will not accept contributions from such individual (including such matchable contribution) aggregating more than the amount described in subparagraph (A); and

''(C) such contribution was a direct contribution.

''(2) CONTRIBUTION.—For purposes of this subsection, the term 'contribution' means a gift of money made by a written instrument which identifies the individual making the contribution by full name and mailing address, but does not include a subscription, loan, advance, or deposit of money, or anything of value or anything described in subparagraph (B), (C), or (D) of section 9032(4).

''(3) DIRECT CONTRIBUTION.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'direct contribution' means, with respect to a candidate, a contribution which is made directly by an individual to the candidate or an authorized committee of the candidate and is not—

''(i) forwarded from the individual making the contribution to the candidate or committee by another person; or

''(ii) received by the candidate or committee with the knowledge that the contribution was made at the request, suggestion, or recommendation of another person.

''(B) OTHER DEFINITIONS.—In subparagraph (A)—

''(i) the term 'person' does not include an individual (other than an individual described in section 304(i)(7) of the Federal Election Campaign Act of 1971), a political committee of a political party, or any political committee which is not a separate segregated fund described in section 316(b) of the Federal Election Campaign Act of 1971 and which does not make contributions or independent expenditures, does not engage in lobbying activity under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), and is not established by, controlled by, or affiliated with a registered lobbyist under such Act, an agent of a registered lobbyist under such Act, or an organization which retains or employs a registered lobbyist under such Act; and

''(ii) a contribution is not 'made at the request, suggestion, or recommendation of another person' solely on the grounds that the contribution is made in response to information provided to the individual making the contribution by any person, so long as the candidate or authorized committee does not know the identity of the person who provided the information to such individual.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 9032(4) of such Code is amended by striking ''section 9034(a)'' and inserting ''section 9034''.

(B) Section 9033(b)(3) of such Code is amended by striking ''matching contributions'' and inserting ''matchable contributions''.

(b) MODIFICATION OF PAYMENT LIMITATION.—Section 9034(b) of such Code is amended—

(1) by striking ''The total'' and inserting the following:

''(1) IN GENERAL.—The total'';

(2) by striking ''shall not exceed'' and all that follows and inserting ''shall not exceed $250,000,000.'', and

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

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any applicable period beginning after 2029, the dollar

amount in paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year following the year which such applicable period begins, determined by substituting 'calendar year 2028' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) APPLICABLE PERIOD.—For purposes of this paragraph, the term 'applicable period' means the 4-year period beginning with the first day following the date of the general election for the office of President and ending on the date of the next such general election.

''(C) ROUNDING.—If any amount as adjusted under subparagraph (1) is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.''.

SEC. 5202. ELIGIBILITY REQUIREMENTS FOR MATCHING PAYMENTS.

(a) AMOUNT OF AGGREGATE CONTRIBUTIONS PER STATE; DISREGARDING OF AMOUNTS CONTRIBUTED IN EXCESS OF $200.—Section 9033(b)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''$5,000'' and inserting ''$25,000''; and

(2) by striking ''20 States'' and inserting the following: ''20 States (disregarding any amount of contributions from any such resident to the extent that the total of the amounts contributed by such resident for the election exceeds $200)''.

(b) CONTRIBUTION LIMIT.—

(1) IN GENERAL.—Paragraph (4) of section 9033(b) of such Code is amended to read as follows:

''(4) the candidate and the authorized committees of the candidate will not accept aggregate contributions from any person with respect to the nomination for election to the office of President of the United States in excess of $1,000 for the election.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 9033(b) of such Code is amended by adding at the end the following new flush sentence:

''For purposes of paragraph (4), the term 'contribution' has the meaning given such term in section 301(8) of the Federal Election Campaign Act of 1971.''.

(B) Section 9032(4) of such Code, as amended by section 5201(a)(3)(A), is amended by inserting ''or 9033(b)'' after ''9034''.

(c) PARTICIPATION IN SYSTEM FOR PAYMENTS FOR GENERAL ELECTION.—Section 9033(b) of such Code is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting '', and''; and

(3) by inserting after paragraph (4) the following new paragraph:

''(5) if the candidate is nominated by a political party for election to the office of President, the candidate will apply for and accept payments with respect to the general election for such office in accordance with chapter 95.''.

(d) PROHIBITION ON JOINT FUNDRAISING COMMITTEES.—Section 9033(b) of such Code, as amended by subsection (c), is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

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

''(6) the candidate will not establish a joint fundraising committee with a political committee other than another authorized committee of the candidate, except that candidate established a joint fundraising committee with respect to a prior election for which the candidate was not eligible to receive payments under section 9037 and the candidate does not terminate the committee, the candidate shall not be considered to be in violation of this paragraph so long as that joint fundraising committee does not receive any contributions or make any disbursements during the election cycle for which the candidate is eligible to receive payments under such section.''.

SEC. 5203. REPEAL OF EXPENDITURE LIMITATIONS.

(a) IN GENERAL.—Subsection (a) of section 9035 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) PERSONAL EXPENDITURE LIMITATION.—No candidate shall knowingly make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election to the office of President in excess of, in the aggregate, $50,000.''.

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 9033(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) the candidate will comply with the personal expenditure limitation under section 9035,''.

SEC. 5204. PERIOD OF AVAILABILITY OF MATCHING PAYMENTS.

Section 9032(6) of the Internal Revenue Code of 1986 is amended by striking ''the beginning of the calendar year in which a general election for the office of President of the United States will be held'' and inserting ''the date that is 6 months prior to the date of the earliest State primary election''.

SEC. 5205. EXAMINATION AND AUDITS OF MATCHABLE CONTRIBUTIONS.

Section 9038(a) of the Internal Revenue Code of 1986 is amended by inserting ''and matchable contributions accepted by'' after ''qualified campaign expenses of''.

SEC. 5206. MODIFICATION TO LIMITATION ON CONTRIBUTIONS FOR PRESIDENTIAL PRIMARY CANDIDATES.

Section 315(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(6)) is amended by striking ''calendar year'' and inserting ''four-year election cycle''.

SEC. 5207. USE OF FREEDOM FROM INFLUENCE FUND AS SOURCE OF PAYMENTS.

(a) IN GENERAL.—Chapter 96 of subtitle H of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 9043. USE OF FREEDOM FROM INFLUENCE FUND AS SOURCE OF PAYMENTS.

''(a) IN GENERAL.—Notwithstanding any other provision of this chapter, effective with respect to the Presidential election held in 2028 and each succeeding Presidential election, all payments made to candidates under this chapter shall be made from the Freedom From Influence Fund established under section 541 of the Federal Election Campaign Act of 1971 (hereafter in this section referred to as the 'Fund').

''(b) MANDATORY REDUCTION OF PAYMENTS IN CASE OF INSUFFICIENT AMOUNTS IN FUND.—

''(1) ADVANCE AUDITS BY COMMISSION.—Not later than 90 days before the first day of each Presidential election cycle (beginning with the cycle for the election held in 2028), the Commission shall—

''(A) audit the Fund to determine whether, after first making payments to participating candidates under title V of the Federal Election Campaign Act of 1971 and then making payments to States under the My Voice Voucher Program under the Government By the People Act of 2019, the amounts remaining in the Fund will be sufficient to make payments to candidates under this chapter in the amounts provided under this chapter during such election cycle; and

''(B) submit a report to Congress describing the results of the audit.

''(2) REDUCTIONS IN AMOUNT OF PAYMENTS.—

''(A) AUTOMATIC REDUCTION ON PRO RATA BASIS.—If, on the basis of the audit described in paragraph (1), the Commission determines that the amount anticipated to be available in the Fund with respect to the Presidential election cycle involved is not, or may not be, sufficient to satisfy the full entitlements of candidates to payments under this chapter for such cycle, the Commission shall reduce each amount which would otherwise be paid to a candidate under this chapter by such pro rata amount as may be necessary to ensure that the aggregate amount of payments anticipated to be made with respect to the cycle will not exceed the amount anticipated to be available for such payments in the Fund with respect to such cycle.

''(B) RESTORATION OF REDUCTIONS IN CASE OF AVAILABILITY OF SUFFICIENT FUNDS DURING ELECTION CYCLE.—If, after reducing the amounts paid to candidates with respect to an election cycle under subparagraph (A), the Commission determines that there are sufficient amounts in the Fund to restore the amount by which such payments were reduced (or any portion thereof), to the extent that such amounts are available, the Commission may make a payment on a pro rata basis to each such candidate with respect to the election cycle in the amount by which such candidate's payments were reduced under subparagraph (A) (or any portion thereof, as the case may be).

''(C) NO USE OF AMOUNTS FROM OTHER SOURCES.—In any case in which the Commission determines that there are insufficient moneys in the Fund to make payments to candidates under this chapter, moneys shall not be made available from any other source for the purpose of making such payments.

''(3) NO EFFECT ON AMOUNTS TRANSFERRED FOR PEDIATRIC RESEARCH INITIATIVE.—This section does not apply to the transfer of funds under section 9008(i).

''(4) PRESIDENTIAL ELECTION CYCLE DEFINED.—In this section, the term 'Presidential election cycle' means, with respect to a Presidential election, the period beginning on the day after the date of the previous Presidential general election and ending on the date of the Presidential election.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9043. Use of Freedom From Influence Fund as source of payments.''.

PART 2—GENERAL ELECTIONS

SEC. 5211. MODIFICATION OF ELIGIBILITY REQUIREMENTS FOR PUBLIC FINANCING.

Subsection (a) of section 9003 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—In order to be eligible to receive any payments under section 9006, the candidates of a political party in a Presidential election shall meet the following requirements:

''(1) PARTICIPATION IN PRIMARY PAYMENT SYSTEM.—The candidate for President received payments under chapter 96 for the campaign for nomination for election to be President.

''(2) AGREEMENTS WITH COMMISSION.—The candidates, in writing—

''(A) agree to obtain and furnish to the Commission such evidence as it may request of the qualified campaign expenses of such candidates,

''(B) agree to keep and furnish to the Commission such records, books, and other information as it may request, and

''(C) agree to an audit and examination by the Commission under section 9007 and to pay any amounts required to be paid under such section.

''(3) PROHIBITION ON JOINT FUNDRAISING COMMITTEES.—

''(A) PROHIBITION.—The candidates certifies in writing that the candidates will not establish a joint fundraising committee with a political committee other than another authorized committee of the candidate.

''(B) STATUS OF EXISTING COMMITTEES FOR PRIOR ELECTIONS.—If a candidate established a joint fundraising committee described in subparagraph (A) with respect to a prior election for which the candidate was not eligible to receive payments under section 9006 and the candidate does not terminate the committee, the candidate shall not be considered to be in violation of subparagraph (A) so long as that joint fundraising committee does not receive any contributions or make any disbursements with respect to the election for which the candidate is eligible to receive payments under section 9006.''.

SEC. 5212. REPEAL OF EXPENDITURE LIMITATIONS AND USE OF QUALIFIED CAMPAIGN CONTRIBUTIONS.

(a) USE OF QUALIFIED CAMPAIGN CONTRIBUTIONS WITHOUT EXPENDITURE LIMITS; APPLICATION OF SAME REQUIREMENTS FOR MAJOR, MINOR, AND NEW PARTIES.—Section 9003 of the Internal Revenue Code of 1986 is amended by striking subsections (b) and (c) and inserting the following:

''(b) USE OF QUALIFIED CAMPAIGN CONTRIBUTIONS TO DEFRAY EXPENSES.—

''(1) IN GENERAL.—In order to be eligible to receive any payments under section 9006, the candidates of a party in a Presidential election shall certify to the Commission, under penalty of perjury, that—

''(A) such candidates and their authorized committees have not and will not accept any contributions to defray qualified campaign expenses other than—

''(i) qualified campaign contributions, and

''(ii) contributions to the extent necessary to make up any deficiency payments received out of the fund on account of the application of section 9006(c), and

''(B) such candidates and their authorized committees have not and will not accept any contribution to defray expenses which would be qualified campaign expenses but for subparagraph (C) of section 9002(11).

''(2) TIMING OF CERTIFICATION.—The candidate shall make the certification required under this subsection at the same time the candidate makes the certification required under subsection (a)(3).''.

(b) DEFINITION OF QUALIFIED CAMPAIGN CONTRIBUTION.—Section 9002 of such Code is amended by adding at the end the following new paragraph:

''(13) QUALIFIED CAMPAIGN CONTRIBUTION.—The term 'qualified campaign contribution' means, with respect to any election for the office of President of the United States, a contribution from an individual to a candidate or an authorized committee of a candidate which—

''(A) does not exceed $1,000 for the election; and

''(B) with respect to which the candidate has certified in writing that—

''(i) the individual making such contribution has not made aggregate contributions (including such qualified contribution) to such candidate and the authorized committees of such candidate in excess of the amount described in subparagraph (A), and

''(ii) such candidate and the authorized committees of such candidate will not accept contributions from such individual (including such qualified contribution) aggregating more than the amount described in subparagraph (A) with respect to such election.''.

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF EXPENDITURE LIMITS.—

(A) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116) is amended by striking subsection (b).

(B) CONFORMING AMENDMENTS.—Section 315(c) of such Act (52 U.S.C. 30116(c)) is amended—

(i) in paragraph (1)(B)(i), by striking '', (b)''; and

(ii) in paragraph (2)(B)(i), by striking ''subsections (b) and (d)'' and inserting ''subsection (d)''.

(2) REPEAL OF REPAYMENT REQUIREMENT.—

(A) IN GENERAL.—Section 9007(b) of the Internal Revenue Code of 1986 is amended by striking paragraph (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(B) CONFORMING AMENDMENT.—Paragraph (2) of section 9007(b) of such Code, as redesignated by subparagraph (A), is amended—

(i) by striking ''a major party'' and inserting ''a party'';

(ii) by inserting ''qualified contributions and'' after ''contributions (other than''; and

(iii) by striking ''(other than qualified campaign expenses with respect to which payment is required under paragraph (2))''.

(3) CRIMINAL PENALTIES.—

(A) REPEAL OF PENALTY FOR EXCESS EXPENSES.—Section 9012 of the Internal Revenue Code of 1986 is amended by striking subsection (a).

(B) PENALTY FOR ACCEPTANCE OF DISALLOWED CONTRIBUTIONS; APPLICATION OF SAME PENALTY FOR CANDIDATES OF MAJOR, MINOR, AND NEW PARTIES.—Subsection (b) of section 9012 of such Code is amended to read as follows:

''(b) CONTRIBUTIONS.—

''(1) ACCEPTANCE OF DISALLOWED CONTRIBUTIONS.—It shall be unlawful for an eligible candidate of a party in a Presidential election or any of his authorized committees knowingly and willfully to accept—

''(A) any contribution other than a qualified campaign contribution to defray qualified campaign expenses, except to the extent necessary to make up any deficiency in payments received out of the fund on account of the application of section 9006(c); or

''(B) any contribution to defray expenses which would be qualified campaign expenses but for subparagraph (C) of section 9002(11).

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $5,000, or imprisoned not more than one year, or both. In the case of a violation by an authorized committee, any officer or member of such committee who knowingly and willfully consents to such violation shall be fined not more than $5,000, or imprisoned not more than one year, or both.''.

SEC. 5213. MATCHING PAYMENTS AND OTHER MODIFICATIONS TO PAYMENT AMOUNTS.

(a) IN GENERAL.—

(1) AMOUNT OF PAYMENTS; APPLICATION OF SAME AMOUNT FOR CANDIDATES OF MAJOR, MINOR, AND NEW PARTIES.—Subsection (a) of section 9004 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—Subject to the provisions of this chapter, the eligible candidates of a party in a Presidential election shall be entitled to equal payment under section 9006 in an amount equal to 600 percent of the amount of each matchable contribution received by such candidate or by the candidate's authorized committees (disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person for the election exceeds $200), except that total amount to which a candidate is entitled under this paragraph shall not exceed $250,000,000.''.

(2) REPEAL OF SEPARATE LIMITATIONS FOR CANDIDATES OF MINOR AND NEW PARTIES; INFLATION ADJUSTMENT.—Subsection (b) of section 9004 of such Code is amended to read as follows:

''(b) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any applicable period beginning after 2029, the $250,000,000 dollar amount in subsection (a) shall be increased by an amount equal to—

''(A) such dollar amount; multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year following the year which such applicable period begins, determined by substituting 'calendar year 2028' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) APPLICABLE PERIOD.—For purposes of this subsection, the term 'applicable period' means the 4-year period beginning with the first day following the date of the general election for the office of President and ending on the date of the next such general election.

''(3) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.''.

(3) CONFORMING AMENDMENT.—Section 9005(a) of such Code is amended by adding at the end the following new sentence: ''The Commission shall make such additional certifications as may be necessary to receive payments under section 9004.''.

(b) MATCHABLE CONTRIBUTION.—Section 9002 of such Code, as amended by section 5212(b), is amended by adding at the end the following new paragraph:

''(14) MATCHABLE CONTRIBUTION.—The term 'matchable contribution' means, with respect to the election to the office of President of the United States, a contribution by an individual to a candidate or an authorized committee of a candidate with respect to which the candidate has certified in writing that—

''(A) the individual making such contribution has not made aggregate contributions (including such matchable contribution) to such candidate and the authorized committees of such candidate in excess of $1,000 for the election;

''(B) such candidate and the authorized committees of such candidate will not accept contributions from such individual (including such matchable contribution) aggregating more than the amount described in subparagraph (A) with respect to such election; and

''(C) such contribution was a direct contribution (as defined in section 9034(c)(3)).''.

SEC. 5214. INCREASE IN LIMIT ON COORDINATED PARTY EXPENDITURES.

(a) IN GENERAL.—Section 315(d)(2) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(d)(2)) is amended to read as follows:

''(2)(A) The national committee of a political party may not make any expenditure in connection with the general election campaign of any candidate for President of the United States who is affiliated with such party which exceeds $100,000,000.

''(B) For purposes of this paragraph—

''(i) any expenditure made by or on behalf of a national committee of a political party and in connection with a Presidential election shall be considered to be made in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party; and

''(ii) any communication made by or on behalf of such party shall be considered to be made in connection with the general election campaign of a candidate for President of the United States who is affiliated with such party if any portion of the communication is in connection with such election.

''(C) Any expenditure under this paragraph shall be in addition to any expenditure by a

national committee of a political party serving as the principal campaign committee of a candidate for the office of President of the United States.''.

(b) CONFORMING AMENDMENTS RELATING TO TIMING OF COST-OF-LIVING ADJUSTMENT.—

(1) IN GENERAL.—Section 315(c)(1) of such Act (52 U.S.C. 30116(c)(1)) is amended—

(A) in subparagraph (B), by striking ''(d)'' and inserting ''(d)(2)''; and

(B) by adding at the end the following new subparagraph:

''(D) In any calendar year after 2028—

''(i) the dollar amount in subsection (d)(2) shall be increased by the percent difference determined under subparagraph (A);

''(ii) the amount so increased shall remain in effect for the calendar year; and

''(iii) if the amount after adjustment under clause (i) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.''.

(2) BASE YEAR.—Section 315(c)(2)(B) of such Act (52 U.S.C. 30116(c)(2)(B)) is amended—

(A) in clause (i)—

(i) by striking ''(d)'' and inserting ''(d)(3)''; and

(ii) by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iii) for purposes of subsection (d)(2), calendar year 2027.''.

SEC. 5215. ESTABLISHMENT OF UNIFORM DATE FOR RELEASE OF PAYMENTS.

(a) DATE FOR PAYMENTS.—

(1) IN GENERAL.—Section 9006(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) PAYMENTS FROM THE FUND.—If the Secretary of the Treasury receives a certification from the Commission under section 9005 for payment to the eligible candidates of a political party, the Secretary shall pay to such candidates out of the fund the amount certified by the Commission on the later of—

''(1) the last Friday occurring before the first Monday in September; or

''(2) 24 hours after receiving the certifications for the eligible candidates of all major political parties.

Amounts paid to any such candidates shall be under the control of such candidates.''.

(2) CONFORMING AMENDMENT.—The first sentence of section 9006(c) of such Code is amended by striking ''the time of a certification by the Commission under section 9005 for payment'' and inserting ''the time of making a payment under subsection (b)''.

(b) TIME FOR CERTIFICATION.—Section 9005(a) of the Internal Revenue Code of 1986 is amended by striking ''10 days'' and inserting ''24 hours''.

SEC. 5216. AMOUNTS IN PRESIDENTIAL ELECTION CAMPAIGN FUND.

Section 9006(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''In making a determination of whether there are insufficient moneys in the fund for purposes of the previous sentence, the Secretary shall take into account in determining the balance of the fund for a Presidential election year the Secretary's best estimate of the amount of moneys which will be deposited into the fund during the year, except that the amount of the estimate may not exceed the average of the annual amounts deposited in the fund during the previous 3 years.''.

SEC. 5217. USE OF GENERAL ELECTION PAYMENTS FOR GENERAL ELECTION LEGAL AND ACCOUNTING COMPLIANCE.

Section 9002(11) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentence: ''For purposes of subparagraph (A), an expense incurred by a candidate or authorized committee for general election legal and accounting compliance purposes shall be considered to be an expense to further the election of such candidate.''.

SEC. 5218. USE OF FREEDOM FROM INFLUENCE FUND AS SOURCE OF PAYMENTS.

(a) IN GENERAL.—Chapter 95 of subtitle H of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 9013. USE OF FREEDOM FROM INFLUENCE FUND AS SOURCE OF PAYMENTS.

''(a) IN GENERAL.—Notwithstanding any other provision of this chapter, effective with respect to the Presidential election held in 2028 and each succeeding Presidential election, all payments made under this chapter shall be made from the Freedom From Influence Fund established under section 541 of the Federal Election Campaign Act of 1971.

''(b) MANDATORY REDUCTION OF PAYMENTS IN CASE OF INSUFFICIENT AMOUNTS IN FUND.—

''(1) ADVANCE AUDITS BY COMMISSION.—Not later than 90 days before the first day of each Presidential election cycle (beginning with the cycle for the election held in 2028), the Commission shall—

''(A) audit the Fund to determine whether, after first making payments to participating candidates under title V of the Federal Election Campaign Act of 1971 and then making payments to States under the My Voice Voucher Program under the Government By the People Act of 2019 and then making payments to candidates under chapter 96, the amounts remaining in the Fund will be sufficient to make payments to candidates under this chapter in the amounts provided under this chapter during such election cycle; and

''(B) submit a report to Congress describing the results of the audit.

''(2) REDUCTIONS IN AMOUNT OF PAYMENTS.—

''(A) AUTOMATIC REDUCTION ON PRO RATA BASIS.—If, on the basis of the audit described in paragraph (1), the Commission determines that the amount anticipated to be available in the Fund with respect to the Presidential election cycle involved is not, or may not be, sufficient to satisfy the full entitlements of candidates to payments under this chapter for such cycle, the Commission shall reduce each amount which would otherwise be paid to a candidate under this chapter by such pro rata amount as may be necessary to ensure that the aggregate amount of payments anticipated to be made with respect to the cycle will not exceed the amount anticipated to be available for such payments in the Fund with respect to such cycle.

''(B) RESTORATION OF REDUCTIONS IN CASE OF AVAILABILITY OF SUFFICIENT FUNDS DURING ELECTION CYCLE.—If, after reducing the amounts paid to candidates with respect to an election cycle under subparagraph (A), the Commission determines that there are sufficient amounts in the Fund to restore the amount by which such payments were reduced (or any portion thereof), to the extent that such amounts are available, the Commission may make a payment on a pro rata basis to each such candidate with respect to the election cycle in the amount by which such candidate's payments were reduced under subparagraph (A) (or any portion thereof, as the case may be).

''(C) NO USE OF AMOUNTS FROM OTHER SOURCES.—In any case in which the Commission determines that there are insufficient moneys in the Fund to make payments to candidates under this chapter, moneys shall not be made available from any other source for the purpose of making such payments.

''(3) NO EFFECT ON AMOUNTS TRANSFERRED FOR PEDIATRIC RESEARCH INITIATIVE.—This section does not apply to the transfer of funds under section 9008(i).

''(4) PRESIDENTIAL ELECTION CYCLE DEFINED.—In this section, the term 'Presidential election cycle' means, with respect to a Presidential election, the period beginning on the day after the date of the previous Presidential general election and ending on the date of the Presidential election.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9013. Use of Freedom From Influence Fund as source of payments.''.

PART 3—EFFECTIVE DATE

SEC. 5221. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided, this subtitle and the amendments made by this subtitle shall apply with respect to the Presidential election held in 2028 and each succeeding Presidential election, without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this part and the amendments made by this part by the deadline set forth in subsection (b).

(b) DEADLINE FOR REGULATIONS.—Not later than June 30, 2026, the Federal Election Commission shall promulgate such regulations as may be necessary to carry out this part and the amendments made by this part.

Subtitle D—Personal Use Services as Authorized Campaign Expenditures

SEC. 5301. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Help America Run Act''.

(b) FINDINGS.—Congress finds the following:

(1) Everyday Americans experience barriers to entry before they can consider running for office to serve their communities.

(2) Current law states that campaign funds cannot be spent on everyday expenses that would exist whether or not a candidate were running for office, like childcare and food. While the law seems neutral, its actual effect is to privilege the independently wealthy who want to run, because given the demands of running for office, candidates who must work to pay for childcare or to afford health insurance are effectively being left out of the process, even if they have sufficient support to mount a viable campaign.

(3) Thus current practice favors those prospective candidates who do not need to rely on a regular paycheck to make ends meet. The consequence is that everyday Americans who have firsthand knowledge of the importance of stable childcare, a safety net, or great public schools are less likely to get a seat at the table. This governance by the few is antithetical to the democratic experiment, but most importantly, when lawmakers do not share the concerns of everyday Americans, their policies reflect that.

(4) These circumstances have contributed to a Congress that does not always reflect everyday Americans. The New York Times reported in 2019 that fewer than 5 percent of representatives cite blue-collar or service jobs in their biographies. A 2015 survey by the Center for Responsive Politics showed that the median net worth of lawmakers was just over $1 million in 2013, or 18 times the wealth of the typical American household.

(5) These circumstances have also contributed to a governing body that does not reflect the nation it serves. For instance, women are 51% of the American population. Yet even with a record number of women serving in the One Hundred Sixteenth Congress, the Pew Research Center notes that more than three out of four Members of this Congress are male. The Center for American Women And Politics found that one third of women legislators surveyed had been actively discouraged from running for office,

often by political professionals. This type of discouragement, combined with the prohibitions on using campaign funds for domestic needs like childcare, burdens that still fall disproportionately on American women, particularly disadvantages working mothers. These barriers may explain why only 10 women in history have given birth while serving in Congress, in spite of the prevalence of working parents in other professions. Yet working mothers and fathers are best positioned to create policy that reflects the lived experience of most Americans.

(6) Working mothers, those caring for their elderly parents, and young professionals who rely on their jobs for health insurance should have the freedom to run to serve the people of the United States. Their networks and net worth are simply not the best indicators of their strength as prospective public servants. In fact, helping ordinary Americans to run may create better policy for all Americans.

(c) PURPOSE.—It is the purpose of this subtitle to ensure that all Americans who are otherwise qualified to serve this Nation are able to run for office, regardless of their economic status. By expanding permissible uses of campaign funds and providing modest assurance that testing a run for office will not cost one's livelihood, the Help America Run Act will facilitate the candidacy of representatives who more accurately reflect the experiences, challenges, and ideals of everyday Americans.

SEC. 5302. TREATMENT OF PAYMENTS FOR CHILD CARE AND OTHER PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.

(a) PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114), as amended by section 5113, is amended by adding at the end the following new subsection:

''(e) TREATMENT OF PAYMENTS FOR CHILD CARE AND OTHER PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.—

''(1) AUTHORIZED EXPENDITURES.—For purposes of subsection (a), the payment by an authorized committee of a candidate for any of the personal use services described in paragraph (3) shall be treated as an authorized expenditure if the services are necessary to enable the participation of the candidate in campaign-connected activities.

''(2) LIMITATIONS.—

''(A) LIMIT ON TOTAL AMOUNT OF PAYMENTS.—The total amount of payments made by an authorized committee of a candidate for personal use services described in paragraph (3) may not exceed the limit which is applicable under any law, rule, or regulation on the amount of payments which may be made by the committee for the salary of the candidate (without regard to whether or not the committee makes payments to the candidate for that purpose).

''(B) CORRESPONDING REDUCTION IN AMOUNT OF SALARY PAID TO CANDIDATE.—To the extent that an authorized committee of a candidate makes payments for the salary of the candidate, any limit on the amount of such payments which is applicable under any law, rule, or regulation shall be reduced by the amount of any payments made to or on behalf of the candidate for personal use services described in paragraph (3), other than personal use services described in subparagraph (E) of such paragraph.

''(C) EXCLUSION OF CANDIDATES WHO ARE OFFICEHOLDERS.—Paragraph (1) does not apply with respect to an authorized committee of a candidate who is a holder of Federal office.

''(3) PERSONAL USE SERVICES DESCRIBED.—The personal use services described in this paragraph are as follows:

''(A) Child care services.

''(B) Elder care services.

''(C) Services similar to the services described in subparagraph (A) or subparagraph (B) which are provided on behalf of any dependent who is a qualifying relative under section 152 of the Internal Revenue Code of 1986.

''(D) Health insurance premiums.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle E—Severability

SEC. 5401. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

TITLE VI—CAMPAIGN FINANCE OVERSIGHT

Subtitle A—Restoring Integrity to America's Elections

SEC. 6001. SHORT TITLE.

This subtitle may be cited as the ''Restoring Integrity to America's Elections Act''.

SEC. 6002. MEMBERSHIP OF FEDERAL ELECTION COMMISSION.

(a) REDUCTION IN NUMBER OF MEMBERS; REMOVAL OF SECRETARY OF SENATE AND CLERK OF HOUSE AS EX OFFICIO MEMBERS.—

(1) IN GENERAL; QUORUM.—Section 306(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(a)(1)) is amended by striking the second and third sentences and inserting the following: ''The Commission is composed of 5 members appointed by the President by and with the advice and consent of the Senate, of whom no more than 2 may be affiliated with the same political party. A member shall by treated as affiliated with a political party if the member was affiliated, including as a registered voter, employee, consultant, donor, officer, or attorney, with such political party or any of its candidates or elected public officials at any time during the 5-year period ending on the date on which such individual is nominated to be a member of the Commission. A majority of the number of members of the Commission who are serving at the time shall constitute a quorum, except that 3 members shall constitute a quorum if there are 4 members serving at the time.''.

(2) CONFORMING AMENDMENTS RELATING TO REDUCTION IN NUMBER OF MEMBERS.—(A) The second sentence of section 306(c) of such Act (52 U.S.C. 30106(c)) is amended by striking ''affirmative vote of 4 members of the Commission'' and inserting ''affirmative vote of a majority of the members of the Commission who are serving at the time''.

(B) Such Act is further amended by striking ''affirmative vote of 4 of its members'' and inserting ''affirmative vote of a majority of the members of the Commission who are serving at the time'' each place it appears in the following sections:

(i) Section 309(a)(2) (52 U.S.C. 30109(a)(2)).

(ii) Section 309(a)(4)(A)(i) (52 U.S.C. 30109(a)(4)(A)(i)).

(iii) Section 309(a)(5)(C) (52 U.S.C. 30109(a)(5)(C)).

(iv) Section 309(a)(6)(A) (52 U.S.C. 30109(a)(6)(A)).

(v) Section 311(b) (52 U.S.C. 30111(b)).

(3) CONFORMING AMENDMENT RELATING TO REMOVAL OF EX OFFICIO MEMBERS.—Section 306(a) of such Act (52 U.S.C. 30106(a)) is amended by striking ''(other than the Secretary of the Senate and the Clerk of the House of Representatives)'' each place it appears in paragraphs (4) and (5).

(b) TERMS OF SERVICE.—Section 306(a)(2) of such Act (52 U.S.C. 30106(a)(2)) is amended to read as follows:

''(2) TERMS OF SERVICE.—

''(A) IN GENERAL.—Each member of the Commission shall serve for a single term of 6 years.

''(B) SPECIAL RULE FOR INITIAL APPOINTMENTS.—Of the members first appointed to serve terms that begin in January 2022, the President shall designate 2 to serve for a 3-year term.

''(C) NO REAPPOINTMENT PERMITTED.—An individual who served a term as a member of the Commission may not serve for an additional term, except that—

''(i) an individual who served a 3-year term under subparagraph (B) may also be appointed to serve a 6-year term under subparagraph (A); and

''(ii) for purposes of this subparagraph, an individual who is appointed to fill a vacancy under subparagraph (D) shall not be considered to have served a term if the portion of the unexpired term the individual fills is less than 50 percent of the period of the term.

''(D) VACANCIES.—Any vacancy occurring in the membership of the Commission shall be filled in the same manner as in the case of the original appointment. Except as provided in subparagraph (C), an individual appointed to fill a vacancy occurring other than by the expiration of a term of office shall be appointed only for the unexpired term of the member he or she succeeds.

''(E) LIMITATION ON SERVICE AFTER EXPIRATION OF TERM.—A member of the Commission may continue to serve on the Commission after the expiration of the member's term for an additional period, but only until the earlier of—

''(i) the date on which the member's successor has taken office as a member of the Commission; or

''(ii) the expiration of the 1-year period that begins on the last day of the member's term.''.

(c) QUALIFICATIONS.—Section 306(a)(3) of such Act (52 U.S.C. 30106(a)(3)) is amended to read as follows:

''(3) QUALIFICATIONS.—

''(A) IN GENERAL.—The President may select an individual for service as a member of the Commission if the individual has experience in election law and has a demonstrated record of integrity, impartiality, and good judgment.

''(B) ASSISTANCE OF BLUE RIBBON ADVISORY PANEL.—

''(i) IN GENERAL.—Prior to the regularly scheduled expiration of the term of a member of the Commission and upon the occurrence of a vacancy in the membership of the Commission prior to the expiration of a term, the President shall convene a Blue Ribbon Advisory Panel, consisting of an odd number of individuals selected by the President from retired Federal judges, former law enforcement officials, or individuals with experience in election law, except that the President may not select any individual to serve on the panel who holds any public office at the time of selection.

''(ii) RECOMMENDATIONS.—With respect to each member of the Commission whose term is expiring or each vacancy in the membership of the Commission (as the case may be), the Blue Ribbon Advisory Panel shall recommend to the President at least one but not more than 3 individuals for nomination for appointment as a member of the Commission.

''(iii) PUBLICATION.—At the time the President submits to the Senate the nominations for individuals to be appointed as members of the Commission, the President shall publish the Blue Ribbon Advisory Panel's recommendations for such nominations.

''(iv) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a Blue Ribbon Advisory Panel convened under this subparagraph.

''(C) PROHIBITING ENGAGEMENT WITH OTHER BUSINESS OR EMPLOYMENT DURING SERVICE.—A member of the Commission shall not engage in any other business, vocation, or employment. Any individual who is engaging in any other business, vocation, or employment at the time of his or her appointment to the Commission shall terminate or liquidate such activity no later than 90 days after such appointment.''.

SEC. 6003. ASSIGNMENT OF POWERS TO CHAIR OF FEDERAL ELECTION COMMISSION.

(a) APPOINTMENT OF CHAIR BY PRESIDENT.—

(1) IN GENERAL.—Section 306(a)(5) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(a)(5)) is amended to read as follows:

''(5) CHAIR.—

''(A) INITIAL APPOINTMENT.—Of the members first appointed to serve terms that begin in January 2022, one such member (as designated by the President at the time the President submits nominations to the Senate) shall serve as Chair of the Commission.

''(B) SUBSEQUENT APPOINTMENTS.—Any individual who is appointed to succeed the member who serves as Chair of the Commission for the term beginning in January 2022 (as well as any individual who is appointed to fill a vacancy if such member does not serve a full term as Chair) shall serve as Chair of the Commission.

''(C) VICE CHAIR.—The Commission shall select, by majority vote of its members, one of its members to serve as Vice Chair, who shall act as Chair in the absence or disability of the Chair or in the event of a vacancy in the position of Chair.''.

(2) CONFORMING AMENDMENT.—Section 309(a)(2) of such Act (52 U.S.C. 30109(a)(2)) is amended by striking ''through its chairman or vice chairman'' and inserting ''through the Chair''.

(b) POWERS.—

(1) ASSIGNMENT OF CERTAIN POWERS TO CHAIR.—Section 307(a) of such Act (52 U.S.C. 30107(a)) is amended to read as follows:

''(a) DISTRIBUTION OF POWERS BETWEEN CHAIR AND COMMISSION.—

''(1) POWERS ASSIGNED TO CHAIR.—

''(A) ADMINISTRATIVE POWERS.—The Chair of the Commission shall be the chief administrative officer of the Commission and shall have the authority to administer the Commission and its staff, and (in consultation with the other members of the Commission) shall have the power—

''(i) to appoint and remove the staff director of the Commission;

''(ii) to request the assistance (including personnel and facilities) of other agencies and departments of the United States, whose heads may make such assistance available to the Commission with or without reimbursement; and

''(iii) to prepare and establish the budget of the Commission and to make budget requests to the President, the Director of the Office of Management and Budget, and Congress.

''(B) OTHER POWERS.—The Chair of the Commission shall have the power—

''(i) to appoint and remove the general counsel of the Commission with the concurrence of at least 2 other members of the Commission;

''(ii) to require by special or general orders, any person to submit, under oath, such written reports and answers to questions as the Chair may prescribe;

''(iii) to administer oaths or affirmations;

''(iv) to require by subpoena, signed by the Chair, the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

''(v) in any proceeding or investigation, to order testimony to be taken by deposition before any person who is designated by the Chair, and shall have the power to administer oaths and, in such instances, to compel testimony and the production of evidence in the same manner as authorized under clause (iv); and

''(vi) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

''(2) POWERS ASSIGNED TO COMMISSION.—The Commission shall have the power—

''(A) to initiate (through civil actions for injunctive, declaratory, or other appropriate relief), defend (in the case of any civil action brought under section 309(a)(8) of this Act) or appeal (including a proceeding before the Supreme Court on certiorari) any civil action in the name of the Commission to enforce the provisions of this Act and chapter 95 and chapter 96 of the Internal Revenue Code of 1986, through its general counsel;

''(B) to render advisory opinions under section 308 of this Act;

''(C) to develop such prescribed forms and to make, amend, and repeal such rules, pursuant to the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of this Act and chapter 95 and chapter 96 of the Internal Revenue Code of 1986;

''(D) to conduct investigations and hearings expeditiously, to encourage voluntary compliance, and to report apparent violations to the appropriate law enforcement authorities; and

''(E) to transmit to the President and Congress not later than June 1 of each year a report which states in detail the activities of the Commission in carrying out its duties under this Act, and which includes any recommendations for any legislative or other action the Commission considers appropriate.

''(3) PERMITTING COMMISSION TO EXERCISE OTHER POWERS OF CHAIR.—With respect to any investigation, action, or proceeding, the Commission, by an affirmative vote of a majority of the members who are serving at the time, may exercise any of the powers of the Chair described in paragraph (1)(B).''.

(2) CONFORMING AMENDMENTS RELATING TO PERSONNEL AUTHORITY.—Section 306(f) of such Act (52 U.S.C. 30106(f)) is amended—

(A) by amending the first sentence of paragraph (1) to read as follows: ''The Commission shall have a staff director who shall be appointed by the Chair of the Commission in consultation with the other members and a general counsel who shall be appointed by the Chair with the concurrence of at least two other members.'';

(B) in paragraph (2), by striking ''With the approval of the Commission'' and inserting ''With the approval of the Chair of the Commission''; and

(C) by striking paragraph (3).

(3) CONFORMING AMENDMENT RELATING TO BUDGET SUBMISSION.—Section 307(d)(1) of such Act (52 U.S.C. 30107(d)(1)) is amended by striking ''the Commission submits any budget'' and inserting ''the Chair (or, pursuant to subsection (a)(3), the Commission) submits any budget''.

(4) OTHER CONFORMING AMENDMENTS.—Section 306(c) of such Act (52 U.S.C. 30106(c)) is amended by striking ''All decisions'' and inserting ''Subject to section 307(a), all decisions''.

(5) TECHNICAL AMENDMENT.—The heading of section 307 of such Act (52 U.S.C. 30107) is amended by striking ''THE COMMISSION'' and inserting ''THE CHAIR AND THE COMMISSION''.

SEC. 6004. REVISION TO ENFORCEMENT PROCESS.

(a) STANDARD FOR INITIATING INVESTIGATIONS AND DETERMINING WHETHER VIOLATIONS HAVE OCCURRED.—

(1) REVISION OF STANDARDS.—Section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2)(A) The general counsel, upon receiving a complaint filed with the Commission under paragraph (1) or upon the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, shall make a determination as to whether or not there is reason to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, and as to whether or not the Commission should either initiate an investigation of the matter or that the complaint should be dismissed. The general counsel shall promptly provide notification to the Commission of such determination and the reasons therefore, together with any written response submitted under paragraph (1) by the person alleged to have committed the violation. Upon the expiration of the 30-day period which begins on the date the general counsel provides such notification, the general counsel's determination shall take effect, unless during such 30-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, overrules the general counsel's determination. If the determination by the general counsel that the Commission should investigate the matter takes effect, or if the determination by the general counsel that the complaint should be dismissed is overruled as provided under the previous sentence, the general counsel shall initiate an investigation of the matter on behalf of the Commission.

''(B) If the Commission initiates an investigation pursuant to subparagraph (A), the Commission, through the Chair, shall notify the subject of the investigation of the alleged violation. Such notification shall set forth the factual basis for such alleged violation. The Commission shall make an investigation of such alleged violation, which may include a field investigation or audit, in accordance with the provisions of this section. The general counsel shall provide notification to the Commission of any intent to issue a subpoena or conduct any other form

of discovery pursuant to the investigation. Upon the expiration of the 15-day period which begins on the date the general counsel provides such notification, the general counsel may issue the subpoena or conduct the discovery, unless during such 15-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, prohibits the general counsel from issuing the subpoena or conducting the discovery.

''(3)(A) Upon completion of an investigation under paragraph (2), the general counsel shall promptly submit to the Commission the general counsel's recommendation that the Commission find either that there is probable cause or that there is not probable cause to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, and shall include with the recommendation a brief stating the position of the general counsel on the legal and factual issues of the case.

''(B) At the time the general counsel submits to the Commission the recommendation under subparagraph (A), the general counsel shall simultaneously notify the respondent of such recommendation and the reasons therefore, shall provide the respondent with an opportunity to submit a brief within 30 days stating the position of the respondent on the legal and factual issues of the case and replying to the brief of the general counsel. The general counsel and shall promptly submit such brief to the Commission upon receipt.

''(C) Not later than 30 days after the general counsel submits the recommendation to the Commission under subparagraph (A) (or, if the respondent submits a brief under subparagraph (B), not later than 30 days after the general counsel submits the respondent's brief to the Commission under such subparagraph), the Commission shall approve or disapprove the recommendation by vote of a majority of the members of the Commission who are serving at the time.''.

(2) CONFORMING AMENDMENT RELATING TO INITIAL RESPONSE TO FILING OF COMPLAINT.—Section 309(a)(1) of such Act (52 U.S.C. 30109(a)(1)) is amended—

(A) in the third sentence, by striking ''the Commission'' and inserting ''the general counsel''; and

(B) by amending the fourth sentence to read as follows: ''Not later than 15 days after receiving notice from the general counsel under the previous sentence, the person may provide the general counsel with a written response that no action should be taken against such person on the basis of the complaint.''.

(b) REVISION OF STANDARD FOR REVIEW OF DISMISSAL OF COMPLAINTS.—

(1) IN GENERAL.—Section 309(a)(8) of such Act (52 U.S.C. 30109(a)(8)) is amended to read as follows:

''(8)(A)(i) Any party aggrieved by an order of the Commission dismissing a complaint filed by such party after finding either no reason to believe a violation has occurred or no probable cause a violation has occurred may file a petition with the United States District Court for the District of Columbia. Any petition under this subparagraph shall be filed within 60 days after the date on which the party received notice of the dismissal of the complaint.

''(ii) In any proceeding under this subparagraph, the court shall determine by de novo review whether the agency's dismissal of the complaint is contrary to law. In any matter in which the penalty for the alleged violation is greater than $50,000, the court should disregard any claim or defense by the Commission of prosecutorial discretion as a basis for dismissing the complaint.

''(B)(i) Any party who has filed a complaint with the Commission and who is aggrieved by a failure of the Commission, within one year after the filing of the complaint, to either dismiss the complaint or to find reason to believe a violation has occurred or is about to occur, may file a petition with the United States District Court for the District of Columbia.

''(ii) In any proceeding under this subparagraph, the court shall treat the failure to act on the complaint as a dismissal of the complaint, and shall determine by de novo review whether the agency's failure to act on the complaint is contrary to law.

''(C) In any proceeding under this paragraph the court may declare that the dismissal of the complaint or the failure to act is contrary to law, and may direct the Commission to conform with such declaration within 30 days, failing which the complainant may bring, in the name of such complainant, a civil action to remedy the violation involved in the original complaint.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply—

(A) in the case of complaints which are dismissed by the Federal Election Commission, with respect to complaints which are dismissed on or after the date of the enactment of this Act; and

(B) in the case of complaints upon which the Federal Election Commission failed to act, with respect to complaints which were filed on or after the date of the enactment of this Act.

SEC. 6005. PERMITTING APPEARANCE AT HEARINGS ON REQUESTS FOR ADVISORY OPINIONS BY PERSONS OPPOSING THE REQUESTS.

(a) IN GENERAL.—Section 308 of such Act (52 U.S.C. 30108) is amended by adding at the end the following new subsection:

''(e) To the extent that the Commission provides an opportunity for a person requesting an advisory opinion under this section (or counsel for such person) to appear before the Commission to present testimony in support of the request, and the person (or counsel) accepts such opportunity, the Commission shall provide a reasonable opportunity for an interested party who submitted written comments under subsection (d) in response to the request (or counsel for such interested party) to appear before the Commission to present testimony in response to the request.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to requests for advisory opinions under section 308 of the Federal Election Campaign Act of 1971 which are made on or after the date of the enactment of this Act.

SEC. 6006. PERMANENT EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY.

(a) EXTENSION OF AUTHORITY.—Section 309(a)(4)(C)(v) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)), as amended by Public Law 115–386, is amended by striking '', and that end on or before December 31, 2023''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on December 31, 2018.

SEC. 6007. RESTRICTIONS ON EX PARTE COMMUNICATIONS.

Section 306(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(e)) is amended—

(1) by striking ''(e) The Commission'' and inserting ''(e)(1) The Commission''; and

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

''(2) Members and employees of the Commission shall be subject to limitations on ex parte communications, as provided in the regulations promulgated by the Commission regarding such communications which are in effect on the date of the enactment of this paragraph.''.

SEC. 6008. EFFECTIVE DATE; TRANSITION.

(a) IN GENERAL.—Except as otherwise provided, the amendments made by this subtitle shall apply beginning January 1, 2022.

(b) TRANSITION.—

(1) TERMINATION OF SERVICE OF CURRENT MEMBERS.—Notwithstanding any provision of the Federal Election Campaign Act of 1971, the term of any individual serving as a member of the Federal Election Commission as of December 31, 2021, shall expire on that date.

(2) NO EFFECT ON EXISTING CASES OR PROCEEDINGS.—Nothing in this subtitle or in any amendment made by this subtitle shall affect any of the powers exercised by the Federal Election Commission prior to December 31, 2021, including any investigation initiated by the Commission prior to such date or any proceeding (including any enforcement action) pending as of such date.

Subtitle B—Stopping Super PAC-Candidate Coordination

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the ''Stop Super PAC–Candidate Coordination Act''.

SEC. 6102. CLARIFICATION OF TREATMENT OF COORDINATED EXPENDITURES AS CONTRIBUTIONS TO CANDIDATES.

(a) TREATMENT AS CONTRIBUTION TO CANDIDATE.—Section 301(8)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(8)(A)) is amended—

(1) by striking ''or'' at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(iii) any payment made by any person (other than a candidate, an authorized committee of a candidate, or a political committee of a political party) for a coordinated expenditure (as such term is defined in section 326) which is not otherwise treated as a contribution under clause (i) or clause (ii).''.

(b) DEFINITIONS.—Title III of such Act (52 U.S.C. 30101 et seq.), as amended by section 4702(a), is amended by adding at the end the following new section:

''SEC. 326. PAYMENTS FOR COORDINATED EXPENDITURES.

''(a) COORDINATED EXPENDITURES.—

''(1) IN GENERAL.—For purposes of section 301(8)(A)(iii), the term 'coordinated expenditure' means—

''(A) any expenditure, or any payment for a covered communication described in subsection (d), which is made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee, as defined in subsection (b); or

''(B) any payment for any communication which republishes, disseminates, or distributes, in whole or in part, any video or broadcast or any written, graphic, or other form of campaign material prepared by the candidate or committee or by agents of the candidate or committee (including any excerpt or use of any video from any such broadcast or written, graphic, or other form of campaign material).

''(2) EXCEPTION FOR PAYMENTS FOR CERTAIN COMMUNICATIONS.—A payment for a communication (including a covered communication described in subsection (d)) shall not be treated as a coordinated expenditure under this subsection if—

''(A) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(B) the communication constitutes a candidate debate or forum conducted pursuant to regulations adopted by the Commission pursuant to section 304(f)(3)(B)(iii), or which solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum.

''(b) COORDINATION DESCRIBED.—

''(1) IN GENERAL.—For purposes of this section, a payment is made 'in cooperation, consultation, or concert with, or at the request or suggestion of,' a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee, if the payment, or any communication for which the payment is made, is not made entirely independently of the candidate, committee, or agents. For purposes of the previous sentence, a payment or communication not made entirely independently of the candidate or committee includes any payment or communication made pursuant to any general or particular understanding with, or pursuant to any communication with, the candidate, committee, or agents about the payment or communication.

''(2) NO FINDING OF COORDINATION BASED SOLELY ON SHARING OF INFORMATION REGARDING LEGISLATIVE OR POLICY POSITION.—For purposes of this section, a payment shall not be considered to be made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee, solely on the grounds that the person or the person's agent engaged in discussions with the candidate or committee, or with any agent of the candidate or committee, regarding that person's position on a legislative or policy matter (including urging the candidate or committee to adopt that person's position), so long as there is no communication between the person and the candidate or committee, or any agent of the candidate or committee, regarding the candidate's or committee's campaign advertising, message, strategy, policy, polling, allocation of resources, fundraising, or other campaign activities.

''(3) NO EFFECT ON PARTY COORDINATION STANDARD.—Nothing in this section shall be construed to affect the determination of coordination between a candidate and a political committee of a political party for purposes of section 315(d).

''(4) NO SAFE HARBOR FOR USE OF FIREWALL.—A person shall be determined to have made a payment in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee, in accordance with this section without regard to whether or not the person established and used a firewall or similar procedures to restrict the sharing of information between individuals who are employed by or who are serving as agents for the person making the payment.

''(c) PAYMENTS BY COORDINATED SPENDERS FOR COVERED COMMUNICATIONS.—

''(1) PAYMENTS MADE IN COOPERATION, CONSULTATION, OR CONCERT WITH CANDIDATES.—For purposes of subsection (a)(1)(A), if the person who makes a payment for a covered communication, as defined in subsection (d), is a coordinated spender under paragraph (2) with respect to the candidate as described in subsection (d)(1), the payment for the covered communication is made in cooperation, consultation, or concert with the candidate.

''(2) COORDINATED SPENDER DEFINED.—For purposes of this subsection, the term 'coordinated spender' means, with respect to a candidate or an authorized committee of a candidate, a person (other than a political committee of a political party) for which any of the following applies:

''(A) During the 4-year period ending on the date on which the person makes the payment, the person was directly or indirectly formed or established by or at the request or suggestion of, or with the encouragement of, the candidate (including an individual who later becomes a candidate) or committee or agents of the candidate or committee, including with the approval of the candidate or committee or agents of the candidate or committee.

''(B) The candidate or committee or any agent of the candidate or committee solicits funds, appears at a fundraising event, or engages in other fundraising activity on the person's behalf during the election cycle involved, including by providing the person with names of potential donors or other lists to be used by the person in engaging in fundraising activity, regardless of whether the person pays fair market value for the names or lists provided. For purposes of this subparagraph, the term 'election cycle' means, with respect to an election for Federal office, the period beginning on the day after the date of the most recent general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election) and ending on the date of the next general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election).

''(C) The person is established, directed, or managed by the candidate or committee or by any person who, during the 4-year period ending on the date on which the person makes the payment, has been employed or retained as a political, campaign media, or fundraising adviser or consultant for the candidate or committee or for any other entity directly or indirectly controlled by the candidate or committee, or has held a formal position with the candidate or committee (including a position as an employee of the office of the candidate at any time the candidate held any Federal, State, or local public office during the 4-year period).

''(D) The person has retained the professional services of any person who, during the 2-year period ending on the date on which the person makes the payment, has provided or is providing professional services relating to the campaign to the candidate or committee, without regard to whether the person providing the professional services used a firewall. For purposes of this subparagraph, the term 'professional services' includes any services in support of the candidate's or committee's campaign activities, including advertising, message, strategy, policy, polling, allocation of resources, fundraising, and campaign operations, but does not include accounting or legal services.

''(E) The person is established, directed, or managed by a member of the immediate family of the candidate, or the person or any officer or agent of the person has had more than incidental discussions about the candidate's campaign with a member of the immediate family of the candidate. For purposes of this subparagraph, the term 'immediate family' has the meaning given such term in section 9004(e) of the Internal Revenue Code of 1986.

''(d) COVERED COMMUNICATION DEFINED.—

''(1) IN GENERAL.—For purposes of this section, the term 'covered communication' means, with respect to a candidate or an authorized committee of a candidate, a public communication (as defined in section 301(22)) which—

''(A) expressly advocates the election of the candidate or the defeat of an opponent of the candidate (or contains the functional equivalent of express advocacy);

''(B) promotes or supports the election of the candidate, or attacks or opposes the election of an opponent of the candidate (regardless of whether the communication expressly advocates the election or defeat of a candidate or contains the functional equivalent of express advocacy); or

''(C) refers to the candidate or an opponent of the candidate but is not described in subparagraph (A) or subparagraph (B), but only if the communication is disseminated during the applicable election period.

''(2) APPLICABLE ELECTION PERIOD.—In paragraph (1)(C), the 'applicable election period' with respect to a communication means—

''(A) in the case of a communication which refers to a candidate in a general, special, or runoff election, the 120-day period which ends on the date of the election; or

''(B) in the case of a communication which refers to a candidate in a primary or preference election, or convention or caucus of a political party that has authority to nominate a candidate, the 60-day period which ends on the date of the election or convention or caucus.

''(3) SPECIAL RULES FOR COMMUNICATIONS INVOLVING CONGRESSIONAL CANDIDATES.—For purposes of this subsection, a public communication shall not be considered to be a covered communication with respect to a candidate for election for an office other than the office of President or Vice President unless it is publicly disseminated or distributed in the jurisdiction of the office the candidate is seeking.

''(e) PENALTY.—

''(1) DETERMINATION OF AMOUNT.—Any person who knowingly and willfully commits a violation of this Act by making a contribution which consists of a payment for a coordinated expenditure shall be fined an amount equal to the greater of—

''(A) in the case of a person who makes a contribution which consists of a payment for a coordinated expenditure in an amount exceeding the applicable contribution limit under this Act, 300 percent of the amount by which the amount of the payment made by the person exceeds such applicable contribution limit; or

''(B) in the case of a person who is prohibited under this Act from making a contribution in any amount, 300 percent of the amount of the payment made by the person for the coordinated expenditure.

''(2) JOINT AND SEVERAL LIABILITY.—Any director, manager, or officer of a person who is subject to a penalty under paragraph (1) shall be jointly and severally liable for any amount of such penalty that is not paid by the person prior to the expiration of the 1-year period which begins on the date the Commission imposes the penalty or the 1-year period which begins on the date of the final judgment following any judicial review of the Commission's action, whichever is later.''.

(c) EFFECTIVE DATE.—

(1) REPEAL OF EXISTING REGULATIONS ON COORDINATION.—Effective upon the expiration of the 90-day period which begins on the date of the enactment of this Act—

(A) the regulations on coordinated communications adopted by the Federal Election Commission which are in effect on the date of the enactment of this Act (as set forth in 11 CFR Part 109, Subpart C, under the heading ''Coordination'') are repealed; and

(B) the Federal Election Commission shall promulgate new regulations on coordinated communications which reflect the amendments made by this Act.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to payments made on or after the expiration of the 120-day period which begins on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations in accordance with paragraph (1)(B) as of the expiration of such period.

SEC. 6103. CLARIFICATION OF BAN ON FUNDRAISING FOR SUPER PACS BY FEDERAL CANDIDATES AND OFFICEHOLDERS.

(a) IN GENERAL.—Section 323(e)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30125(e)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(C) solicit, receive, direct, or transfer funds to or on behalf of any political committee which accepts donations or contributions that do not comply with the limitations, prohibitions, and reporting requirements of this Act (or to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions), or to or on behalf of any political organization under section 527 of the Internal Revenue Code of 1986 which accepts such donations or contributions (other than a committee of a State or local political party or a candidate for election for State or local office).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring after January 1, 2020.

Subtitle C—Severability

SEC. 6201. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

DIVISION C—ETHICS

TITLE VII—ETHICAL STANDARDS

Subtitle A—Supreme Court Ethics

Subtitle B—Foreign Agents Registration

Subtitle C—Lobbying Disclosure Reform

Subtitle D—Recusal of Presidential Appointees

Subtitle E—Severability

Subtitle A—Supreme Court Ethics

SEC. 7001. CODE OF CONDUCT FOR FEDERAL JUDGES.

(a) IN GENERAL.—Chapter 57 of title 28, United States Code, is amended by adding at the end the following:

''§ 964. Code of conduct

''Not later than one year after the date of the enactment of this section, the Judicial Conference shall issue a code of conduct, which applies to each justice and judge of the United States, except that the code of conduct may include provisions that are applicable only to certain categories of judges or justices.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 28, United States Code, is amended by adding after the item related to section 963 the following:

''964. Code of conduct.''.

Subtitle B—Foreign Agents Registration

SEC. 7101. ESTABLISHMENT OF FARA INVESTIGATION AND ENFORCEMENT UNIT WITHIN DEPARTMENT OF JUSTICE.

Section 8 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 618) is amended by adding at the end the following new subsection:

''(i) DEDICATED ENFORCEMENT UNIT.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall establish a unit within the counterespionage section of the National Security Division of the Department of Justice with responsibility for the enforcement of this Act.

''(2) POWERS.—The unit established under this subsection is authorized to—

''(A) take appropriate legal action against individuals suspected of violating this Act; and

''(B) coordinate any such legal action with the United States Attorney for the relevant jurisdiction.

''(3) CONSULTATION.—In operating the unit established under this subsection, the Attorney General shall, as appropriate, consult with the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the activities of the unit established under this subsection $10,000,000 for fiscal year 2019 and each succeeding fiscal year.''.

SEC. 7102. AUTHORITY TO IMPOSE CIVIL MONEY PENALTIES.

(a) ESTABLISHING AUTHORITY.—Section 8 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 618) is amended by inserting after subsection (c) the following new subsection:

''(d) CIVIL MONEY PENALTIES.—

''(1) REGISTRATION STATEMENTS.—Whoever fails to file timely or complete a registration statement as provided under section 2(a) shall be subject to a civil money penalty of not more than $10,000 per violation.

''(2) SUPPLEMENTS.—Whoever fails to file timely or complete supplements as provided under section 2(b) shall be subject to a civil money penalty of not more than $1,000 per violation.

''(3) OTHER VIOLATIONS.—Whoever knowingly fails to—

''(A) remedy a defective filing within 60 days after notice of such defect by the Attorney General; or

''(B) comply with any other provision of this Act,

shall upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil money penalty of not more than $200,000, depending on the extent and gravity of the violation.

''(4) NO FINES PAID BY FOREIGN PRINCIPALS.—A civil money penalty paid under paragraph (1) may not be paid, directly or indirectly, by a foreign principal.

''(5) USE OF FINES.—All civil money penalties collected under this subsection shall be used to defray the cost of the enforcement unit established under subsection (i).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 7103. DISCLOSURE OF TRANSACTIONS INVOLVING THINGS OF FINANCIAL VALUE CONFERRED ON OFFICEHOLDERS.

(a) REQUIRING AGENTS TO DISCLOSE KNOWN TRANSACTIONS.—

(1) IN GENERAL.—Section 2(a) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(a)) is amended—

(A) by redesignating paragraphs (10) and (11) as paragraphs (11) and (12); and

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

''(10) To the extent that the registrant has knowledge of any transaction which occurred in the preceding 60 days and in which the foreign principal for whom the registrant is acting as an agent conferred on a Federal or State officeholder any thing of financial value, including a gift, profit, salary, favorable regulatory treatment, or any other direct or indirect economic or financial benefit, a detailed statement describing each such transaction.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to statements filed on or after the expiration of the 90-day period which begins on the date of the enactment of this Act.

(b) SUPPLEMENTAL DISCLOSURE FOR CURRENT REGISTRANTS.—Not later than the expiration of the 90-day period which begins on the date of the enactment of this Act, each registrant who (prior to the expiration of such period) filed a registration statement with the Attorney General under section 2(a) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(a)) and who has knowledge of any transaction described in paragraph (10) of section 2(a) of such Act (as added by subsection (a)(1)) which occurred at any time during which the registrant was an agent of the foreign principal involved, shall file with the Attorney General a supplement to such statement under oath, on a form prescribed by the Attorney General, containing a detailed statement describing each such transaction.

SEC. 7104. ENSURING ONLINE ACCESS TO REGISTRATION STATEMENTS.

(a) REQUIRING STATEMENTS FILED BY REGISTRANTS TO BE IN DIGITIZED FORMAT.—Section 2(g) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(g)) is amended by striking ''in electronic form'' and inserting ''in a digitized format which will enable the Attorney General to meet the requirements of section 6(d)(1) (relating to public access to an electronic database of statements and updates)''.

(b) REQUIREMENTS FOR ELECTRONIC DATABASE OF REGISTRATION STATEMENTS AND UPDATES.—Section 6(d)(1) of such Act (22 U.S.C. 616(d)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''to the extent technically practicable,''; and

(2) in subparagraph (A), by striking ''includes the information'' and inserting ''includes in a digitized format the information''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to statements filed on or after the expiration of the 180-day period which begins on the date of the enactment of this Act.

Subtitle C—Lobbying Disclosure Reform

SEC. 7201. EXPANDING SCOPE OF INDIVIDUALS AND ACTIVITIES SUBJECT TO REQUIREMENTS OF LOBBYING DISCLOSURE ACT OF 1995.

(a) COVERAGE OF INDIVIDUALS PROVIDING COUNSELING SERVICES.—

(1) TREATMENT OF COUNSELING SERVICES IN SUPPORT OF LOBBYING CONTACTS AS LOBBYING ACTIVITY.—Section 3(7) of such Act (2 U.S.C. 1602(7)) is amended—

(A) by striking ''efforts'' and inserting ''any efforts''; and

(B) by striking ''research and other background work'' and inserting the following: ''counseling in support of such preparation and planning activities, research, and other background work''.

(2) TREATMENT OF LOBBYING CONTACT MADE WITH SUPPORT OF COUNSELING SERVICES AS LOBBYING CONTACT MADE BY INDIVIDUAL PROVIDING SERVICES.—Section 3(8) of such Act (2 U.S.C. 1602(8)) is amended by adding at the end the following new subparagraph:

''(C) TREATMENT OF PROVIDERS OF COUNSELING SERVICES.—Any individual, with authority to direct or substantially influence a lobbying contact or contacts made by another individual, and for financial or other compensation provides counseling services in support of preparation and planning activities which are treated as lobbying activities under paragraph (7) for that other individual's lobbying contact or contacts and who has knowledge that the specific lobbying contact or contacts were made, shall be considered to have made the same lobbying contact at the same time and in the same manner to the covered executive branch official or covered legislative branch official involved.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to lobbying contacts made on or after the date of the enactment of this Act.

Subtitle D—Recusal of Presidential Appointees

SEC. 7301. RECUSAL OF APPOINTEES.

Section 208 of title 18, United States Code, is amended by adding at the end the following:

''(e)(1) Any officer or employee appointed by the President shall recuse himself or herself from any particular matter involving specific parties in which a party to that matter is—

''(A) the President who appointed the officer or employee, which shall include any entity in which the President has a substantial interest; or

''(B) the spouse of the President who appointed the officer or employee, which shall include any entity in which the spouse of the President has a substantial interest.

''(2)(A) Subject to subparagraph (B), if an officer or employee is recused under paragraph (1), a career appointee in the agency of the officer or employee shall perform the functions and duties of the officer or employee with respect to the matter.

''(B)(i) In this subparagraph, the term 'Commission' means a board, commission, or other agency for which the authority of the agency is vested in more than 1 member.

''(ii) If the recusal of a member of a Commission from a matter under paragraph (1) would result in there not being a statutorily required quorum of members of the Commission available to participate in the matter, notwithstanding such statute or any other provision of law, the members of the Commission not recused under paragraph (1) may—

''(I) consider the matter without regard to the quorum requirement under such statute;

''(II) delegate the authorities and responsibilities of the Commission with respect to the matter to a subcommittee of the Commission; or

''(III) designate an officer or employee of the Commission who was not appointed by the President who appointed the member of the Commission recused from the matter to exercise the authorities and duties of the recused member with respect to the matter.

''(3) Any officer or employee who violates paragraph (1) shall be subject to the penalties set forth in section 216.

''(4) For purposes of this section, the term 'particular matter' shall have the meaning given the term in section 207(i).''.

Subtitle E—Severability

SEC. 7401. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

TITLE VIII—ETHICS REFORMS FOR THE PRESIDENT, VICE PRESIDENT, AND FEDERAL OFFICERS AND EMPLOYEES

Subtitle A—Executive Branch Conflict of Interest

SEC. 8001. SHORT TITLE.

This subtitle may be cited as the ''Executive Branch Conflict of Interest Act''.

SEC. 8002. RESTRICTIONS ON PRIVATE SECTOR PAYMENT FOR GOVERNMENT SERVICE.

Section 209 of title 18, United States Code, is amended—

(1) in subsection (a),

(A) by striking ''any salary'' and inserting ''any salary (including a bonus)''; and

(B) by striking ''as compensation for his services'' and inserting ''at any time, as compensation for serving''; and

(2) in subsection (b)—

(A) by inserting ''(1)'' after ''(b)''; and

(B) by adding at the end the following:

''(2) For purposes of paragraph (1), a pension, retirement, group life, health or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan that makes payment of any portion of compensation contingent on accepting a position in the United States Government shall not be considered bona fide.''.

SEC. 8003. REQUIREMENTS RELATING TO SLOWING THE REVOLVING DOOR.

(a) IN GENERAL.—The Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''TITLE VI—ENHANCED REQUIREMENTS FOR CERTAIN EMPLOYEES

''§ 601. Definitions

''In this title:

''(1) COVERED AGENCY.—The term 'covered agency'—

''(A) means an Executive agency, as defined in section 105 of title 5, United States Code, the Postal Service and the Postal Rate Commission, but does not include the Government Accountability Office or the Government of the District of Columbia; and

''(B) shall include the Executive Office of the President.

''(2) COVERED EMPLOYEE.—The term 'covered employee' means an officer or employee referred to in paragraph (2) of section 207(c) or paragraph (1) of section 207(d) of title 18, United States Code.

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Government Ethics.

''(4) EXECUTIVE BRANCH.—The term 'executive branch' has the meaning given that term in section 109.

''(5) FORMER CLIENT.—The term 'former client'—

''(A) means a person for whom a covered employee served personally as an agent, attorney, or consultant during the 2-year period ending on the date before the date on which the covered employee begins service in the Federal Government; and

''(B) does not include any agency or instrumentality of the Federal Government.

''(6) FORMER EMPLOYER.—The term 'former employer'—

''(A) means a person for whom a covered employee served as an employee, officer, director, trustee, agent, attorney, consultant, or contractor during the 2 year period ending on the date before the date on which the covered employee begins service in the Federal Government; and

''(B) does not include—

''(i) an entity in the Federal Government, including an executive branch agency;

''(ii) a State or local government;

''(iii) the District of Columbia;

''(iv) an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); or

''(v) the government of a territory or possession of the United States.

''(7) PARTICULAR MATTER.—The term 'particular matter' has the meaning given that term in section 207(i) of title 18, United States Code.

''§ 602. Conflict of interest and eligibility standards

''(a) IN GENERAL.—A covered employee may not participate personally and substantially in a particular matter in which the covered employee knows or reasonably should have known that a former employer or former client of the covered employee has a financial interest.

''(b) WAIVER.—

''(1) IN GENERAL.—

''(A) AGENCY HEADS.—With respect to the head of a covered agency who is a covered

employee, the Designated Agency Ethics Official for the Executive Office of the President, in consultation with the Director, may grant a written waiver of the restrictions under subsection (a) before the head engages in the action otherwise prohibited by such subsection if the Designated Agency Ethics Official for the Executive Office of the President determines and certifies in writing that, in light of all the relevant circumstances, the interest of the Federal Government in the head's participation outweighs the concern that a reasonable person may question the integrity of the agency's programs or operations.

''(B) OTHER COVERED EMPLOYEES.—With respect to any covered employee not covered by subparagraph (A), the head of the covered agency employing the covered employee, in consultation with the Director, may grant a written waiver of the restrictions under subsection (a) before the covered employee engages in the action otherwise prohibited by such subsection if the head of the covered agency determines and certifies in writing that, in light of all the relevant circumstances, the interest of the Federal Government in the covered employee's participation outweighs the concern that a reasonable person may question the integrity of the agency's programs or operations.

''(2) PUBLICATION.—For any waiver granted under paragraph (1), the individual who granted the waiver shall—

''(A) provide a copy of the waiver to the Director not less than 48 hours after the waiver is granted; and

''(B) publish the waiver on the website of the applicable agency within 30 calendar days after granting such waiver.

''(3) REVIEW.—Upon receiving a written waiver under paragraph (1)(A), the Director shall—

''(A) review the waiver to determine whether the Director has any objection to the issuance of the waiver; and

''(B) if the Director so objects—

''(i) provide reasons for the objection in writing to the head of the agency who granted the waiver not less than 15 calendar days after the waiver was granted; and

''(ii) publish the written objection on the website of the Office of Government Ethics not less than 30 calendar days after the waiver was granted.

''§ 603. Penalties and injunctions

''(a) CRIMINAL PENALTIES.—

''(1) IN GENERAL.—Any person who violates section 602 shall be fined under title 18, United States Code, imprisoned for not more than 1 year, or both.

''(2) WILLFUL VIOLATIONS.—Any person who willfully violates section 602 shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both.

''(b) CIVIL ENFORCEMENT.—

''(1) IN GENERAL.—The Attorney General may bring a civil action in an appropriate district court of the United States against any person who violates, or whom the Attorney General has reason to believe is engaging in conduct that violates, section 602.

''(2) CIVIL PENALTY.—

''(A) IN GENERAL.—If the court finds by a preponderance of the evidence that a person violated section 602, the court shall impose a civil penalty of not more than the greater of—

''(i) $100,000 for each violation; or

''(ii) the amount of compensation the person received or was offered for the conduct constituting the violation.

''(B) RULE OF CONSTRUCTION.—A civil penalty under this subsection may be in addition to any other criminal or civil statutory, common law, or administrative remedy available to the United States or any other person.

''(3) INJUNCTIVE RELIEF.—

''(A) IN GENERAL.—In a civil action brought under paragraph (1) against a person, the Attorney General may petition the court for an order prohibiting the person from engaging in conduct that violates section 602.

''(B) STANDARD.—The court may issue an order under subparagraph (A) if the court finds by a preponderance of the evidence that the conduct of the person violates section 602.

''(C) RULE OF CONSTRUCTION.—The filing of a petition seeking injunctive relief under this paragraph shall not preclude any other remedy that is available by law to the United States or any other person.''.

SEC. 8004. PROHIBITION OF PROCUREMENT OFFICERS ACCEPTING EMPLOYMENT FROM GOVERNMENT CONTRACTORS.

(a) EXPANSION OF PROHIBITION ON ACCEPTANCE BY FORMER OFFICIALS OF COMPENSATION FROM CONTRACTORS.—Section 2104 of title 41, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''or consultant'' and inserting ''attorney, consultant, subcontractor, or lobbyist''; and

(ii) by striking ''one year'' and inserting ''2 years''; and

(B) in paragraph (3), by striking ''personally made for the Federal agency'' and inserting ''participated personally and substantially in''; and

(2) by striking subsection (b) and inserting the following:

''(b) PROHIBITION ON COMPENSATION FROM AFFILIATES AND SUBCONTRACTORS.—A former official responsible for a Government contract referred to in paragraph (1), (2), or (3) of subsection (a) may not accept compensation for 2 years after awarding the contract from any division, affiliate, or subcontractor of the contractor.''.

(b) REQUIREMENT FOR PROCUREMENT OFFICERS TO DISCLOSE JOB OFFERS MADE ON BEHALF OF RELATIVES.—Section 2103(a) of title 41, United States Code, is amended in the matter preceding paragraph (1) by inserting after ''that official'' the following: '', or for a relative (as defined in section 3110 of title 5) of that official,''.

(c) REQUIREMENT ON AWARD OF GOVERNMENT CONTRACTS TO FORMER EMPLOYERS.—

(1) IN GENERAL.—Chapter 21 of division B of subtitle I of title 41, United States Code, is amended by adding at the end the following new section:

''§ 2108. Prohibition on involvement by certain former contractor employees in procurements

''An employee of the Federal Government may not participate personally and substantially in any award of a contract to, or the administration of a contract awarded to, a contractor that is a former employer of the employee during the 2-year period beginning on the date on which the employee leaves the employment of the contractor.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 21 of title 41, United States Code, is amended by adding at the end the following new item:

''2108. Prohibition on involvement by certain former contractor employees in procurements.''.

(d) REGULATIONS.—The Director of the Office of Government Ethics, in consultation with the Administrator of General Services, shall promulgate regulations to carry out and ensure the enforcement of chapter 21 of title 41, United States Code, as amended by this section.

(e) MONITORING AND COMPLIANCE.—The Administrator of General Services, in consultation with designated agency ethics officials (as that term is defined in section 109(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.)), shall monitor compliance with such chapter 21 by individuals and agencies.

SEC. 8005. REVOLVING DOOR RESTRICTIONS ON EMPLOYEES MOVING INTO THE PRIVATE SECTOR.

(a) IN GENERAL.—Subsection (c) of section 207 of title 18, United States Code, is amended—

(1) in the subsection heading, by striking ''ONE-YEAR'' and inserting ''TWO-YEAR'';

(2) in paragraph (1), by striking ''1 year'' in each instance and inserting ''2 years''; and

(3) in paragraph (2)(B), by striking ''1-year'' and inserting ''2-year''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply to any individual covered by subsection (c) of section 207 of title 18, United States Code, separating from the civil service on or after the date of enactment of this Act.

Subtitle B—Presidential Conflicts of Interest

SEC. 8011. SHORT TITLE.

This subtitle may be cited as the ''Presidential Conflicts of Interest Act of 2019''.

SEC. 8012. DIVESTITURE OF PERSONAL FINANCIAL INTERESTS OF THE PRESIDENT AND VICE PRESIDENT THAT POSE A POTENTIAL CONFLICT OF INTEREST.

(a) IN GENERAL.—The Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by adding after title VI (as added by section 8003) the following:

''TITLE VII—DIVESTITURE OF FINANCIAL CONFLICTS OF INTERESTS OF THE PRESIDENT AND VICE PRESIDENT

''§ 701. Divestiture of financial interests posing a conflict of interest

''(a) APPLICABILITY TO THE PRESIDENT AND VICE-PRESIDENT.—The President and Vice-President shall, within 30 days of assuming office, divest of all financial interests that pose a conflict of interest because the President or Vice President, the spouse, dependent child, or general partner of the President or Vice President, or any person or organization with whom the President or Vice President is negotiating or has any arrangement concerning prospective employment, has a financial interest, by—

''(1) converting each such interest to cash or other investment that meets the criteria established by the Director of the Office of Government Ethics through regulation as being an interest so remote or inconsequential as not to pose a conflict; or

''(2) placing each such interest in a qualified blind trust as defined in section 102(f)(3) or a diversified trust under section 102(f)(4)(B).

''(b) DISCLOSURE EXEMPTION.—Subsection (a) shall not apply if the President or Vice President complies with section 102.''.

(b) ADDITIONAL DISCLOSURES.—Section 102(a) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(9) With respect to any such report filed by the President or Vice President, for any corporation, company, firm, partnership, or other business enterprise in which the President, Vice President, or the spouse or dependent child of the President or Vice President, has a significant financial interest—

''(A) the name of each other person who holds a significant financial interest in the firm, partnership, association, corporation, or other entity;

''(B) the value, identity, and category of each liability in excess of $10,000; and

''(C) a description of the nature and value of any assets with a value of $10,000 or more.''.

(c) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Government Ethics

shall promulgate regulations to define the criteria required by section 701(a)(1) of the Ethics in Government Act of 1978 (as added subsection (a)) and the term ''significant financial interest'' for purposes of section 102(a)(9) of the Ethics in Government Act (as added by subsection (b)).

SEC. 8013. INITIAL FINANCIAL DISCLOSURE.

Subsection (a) of section 101 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking ''position'' and adding at the end the following: ''position, with the exception of the President and Vice President, who must file a new report.''.

SEC. 8014. CONTRACTS BY THE PRESIDENT OR VICE PRESIDENT.

(a) AMENDMENT.—Section 431 of title 18, United States Code, is amended—

(1) in the section heading, by inserting ''**the President, Vice President, or a**'' after ''**Contracts by**''; and

(2) in the first undesignated paragraph, by inserting ''the President or Vice President,'' after ''Whoever, being''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 23 of title 18, United States Code, is amended by striking the item relating to section 431 and inserting the following:

''431. Contracts by the President, Vice President, or a Member of Congress.''.

Subtitle C—White House Ethics Transparency

SEC. 8021. SHORT TITLE.

This subtitle may be cited as the ''White House Ethics Transparency Act of 2019''.

SEC. 8022. PROCEDURE FOR WAIVERS AND AUTHORIZATIONS RELATING TO ETHICS REQUIREMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, not later than 30 days after an officer or employee issues or approves a waiver or authorization pursuant to section 3 of Executive Order 13770 (82 6 Fed. Reg. 9333), or any subsequent similar order, such officer or employee shall—

(1) transmit a written copy of such waiver or authorization to the Director of the Office of Government Ethics; and

(2) make a written copy of such waiver or authorization available to the public on the website of the employing agency of the covered employee.

(b) RETROACTIVE APPLICATION.—In the case of a waiver or authorization described in subsection (a) issued during the period beginning on January 20, 2017, and ending on the date of enactment of this Act, the issuing officer or employee of such waiver or authorization shall comply with the requirements of paragraphs (1) and (2) of such subsection not later than 30 days after the date of enactment of this Act.

(c) OFFICE OF GOVERNMENT ETHICS PUBLIC AVAILABILITY.—Not later than 30 days after receiving a written copy of a waiver or authorization under subsection (a)(1), the Director of the Office of Government Ethics shall make such waiver or authorization available to the public on the website of the Office of Government Ethics.

(d) DEFINITION OF COVERED EMPLOYEE.—In this section, the term ''covered employee''—

(1) means a non-career Presidential or Vice Presidential appointee, non-career appointee in the Senior Executive Service (or other SES-type system), or an appointee to a position that has been excepted from the competitive service by reason of being of a confidential or policymaking character (Schedule C and other positions excepted under comparable criteria) in an executive agency; and

(2) does not include any individual appointed as a member of the Senior Foreign Service or solely as a uniformed service commissioned officer.

Subtitle D—Executive Branch Ethics Enforcement

SEC. 8031. SHORT TITLE.

This subtitle may be cited as the ''Executive Branch Comprehensive Ethics Enforcement Act of 2019''.

SEC. 8032. REAUTHORIZATION OF THE OFFICE OF GOVERNMENT ETHICS.

Section 405 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking ''fiscal year 2007'' and inserting ''fiscal years 2019 through 2023.''.

SEC. 8033. TENURE OF THE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.

Section 401(b) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking the period at the end and inserting '', subject to removal only for inefficiency, neglect of duty, or malfeasance in office. The Director may continue to serve beyond the expiration of the term until a successor is appointed and has qualified, except that the Director may not continue to serve for more than one year after the date on which the term would otherwise expire under this subsection.''.

SEC. 8034. DUTIES OF DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS.

(a) IN GENERAL.—Section 402(a) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended in paragraph (1) by striking '', in consultation with the Office of Personnel Management,''.

(b) RESPONSIBILITIES OF THE DIRECTOR.—Section 402(b) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1)—

(A) by striking ''developing, in consultation with the Attorney General and the Office of Personnel Management, rules and regulations to be promulgated by the President or the Director'' and inserting ''developing and promulgating rules and regulations''; and

(B) by striking ''title II'' and inserting ''title I'';

(2) by striking paragraph (2) and inserting the following:

''(2) providing mandatory education and training programs for designated agency ethics officials, which may be delegated to each agency or the White House Counsel as deemed appropriate by the Director;'';

(3) in paragraph (3), by striking ''title II'' and inserting ''title I'';

(4) in paragraph (4), by striking ''problems'' and inserting ''issues'';

(5) in paragraph (6)—

(A) by striking ''issued by the President or the Director''; and

(B) by striking ''problems'' and inserting ''issues'';

(6) in paragraph (7)—

(A) by striking '', when requested,''; and

(B) by striking ''conflict of interest problems'' and inserting ''conflicts of interest, as well as other ethics issues'';

(7) in paragraph (9)—

(A) by striking ''ordering'' and inserting ''receiving allegations of violations of this Act or regulations of the Office of Government Ethics and, when necessary, investigating an allegation to determine whether a violation occurred, and ordering''; and

(B) by inserting before the semi-colon the following: '', and recommending appropriate disciplinary action'';

(8) in paragraph (12)—

(A) by striking ''evaluating, with the assistance of'' and inserting ''promulgating, with input from'';

(B) by striking ''the need for'';

(C) by striking ''conflict of interest and ethical problems'' and inserting ''conflict of interest and ethics issues'';

(9) in paragraph (13)—

(A) by striking ''with the Attorney General'' and inserting ''with the Inspectors General and the Attorney General'';

(B) by striking ''violations of the conflict of interest laws'' and inserting ''conflict of interest issues and allegations of violations of ethics laws and regulations and this Act''; and

(C) by striking '', as required by section 535 of title 28, United States Code'';

(10) in paragraph (14), by striking ''and'' at the end;

(11) in paragraph (15)—

(A) by striking '', in consultation with the Office of Personnel Management,'';

(B) by striking ''title II'' and inserting ''title I''; and

(C) by striking the period at the end and inserting a semicolon; and

(12) by adding at the end the following:

''(16) directing and providing final approval, when determined appropriate by the Director, for designated agency ethics officials regarding the resolution of conflicts of interest as well as any other ethics issues under the purview of this Act in individual cases; and

''(17) reviewing and approving, when determined appropriate by the Director, any recusals, exemptions, or waivers from the conflicts of interest and ethics laws, rules, and regulations and making approved recusals, exemptions, and waivers made publicly available by the relevant agency available in a central location on the official website of the Office of Government Ethics.''.

(c) WRITTEN PROCEDURES.—Paragraph (1) of section 402(d) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking '', by the exercise of any authority otherwise available to the Director under this title,'';

(2) by striking ''the agency is''; and

(3) by inserting after ''filed by'' the following: '', or written documentation of recusals, waivers, or ethics authorizations relating to,''.

(d) CORRECTIVE ACTIONS.—Section 402(f) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1)—

(A) in clause (i) of subparagraph (A), by striking ''of such agency''; and

(B) in subparagraph (B), by inserting at the end ''and determine that a violation of this Act has occurred and issue appropriate administrative or legal remedies as prescribed in paragraph (2)'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (ii)—

(I) in subclause (I)—

(aa) by inserting ''to the President or the President's designee if the matter involves employees of the Executive Office of the President or'' after ''may recommend'';

(bb) by striking ''and'' at the end; and

(II) in subclause (II)—

(aa) by inserting ''President or'' after ''determines that the''; and

(bb) by adding ''and'' at the end;

(ii) in subclause (II) of clause (iii)—

(I) by striking ''notify, in writing,'' and inserting ''advise the President or order'';

(II) by inserting ''to take appropriate disciplinary action including reprimand, suspension, demotion, or dismissal against the officer or employee (provided, however, that any order issued by the Director shall not affect an employee's right to appeal a disciplinary action under applicable law, regulation, collective bargaining agreement, or contractual provision)'' after ''employee's agency''; and

(III) by striking ''of the officer's or employee's noncompliance, except that, if the

officer or employee involved is the agency head, the notification shall instead be submitted to the President and Congress and''; and

(iii) by striking clause (iv);

(B) in subparagraph (B)(i)—

(i) by striking ''subparagraph (A)(iii) or (iv)'' and inserting ''subparagraph (A)'';

(ii) by inserting ''(I)'' before ''In order to''; and

(iii) by adding at the end the following:

''(II)(aa) The Director may secure directly from any agency information necessary to enable the Director to carry out this Act. Upon request of the Director, the head of such agency shall furnish that information to the Director.

''(bb) The Director may require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium and documentary evidence necessary in the performance of the functions assigned by this Act, which subpoena, in the case of refusal to obey, shall be enforceable by order of any appropriate United States district court.'';

(C) in subparagraph (B)(ii)(I)—

(i) by striking ''Subject to clause (iv) of this subparagraph, before'' and inserting ''Before''; and

(ii) by striking ''subparagraphs (A) (iii) or (iv)'' and inserting ''subparagraph (A)(iii)'';

(D) in subparagraph (B)(iii), by striking ''Subject to clause (iv) of this subparagraph, before'' and inserting ''Before''; and

(E) in subparagraph (B)(iv)—

(i) by striking ''title 2'' and inserting ''title I''; and

(ii) by striking ''section 206'' and inserting ''section 106''; and

(3) in paragraph (4), by striking ''(iv),''.

(e) DEFINITIONS.—Section 402 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(g) For purposes of this title—

''(1) the term 'agency' shall include the Executive Office of the President; and

''(2) the term 'officer or employee' shall include any individual occupying a position, providing any official services, or acting in an advisory capacity, in the White House or the Executive Office of the President.

''(h) In this title, a reference to the head of an agency shall include the President or the President's designee.

''(i) The Director shall not be required to obtain the prior approval, comment, or review of any officer or agency of the United States, including the Office of Management and Budget, before submitting to Congress, or any committee or subcommittee thereof, any information, reports, recommendations, testimony, or comments, if such submissions include a statement indicating that the views expressed therein are those of the Director and do not necessarily represent the views of the President.''.

SEC. 8035. AGENCY ETHICS OFFICIALS TRAINING AND DUTIES.

(a) IN GENERAL.—Section 403 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a), by adding a period at the end of the matter following paragraph (2); and

(2) by adding at the end the following:

''(c)(1) All designated agency ethics officials and alternate designated agency ethics officials shall register with the Director as well as with the appointing authority of the official.

''(2) The Director shall provide ethics education and training to all designated and alternate designated agency ethics officials in a time and manner deemed appropriate by the Director.

''(3) Each designated agency ethics official and each alternate designated agency ethics official shall biannually attend ethics education and training, as provided by the Director under paragraph (2).

''(d) Each Designated Agency Ethics Official, including the Designated Agency Ethics Official for the Executive Office of the President—

''(1) shall provide to the Director, in writing, in a searchable, sortable, and downloadable format, all approvals, authorizations, certifications, compliance reviews, determinations, directed divestitures, public financial disclosure reports, notices of deficiency in compliance, records related to the approval or acceptance of gifts, recusals, regulatory or statutory advisory opinions, waivers, including waivers under section 207 or 208 of title 18, United States Code, and any other records designated by the Director, unless disclosure is prohibited by law;

''(2) shall, for all information described in paragraph (1) that is permitted to be disclosed to the public under law, make the information available to the public by publishing the information on the website of the Office of Government Ethics, providing a link to download an electronic copy of the information, or providing printed paper copies of such information to the public; and

''(3) may charge a reasonable fee for the cost of providing paper copies of the information pursuant to paragraph (2).

''(e)(1) For all information that is provided by an agency to the Director under paragraph (1) of subsection (d), the Director shall make the information available to the public in a searchable, sortable, downloadable format by publishing the information on the website of the Office of Government Ethics or providing a link to download an electronic copy of the information.

''(2) The Director may, upon request, provide printed paper copies of the information published under paragraph (1) and charge a reasonable fee for the cost of printing such copies.''.

(b) REPEAL.—Section 408 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is hereby repealed.

Subtitle E—Conflicts From Political Fundraising

SEC. 8041. SHORT TITLE.

This subtitle may be cited as the ''Conflicts from Political Fundraising Act of 2019''.

SEC. 8042. DISCLOSURE OF CERTAIN TYPES OF CONTRIBUTIONS.

(a) DEFINITIONS.—Section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating paragraphs (2) through (19) as paragraphs (5) through (22), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) 'covered contribution' means a payment, advance, forbearance, rendering, or deposit of money, or any thing of value—

''(A)(i) that—

''(I) is—

''(aa) made by or on behalf of a covered individual; or

''(bb) solicited in writing by or at the request of a covered individual; and

''(II) is made—

''(aa) to a political organization, as defined in section 527 of the Internal Revenue Code of 1986; or

''(bb) to an organization—

''(AA) that is described in paragraph (4) or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

''(BB) that promotes or opposes changes in Federal laws or regulations that are (or would be) administered by the agency in which the covered individual has been nominated for appointment to a covered position or is serving in a covered position; or

''(ii) that is—

''(I) solicited in writing by or on behalf of a covered individual; and

''(II) made—

''(aa) by an individual or entity the activities of which are subject to Federal laws or regulations that are (or would be) administered by the agency in which the covered individual has been nominated for appointment to a covered position or is serving in a covered position; and

''(bb) to—

''(AA) a political organization, as defined in section 527 of the Internal Revenue Code of 1986; or

''(BB) an organization that is described in paragraph (4) or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

''(B) that is made to an organization described in item (aa) or (bb) of clause (i)(II) or clause (ii)(II)(bb) of subparagraph (A) for which the total amount of such payments, advances, forbearances, renderings, or deposits of money, or any thing of value, during the calendar year in which it is made is not less than the contribution limitation in effect under section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(1)(A)) for elections occurring during such calendar year;

''(3) 'covered individual' means an individual who has been nominated or appointed to a covered position; and

''(4) 'covered position'—

''(A) means—

''(i) a position described under sections 5312 through 5316 of title 5, United States Code;

''(ii) a position placed in level IV or V of the Executive Schedule under section 5317 of title 5, United States Code;

''(iii) a position as a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; and

''(iv) a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations; and

''(B) does not include a position if the individual serving in the position has been excluded from the application of section 101(f)(5);''.

(b) DISCLOSURE REQUIREMENTS.—The Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 101—

(A) in subsection (a)—

(i) by inserting ''(1)'' before ''Within'';

(ii) by striking ''unless'' and inserting ''and, if the individual is assuming a covered position, the information described in section 102(j), except that, subject to paragraph (2), the individual shall not be required to file a report if''; and

(iii) by adding at the end the following:

''(2) If an individual has left a position described in subsection (f) that is not a covered position and, within 30 days, assumes a position that is a covered position, the individual shall, within 30 days of assuming the covered position, file a report containing the information described in section 102(j)(2)(A).'';

(B) in subsection (b)(1), in the first sentence, by inserting ''and the information required by section 102(j)'' after ''described in section 102(b)'';

(C) in subsection (d), by inserting ''and, if the individual is serving in a covered position, the information required by section 102(j)(2)(A)'' after ''described in section 102(a)''; and

(D) in subsection (e), by inserting ''and, if the individual was serving in a covered position, the information required by section 102(j)(2)(A)'' after ''described in section 102(a)''; and

(2) in section 102—

(A) in subsection (g), by striking ''Political campaign funds'' and inserting ''Except as provided in subsection (j), political campaign funds''; and

(B) by adding at the end the following:

''(j)(1) In this subsection—

''(A) the term 'applicable period' means—

''(i) with respect to a report filed pursuant to subsection (a) or (b) of section 101, the year of filing and the 4 calendar years preceding the year of the filing; and

''(ii) with respect to a report filed pursuant to subsection (d) or (e) of section 101, the preceding calendar year; and

''(B) the term 'covered gift' means a gift that—

''(i) is made to a covered individual, the spouse of a covered individual, or the dependent child of a covered individual;

''(ii) is made by an entity described in item (aa) or (bb) of section 109(2)(A)(i)(II); and

''(iii) would have been required to be reported under subsection (a)(2) if the covered individual had been required to file a report under section 101(d) with respect to the calendar year during which the gift was made.

''(2)(A) A report filed pursuant to subsection (a), (b), (d), or (e) of section 101 by a covered individual shall include, for each covered contribution during the applicable period—

''(i) the date on which the covered contribution was made;

''(ii) if applicable, the date or dates on which the covered contribution was solicited;

''(iii) the value of the covered contribution;

''(iv) the name of the person making the covered contribution; and

''(v) the name of the person receiving the covered contribution.

''(B)(i) Subject to clause (ii), a covered contribution made by or on behalf of, or that was solicited in writing by or on behalf of, a covered individual shall constitute a conflict of interest, or an appearance thereof, with respect to the official duties of the covered individual.

''(ii) The Director of the Office of Government Ethics may exempt a covered contribution from the application of clause (i) if the Director determines the circumstances of the solicitation and making of the covered contribution do not present a risk of a conflict of interest and the exemption of the covered contribution would not affect adversely the integrity of the Government or the public's confidence in the integrity of the Government.

''(3) A report filed pursuant to subsection (a) or (b) of section 101 by a covered individual shall include the information described in subsection (a)(2) with respect to each covered gift received during the applicable period.''.

(c) PROVISION OF REPORTS AND ETHICS AGREEMENTS TO CONGRESS.—Section 105 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(e) Not later than 30 days after receiving a written request from the Chairman or Ranking Member of a committee or subcommittee of either House of Congress, the Director of the Office of Government Ethics shall provide to the Chairman and Ranking Member each report filed under this title by the covered individual and any ethics agreement entered into between the agency and the covered individual.''.

(d) RULES ON ETHICS AGREEMENTS.—The Director of the Office of Government Ethics shall promptly issue rules regarding how an agency in the executive branch shall address information required to be disclosed under the amendments made by this subtitle in drafting ethics agreements between the agency and individuals appointed to positions in the agency.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 101(f)—

(i) in paragraph (9), by striking ''section 109(12)'' and inserting ''section 109(15)'';

(ii) in paragraph (10), by striking ''section 109(13)'' and inserting ''section 109(16)'';

(iii) in paragraph (11), by striking ''section 109(10)'' and inserting ''section 109(13)''; and

(iv) in paragraph (12), by striking ''section 109(8)'' and inserting ''section 109(11)'';

(B) in section 103(l)—

(i) in paragraph (9), by striking ''section 109(12)'' and inserting ''section 109(15)''; and

(ii) in paragraph (10), by striking ''section 109(13)'' and inserting ''section 109(16)''; and

(C) in section 105(b)(3)(A), by striking ''section 109(8) or 109(10)'' and inserting ''section 109(11) or 109(13)''.

(2) Section 3(4)(D) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(4)(D)) is amended by striking ''section 109(13)'' and inserting ''section 109(16)''.

(3) Section 21A of the Securities Exchange Act of 1934 (15 U.S.C. 78u–1) is amended—

(A) in subsection (g)(2)(B)(ii), by striking ''section 109(11) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(11)))'' and inserting ''section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.))''; and

(B) in subsection (h)(2)—

(i) in subparagraph (B), by striking ''section 109(8) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(8))'' and inserting ''section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)''; and

(ii) in subparagraph (C), by striking ''section 109(10) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(10))'' and inserting ''section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)''.

(4) Section 499(j)(2) of the Public Health Service Act (42 U.S.C. 290b(j)(2)) is amended by striking ''section 109(16) of the Ethics in Government Act of 1978'' and inserting ''section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.)''.

Subtitle F—Transition Team Ethics

SEC. 8051. SHORT TITLE.

This subtitle may be cited as the ''Transition Team Ethics Improvement Act''.

SEC. 8052. PRESIDENTIAL TRANSITION ETHICS PROGRAMS.

The Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in section 3(f), by adding at the end the following:

''(3) Not later than 10 days after submitting an application for a security clearance for any individual, and not later than 10 days after any such individual is granted a security clearance (including an interim clearance), each eligible candidate (as that term is described in subsection (h)(4)(A)) or the President-elect (as the case may be) shall submit a report containing the name of such individual to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.'';

(2) in section 4—

(A) in subsection (a)—

(i) in paragraph (3), by striking ''and'' at the end;

(ii) by redesignating paragraph (4) as paragraph (5); and

(iii) by inserting after paragraph (3) the following:

''(4) the term 'nonpublic information'—

''(A) means information from the Federal Government that a transition team member obtains as part of the employment of such member that the member knows or reasonably should know has not been made available to the general public; and

''(B) includes information that has not been released to the public that a transition team member knows or reasonably should know—

''(i) is exempt from disclosure under section 552 of title 5, United States Code, or otherwise protected from disclosure by law; and

''(ii) is not authorized by the appropriate agency or official to be released to the public; and''; and

(B) in subsection (g)—

(i) in paragraph (1), by striking ''November'' and inserting ''October''; and

(ii) by adding at the end the following:

''(3) ETHICS PLAN.—

''(A) IN GENERAL.—Each memorandum of understanding under paragraph (1) shall include an agreement that the eligible candidate will implement and enforce an ethics plan to guide the conduct of the transition beginning on the date on which the eligible candidate becomes the President-elect.

''(B) CONTENTS.—The ethics plan shall include, at a minimum—

''(i) a description of the ethics requirements that will apply to all transition team members, including specific requirements for transition team members who will have access to nonpublic or classified information;

''(ii) a description of how the transition team will—

''(I) address the role on the transition team of—

''(aa) registered lobbyists under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) and individuals who were formerly registered lobbyists under that Act;

''(bb) persons registered under the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), foreign nationals, and other foreign agents; and

''(cc) transition team members with sources of income or clients that are not disclosed to the public;

''(II) prohibit a transition team member with personal financial conflicts of interest as described in section 208 of title 18, United States Code, from working on particular matters involving specific parties that affect the interests of such member; and

''(III) address how the covered eligible candidate will address their own personal financial conflicts of interest during a Presidential term if the covered eligible candidate becomes the President-elect;

''(iii) a Code of Ethical Conduct, to which each transition team member will sign and be subject to, that reflects the content of the ethics plans under this paragraph and at a minimum requires each transition team member to—

''(I) seek authorization from transition team leaders or their designees before seeking, on behalf of the transition, access to any nonpublic information;

''(II) keep confidential any nonpublic information provided in the course of the duties of the member with the transition and exclusively use such information for the purposes of the transition; and

''(III) not use any nonpublic information provided in the course of transition duties, in any manner, for personal or private gain for the member or any other party at any time during or after the transition; and

''(iv) a description of how the transition team will enforce the Code of Ethical Conduct, including the names of the transition team members responsible for enforcement, oversight, and compliance.

''(C) PUBLICLY AVAILABLE.—The transition team shall make the ethics plan described in this paragraph publicly available on the website of the General Services Administration the earlier of—

''(i) the day on which the memorandum of understanding is completed; or

''(ii) October 1.''; and

(3) in section 6(b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(C) a list of all positions each transition team member has held outside the Federal Government for the previous 12-month period, including paid and unpaid positions;

''(D) sources of compensation for each transition team member exceeding $5,000 a year for the previous 12-month period;

''(E) a description of the role of each transition team member, including a list of any policy issues that the member expects to work on, and a list of agencies the member expects to interact with, while serving on the transition team;

''(F) a list of any issues from which each transition team member will be recused while serving as a member of the transition team pursuant to the transition team ethics plan outlined in section 4(g)(3); and

''(G) an affirmation that no transition team member has a financial conflict of interest that precludes the member from working on the matters described in subparagraph (E).'';

(B) in paragraph (2), by inserting ''not later than 2 business days'' after ''public''; and

(C) by adding at the end the following:

''(3) The head of a Federal department or agency, or their designee, shall not permit access to the Federal department or agency, or employees of such department or agency, that would not be provided to a member of the public for any transition team member who does not make the disclosures listed under paragraph (1).''.

Subtitle G—Ethics Pledge For Senior Executive Branch Employees

SEC. 8061. SHORT TITLE.

This subtitle may be cited as the ''Ethics in Public Service Act''.

SEC. 8062. ETHICS PLEDGE REQUIREMENT FOR SENIOR EXECUTIVE BRANCH EMPLOYEES.

The Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.) is amended by inserting after title I the following new title:

''TITLE II—ETHICS PLEDGE

''SEC. 201. DEFINITIONS.

''For the purposes of this title, the following definitions apply:

''(1) The term 'executive agency' has the meaning given that term in section 105 of title 5, United States Code, and includes the Executive Office of the President, the United States Postal Service, and Postal Regulatory Commission, but does not include the Government Accountability Office.

''(2) The term 'appointee' means any noncareer Presidential or Vice-Presidential appointee, noncareer appointee in the Senior Executive Service (or other SES-type system), or appointee to a position that has been excepted from the competitive service by reason of being of a confidential or policymaking character (Schedule C and other positions excepted under comparable criteria) in an executive agency, but does not include any individual appointed as a member of the Senior Foreign Service or solely as a uniformed service commissioned officer.

''(3) The term 'gift'—

''(A) has the meaning given that term in section 2635.203(b) of title 5, Code of Federal Regulations (or any successor regulation); and

''(B) does not include those items excluded by sections 2635.204(b), (c), (e)(1), (e)(3), (j), (k), and (l) of such title 5.

''(4) The term 'covered executive branch official' and 'lobbyist' have the meanings given those terms in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).

''(5) The term 'registered lobbyist or lobbying organization' means a lobbyist or an organization filing a registration pursuant to section 4(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603(a)), and in the case of an organization filing such a registration, 'registered lobbyist' includes each of the lobbyists identified therein.

''(6) The term 'lobby' and 'lobbied' mean to act or have acted as a registered lobbyist.

''(7) The term 'former employer'—

''(A) means a person or entity for whom an appointee served as an employee, officer, director, trustee, partner, agent, attorney, consultant, or contractor during the 2-year period ending on the date before the date on which the covered employee begins service in the Federal Government; and

''(B) does not include—

''(i) an agency or instrumentality of the Federal Government;

''(ii) a State or local government;

''(iii) the District of Columbia;

''(iv) an Indian tribe, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); or

''(v) the government of a territory or possession of the United States.

''(8) The term 'former client' means a person or entity for whom an appointee served personally as agent, attorney, or consultant during the 2-year period ending on the date before the date on which the covered employee begins service in the Federal Government, but does not include an agency or instrumentality of the Federal Government;

''(9) The term 'directly and substantially related to my former employer or former clients' means matters in which the appointee's former employer or a former client is a party or represents a party.

''(10) The term 'participate' means to participate personally and substantially.

''(11) The term 'post-employment restrictions' includes the provisions and exceptions in section 207(c) of title 18, United States Code, and the implementing regulations.

''(12) The term 'Government official' means any employee of the executive branch.

''(13) The term 'Administration' means all terms of office of the incumbent President serving at the time of the appointment of an appointee covered by this title.

''(14) The term 'pledge' means the ethics pledge set forth in section 202 of this title.

''(15) All references to provisions of law and regulations shall refer to such provisions as in effect on the date of enactment of this title.

''SEC. 202. ETHICS PLEDGE.

''Each appointee in every executive agency appointed on or after the date of enactment of this section shall be required to sign an ethics pledge upon appointment. The pledge shall be signed and dated within 30 days of taking office and shall include, at a minimum, the following elements:

'' 'As a condition, and in consideration, of my employment in the United States Government in a position invested with the public trust, I commit myself to the following obligations, which I understand are binding on me and are enforceable under law:

'' '(1) Lobbyist Gift Ban.—I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee.

'' '(2) Revolving Door Ban; Entering Government.—

'' '(A) All Appointees Entering Government.—I will not, for a period of 2 years from the date of my appointment, participate in any particular matter involving specific party or parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.

'' '(B) Lobbyists Entering Government.—If I was a registered lobbyist within the 2 years before the date of my appointment, in addition to abiding by the limitations of subparagraph (A), I will not for a period of 2 years after the date of my appointment:

'' '(i) participate in any particular matter on which I lobbied within the 2 years before the date of my appointment;

'' '(ii) participate in the specific issue area in which that particular matter falls; or

'' '(iii) seek or accept employment with any executive agency that I lobbied within the 2 years before the date of my appointment.

'' '(3) Revolving Door Ban; Appointees Leaving Government.—

'' '(A) All Appointees Leaving Government.—If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions for a period of 2 years following the end of my appointment.

'' '(B) Appointees Leaving Government to Lobby.—In addition to abiding by the limitations of subparagraph (A), I also agree, upon leaving Government service, not to lobby any covered executive branch official or noncareer Senior Executive Service appointee for the remainder of the Administration.

'' '(4) Employment Qualification Commitment.—I agree that any hiring or other employment decisions I make will be based on the candidate's qualifications, competence, and experience.

'' '(5) Assent to Enforcement.—I acknowledge that title II of the Ethics in Government Act of 1978, which I have read before signing this document, defines certain of the terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that title as a part of this agreement and as binding on me. I understand that the terms of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Federal Government service.' ''.

''SEC. 203. WAIVER.

''(a) The President or the President's designee may grant to any current or former appointee a written waiver of any restrictions contained in the pledge signed by such appointee if, and to the extent that, the President or the President's designee certifies (in writing) that, in light of all the relevant circumstances, the interest of the Federal Government in the employee's participation outweighs the concern that a reasonable person may question the integrity of the agency's programs or operations.

''(b) Any waiver under this section shall take effect when the certification is signed by the President or the President's designee.

''(c) For purposes of subsection (a)(2), the public interest shall include exigent circumstances relating to national security or to the economy. De minimis contact with an executive agency shall be cause for a waiver of the restrictions contained in paragraph (2)(B) of the pledge.

''(d) For any waiver granted under this section, the individual who granted the waiver shall—

''(1) provide a copy of the waiver to the Director not less than 48 hours after the waiver is granted; and

''(2) publish the waiver on the website of the applicable agency within 30 calendar days after granting such waiver.

''(e) Upon receiving a written waiver under subsection (d), the Director shall—

''(1) review the waiver to determine whether the Director has any objection to the issuance of the waiver; and

''(2) if the Director so objects—

''(A) provide reasons for the objection in writing to the head of the agency who granted the waiver not less than 15 calendar days after the waiver was granted; and

''(B) publish the written objection on the website of the Office of Government Ethics not less than 30 calendar days after the waiver was granted.

''SEC. 204. ADMINISTRATION.

''(a) The head of each executive agency shall, in consultation with the Director of the Office of Government Ethics, establish such rules or procedures (conforming as nearly as practicable to the agency's general ethics rules and procedures, including those relating to designated agency ethics officers) as are necessary or appropriate to ensure—

''(1) that every appointee in the agency signs the pledge upon assuming the appointed office or otherwise becoming an appointee;

''(2) that compliance with paragraph (2)(B) of the pledge is addressed in a written ethics agreement with each appointee to whom it applies;

''(3) that spousal employment issues and other conflicts not expressly addressed by the pledge are addressed in ethics agreements with appointees or, where no such agreements are required, through ethics counseling; and

''(4) compliance with this title within the agency.

''(b) With respect to the Executive Office of the President, the duties set forth in subsection (a) shall be the responsibility of the Counsel to the President.

''(c) The Director of the Office of Government Ethics shall—

''(1) ensure that the pledge and a copy of this title are made available for use by agencies in fulfilling their duties under subsection (a);

''(2) in consultation with the Attorney General or the Counsel to the President, when appropriate, assist designated agency ethics officers in providing advice to current or former appointees regarding the application of the pledge;

''(3) adopt such rules or procedures as are necessary or appropriate—

''(A) to carry out the responsibilities assigned by this subsection;

''(B) to apply the lobbyist gift ban set forth in paragraph 1 of the pledge to all executive branch employees;

''(C) to authorize limited exceptions to the lobbyist gift ban for circumstances that do not implicate the purposes of the ban;

''(D) to make clear that no person shall have violated the lobbyist gift ban if the person properly disposes of a gift;

''(E) to ensure that existing rules and procedures for Government employees engaged in negotiations for future employment with private businesses that are affected by their official actions do not affect the integrity of the Government's programs and operations; and

''(F) to ensure, in consultation with the Director of the Office of Personnel Management, that the requirement set forth in paragraph (4) of the pledge is honored by every employee of the executive branch;

''(4) in consultation with the Director of the Office of Management and Budget, report to the President, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate on whether full compliance is being achieved with existing laws and regulations governing executive branch procurement lobbying disclosure and on steps the executive branch can take to expand to the fullest extent practicable disclosure of such executive branch procurement lobbying and of lobbying for presidential pardons, and to include in the report both immediate action the executive branch can take and, if necessary, recommendations for legislation; and

''(5) provide an annual public report on the administration of the pledge and this title.

''(d) All pledges signed by appointees, and all waiver certifications with respect thereto, shall be filed with the head of the appointee's agency for permanent retention in the appointee's official personnel folder or equivalent folder.''.

Subtitle H—Severability

SEC. 8071. SEVERABILITY.

If any provision of this title or any amendment made by this title, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this title and the amendments made by this title, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

TITLE IX—CONGRESSIONAL ETHICS REFORM

Subtitle A—Requiring Members of Congress to Reimburse Treasury for Amounts Paid as Settlements and Awards Under Congressional Accountability Act of 1995

SEC. 9001. REQUIRING MEMBERS OF CONGRESS TO REIMBURSE TREASURY FOR AMOUNTS PAID AS SETTLEMENTS AND AWARDS UNDER CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 IN ALL CASES OF EMPLOYMENT DISCRIMINATION ACTS BY MEMBERS.

(a) REQUIRING REIMBURSEMENT.—Clause (i) of section 415(d)(1)(C) of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(d)(1)(C)), as amended by section 111(a) of the Congressional Accountability Act of 1995 Reform Act, is amended to read as follows:

''(i) a violation of section 201(a) or section 206(a); or''.

(b) CONFORMING AMENDMENT RELATING TO NOTIFICATION OF POSSIBILITY OF REIMBURSEMENT.—Clause (i) of section 402(b)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1402(b)(2)(B)), as amended by section 102(a) of the Congressional Accountability Act of 1995 Reform Act, is amended to read as follows:

''(i) a violation of section 201(a) or section 206(a); or''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Congressional Accountability Act of 1995 Reform Act.

Subtitle B—Conflicts of Interests

SEC. 9101. PROHIBITING MEMBERS OF HOUSE OF REPRESENTATIVES FROM SERVING ON BOARDS OF FOR-PROFIT ENTITIES.

Rule XXIII of the Rules of the House of Representatives is amended—

(1) by redesignating clause 19 as clause 20; and

(2) by inserting after clause 18 the following new clause:

''9. A Member, Delegate, or Resident Commissioner may not serve on the board of directors of any for-profit entity.''.

SEC. 9102. CONFLICT OF INTEREST RULES FOR MEMBERS OF CONGRESS AND CONGRESSIONAL STAFF.

No Member, officer, or employee of a committee or Member of either House of Congress may knowingly use his or her official position to introduce or aid the progress or passage of legislation, a principal purpose of which is to further only his or her pecuniary interest, only the pecuniary interest of his or her immediate family, or only the pecuniary interest of a limited class of persons or enterprises, when he or she, or his or her immediate family, or enterprises controlled by them, are members of the affected class.

SEC. 9103. EXERCISE OF RULEMAKING POWERS.

The provisions of this subtitle are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

Subtitle C—Campaign Finance and Lobbying Disclosure

SEC. 9201. SHORT TITLE.

This subtitle may be cited as the ''Connecting Lobbyists and Electeds for Accountability and Reform Act'' or the ''CLEAR Act''.

SEC. 9202. REQUIRING DISCLOSURE IN CERTAIN REPORTS FILED WITH FEDERAL ELECTION COMMISSION OF PERSONS WHO ARE REGISTERED LOBBYISTS.

(a) REPORTS FILED BY POLITICAL COMMITTEES.—Section 304(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(b)) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

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

''(9) if any person identified in subparagraph (A), (E), (F), or (G) of paragraph (3) is a registered lobbyist under the Lobbying Disclosure Act of 1995, a separate statement that such person is a registered lobbyist under such Act.''.

(b) REPORTS FILED BY PERSONS MAKING INDEPENDENT EXPENDITURES.—Section 304(c)(2) of such Act (52 U.S.C. 30104(c)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(D) if the person filing the statement, or a person whose identification is required to be disclosed under subparagraph (C), is a registered lobbyist under the Lobbying Disclosure Act of 1995, a separate statement that such person is a registered lobbyist under such Act.''.

(c) REPORTS FILED BY PERSONS MAKING DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.—Section 304(f)(2) of such Act (52 U.S.C. 30104(f)(2)) is amended by adding at the end the following new subparagraph:

''(G) If the person making the disbursement, or a contributor described in subparagraph (E) or (F), is a registered lobbyist under the Lobbying Disclosure Act of 1995, a separate statement that such person or contributor is a registered lobbyist under such Act.''.

(d) REQUIRING COMMISSION TO ESTABLISH LINK TO WEBSITES OF CLERK OF HOUSE AND SECRETARY OF SENATE.—Section 304 of such Act (52 U.S.C. 30104), as amended by section 4308(a), is amended by adding at the end the following new subsection:

''(k) REQUIRING INFORMATION ON REGISTERED LOBBYISTS TO BE LINKED TO WEBSITES OF CLERK OF HOUSE AND SECRETARY OF SENATE.—

''(1) LINKS TO WEBSITES.—The Commission shall ensure that the Commission's public database containing information described in paragraph (2) is linked electronically to the websites maintained by the Secretary of the Senate and the Clerk of the House of Representatives containing information filed pursuant to the Lobbying Disclosure Act of 1995.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph is each of the following:

''(A) Information disclosed under paragraph (9) of subsection (b).

''(B) Information disclosed under subparagraph (D) of subsection (c)(2).

''(C) Information disclosed under subparagraph (G) of subsection (f)(2).''.

SEC. 9203. EFFECTIVE DATE.

The amendments made by this subtitle shall apply with respect to reports required to be filed under the Federal Election Campaign Act of 1971 on or after the expiration of the 90-day period which begins on the date of the enactment of this Act.

Subtitle D—Access to Congressionally Mandated Reports

SEC. 9301. SHORT TITLE.

This subtitle may be cited as the ''Access to Congressionally Mandated Reports Act''.

SEC. 9302. DEFINITIONS.

In this subtitle:

(1) CONGRESSIONALLY MANDATED REPORT.—The term ''congressionally mandated report''—

(A) means a report that is required to be submitted to either House of Congress or any committee of Congress, or subcommittee thereof, by a statute, resolution, or conference report that accompanies legislation enacted into law; and

(B) does not include a report required under part B of subtitle II of title 36, United States Code.

(2) DIRECTOR.—The term ''Director'' means the Director of the Government Publishing Office.

(3) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given that term under section 102 of title 40, United States Code, but does not include the Government Accountability Office.

(4) OPEN FORMAT.—The term ''open format'' means a file format for storing digital data based on an underlying open standard that—

(A) is not encumbered by any restrictions that would impede reuse; and

(B) is based on an underlying open data standard that is maintained by a standards organization.

(5) REPORTS ONLINE PORTAL.—The term ''reports online portal'' means the online portal established under section (3)(a).

SEC. 9303. ESTABLISHMENT OF ONLINE PORTAL FOR CONGRESSIONALLY MANDATED REPORTS.

(a) REQUIREMENT TO ESTABLISH ONLINE PORTAL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall establish and maintain an online portal accessible by the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place. The Director may publish other reports on the online portal.

(2) EXISTING FUNCTIONALITY.—To the extent possible, the Director shall meet the requirements under paragraph (1) by using existing online portals and functionality under the authority of the Director.

(3) CONSULTATION.—In carrying out this subtitle, the Director shall consult with the Clerk of the House of Representatives, the Secretary of the Senate, and the Librarian of Congress regarding the requirements for and maintenance of congressionally mandated reports on the reports online portal.

(b) CONTENT AND FUNCTION.—The Director shall ensure that the reports online portal includes the following:

(1) Subject to subsection (c), with respect to each congressionally mandated report, each of the following:

(A) A citation to the statute, conference report, or resolution requiring the report.

(B) An electronic copy of the report, including any transmittal letter associated with the report, in an open format that is platform independent and that is available to the public without restrictions, including restrictions that would impede the re-use of the information in the report.

(C) The ability to retrieve a report, to the extent practicable, through searches based on each, and any combination, of the following:

(i) The title of the report.

(ii) The reporting Federal agency.

(iii) The date of publication.

(iv) Each congressional committee receiving the report, if applicable.

(v) The statute, resolution, or conference report requiring the report.

(vi) Subject tags.

(vii) A unique alphanumeric identifier for the report that is consistent across report editions.

(viii) The serial number, Superintendent of Documents number, or other identification number for the report, if applicable.

(ix) Key words.

(x) Full text search.

(xi) Any other relevant information specified by the Director.

(D) The date on which the report was required to be submitted, and on which the report was submitted, to the reports online portal.

(E) Access to the report not later than 30 calendar days after its submission to Congress.

(F) To the extent practicable, a permanent means of accessing the report electronically.

(2) A means for bulk download of all congressionally mandated reports.

(3) A means for downloading individual reports as the result of a search.

(4) An electronic means for the head of each Federal agency to submit to the reports online portal each congressionally mandated report of the agency, as required by section 4.

(5) In tabular form, a list of all congressionally mandated reports that can be searched, sorted, and downloaded by—

(A) reports submitted within the required time;

(B) reports submitted after the date on which such reports were required to be submitted; and

(C) reports not submitted.

(c) NONCOMPLIANCE BY FEDERAL AGENCIES.—

(1) REPORTS NOT SUBMITTED.—If a Federal agency does not submit a congressionally mandated report to the Director, the Director shall to the extent practicable—

(A) include on the reports online portal—

(i) the information required under clauses (i), (ii), (iv), and (v) of subsection (b)(1)(C); and

(ii) the date on which the report was required to be submitted; and

(B) include the congressionally mandated report on the list described in subsection (b)(5)(C).

(2) REPORTS NOT IN OPEN FORMAT.—If a Federal agency submits a congressionally mandated report that is not in an open format, the Director shall include the congressionally mandated report in another format on the reports online portal.

(d) FREE ACCESS.—The Director may not charge a fee, require registration, or impose any other limitation in exchange for access to the reports online portal.

(e) UPGRADE CAPABILITY.—The reports online portal shall be enhanced and updated as necessary to carry out the purposes of this subtitle.

SEC. 9304. FEDERAL AGENCY RESPONSIBILITIES.

(a) SUBMISSION OF ELECTRONIC COPIES OF REPORTS.—Concurrently with the submission to Congress of each congressionally mandated report, the head of the Federal agency submitting the congressionally mandated report shall submit to the Director the information required under subparagraphs (A) through (D) of section 3(b)(1) with respect to the congressionally mandated report. Nothing in this subtitle shall relieve a Federal agency of any other requirement to publish the congressionally mandated report on the online portal of the Federal agency or otherwise submit the congressionally mandated report to Congress or specific committees of Congress, or subcommittees thereof.

(b) GUIDANCE.—Not later than 240 days after the date of enactment of this Act, the

Director of the Office of Management and Budget, in consultation with the Director, shall issue guidance to agencies on the implementation of this Act.

(c) STRUCTURE OF SUBMITTED REPORT DATA.—The head of each Federal agency shall ensure that each congressionally mandated report submitted to the Director complies with the open format criteria established by the Director in the guidance issued under subsection (b).

(d) POINT OF CONTACT.—The head of each Federal agency shall designate a point of contact for congressionally mandated report.

(e) LIST OF REPORTS.—As soon as practicable each calendar year (but not later than April 1), and on a rolling basis during the year if feasible, the Librarian of Congress shall submit to the Director a list of congressionally mandated reports from the previous calendar year, in consultation with the Clerk of the House of Representatives, which shall—

(1) be provided in an open format;

(2) include the information required under clauses (i), (ii), (iv), (v) of section 3(b)(1)(C) for each report;

(3) include the frequency of the report;

(4) include a unique alphanumeric identifier for the report that is consistent across report editions;

(5) include the date on which each report is required to be submitted; and

(6) be updated and provided to the Director, as necessary.

SEC. 9305. REMOVING AND ALTERING REPORTS.

A report submitted to be published to the reports online portal may only be changed or removed, with the exception of technical changes, by the head of the Federal agency concerned if—

(1) the head of the Federal agency consults with each congressional committee to which the report is submitted; and

(2) Congress enacts a joint resolution authorizing the changing or removal of the report.

SEC. 9306. RELATIONSHIP TO THE FREEDOM OF INFORMATION ACT.

(a) IN GENERAL.—Nothing in this subtitle shall be construed to—

(1) require the disclosure of information or records that are exempt from public disclosure under section 552 of title 5, United States Code; or

(2) to impose any affirmative duty on the Director to review congressionally mandated reports submitted for publication to the reports online portal for the purpose of identifying and redacting such information or records.

(b) REDACTION OF INFORMATION.—The head of a Federal agency may redact information required to be disclosed under this Act if the information would be properly withheld from disclosure under section 552 of title 5, United States Code, and shall—

(1) redact information required to be disclosed under this subtitle if disclosure of such information is prohibited by law;

(2) redact information being withheld under this subsection prior to submitting the information to the Director;

(3) redact only such information properly withheld under this subsection from the submission of information or from any congressionally mandated report submitted under this subtitle;

(4) identify where any such redaction is made in the submission or report; and

(5) identify the exemption under which each such redaction is made.

SEC. 9307. IMPLEMENTATION.

Except as provided in section 9304(b), this subtitle shall be implemented not later than 1 year after the date of enactment of this Act and shall apply with respect to congressionally mandated reports submitted to Congress on or after the date that is 1 year after such date of enactment.

Subtitle E—Severability

SEC. 9401. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

TITLE X—PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY

Sec. 10001. Presidential and Vice Presidential tax transparency.

SEC. 10001. PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY.

(a) DEFINITIONS.—In this section—

(1) The term ''covered candidate'' means a candidate of a major party in a general election for the office of President or Vice President.

(2) The term ''major party'' has the meaning given the term in section 9002 of the Internal Revenue Code of 1986.

(3) The term ''income tax return'' means, with respect to an individual, any return (as such term is defined in section 6103(b)(1) of the Internal Revenue Code of 1986, except that such term shall not include declarations of estimated tax) of—

(A) such individual, other than information returns issued to persons other than such individual, or

(B) of any corporation, partnership, or trust in which such individual holds, directly or indirectly, a significant interest as the sole or principal owner or the sole or principal beneficial owner (as such terms are defined in regulations prescribed by the Secretary of the Treasury or his delegate).

(4) The term ''Secretary'' means the Secretary of the Treasury or the delegate of the Secretary.

(b) DISCLOSURE.—

(1) IN GENERAL.—

(A) CANDIDATES FOR PRESIDENT AND VICE PRESIDENT.—Not later than the date that is 15 days after the date on which an individual becomes a covered candidate, the individual shall submit to the Federal Election Commission a copy of the individual's income tax returns for the 10 most recent taxable years for which a return has been filed with the Internal Revenue Service.

(B) PRESIDENT AND VICE PRESIDENT.—With respect to an individual who is the President or Vice President, not later than the due date for the return of tax for each taxable year, such individual shall submit to the Federal Election Commission a copy of the individual's income tax returns for the taxable year and for the 9 preceding taxable years.

(C) TRANSITION RULE FOR SITTING PRESIDENTS AND VICE PRESIDENTS.—Not later than the date that is 30 days after the date of enactment of this section, an individual who is the President or Vice President on such date of enactment shall submit to the Federal Election Commission a copy of the income tax returns for the 10 most recent taxable years for which a return has been filed with the Internal Revenue Service.

(2) FAILURE TO DISCLOSE.—If any requirement under paragraph (1) to submit an income tax return is not met, the chairman of the Federal Election Commission shall submit to the Secretary a written request that the Secretary provide the Federal Election Commission with the income tax return.

(3) PUBLICLY AVAILABLE.—The chairman of the Federal Election Commission shall make publicly available each income tax return submitted under paragraph (1) in the same manner as a return provided under section 6103(l)(23) of the Internal Revenue Code of 1986 (as added by this section).

(4) TREATMENT AS A REPORT UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.—For purposes of the Federal Election Campaign Act of 1971, any income tax return submitted under paragraph (1) or provided under section 6103(l)(23) of the Internal Revenue Code of 1986 (as added by this section) shall, after redaction under paragraph (3) or subparagraph (B)(ii) of such section, be treated as a report filed under the Federal Election Campaign Act of 1971.

(c) DISCLOSURE OF RETURNS OF PRESIDENTS AND VICE PRESIDENTS AND CERTAIN CANDIDATES FOR PRESIDENT AND VICE PRESIDENT.—

(1) IN GENERAL.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION OF PRESIDENTS AND VICE PRESIDENTS AND CERTAIN CANDIDATES FOR PRESIDENT AND VICE PRESIDENT.—

''(A) IN GENERAL.—Upon written request by the chairman of the Federal Election Commission under section 10001(b)(2) of the For the People Act of 2019, not later than the date that is 15 days after the date of such request, the Secretary shall provide copies of any return which is so requested to officers and employees of the Federal Election Commission whose official duties include disclosure or redaction of such return under this paragraph.

''(B) DISCLOSURE TO THE PUBLIC.—

''(i) IN GENERAL.—The chairman of the Federal Election Commission shall make publicly available any return which is provided under subparagraph (A).

''(ii) REDACTION OF CERTAIN INFORMATION.—Before making publicly available under clause (i) any return, the chairman of the Federal Election Commission shall redact such information as the Federal Election Commission and the Secretary jointly determine is necessary for protecting against identity theft, such as social security numbers.''.

(2) CONFORMING AMENDMENTS.—Section 6103(p)(4) of such Code is amended—

(A) in the matter preceding subparagraph (A) by striking ''or (22)'' and inserting ''(22), or (23)'', and

(B) in subparagraph (F)(ii) by striking ''or (22)'' and inserting ''(22), or (23)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to disclosures made on or after the date of enactment of this Act.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116–16 and amendments en bloc described in section 3 of House Resolution 172.

Each further amendment printed in part B of the report may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on House Administration or her designee to offer amendments en bloc consisting of

amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on House Administration or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1700

AMENDMENT NO. 1 OFFERED BY MR. SUOZZI

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116–16.

Mr. SUOZZI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 323, after line 6, insert the following:

SEC. 4103. AUDIT AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.), as amended by section 1821, is further amended by inserting after section 319A the following new section:

''SEC. 319B. AUDIT AND REPORT ON DISBURSEMENTS BY FOREIGN NATIONALS.

''(a) AUDIT.—

''(1) IN GENERAL.—The Commission shall conduct an audit after each Federal election cycle to determine the incidence of illicit foreign money in such Federal election cycle.

''(2) PROCEDURES.—In carrying out paragraph (1), the Commission shall conduct random audits of any disbursements required to be reported under this Act, in accordance with procedures established by the Commission.

''(b) REPORT.—Not later than 180 days after the end of each Federal election cycle, the Commission shall submit to Congress a report containing—

''(1) results of the audit required by subsection (a)(1); and

''(2) recommendations to address the presence of illicit foreign money in elections, as appropriate.

''(c) DEFINITIONS.—As used in this section:

''(1) The term 'Federal election cycle' means the period which begins on the day after the date of a regularly scheduled general election for Federal office and which ends on the date of the first regularly scheduled general election for Federal office held after such date.

''(2) The term 'illicit foreign money' means any disbursement by a foreign national (as defined in section 319(b)) prohibited under such section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the Federal election cycle that began during November 2018, and each succeeding Federal election cycle.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from New York (Mr. SUOZZI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SUOZZI. Mr. Chairman, before I speak about our bipartisan amendment, I would like to thank Representatives SARBANES and LOFGREN for their hard work on H.R. 1.

I would also like to commend Chairman MCGOVERN and his staff on the Rules Committee—and the entire Rules Committee—for making our amendment in order and for working with the Problem Solvers Caucus and other pragmatic Members to foster an inclusive process.

Our bipartisan amendment No. 1 to H.R. 1, with 24 Democrats and 20 Republican cosponsors, would require the Federal Election Commission to conduct an audit after each Federal election cycle to determine any incidence of illicit foreign money in the election.

The reason we have such a bipartisan-supported amendment is because of the hard work of the Problem Solvers Caucus, chaired by my friends Chairman REED for the Republicans and Chairman GOTTHEIMER for the Democrats.

In January, our colleagues on the Problem Solvers Caucus worked with the leadership to negotiate the 20–20 rule as part of our Break the Gridlock proposal.

This amendment is the first amendment to receive preferential treatment under the 20–20 rule by the Rules Committee, and we are happy to see our addition to the rules package has worked its way to encourage transparency and bipartisanship in the 116th Congress.

Mr. Chairman, campaign finance law has loopholes, leaving the American electoral process susceptible to illicit funding from foreign nationals, corporations, and governments.

Foreign money easily influences our elections by passing funds through shell corporations, U.S. subsidiaries, investments, trade associations, and shell companies. Under our proposed amendment, within 180 days of an election, the FEC will submit to Congress a report containing audit results and recommendations to address the presence of illicit foreign money.

I urge the Members of this Congress to continue to utilize the 20–20 rule and gain some muscle memory of working in a bipartisan way to work for the American people.

Confidence in our electoral process is essential to faith in our government institutions, and I urge the passage of this bipartisan amendment to H.R. 1.

Mr. Chair, I reserve the balance of my time.

Mr. REED. Mr. Chair, I seek the Republican response time.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. REED. Mr. Chairman, I would like to start by thanking my colleague, Mr. SUOZZI from New York, as well as our Republican colleague, Mr. FITZPATRICK, who led the charge on this amendment process in this amendment before you.

I would also take a moment to thank my co-chair on the Problem Solvers Caucus, Mr. GOTTHEIMER from New Jersey.

Though we may disagree on the fundamental bill before us, Mr. Chairman, I am pleased to be able to report to the American people today that there are still Members here that are looking to find common ground.

In the amendment before you that has been put forward in this new mechanism in the Rules Committee to encourage bipartisan debate, we have found that common ground in regards to the transparency and the requirements that this amendment calls for in regards to making sure that, if foreign money is in our election process, we do what we can in order to root that out and bring sunshine to that issue for all Americans to see.

I encourage my colleagues on our side of the aisle to support this amendment because this is that common ground that, even though we may fundamentally disagree on some of the final conclusions of H.R. 1 and the issue and the debate that we have already seen on display here today, this is something that common sense dictates that we come together for as Democrats and Republicans, working together to find that common ground to advance the American cause.

Mr. Chair, I reserve the balance of my time.

Mr. SUOZZI. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Virginia (Ms. SPANBERGER).

Ms. SPANBERGER. Mr. Chair, I thank the gentleman for yielding, and I rise in support of this amendment to H.R. 1.

I speak today as someone who has spent my career in public service identifying foreign threats to the safety and security of the American people. As a former CIA officer, I worked to identify threats to our country, our fellow Americans, and threats that would leave our Nation vulnerable to attack, espionage, or foreign influence.

As Congress acts this week to restore transparency to our government and regain trust from the people we serve, we must take steps to prevent foreign influence in our democratic process. I support efforts to push back against the very real threat of foreign financial influence. I know nefarious actors are out there. I know they are tireless in their commitment to target our foundational institutions, including our voting process.

The American people shouldn't have to worry about the ability of foreign governments or entities to influence our elections and our citizens, but senseless loopholes in our campaign finance system have left our electoral process vulnerable to spending by foreign governments, corporations, and foreign nationals. These foreign entities should not have the ability to exert influence over the issues that impact Americans most, including the national defense, healthcare, and our financial services sector. That is why I am proud to cosponsor this much-needed, bipartisan amendment.

This amendment would strengthen the integrity of our elections by encouraging our government to ensure

that our campaign finance system is not falling prey to signs of foreign money in our politics. It would require the FEC to conduct an audit to look for foreign money in our elections and then require the FEC to report its findings.

Mr. REED. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. GOTTHEIMER), Democratic co-chair of the Problem Solvers Caucus, in the spirit of bipartisanship and in the effort to find common ground.

Mr. GOTTHEIMER. Mr. Chairman, I thank my co-chair of the Problem Solvers Caucus, TOM REED, for his leadership.

Mr. Chair, thank you for allowing me to speak on behalf of this important bipartisan amendment to H.R. 1. I also want to thank Congresswoman LOFGREN and Congressman SARBANES for their leadership on this legislation. And my colleagues who offered this amendment, my very good friend Congressman SUOZZI and Congressman FITZPATRICK, I thank them for their work on this bipartisan Problem Solvers Caucus initiative, which I know will further help improve H.R. 1 by stopping the flow of foreign money into our elections.

This amendment was developed with strong support from the bipartisan Problem Solvers Caucus, utilizing the new Break the Gridlock rules reforms that the caucus helped put in place in the new Congress.

This is the first time the 20–20 rule is being utilized for broad, bipartisan support legislation, and an amendment like this sends exactly the right signal to the American people that we can work together to move legislation.

I am proud to be a cosponsor of H.R. 1, the For the People Act, which will help strengthen voting rights in our country, help clean corruption out of our politics, and protect free and fair elections, which is the bedrock of our democracy.

Civil rights means everyone in our great Nation has equal rights and, therefore, equal speech. Dark money in our politics flies in the face of that American ideal, from wherever it comes. Even worse is dark foreign money.

Loopholes in our campaign finance system have left our electoral process vulnerable to unlimited spending by foreign governments, corporations, and foreign nationals in our elections. We have seen that foreign entities are able to spend undisclosed amounts of money to influence U.S. elections by using subsidiaries, shell corporations, or advocacy groups to hide their influence.

In 2016, American Pacific International Capital, a company owned by Chinese nationals, used these loopholes to donate $1.3 million to a super-PAC in the Presidential election.

The Acting CHAIR. The time of the gentleman has expired.

Mr. REED. Mr. Chair, I yield the gentleman an additional 15 seconds.

Mr. GOTTHEIMER. Even in this most recent election in 2018, Iran, China, and Russia all attempted to influence American voters and policy.

Americans on both sides of the aisle agree this is a critically important issue that we must do something about. The adoption of this amendment will further codify the intent of Congress to end unchecked foreign spending, which is the scourge of our democracy.

Mr. Chair, I look forward to more support for 20–20 legislative amendments.

Mr. SUOZZI. Mr. Chair, I reserve the remainder of my time to close.

Mr. REED. Mr. Chair, I have no other speakers and am prepared to close.

Mr. Chairman, as we wrap up the debate on this amendment, I hope we have demonstrated that there is common ground to be found in this Chamber.

I would like to take a moment to thank, again, my colleagues, but also the Rules Committee, Mr. MCGOVERN and his staff, for working with us in regards to this new reform of the rules process that will reward and encourage bipartisan behavior and bipartisan common ground-finding efforts.

I encourage all Members on both sides of the aisle: Utilize this new rule path to bring forth ideas that benefit the American people in a bipartisan way.

At the end of the day, this amendment is something we should all support for the reasons articulated by my colleagues on the other side and as articulated, hopefully, by myself today in regards to supporting this reform that goes at the issue of foreign money in our elections.

Mr. Chair, I encourage our Members to support this amendment, and I yield back the balance of my time.

Mr. SUOZZI. Mr. Chairman, I want to applaud my colead on this bill, this bipartisan bill, Congressman FITZPATRICK, a Republican from Pennsylvania, who couldn't be here today, but he worked very hard on this, as did the other colleagues who have spoken here already.

The people of America are hungering for bipartisanship. They are hungering for people to work together to try and solve the problems in this country.

We hope that the use of the 20–20 rule and this amendment, with 24 Democrats and 20 Republicans, is one small step in that process to demonstrate that people can work together to solve problems.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SUOZZI).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BUTTERFIELD

The Acting CHAIR (Mr. CÁRDENAS). It is now in order to consider amendment No. 2 printed in part B of House Report 116–16.

Mr. BUTTERFIELD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 136, strike lines 6 through 11 and insert the following:

''(c) LOCATION OF POLLING PLACES.—

''(1) PROXIMITY TO PUBLIC TRANSPORTATION.—To the greatest extent practicable, a State shall ensure that each polling place which allows voting during an early voting period under subsection (a) is located within walking distance of a stop on a public transportation route.

''(2) AVAILABILITY IN RURAL AREAS.—The State shall ensure that polling places which allow voting during an early voting period under subsection (a) will be located in rural areas of the State, and shall ensure that such polling places are located in communities which will provide the greatest opportunity for residents of rural areas to vote during the early voting period.''.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from North Carolina (Mr. BUTTERFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. BUTTERFIELD. Mr. Chairman, I rise in support of my amendment to improve early voting in rural communities.

My amendment would ensure that early voting locations in rural communities are placed strategically in communities to provide the greatest access to rural voters seeking to cast their ballots.

I urge my colleagues to join me in supporting this amendment.

My amendment, Mr. Chairman, gets to the heart of what we have been trying to do here today with H.R. 1, and that is to make voting easier.

My amendment builds on the underlying text of H.R. 1 that directs States to locate early voting locations within walking distance of stops on public transportation routes by recognizing that rural communities face very different challenges to voting as compared to voters in urban communities.

In many rural communities, Mr. Chairman, like the ones that I represent in eastern North Carolina, there is no public transportation in many of those communities, so polling locations in these communities need to be located where these voters will have the best chance to let their voices be heard in our elections, and my amendment would simply ensure that that happens.

Mr. Chairman, rural communities are facing many challenges, but their ability to participate in our elections should not be one of those challenges. I think all of us on both sides of the aisle can agree on this.

During the markup at the committee, I got a good feeling about it, and I hoped my friend from Illinois (Mr. RODNEY DAVIS) would be willing to work with me in getting this amendment passed.

Mr. Chair, I urge my colleagues to support the amendment, and I reserve the balance of my time.

□ 1715

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I claim time in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I appreciate my good friend and colleague from North Carolina's assertion that we have to be cognizant of what is happening in rural America and how, maybe a top-down approach from Washington may not be the best approach when we might not have public transportation opportunities in many of the rural areas that he and I both serve.

But, as Mr. BUTTERFIELD is a member of the House Administration Committee, I would have hoped that this amendment would have been offered during the committee markup, the markup, the only markup that was held on this 622-page bill. We offered 28 amendments on the Republican side and not a single one was accepted.

These are the types of amendments I would have loved to have seen have bipartisan support in the committee process because I am from a rural area. I understand it is sometimes difficult for people in rural areas to vote.

But we have got to leave it up to the States and localities to be able to determine where these polling places are going to go, especially in the rural areas.

We have a hard enough time having somebody here in Washington figure out where everybody is going to be in an office every 2 years. Can you imagine somebody in a concrete building out here in Washington, D.C., determining where a polling place should or should not be in a town that I represent in central Illinois?

That is my problem with this bill; it is a top-down approach that takes away the ability for locals to really truly get polling places in areas that are accessible for every voter to be able to cast their vote.

Mr. Chairman, I want every single American to be able to vote. Every vote, every single vote in every American vote deserves to be counted and protected.

I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Chairman, the gentleman from Illinois would remember that at the subcommittee markup, or the full committee markup, we did have a very healthy conversation about this topic. I acknowledge that no amendment was offered at the committee, but I felt a consensus, Mr. DAVIS, when we discussed it at the committee, and I thought that it would be accepted by the other side.

But suffice it to say that rural communities deserve to have polling locations that are convenient to all of its citizens. We are talking about Federal elections, not local elections, so I would ask my colleagues to reconsider and support this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chairman, I thank the gentleman for yielding, and I want to thank him for his work on House Administration. I know, as well, that Congressman ANTHONY BROWN helped with this particular amendment.

This is really critical. This is all about, and H.R. 1, in large part, is about the journey to the ballot box, and how do we make that journey easier for people; how do we make sure that they can get there without too much of an undue burden; and that is what this would do for rural voters.

This would require that States ensure that the polling places are located in rural areas. So this idea that somebody in Washington is going to be deciding where the location is, that is preposterous. We are just saying make sure that the State figures it out; and so each State can decide what makes the most sense in terms of placing these voting places for rural voters.

So it is a very, very commonsense amendment. I want to thank the gentleman for introducing it and, definitely, I support it.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, my colleague from North Carolina is right. We had a good, healthy discussion on how rural voters could be adversely impacted by the original language that was in the bill that would have required polling places to be next to areas of mass transit.

Well, as we both know, there are many areas we serve that don't have access to mass transit. My problem is not with what this amendment does. My problem, again, is with the process.

My problem is how are we going to determine—and my biggest fear is that if Washington is determining where polling places should go, maybe we are not allowing the locals to determine best how to ensure that voters get easiest access to being able to cast their vote.

I want to work with the gentleman from North Carolina to address many rural needs, especially when it comes to our oversight responsibility of elections. And I certainly hope—I do believe this amendment will pass—and I certainly hope, if it becomes a law, which I don't believe H.R. 1 will become law, but I would really encourage us to be able to work together after this is done and maybe work in a separate fashion to address rural voting communities' needs. And I look forward to working with the gentleman.

Mr. Chairman, I know we have a lot of amendments, so I will go ahead and yield back the balance of my time.

Mr. BUTTERFIELD. Mr. Chair, let me thank the gentleman for his comments and thank him for his friendship. The gentleman is right; we do serve on the House Administration Committee together. He is the ranking member of the committee and Ms. LOFGREN is the chair. We will have many opportunities to work together, and I look forward to working with the gentleman and all of the committee on very important issues as we go forward.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. RASKIN

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 116–16.

Mr. RASKIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 383, after line 19, add the following new section:

SEC. 4502. ASSESSMENT OF SHAREHOLDER PREFERENCES FOR DISBURSEMENTS FOR POLITICAL PURPOSES.

(a) ASSESSMENT REQUIRED.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 10D the following:

"SEC. 10E. ASSESSMENT OF SHAREHOLDER PREFERENCES FOR DISBURSEMENTS FOR POLITICAL PURPOSES.

''(a) ASSESSMENT REQUIRED BEFORE MAKING A DISBURSEMENT FOR A POLITICAL PURPOSE.—

''(1) REQUIREMENT.—An issuer with an equity security listed on a national securities exchange may not make a disbursement for a political purpose unless—

''(A) the issuer has in place procedures to assess the preferences of the shareholders of the issuer with respect to making such disbursements; and

''(B) such an assessment has been made within the 1-year period ending on the date of such disbursement.

''(2) TREATMENT OF ISSUERS WHOSE SHAREHOLDERS ARE PROHIBITED FROM EXPRESSING PREFERENCES.—Notwithstanding paragraph (1), an issuer described under such paragraph with procedures in place to assess the preferences of its shareholders with respect to making disbursements for political purposes shall not be considered to meet the requirements of such paragraph if a majority of the number of the outstanding equity securities of the issuer are held by persons who are prohibited from expressing partisan or political preferences by law, contract, or the requirement to meet a fiduciary duty.

''(b) ASSESSMENT REQUIREMENTS.—The assessment described under subsection (a) shall assess—

''(1) which types of disbursements for a political purpose the shareholder believes the issuer should make;

''(2) whether the shareholder believes that such disbursements should be made in support of, or in opposition to, Republican, Democratic, Independent, or other political party candidates and political committees;

''(3) whether the shareholder believes that such disbursements should be made with respect to elections for Federal, State, or local office; and

''(4) such other information as the Commission may specify, by rule.

''(c) DISBURSEMENT FOR A POLITICAL PURPOSE DEFINED.—

''(1) IN GENERAL.—For purposes of this section, the term 'disbursement for a political purpose' means any of the following:

''(A) A disbursement for an independent expenditure, as defined in section 301(17) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(17)).

''(B) A disbursement for an electioneering communication, as defined in section 304(f)

of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)).

''(C) A disbursement for any public communication, as defined in section 301(22) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)—

''(i) which expressly advocates the election or defeat of a clearly identified candidate for election for Federal office, or is the functional equivalent of express advocacy because, when taken as a whole, it can be interpreted by a reasonable person only as advocating the election or defeat of a candidate for election for Federal office; or

''(ii) which refers to a clearly identified candidate for election for Federal office and which promotes or support a candidate for that office, or attacks or opposes a candidate for that office, without regard to whether the communication expressly advocates a vote for or against a candidate for that office.

''(D) Any other disbursement which is made for the purpose of influencing the outcome of an election for a public office.

''(E) Any transfer of funds to another person which is made with the intent that such person will use the funds to make a disbursement described in subparagraphs (A) through (D), or with the knowledge that the person will use the funds to make such a disbursement.

''(2) EXCEPTIONS.—The term 'disbursement for a political purpose' does not include any of the following:

''(A) Any disbursement made from a separate segregated fund of the corporation under section 316 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30118).

''(B) Any transfer of funds to another person which is made in a commercial transaction in the ordinary course of any trade or business conducted by the corporation or in the form of investments made by the corporation.

''(C) Any transfer of funds to another person which is subject to a written prohibition against the use of the funds for a disbursement for a political purpose.

''(d) OTHER DEFINITIONS.—In this section, each of the terms 'candidate', 'election', 'political committee', and 'political party' has the meaning given such term under section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).''.

(b) CONFORMING AMENDMENT TO FEDERAL ELECTION CAMPAIGN ACT OF 1971 TO PROHIBIT DISBURSEMENTS BY CORPORATIONS FAILING TO ASSESS PREFERENCES.—Section 316 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30118) is amended by adding at the end the following new subsection:

''(d) PROHIBITING DISBURSEMENTS BY CORPORATIONS FAILING TO ASSESS SHAREHOLDER PREFERENCES.—

''(1) PROHIBITION.—It shall be unlawful for a corporation to make a disbursement for a political purpose unless the corporation has in place procedures to assess the preferences of its shareholders with respect to making such disbursements, as provided in section 10E of the Securities Exchange Act of 1934.

''(2) DEFINITION.—In this section, the term 'disbursement for a political purpose' has the meaning given such term in section 10E(c) of the Securities Exchange Act of 1934.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after December 31, 2019.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from Maryland (Mr. RASKIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RASKIN. Mr. Chair, I yield myself such time as I may consume, and I rise to offer this amendment to H.R. 1.

For decades, the law prevented business corporations from engaging in campaign spending. But the Supreme Court destroyed that prohibition with its watershed decision in 2010, in the Citizens United case, which, for the first time, defined for-profit business corporations as political membership associations and, thereby, unleashed billions of dollars in corporate treasury money into the political system.

Since then, corporations have taken advantage of this newfound constitutional identity and political freedom by investing hundreds of millions of dollars, perhaps billions, in campaign expenditures and the torrent of ''dark money'' now coursing through the political system.

But who are these corporations speaking for?

Well, according to the court, they are speaking for the shareholders. Writing for the majority, Justice Kennedy took the position that corporate political campaigning is on behalf of the shareholders, an association of individuals who have taken on the corporate form.

But, in reality, we know that CEOs engage in political spending without the knowledge, much less the consent of the shareholders whose First Amendment rights are allegedly being exercised.

Anyone who has a retirement fund with money invested in corporate equities will know that they have never been asked whether they want a portion of their retirement money invested in Republican or Democratic or other campaigns. The CEOs just do it without their participation.

What can be done to stop shareholders' money from being spent on campaigns without their knowledge or consent?

Most Americans want a constitutional amendment to reverse Citizens United and restore the definition of corporations as economic entities barred from politics. But there is something that we can do right now, short of that, simply by enforcing Citizens United on its own terms. Justice Kennedy said the main check against abuse of this new right would be exercised by the ''shareholders through the procedures of corporate democracy.''

Justice Kennedy assumed a world of comprehensive and immediate disclosure. He wrote: ''Shareholder objections raised through the procedures of corporate democracy can be more effective today because modern technology makes disclosures rapid and informative. With the advent of the Internet, prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable . . . citizens can see whether elected officials are in the pocket of so-called moneyed interests.''

But the current system provides nothing like that kind of transparency and accountability. This amendment, the Shareholders United Act of 2019, will begin to change the secrecy, darkness, and oligarchical implications of the current system.

It would require publicly-traded corporations to get shareholder buy-in on the front end before their money is channeled into political campaigns. Companies would have to develop a process to assess shareholder preferences for political spending, and make any such spending within a year of assessing the majority's preferences.

Moreover, the amendment recognizes that some shareholders are institutional investors, like pension funds, States, and cities, mutual funds, universities or charities, which are categorically forbidden from expressing partisan political preferences.

If this type of investor holds a majority of corporate shares, the corporation would not be able to make expenditures from the general treasury because the CEO, at that point, would paradoxically be speaking for institutional shareholders that may not themselves speak in politics.

Citizens are begging for this kind of commonsense regulation and promotion of corporate democracy. People invest in the stock market to save for retirement, or to send their kids to college, not to support their favorite political candidates, much less their most disfavored ones.

I know that I would be mad as hell to learn that my retirement money was being spent, being given away to Donald Trump and the RNC; just as I assume my GOP friends don't want their pension dollars going to the DNC or to help ELIZABETH WARREN's Presidential campaign.

People who invest in the stock market should not be used as the pawns for the political designs of CEOs. I urge my colleagues on both sides of the aisle to support this commonsense amendment called for by Justice Kennedy's opinion in Citizens United.

I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, again, as I mentioned earlier, I would have liked to have seen these amendments offered during our House Administration markup as my good friend from Maryland is also a member of the House Administration Committee.

There was some discussion on issues like this and I was under the impression, during that markup process, that provisions like my opponent put into this amendment were already part of the bill.

But let me add, this amendment would turn businesses and corporations into partisan political entities and shareholder meetings and votes into political conventions.

It would require corporations to poll their shareholders on whether the corporation's political spending should be

made in support of, in opposition to Republican, Democratic, Independent, or other political party candidates and political committees.

Business decisions drive corporations' political spending. This would inject partisan political considerations into corporate political spending.

And let me remind the American people, corporations are banned by law currently to be able to give directly to candidates or to organizations that will directly support or oppose candidates during an election cycle. This is going to further polarize our political environment.

This amendment also relies on unconstitutionally vague and intent-based standards for what corporate spending is covered by the shareholder preference assessment requirement. It is going to encourage the current practice of activists taking hold of proxy advisory firms to socially engineer public policies through proxy shareholder votes. There is no transparency to proxy advisory firms.

I am opposed to this amendment because it is vague and impractical, and would, again, infringe upon free speech. It is not clear what speech is covered under this amendment and that is, perhaps, the worst part.

The practical effect of this amendment would be that the companies would not have shareholder elections under this new standard. Many would probably stop paying dues to trade associations because the language might be construed to cover that. That would be a bomb on many of the largest and most important trade groups. No similar requirement for other organizations as part of this bill, of course.

Mr. Chair, I reserve the balance of my time.

Mr. RASKIN. Mr. Chair, I thank the gentleman for those thoughtful comments. The ranking member of the House Administration Committee contends that we talked about this in the House Administration Committee which, indeed, we did, and it was precisely that discussion which led to the formation of the amendment.

I am afraid there he is just protesting against the character of the legislative process. We have a discussion; we learn things; we develop new amendments. And for a moment there it sounded like he wanted to vote for it, but then he turns to say that the problem with this amendment is that it would politicize the corporation, which is quite an astounding argument to make against it, when the entire purpose of our amendment is to prevent corporations from engaging in political expenditures and dark-money spending without the consent and the knowledge of the shareholders.

If you object to corporations being engaged in partisan political activity, then you should support this amendment, because it is precisely this amendment that will prevent it from happening if the shareholders don't want it to.

Mr. Chair, I yield back the balance of my time.

□ 1730

Mr. RODNEY DAVIS of Illinois. Mr. Chair, may I inquire how much time is remaining.

The Acting CHAIR. The gentleman from Illinois has 2½ minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, look, I don't own too many stocks outside of mutual funds, but I do have one that I get statements to ask me to cast a vote for those members who are currently members of the board of directors or running to be. What I do is use the disclosure database OpenSecrets. I find out the political spending of these individuals who are going to determine the outcome of the stock that I have invested in that, hopefully, will grow in value, because that is why people invest in the stock market, and that is why people invest in corporate entities that may be publicly traded.

The problem I have with this amendment is I thought corporate money wasn't supposed to go to candidates. I don't take corporate dollars. Frankly, I am probably one of the ones standing in this institution tonight who had many of these super-PAC dollars spent against me in the last election. They can't take corporate dollars.

But the issue at hand is, in another part of the bill where this new Freedom From Influence Fund is put together, they are now going to use corporate dollars to create a fund that is flowing through the Federal Treasury that should be going to infrastructure, should be going to pediatric cancer research. Instead, it is going to flow into this new shell that is going to have corporate money go directly to congressional candidates, which is illegal now.

That, to me, is the biggest problem with this bill, and that, to me, is a problem with this amendment.

Mr. Chair, I look forward to a discussion on many other amendments throughout this long evening.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. RASKIN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. HASTINGS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116–16.

Mr. HASTINGS. Mr. Chairman, I have an amendment to H.R. 1, the For the People Act of 2019, that I have offered with my good friend from my neighboring district, Congressman TED DEUTCH.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 140, insert after line 19 the following:

''(3) REPORT.—

''(A) IN GENERAL.—Not later than 120 days after the end of a Federal election cycle, each chief State election official shall submit to Congress a report containing the following information for the applicable Federal election cycle in the State:

''(i) The number of ballots invalidated due to a discrepancy under this subsection.

''(ii) Description of attempts to contact voters to provide notice as required by this subsection.

''(iii) Description of the cure process developed by such State pursuant to this subsection, including the number of ballots determined valid as a result of such process.

''(B) FEDERAL ELECTION CYCLE DEFINED.—For purposes of this subsection, the term 'Federal election cycle' means the period beginning on January 1 of any odd numbered year and ending on December 31 of the following year.''.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS. Mr. Chair, the right to vote is sacred and fundamental. Yet across this country, in particular in my home State of Florida, voters were denied their right to vote because of penmanship.

In the wake of the 2018 midterms, Florida's signature matching law was deemed unconstitutional because it allowed county election officials to reject vote-by-mail ballots for mismatched signatures, with no standards, an illusory cure process, and no process to challenge the rejection.

Ballots being rejected because of perceived signature mismatch heavily affect voters already at the margins: trans and gender-nonconforming people, people with disabilities, people for whom English is a second language, military personnel, and women.

I am very pleased to see that H.R. 1 would protect voters' due process rights when it comes to signature matching laws by requiring proper notice and an opportunity to cure.

My amendment, amendment No. 4, builds on that by requiring States to submit a report to Congress after the end of a Federal election cycle regarding the number of ballots invalidated due to a discrepancy in a voter's signature, the attempts to contact voters to provide notice that a discrepancy exists between the signature on the ballot and the signature of the voter on the official list of registered voters, and the cure process and results.

Mr. Chair, I urge a ''yes'' vote, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, while I appreciate my good friend from Florida's amendment, this amendment doesn't go far enough. It does nothing to stem the practice of ballot harvesting.

Ballot harvesting is a practice of States allowing any person to collect any number of absentee ballots and then deliver them to the polls. It could be even after election day.

This practice, of course, is ripe for fraud, and we saw most recently in North Carolina how it can be abused to the advantage of political campaigns.

In North Carolina's Ninth District, the individual who harvested ballots for a Republican, where we will now have a special election, was caught because the practice is illegal. It is unlikely that he would have been caught in a State like California, because the practice is perfectly legal.

Take the current law in California. A signature is invalid if the ballot turned in by a harvester doesn't match a signature in the voter file, but the campaign can cure this by getting the voter in question to submit an affidavit that they voted. Then that signature only has to match the signature in the voter file, not the signature on the ballot.

A harvester could theoretically take a bunch of ballots, submit them with forged signatures, and then collect signatures afterward, since the campaigns would later get a list of the signatures that were rejected.

Loose standards relating to providing notice to voters whose signatures were mismatched, as well as a lengthy cure process without any safeguards, disenfranchises voters who showed up and cast votes before or on election day.

Mr. Chair, I reserve the balance of my time.

Mr. HASTINGS. Mr. Chairman, I appreciate my good friend's suggestions, but this is my amendment. I didn't have anything to do with ballot harvesting, and I imagine that there are others who are going to address that particular subject.

Mr. Chair, I yield the balance of my time to the gentlewoman from California (Ms. LOFGREN), the chairman of the committee.

Ms. LOFGREN. Mr. Chair, I would just note that the ballot harvesting issue, I think, has very little to do with the amendment offered by Mr. HASTINGS and that the remedy that has been suggested by my friend, Mr. DAVIS, was to use the system that was in place in North Carolina. Obviously, that didn't work. The remedy to fraud is prosecution, which is what is happening in North Carolina.

I would note that, as we mentioned at the Rules Committee last night, in California, you can give your ballot that is sealed not only to your son, but to your next-door neighbor. You might be an elderly person who doesn't have family around.

There has been no credible allegation of fraud, and we had monitors from both the Republican and Democratic parties, people from House Administration. There was no credible allegation of a problem.

Mr. Chair, let's not compare apples and oranges. Let's support Mr. HASTINGS' amendment.

Mr. HASTINGS. Mr. Chair, I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. COLE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 116–16.

Mr. COLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subtitle G of title IV.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from Oklahoma (Mr. COLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Mr. Chairman, I rise today in support of my amendment to H.R. 1.

Mr. Chairman, this is a commonsense amendment that will maintain current law. Beginning with the National Defense Authorization Act of 2012 and continuing to appropriation processes for every fiscal year since, I sponsored an amendment that barred the government from requiring Federal contractors to disclose campaign contributions as a condition for submitting a bid on a Federal contract. The amendment was adopted by the House on at least four separate occasions on a bipartisan basis and was signed into law by President Obama.

Since H.R. 1 would remove this prohibition, I offer this amendment today to ensure that this ban remains in law. I have strong concerns that H.R. 1 attempts to repeal this provision.

If the Federal Government would require contractors to disclose campaign contributions, it is only human nature that information like that would influence decisions on Federal contracts, regardless of what the law requires and what a contracting office is required to do. If we are interested in enshrining a pay-to-play culture as part of the contracting process, the Democratic proposal will do just that.

Mr. Chairman, it has never been a good idea to mix politics and contracting. The danger of that is obvious. The information that could be required of contractors in the absence of this protection is not necessary to evaluate a bid made by a Federal contractor. It raises legitimate fears of political retaliation. If the information isn't necessary for the bid or the evaluation of the bid, then it is not necessary for the government to have it in the first place and run the risk that it might be misused.

All that I am asking, Mr. Chairman, is that we leave the law as it is, the disclosure requirements as they are, and ensure that political contributions do not become a new litmus test to receive a government contract.

Mr. Chair, for those reasons, I urge adoption of the amendment, and I reserve the balance of my time.

Ms. LOFGREN. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. LOFGREN. Mr. Chair, I yield myself as much time as I may consume.

The gentleman's amendment to H.R. 1 would keep in place a provision of law that was inserted into must-pass pieces of legislation over the past few years. It makes it harder for voters to follow the money when it comes to government contractors and political spending.

The amendment is anathema to the purposes of H.R. 1, which is to bolster confidence and trust in the American Government and shine a light on secret spending in elections. The gentlemen's amendment would further the status quo of dark money in our elections, and it would protect a culture of pay-to-play politics that Americans reject.

Republicans in Congress, as Mr. COLE has mentioned, first included this language in the 2012 appropriations bill, then the 2014 appropriations bill, and finally in the 2015 Consolidated Appropriations Act.

H.R. 1, in title IV, subtitle G, repeals the restriction on requiring disclosure of campaign-related spending by those submitting an offer for a Federal contract. Repealing this restriction will curb the appearance of corruption that can go along with campaign-related money in government contracts. It will shine a light on dark money in politics.

Americans have a right to know who is trying to influence them with political advertisements and campaign spending and what big campaign spenders want from the government in return.

The Federal Government spends hundreds of billions of dollars a year on Federal contracts. Campaign-related spending should have nothing to do with influencing a contract, and disclosure will protect the integrity of the process and curb any appearance of corruption.

After the Supreme Court decided Citizens United in 2010, undisclosed sources have spent more than $950 million in dark money to influence Federal elections, according to the nonpartisan Center for Responsive Politics. The money flows through a complex web of corporations, dark money, nonprofit organizations, super-PACs, and other groups. When money from

government contractors enters this web, it poses the exact type of threat to the integrity of our democratic system that our campaign finance laws are intended to protect against.

While Federal law prohibits contracting entities from contributing to political candidates and parties, their directors, officers, and other affiliates could still give unlimited sums of dark money to groups that do not disclose their campaign-related donors, and that is why H.R. 1 would repeal the restriction on disclosure.

□ 1745

The court held 8 to 1 in Citizens United that ''The First Amendment protects political speech; and disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way. This transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages.''

The public has a right to follow the money, including money from government contractors to dark-money groups that did not disclose their spending.

H.R. 1 ensures disclosure and transparency, both of which are critical to open and responsive democracy that protects the public interest. And this amendment, although I am sure well-intentioned, takes us in the wrong direction.

Mr. Chairman, I urge a ''no'' vote on this amendment, and I reserve the balance of my time.

Mr. COLE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. NORMAN), my good friend.

Mr. NORMAN. Mr. Chairman, I am a contractor. We do business and we build projects. If you want to see something that is going to skyrocket cost, the fact of asking what party and where they donate money has nothing to do with transparency. It just has to do with what political affiliation you have and it could weigh heavily in who is selected for a job, which has nothing to do with the job that you are doing.

Mr. Chairman, I rise in support of Congressman COLE's amendment to maintain the status quo and prevent the government from using politics as a litmus test when evaluating bids from contractors.

When the government buys goods or services, the only concern should be getting the best job at the best price, not who the company did or did not donate to in the last election. Companies should compete on value, not party loyalty.

We see what happens when politics influences who receives government money. Let me give you an example.

In December 2011, The Washington Post released a bombshell report finding ''Obama's green technology program was infused with politics at every level.''

The Post found, through its review of thousands of memos and emails, that ''Political considerations were raised repeatedly by company investors, Energy Department bureaucrats, and White House officials.''

Do you know what the result was? $500 million of taxpayer money went to a solar company, Solyndra, which went bankrupt. We can't let that happen again, but that is what requiring companies bidding on contracts to disclose their political activity as part of the bid process would lead to.

Also troubling about this provision of H.R. 1 is that it repeals something we all just agreed to less than 1 month ago. If this amendment isn't adopted, H.R. 1 will repeal a provision of the funding bill we just passed.

Two hundred and thirteen Democrats voted for the funding bill. I know this is a town of evolving political positions and flip-flopping, but I think that might just set a new record. I can't believe this body would vote for something like this and a month after to repeal it. Back home they call that a bait and switch.

Ms. LOFGREN. Mr. Chairman, I would just note that when a rider is added to the appropriations bill, you have to vote for the whole package to keep the government open.

Mr. Chairman, I yield the remainder of my time to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chairman, as you know from the discussion today, we obviously feel very strongly that there needs to be as much disclosure as possible and transparency and accountability when it comes to how money flows into the political arena. I think the public has a particular apprehension about how insidious spending can be when it has to do with government contractors. The public deserves to know who is spending in their politics and, particularly, if contractors—who are the ones who are going to get these government contracts—are spending in a way that could potentially influence the contracting decisions. In a sense, what is happening is people are leaning on the government potentially using money and influence in a way that cuts against what the public interests might be.

That is why prohibiting the executive branch from even considering—that is what this rider does. It actually prohibits the executive branch from even sitting down and considering whether there should be certain rules that should govern what happens in the contractor space in terms of political spending. That doesn't make any sense. That doesn't make common sense that the executive branch ought to be able to figure out some rules so that that transparency is in place.

That is why we want to repeal it. That is why we have that in H.R. 1. I oppose this amendment that would strike the repeal.

Ms. LOFGREN. Mr. Chairman, I yield back the balance of my time.

Mr. COLE. Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Oklahoma has 1 minute remaining.

Mr. COLE. Mr. Chairman, I want to disagree very profoundly with my friend.

Frankly, what this amendment does is keep politics out of contracting. My friends want to put politics back into contracting. The decisions, as my friend, Mr. NORMAN, mentioned, on contracts, ought to be made on the basis of the quality of the bid and the quality of the job. There is no reason to ask for political information when you are evaluating whether or not a bridge should be built or whether or not a road should be paved and who should do that.

Frankly, what we are going to do is inject politics by requiring the list of political contributors. If you don't think that will matter, I think you are being painfully naive.

Mr. Chairman, I urge support of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COLE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. SCANLON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 116–16.

Ms. SCANLON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 311, insert after line 8 the following new subtitle (and conform the succeeding subtitles accordingly):

Subtitle F—Election Security Grants Advisory Committee

SEC. 3501. ESTABLISHMENT OF ADVISORY COMMITTEE.

(a) IN GENERAL.—Subtitle A of title II of the Help America Vote Act of 2002 (52 U.S.C. 20921 et seq.) is amended by adding at the end the following:

''PART 4—ELECTION SECURITY GRANTS ADVISORY COMMITTEE

''SEC. 225. ELECTION SECURITY GRANTS ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—There is hereby established an advisory committee (hereinafter in this part referred to as the 'Committee') to assist the Commission with respect to the award of grants to States under this Act for the purpose of election security.

''(b) DUTIES.—

''(1) IN GENERAL.—The Committee shall, with respect to an application for a grant received by the Commission—

''(A) review such application; and

''(B) recommend to the Commission whether to award the grant to the applicant.

''(2) CONSIDERATIONS.—In reviewing an application pursuant to paragraph (1)(A), the Committee shall consider—

''(A) the record of the applicant with respect to—

''(i) compliance of the applicant with the requirements under subtitle A of title III; and

''(ii) adoption of voluntary guidelines issued by the Commission under subtitle B of title III; and

''(B) the goals and requirements of election security as described in title III of the For the People Act of 2019.

''(c) MEMBERSHIP.—The Committee shall be composed of 15 individuals appointed by the Executive Director of the Commission with experience and expertise in election security.

''(d) NO COMPENSATION FOR SERVICE.—Members of the Committee shall not receive any compensation for their service, but shall be paid travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Pennsylvania (Ms. SCANLON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. SCANLON. Mr. Chairman, my first amendment is amendment No. 6. This straightforward amendment would establish a committee of election security experts to review grant requests to ensure that funds for election security infrastructure are best spent.

This committee would be established under the Election Assistance Commission, the EAC, and act alongside the three existing Federal advisory committees that were created under the Help America Vote Act.

Currently, the three existing boards have advisory and oversight responsibilities to assist the EAC in carrying out its mission under the law and reviewing voluntary voter system guidelines. There is not, however, enough expertise within these three committees to properly determine how funds related to election security grants are best spent.

Election security is one of the critical pillars of H.R. 1, and my amendment would help ensure that the EAC has everything it needs to properly vet grants to help improve and secure voting systems across the United States.

Mr. Chairman, I urge a ''yes'' vote, and I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Mr. Chairman, having read over the amendment, there are a couple of concerns I want to walk you through. And please understand, I am one of those—I co-chair the Blockchain Caucus. I have a fascination with could we ever move to encrypted blockchain security of these levels of information.

But if you actually walk through this amendment, it is a little hollow in its details. The executive director gets to appoint a 15-member, we will call it, committee. Tell me that those 15 members in this amendment can't have relationships with a certain security firm, or with a certain vendor, or with certain things. I will argue that you are creating now functionally a fourth committee within the commission and handing an awful lot of power to the executive director without a lot of guidelines, that should actually, in many ways, make both Democrats and Republicans a bit nervous.

Mr. Chairman, I reserve the balance of my time.

Ms. SCANLON. Mr. Chairman, the intent of the amendment is to establish a committee that parallels the three existing committees and, therefore, would use the same properties as those committees for appointment, et cetera.

The gentleman who argued against the last amendment was suggesting that it would be too intrusive to interject too much specificity in the amendment, so I guess we have a flip situation here. But the idea is to parallel the three existing commissions and have the 15-person committee appointed using the same processes.

Mr. Chairman, I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, I appreciate and I love the concepts of technology. I am really concerned. This should actually be a bipartisan concern, because at some point is that executive director going to be one party or another, or demonstrate certain political bias?

But if you hand sole authority to the executive director to appoint a 15-member commission that is going to establish saying, here is how we are going to review these grants and what sort of grants and direction, I am sorry, but you are creating all sorts of both policy leakage here, potentially a favoritism to certain either technologies or securities or firms.

I don't have a problem with the attention. I think it is actually an authority that should have been given to one of the other committees instead of creating a fourth one, because we have this tendency, as Members of Congress, to sort of create bureaucracies on top of bureaucracies.

But please understand—and I am being as genuine as I can—I fear that it may not happen now, it may not happen for a few years, but you are creating, as technology changes, as there will be a time in our future where I may be voting through a blockchain technology on my phone, have you just created the very commission that actually said: Hey, here is the security mechanics. Oh, by the way, our security mechanics favor the seven people who actually have a relationship to this particular security encryption who have a friend who is a friend? I am sorry; it is just not designed with enough comfort when this is about our voting system.

Mr. Chairman, I reserve the balance of my time.

Ms. SCANLON. Mr. Chairman, I appreciate the fact that we share a common concern about our election security and an interest in using the best technology to protect that security.

The intent here is to make sure that we are spending congressional dollars wisely as there are these grants being awarded. The amendment was devised, after hearing from interested parties, that there was not sufficient expertise on the three existing committees. And I would suggest that if the dangers, which the word the gentleman has suggested, were to come to pass, that that would be an excellent opportunity for congressional oversight.

Mr. Chairman, I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Arizona has 2 minutes remaining.

Mr. SCHWEIKERT. Mr. Chairman, having been here for a little while, be careful—good intentions—and when people often bring those issues and bring those—be careful. You may have good intentions. And the intentions of often those who bring us a thought or an issue, until we have vetted whether they have particular potential economic interests—I am just sharing my concern—the amendment, just as it is designed right now, our side is going to have to vote no because we create a fourth level. We don't create enough definitions. We hand so much power to the executive director.

Mr. Chairman, I would love to talk to the gentlewoman about election encryption and my personal fixation on blockchain technology. But for this one, I think we may miss the mark.

Mr. Chairman, I yield back the balance of my time.

□ 1800

Ms. SCANLON. Mr. Chair, I yield 1 minute to the much more experienced gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chair, I thank the gentlewoman from Pennsylvania (Ms. SCANLON) for yielding, and I thank her for her amendment.

I would just say very quickly, I think this is a good amendment that actually improves the bill. And to the point of the gentleman from Arizona (Mr. SCHWEIKERT), it is because technology is changing quickly all the time and one has to kind of keep ahead of the curve on that to make sure the decisions are made in a sensible way, that having a committee that can assemble the kind of expertise that you need to bring to bear on a decision like this makes perfect sense. It can allow the EAC to function better.

Evaluating these security grants, I think, makes a lot of sense, and they can keep up-to-date on what the changing technology is so that the EAC can benefit from that input.

So I think it is an outstanding amendment. I want to thank the gentlewoman from Pennsylvania (Ms.

SCANLON) for introducing it. I support it.

Ms. SCANLON. Mr. Chair, I urge a ''yes'' vote on the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Pennsylvania (Ms. SCANLON).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MS. SCANLON

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 116–16.

Ms. SCANLON. Mr. Chair, I have a second amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 454, insert after line 23 the following (and conform the succeeding section accordingly):

SEC. 5114. STUDY AND REPORT ON SMALL DOLLAR FINANCING PROGRAM.

(a) STUDY AND REPORT.—Not later than 2 years after the completion of the first election cycle in which the program established under title V of the Federal Election Campaign Act of 1971, as added by section 5111, is in effect, the Federal Election Commission shall—

(1) assess—

(A) the amount of payment referred to in section 501 of such Act; and

(B) the amount of a qualified small dollar contribution referred to in section 504(a)(1) of such Act; and

(2) submit to Congress a report that discuses whether such amounts are sufficient to meet the goals of the program.

(b) UPDATE.—The Commission shall update and revise the study and report required by subsection (a) on a biennial basis.

(c) TERMINATION.—The requirements of this section shall terminate ten years after the date on which the first study and report required by subsection (a) is submitted to Congress.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Pennsylvania (Ms. SCANLON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. SCANLON. Mr. Chair, my next amendment is Amendment No. 7.

The amendment would require the Federal Election Comission to conduct a study to specifically assess whether the small donor match cap and the 6-to-1 ratio contained in H.R. 1 is appropriately scaled for both House and Senate elections.

H.R. 1 will empower everyday Americans through each of these systems by bringing more and more people into the political fold.

This system of small donor campaign funding is relatively new to the Federal system but has been tried in States and localities nationwide to great effect. New York City has had a matching funds program in place since the 1980s, and over 80 percent of the 2015 Connecticut State Legislature was elected under the Citizens' Election public financing program.

It is important and necessary to study these issues at the Federal level, and my amendment would ensure that the Federal Government has all of the relevant information it needs when proceeding with any future changes to these programs.

Mr. Chair, I urge a ''yes'' vote, and I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. SCHWEIKERT. Mr. Chair, I actually appreciate the study mechanisms, but this is actually one a little bit broader.

How many of us are from States that have actually had public funding or public matching of our State legislatures?

I am from Arizona; I have actually lived this experience. And do understand, we used to—in Arizona—refer to it as the ''no new moderates'' piece of legislation.

If you actually look at what happened to Arizona—and my understanding is this happened in other States—personal experience: I was 28 years old when I got elected to the Arizona Legislature.

I was there. You had to go knock on a door. You had to ask someone for a couple hundred dollars. You had to listen to them. They would look you in the eye, and if they thought you weren't worthy, you walked out the door without anything. It turns out asking for money is part of the vetting process.

Well, a few years later—so we have had it for 25 years in Arizona—here is what happened:

You are part of the group over here on the right or you are part of this group on the left. In Arizona, you get a couple hundred people to write you a $5 contribution, and you get elected. Within two election cycles, we wiped out half of Democrats, half of Republicans, maybe one-third of the body who were in the moderates.

So when I was in that State legislature for 4 years, half the Republicans were conservatives, half the Republicans were moderate; same thing on the Democratic side. After just functionally 4 years of public funding or public match, they were gone.

I appreciate the study of saying: Hey, this amendment is really about knowing, you know, do the dollars match, do the mechanisms match? And I don't know if the FEC is the right place to go to say: Are we about to try to finance the bipolar—the extremisms on both ends?

In many ways, this piece of legislation—at least this mechanic right here—you have got to understand what you are doing. You are going to wipe out the middle.

This is, in many ways, the ''no new moderates'' piece of legislation.

Mr. Chair, I reserve the balance of my time.

Ms. SCANLON. Mr. Chair, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. Mr. Chair, I thank the gentlewoman for yielding.

The gentleman is right. There are examples of these systems across the country. Actually, Maryland has, now, two jurisdictions that have embraced public financing.

You are worried about the moderates being wiped out. In fact, what is happening is the moderates are fleeing the political town square because they feel like their vote doesn't matter and their engagement doesn't matter because they support people who then go to places where laws are made, and those folks are getting taken hostage by the big money and the special interests.

So the smart moderate voter out there says: What is the point? I am going to opt out of the political system.

And when they vacate the political town square, then the extremes run in and they fill the vacuum.

So, actually, if you want to bring moderates back in, if you want to bring citizens across the political spectrum back into our system, create something that makes them feel empowered. That is what this small donor matching system is all about. Then you will get these people who have run up into the hills and have said: My democracy doesn't respect me anymore.

By the way, these are the ballasts in the ship of state, those kind of folks, engaged citizens who feel like the democracy should work for them. But the evidence they get every day is that the big money is running the show: Why don't I just save myself, you know, my dignity, by stepping back, because why am I going to pretend that my voice actually matters, that my involvement matters?

We create a system that makes them feel like they have power again, and they will come out of the hills. They will come back down into the political town square. They will help create that moderation that you are talking about, because they are solid citizens who care about their democracy.

So this is a very important amendment because it will give us a retrospective on how the system is working. We can collect that data, and then that will inform any improvements we want to make going forward.

Mr. Chair, I congratulate the gentlewoman on her amendment, and I support it.

Mr. SCHWEIKERT. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from Arizona has 2½ minutes remaining. The gentlewoman from Pennsylvania has 2 minutes remaining.

Mr. SCHWEIKERT. Mr. Chair, I reserve the balance of my time.

Ms. SCANLON. Mr. Chair, I appreciate the thoughtful queries from the gentleman from Arizona, and that is precisely what this amendment is directed towards. It is an amendment to H.R. 1 which sets up a small dollar financing program, and this will allow us to assess how it is working going forward.

Mr. Chair, I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chair, I accept this as—and I don't mean this in a mean fashion, but I accept this as one of the tenets of faith on the Democratic side.

The gentleman from Maryland—wonderfully articulate—that isn't what happened. I mean, you have 25 years in other States and other communities, particularly in legislative bodies. I thought the same thing.

But the fact of the matter is, what you do in this fashion is the person who is part of a certain leftist group, right group: I just need these folks to write me enough checks so that I get enough matching, or a good direct mail vendor who hits the ideological extreme so I get those dollars.

Those aren't the facts. And on occasion, we have to take a step back and take a look at sort of the incubators of democracy and experience, which is our State legislatures, and understand the reality of what has happened.

I am a conservative. It worked out fine for my view of the world, but understand—at least in my State legislature—within 4 years, this type of plan completely changed the character of the population that was representing the people in Arizona.

Mr. Chair, I reserve the balance of my time.

Mr. SCANLON. Mr. Chair, I would just close by saying, once again, the intent of this is to study and make sure we have the best possible system going forward.

I know that Representative SARBANES and others have studied the existing mechanisms out there to try and implement this kind of small donor matching system. I am sorry it didn't work out in Arizona, but I think we have a great plan here going forward.

Mr. Chair, I urge a ''yes'' vote, and I yield back the balance of my time.

Mr. SCHWEIKERT. Mr. Chair, wishes and hopes and optimism are not public policy. Be careful what you are asking for here. There are real-life examples across our country with what this did to our democracy. Understand the damage you are about to do.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Pennsylvania (Ms. SCANLON).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. MORELLE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 116–16.

Mr. MORELLE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 24, strike ''30 days'' and insert ''28 days''.

Page 72, insert after line 2 the following:

SEC. 1052. ENSURING PRE-ELECTION REGISTRATION DEADLINES ARE CONSISTENT WITH TIMING OF LEGAL PUBLIC HOLIDAYS.

(a) IN GENERAL.—Section 8(a)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1)) is amended by striking ''30 days'' each place it appears and inserting ''28 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections held in 2020 or any succeeding year.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from New York (Mr. MORELLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. MORELLE. Mr. Chair, I rise today to offer an amendment intended to make it easier to register to vote by ensuring the deadline does not fall on a public holiday.

Millions of registration applications are handled through the mail and through local Departments of Motor Vehicles. Current Federal law requires States to accept registration forms postmarked or submitted 30 days before election.

However, Mr. Chair, it just so happens, in some years, 30 days before election day falls exactly on Columbus Day, Indigenous Peoples' Day, or another public holiday. This results in a shorter window for preelection registration, and many Americans may not even realize the holiday could disrupt their plans to register. Without Postal Service or DMV hours on the holidays, some voters have been unable to get their registrations in on time.

My amendment makes a simple change. The deadline to postmark your ballots, register online or visit a government office to submit your registration will be changed from 30 days to 28 days prior to election day.

This provides voters simply more time to submit their registration without burdening local election officials with rapid turnaround time and ensures that the deadline never falls on a holiday.

Every day leading up to election day is an opportunity for thousands of Americans across the country to update their registration or register for the first time. By ensuring the cutoff for advanced registration is only 28 days before an election and ensuring that date doesn't fall on a public holiday, we can give more Americans the chance to prepare to cast their ballots.

Now, H.R. 1 already allows for same-day voter registration in every State—a policy I strongly support—as it will make it easier for every citizen to exercise their franchise. But H.R. 1 still provides for voters the option to register in advance if they so choose; and when they choose that option, this amendment will give them enough time to do so, making certain that their paperwork is not rejected for being postmarked or submitted on a public holiday.

This is a simple change, but it is one that can make voting a little easier for Americans across the Nation, and I hope we can all agree that is a change worth making.

Mr. Chair, I ask my colleagues to support this amendment, and I thank the ranking member for his extraordinary work, as well as the gentleman from Maryland (Mr. SARBANES), the sponsor of the bill.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. MORELLE).

The amendment was agreed to.

□ 1815

AMENDMENT NO. 9 OFFERED BY MS. SHALALA

The Acting CHAIR (Mr. CARTWRIGHT). It is now in order to consider amendment No. 9 printed in part B of House Report 116–16.

Ms. SHALALA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 8022 of title VIII, insert after subsection (c) the following (and redesignate subsection (d) as subsection (e)):

(d) REPORT TO CONGRESS.—Not later than 45 days after the date of enactment of this Act, the Director of the Office of Government Ethics shall submit a report to Congress on the impact of the application of subsection (b), including the name of any individual who received a waiver or authorization described in subsection (a) and who, by operation of subsection (b), submitted the information required by such subsection.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Florida (Ms. SHALALA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. SHALALA. Mr. Chairman, last year, we learned that of the 59 EPA hires, roughly a third worked as registered lobbyists or lawyers for fossil fuel producers, chemical manufacturers, or other corporate clients. Several of these EPA hires have gotten waivers, allowing them to participate in actions involving their former clients. This directly impacts my district.

In my district, climate change and sea level rise aren't debated. These are not partisan issues because, for Miami, climate change is life or death. There are no climate deniers in south Florida. This is a real-life example of why these ethics waivers matter, and they matter to my constituents.

I am very pleased that H.R. 1 mandates that the executive branch promptly disclose waivers of executive branch ethics rules to the Office of Government Ethics.

My amendment will maximize transparency by highlighting who is now captured by the upgraded ethics waiver regime. We need to know who is now getting these waivers, why they are getting it, and what are the implications. We need to know the impact so

that we can simply uphold our constitutional duty as Members of Congress and hold this administration accountable and hold future administrations accountable.

Whether it impacts climate change policy, foreign policy, health policy, or any other issue, the American people deserve to know who is working behind closed doors in their government.

Mr. Chair, I urge a ''yes'' vote, and I reserve the balance of my time.

Mr. JORDAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Mr. Chair, H.R. 1 as currently drafted requires the Office of Government Ethics to make ethics waivers issued to executive branch employees publicly available. The bill goes even further to mandate ethics waivers issued prior to the enactment of this legislation must also be made publicly available.

This amendment requires OGE to submit a report to Congress within 45 days of enactment regarding the implications of the retroactive applications of the ethics waiver process.

H.R. 1 already gives the Office of Government Ethics vast new authorities and vast new responsibilities. This amendment would just place an additional burden on OGE, and I would urge, Mr. Chairman, that all Members oppose the amendment from the gentlewoman from Florida.

I reserve the balance of my time.

Ms. SHALALA. Mr. Chair, I do not believe that this is an undue burden on the Office of Government Ethics. It is simply a request for us to apply the new waiver to see what the explanations are for the number of ethics waivers that have already been given. It is simply a transparency issue, and it is perfectly appropriate for Congress to request this information.

Mr. Chair, I reserve the balance of my time.

Mr. JORDAN. Mr. Chairman, I yield back the balance of my time.

Ms. SHALALA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. SHALALA).

The amendment was agreed to.

The Acting CHAIR. The Chair understands that amendment No. 10 will not be offered.

AMENDMENT NO. 11 OFFERED BY MR. BIGGS

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 116–16.

Mr. BIGGS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 75, after line 25, insert the following:

PART 8—VOTER REGISTRATION EFFICIENCY ACT

SEC. 1081. SHORT TITLE.

This part may be cited as the ''Voter Registration Efficiency Act''.

SEC. 1082. REQUIRING APPLICANTS FOR MOTOR VEHICLE DRIVER'S LICENSES IN NEW STATE TO INDICATE WHETHER STATE SERVES AS RESIDENCE FOR VOTER REGISTRATION PURPOSES.

(a) REQUIREMENTS FOR APPLICANTS FOR LICENSES.—Section 5(d) of the National Voter Registration Act of 1993 (52 U.S.C. 20504(d)) is amended—

(1) by striking ''Any change'' and inserting ''(1) Any change''; and

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

''(2)(A) A State motor vehicle authority shall require each individual applying for a motor vehicle driver's license in the State—

''(i) to indicate whether the individual resides in another State or resided in another State prior to applying for the license, and, if so, to identify the State involved; and

''(ii) to indicate whether the individual intends for the State to serve as the individual's residence for purposes of registering to vote in elections for Federal office.

''(B) If pursuant to subparagraph (A)(ii) an individual indicates to the State motor vehicle authority that the individual intends for the State to serve as the individual's residence for purposes of registering to vote in elections for Federal office, the authority shall notify the motor vehicle authority of the State identified by the individual pursuant to subparagraph (A)(i), who shall notify the chief State election official of such State that the individual no longer intends for that State to serve as the individual's residence for purposes of registering to vote in elections for Federal office.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect with respect to elections occurring in 2019 or any succeeding year.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from Arizona (Mr. BIGGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. BIGGS. Mr. Chairman, since the United States has a very mobile population—roughly 40 million Americans, or 14 percent of the United States population, move each year—voters rarely inform elected officials when they move, and voters can often be on the voter rolls in two or even more different States at one time. Unless States have an efficient way of communicating with one another, it is possible that they may not be able to identify an individual who is on the rolls in two different States.

This bill, H.R. 1, makes it more difficult for States to use systems provided for under the National Voter Registration Act and under HAVA. Under current law, States can send out cards and go through a process, which was upheld by the Supreme Court of the United States in Ohio in 2018.

What my amendment does, simply, is require that new State residents applying for a driver's license notify the State if they intend to use their new residency for the purpose of voting; and if so, the amendment would mandate that the new State notify the applicant's previous State of residence so its chief election official can update voter lists accordingly.

The amendment protects voters who are only making temporary moves to another State, while enabling States to more efficiently manage the voter registration file for the vast majority of applicants who are making a permanent move to a new State.

Mr. Chair, I reserve the balance of my time.

Ms. LOFGREN. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. LOFGREN. Mr. Chair, this amendment would require applicants for motor vehicle licenses to indicate whether they previously resided in a different State and which State the applicant intends to be their residence for the purpose of voter registration. I think it could be helpful in terms of preventing registrations in two States. However, it is potentially redundant with other provisions in H.R. 1.

When all States implement automatic voter registration, States will transmit change of address duplicate license information electronically and wouldn't need to collect this information from individuals.

Further, States are able to use a reliable set of data for sharing information on registered voters, called the Electronic Registration Information Center, established originally by the Pew Charitable Trusts, currently utilized by 26 States—by the way, including Arizona—so it has a very high accuracy rate.

Nevertheless, redundancy is our friend, and I certainly do not oppose this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. BIGGS. Mr. Chairman, I thank the gentlewoman, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. BIGGS).

The amendment was agreed to.

Ms. LOFGREN. Mr. Chair, I move that the Committee do now rise.

The Acting CHAIR. The question is on the motion that the Committee rise.

Ms. LOFGREN. Mr. Chair, I withdraw my motion for the Committee to rise.

The Acting CHAIR. Without objection, the motion is withdrawn.

There was no objection.

AMENDMENT NO. 12 OFFERED BY MR. TED LIEU OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 116–16.

Mr. TED LIEU of California. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After subtitle G of title VIII, insert the following (and redesignate subtitle H as subtitle I):

Subtitle H—Travel on Private Aircraft by Senior Political Appointees

SECTION 8081. SHORT TITLE.

This subtitle may be cited as the ''Stop Waste And Misuse by Presidential Flyers Landing Yet Evading Rules and Standards'' or the ''SWAMP FLYERS''.

SEC. 8082. PROHIBITION ON USE OF FUNDS FOR TRAVEL ON PRIVATE AIRCRAFT.

(a) IN GENERAL.—Beginning on the date of enactment of this subtitle, no Federal funds appropriated or otherwise made available in any fiscal year may be used to pay the travel expenses of any senior political appointee for travel on official business on a non-commercial, private, or chartered flight.

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply—

(1) if no commercial flight was available for the travel in question, consistent with subsection (c); or

(2) to any travel on aircraft owned or leased by the Government.

(c) CERTIFICATION.—

(1) IN GENERAL.—Any senior political appointee who travels on a non-commercial, private, or chartered flight under the exception provided in subsection (b)(1) shall, not later than 30 days after the date of such travel, submit a written statement to Congress certifying that no commercial flight was available.

(2) PENALTY.—Any statement submitted under paragraph (1) shall be considered a statement for purposes of applying section 1001 of title 18, United States Code.

(d) DEFINITION OF SENIOR POLITICAL APPOINTEE.—In this subtitle, the term ''senior political appointee'' means any individual occupying—

(1) a position listed under the Executive Schedule (subchapter II of chapter 53 of title 5, United States Code);

(2) a Senior Executive Service position that is not a career appointee as defined under section 3132(a)(4) of such title; or

(3) a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from California (Mr. TED LIEU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 1830

Mr. TED LIEU of California. Mr. Chairman, let me first start off by commending Representative JOHN SARBANES for H.R. 1 and everyone who has worked on behalf of this historic bill.

Today I rise in support of amendment 12 to H.R. 1. Last term, I introduced what is known as the SWAMP FLYERS Act to make sure that government officials don't abuse taxpayer funds for their luxury travel preferences. We did not get a vote on this bill last term. I am very pleased that now I am going to be able to offer it as an amendment to H.R. 1

This is a commonsense amendment. It would simply prevent government officials from using taxpayer funds to travel on a private, chartered, or non-commercial flight. If your official business needs you to go on one of those really expensive flights, you might want to think twice about why you are doing it.

Eliminating waste, fraud, and abuse has long been a bipartisan mission of the U.S. Congress, and I can think of few more obvious candidates than paying for private jets for Cabinet officials to travel across the country. As every Member of Congress knows, you can reach any district of the U.S. just flying commercial.

I think it is disturbing I even have to introduce this amendment, but let me just walk folks through some of the corruption we have seen in the last 2 years.

Former HHS Secretary Tom Price spent more than $400,000 in travel on private jets.

Former Interior Secretary Ryan Zinke spent over $39,000 of taxpayer funds on a helicopter tour of national monuments in Nevada. He then spent an additional $12,000 of taxpayer funds on a private jet to go to Las Vegas, Nevada, to speak to a hockey team owned by a major donor.

Former Veterans Affairs Secretary David Shulkin spent over $122,000 in taxpayer funds to go with his wife to Europe for the primary purpose of sightseeing.

Then we have got former EPA Administrator Scott Pruitt, who spent at least $58,000 on chartered flights.

I could go on.

If this had been law, they would not have been able to do this. Hardworking Americans deserve better. A vote against this amendment is really something that taxpayers would not appreciate.

Mr. Chairman, I urge my colleagues to vote ''yes'' on this commonsense amendment, and I reserve the balance of my time.

Mr. JORDAN. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Mr. Chairman, this is duplicative of current rules. Political appointees are government employees who are held to specific travel and ethics standards already. Restrictions are there and have been there, but the Democrats seem to want more bureaucrats involved in the review.

Political appointees follow these fundamentals, among others, related to Federal travel: travel must be conducted in the most efficient and effective manner and only when necessary to accomplish the purposes of the government, and employees traveling on official business are expected to exercise the same care when incurring expenses as a prudent person would on personal business.

Current Federal travel guidelines for political appointees already limit travel flight expenses to common carrier commercial fares. The only time private company aircraft can be accepted is if no other travel arrangements are practically available or when they are offered to your spouse, but explicitly not because of the political appointee's position. Either way, all of this would be required to be run through the White House Counsel's office.

Mr. Chairman, I urge that we oppose the amendment, and I reserve the balance of my time.

Mr. TED LIEU of California. Mr. Chairman, I want to note that a number of these Cabinet officials defended the use of luxury travel preferences by saying that their travel was approved.

So, clearly, there is not enough in the law to stop this abusive behavior of taxpayer funds. Again, if you just look at the abuse of travel, we know we can stop it. There is no justification for it.

Mr. Chairman, I request that my colleagues vote for this amendment, and I reserve the balance of my time.

Mr. JORDAN. Mr. Chairman, I yield back the balance of my time.

Mr. TED LIEU of California. In closing, this is a commonsense amendment. I appreciate, again, the historic nature of H.R. 1. Preventing travel abuse by Cabinet officials is something that we can all support on a bipartisan basis.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TED LIEU).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 116–16.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 8005 the following:

SEC. 8006. GUIDANCE ON UNPAID EMPLOYEES.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Government Ethics shall issue guidance on ethical standards applicable to unpaid employees of an agency.

(b) DEFINITIONS.—In this section—

(1) the term ''agency'' includes the Executive Office of the President and the White House; and

(2) the term ''unpaid employee'' includes any individual occupying a position at an agency and who is unpaid by operation of section 3110 of title 5, United States Code, or any other provision of law, but does not include any employee who is unpaid due to a lapse in appropriations.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chairman, I come to the floor today to speak on this amendment that simply requires unpaid government employees to comply with the same ethics rules as paid employees.

President Trump has exploited this ethics loophole for his daughter Ivanka Trump and his son-in-law, Jared Kushner, who both work in the White House.

Requiring your daughter and your son-in-law to be subject to the same

ethics rules as everyone else is simply basic common sense. It is not a Democratic issue or a Republican issue, but it is core to our democracy and our national security.

The purpose of ethics rules, Mr. Chairman, is to ensure that conflicts of interest do not interfere in the operations of our government. This is critical so that the American people trust that the people guiding our country's laws and policies are acting with the best interests of our country and the American people at heart and not foreign or business interests. But President Trump's hiring of his daughter Ivanka Trump, and son-in-law, Jared Kushner, as unpaid advisers has raised serious concerns.

Shortly after the 2016 elections, Ivanka Trump participated in her dad's meeting with the Japanese Prime Minister as her namesake clothing brand, Ivanka Trump Marks LLC, was simultaneously negotiating a licensing deal with Sanei International, a company whose largest shareholder is the Japanese Government.

In addition, her company received preliminary approvals for 16 new trademarks from China during the President's trade war with China. In one case, Ivanka Trump and Chinese President Xi dined together at Mar-a-Lago the same day that China approved the three trademarks for the First Daughter.

Mr. Chairman, I reserve the balance of my time.

Mr. JORDAN. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Mr. Chairman, as the gentlewoman said, this amendment would require the Office of Government Ethics to promulgate rules to apply ethics laws to unpaid employees of the Executive Office and President of the White House. As she also mentioned, this is clearly to go after Jared Kushner and Ivanka Trump. It seems to me that this is not the kind of thing that we should be focused on.

Miss Trump has been appointed as an executive branch employee and is now covered by the ethics laws and regulations that apply to all executive branch employees. It seems to me this is congressional overreach and redundant of current ethics rules and practices of other folks who have worked in the executive branch.

As I said, I oppose the amendment, and I reserve the balance of my time.

Ms. JAYAPAL. Mr. Chairman, I yield 1 minute to the incredible gentleman from Maryland (Mr. SARBANES), who has been leading this effort.

Mr. SARBANES. Mr. Chairman, I thank the gentlewoman for yielding. I thank her for this amendment which is, as she says, a very commonsense amendment. I don't really understand what the objection would be.

If you don't apply the same ethical standards to unpaid staff or people who are working in the executive branch as you do to paid, what you are left with is a gigantic loophole that could be taken advantage of, and I don't think that the average person out there could understand why you would make that kind of distinction. So this is a very logical thing to do. Just because you are not paid doesn't mean you might not have a conflict of interest.

So this is an amendment that simply directs the Office of Government Ethics to come up with some rules to make sure that senior administration officials, special governmental employees who draw no salary, are still going to abide by the ethics laws.

Again, if the job here of all of us is to meet the expectations of the public in terms of how things should function up here in Washington, abiding ethical standards and observing conflicts of interest rules, then this meets that expectation directly. I think it is a good amendment.

Mr. JORDAN. Mr. Chairman, I yield back the balance of my time.

Ms. JAYAPAL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, once again, I just reiterate that what we are saying is whether you are paid or unpaid, you have to go through the same security clearances; and whether you are paid or unpaid, you have to deal with the same ethics regulations. Particularly when unpaid employees are put into serious positions where national security clearances are required and where they have access to top secret information, we need to make sure that those ethics rules apply to everybody.

Now, frankly, we didn't see this as a loophole in the past because it hasn't been exploited in the same way, but, unfortunately, that is what is happening now.

Mr. Chairman, I think that this should raise serious concerns for anybody. We need to make sure that the people who are in our government are facing the same transparent ethics rules whether you are a relative of the person in the Oval Office or not.

We have ethics laws for a reason. The United States is not a despotic country built on nepotism, and we need to make sure that it is in everyone's best interest when all of these employees are subject to ethics laws, including laws that prohibit employees from participating in matters in which they have a financial interest or from misusing their official positions.

Mr. Chairman, I strongly urge my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 116–16.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 537, insert after line 10 the following:

SEC. 7202. PROHIBITING RECEIPT OF COMPENSATION FOR LOBBYING ACTIVITIES ON BEHALF OF FOREIGN COUNTRIES VIOLATING HUMAN RIGHTS.

(a) PROHIBITION.—The Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) is amended by inserting after section 5 the following new section:

''SEC. 5A. PROHIBITING RECEIPT OF COMPENSATION FOR LOBBYING ACTIVITIES ON BEHALF OF FOREIGN COUNTRIES VIOLATING HUMAN RIGHTS.

''(a) PROHIBITION.—Notwithstanding any other provision of this Act, no person may accept financial or other compensation for lobbying activity under this Act on behalf of a client who is a government which the President has determined is a government that engages in gross violations of human rights.

''(b) CLARIFICATION OF TREATMENT OF DIPLOMATIC OR CONSULAR OFFICERS.—Nothing in this section may be construed to affect any activity of a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, while said officer is engaged in activities which are recognized by the Department of State as being within the scope of the functions of such officer.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to lobbying activity under the Lobbying Disclosure Act of 1995 which occurs pursuant to contracts entered into on or after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chairman, this amendment would stop lobbyists from working on behalf of foreign governments with gross human rights violations.

Countries with human rights abuses should use the diplomatic process to express their views and not try to influence the American Government when hiding behind highly paid K Street lobbyists.

H.R. 1, the For the People Act, is a historic bill that aims to restore the promise of our Nation's democracy and the culture of corruption in Washington, reduce the role of money in politics, and return power back to the American people. My amendment furthers this goal by limiting the role of dark money in our foreign policy.

Take, for instance, Mr. Chairman, Saudi Arabia. After 9/11, Saudi Arabia was implicated in the most destructive attack on American soil in our history. Yet 15 years later, the country was the leading recipient of U.S. arms sales.

For nearly 4 years, Saudi Arabia has perpetrated the worst humanitarian catastrophe in Yemen, with U.S. military participation in its bombings and complicity in a blockade that has deprived millions of food and medicine. Despite the Saudis' indiscriminate killing of civilians, Secretary of State

Mike Pompeo has certified that the country has been protecting civilians just last year.

Most recently, Saudi Arabia murdered U.S.-based journalist Jamal Khashoggi while President Trump rejected the evidence from his own intelligence agencies that Saudi Arabia's crown prince ordered the murder.

How does Saudi Arabia maintain its relationship with the United States? It shouldn't surprise anyone that Saudi Arabia spent about $27 million on U.S. lobbying and public relations in 2017 alone.

Individuals affiliated with the Trump administration like Paul Manafort and Michael Flynn have also taken substantial sums of money from foreign countries to lobby the American Government.

Paul Manafort lobbied on behalf of pro-Russian forces in Ukraine in 2005, and prosecutors allege that Mr. Manafort was working on Ukrainian politics well into 2018, even after Special Counsel Mueller indicted him. He didn't even report the payments he was receiving for his lobbying efforts, in flagrant violation of current law.

Though not charged with lobbying illegally, Manafort has still had a long history of lobbying on behalf of the world's most brutal dictators, including Mobutu Sese Seko, Ferdinand Marcos, and Jonas Savimbi. He is rumored to have accepted a briefcase from a Marcos affiliate with $10 million in cash to give to the Reagan campaign.

Finally, Michael Flynn, President Trump's former National Security Advisor, worked on a $15 million plan to kidnap a political enemy of Turkish President Erdogan and fly him to an island prison. Mr. Flynn was paid at least $530,000 for lobbying on behalf of the Turkish Government between August and November of 2016. Mr. Chairman, he did not retroactively register as a foreign agent with the Justice Department until March 7, 2017.

□ 1845

This is a commonsense amendment that brings transparency and ensures that we protect our system from this type of lobbying from those countries that have gross human rights violations.

Mr. Chair, I reserve the balance of my time.

Mr. JORDAN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Mr. Chair, another bad amendment to a bad bill. This amendment suffers from the same defects as the underlying bill. It continues the same regrettable trend by our colleagues on the other side of the aisle of trying to silence speakers they don't like.

Portions of this bill are so radical that, as we have said several times already, even the ACLU came out today and asked Members of this body not to vote for it. The ACLU said H.R. 1 would unconstitutionally burden free speech and associational rights. This amendment is more of the same tactics that caused the ACLU to oppose the underlying legislation.

As I said, a bad amendment to a bad bill. Put that all together, it makes everything worse.

The Lobbying Disclosure Act, which this amendment would seek to change, is about disclosure and increasing public awareness, not preventing people from undertaking a lawful profession. The decision of whether to undertake representation of a client is a personal and professional matter, not one for central government planning.

What my friends on the other side of the aisle seem not to understand is the answer to speech that they view as undesirable is more speech. It is called the First Amendment. It is called debate. The Federal Government should not and cannot constitutionally prevent the people it does not like from speaking.

And we know it has tried. Just a few years ago, it did it. And I will continue to bring this up as long as the good folks in the Fourth District will have me in Congress.

A few years ago, the IRS systematically, for a sustained period of time, went after people for their political beliefs—it happened; they did it—for the most fundamental liberty we have, our right to speak.

Think about the First Amendment, freedom to practice your faith the way you want, freedom to assemble, freedom to petition your government, freedom of the press. All those are critically important.

But your right to speak is fundamental, and your right to speak in a political fashion is what the Founders had most in mind when they talked about your free speech, First Amendment rights.

This amendment goes to restrict it just like the bill does, and that is why the ACLU is against it. That is why I am against it.

This is a bad idea to a bad piece of legislation. I mean, think about what is going on, on college campuses today: safe spaces, free speech zones, bias response teams. If you say something politically incorrect today on a college campus, you get harassed.

In the last Congress, I asked a question in committee to a professor from one of these universities that are taxpayer subsidized. I said: Can a free speech zone and a safe space on a college campus be at the same location?

He kind of chuckled. That is sort of the joke, because where is the free speech zone supposed to be in this country? Everywhere. It is called the First Amendment.

I asked this one professor: Professor, in a safe space on a college campus, could I say this sentence: ''Donald Trump is President''?

Think about this. Think about this. The professor began his response with this: Well, Congressman, it depends.

I interrupted him, which I will do sometimes if I think the witness is saying something stupid.

I said: It is a fact. There is no ''it depends'' about it. He got elected on November 8, 2016. He is President of the United States. He lives at 1600 Pennsylvania Avenue. It is a fact.

The idea that on some college campuses you can't say that because you are in some safe space is crazy. This is the absurd level that some on the left want to take us to when we are talking about the First Amendment.

Thank goodness—thank goodness—the ACLU sees it for what it is and says vote ''no'' on this bill.

Heck, yes, I am opposed to this amendment, just like I am opposed to the underlying legislation.

Mr. Chair, I would urge a ''no'' vote, and I yield back the balance of my time.

Ms. JAYAPAL. Mr. Chair, I hope my colleagues on the other side who are just quoting the ACLU tonight are with us on everything else that the ACLU supports. I look forward to seeing that.

I got a little distracted in the last speech, so I wanted to remind people what we are talking about in this amendment, which is that we would not allow lobbyists that are working on behalf of foreign governments with gross human rights violations to actually pay a bunch of lobbyists and hide behind highly paid K Street lobbyists to get their agenda.

They should just use the diplomatic process. It is not like they are not going to have a voice. They can use their diplomatic process.

That is all this amendment is. It is a smart amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 116–16.

Ms. JAYAPAL. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 8014 the following:

SEC. 8015. LEGAL DEFENSE FUNDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Director'' means the Director of the Office of Government Ethics;

(2) the term ''legal defense fund'' means a trust—

(A) that has only one beneficiary;

(B) that is subject to a trust agreement creating an enforceable fiduciary duty on the part of the trustee to the beneficiary, pursuant to the applicable law of the jurisdiction in which the trust is established;

(C) that is subject to a trust agreement that provides for the mandatory public disclosure of all donations and disbursements;

(D) that is subject to a trust agreement that prohibits the use of its resources for any purpose other than—

(i) the administration of the trust;

(ii) the payment or reimbursement of legal fees or expenses incurred in investigative, civil, criminal, or other legal proceedings relating to or arising by virtue of service by the trust's beneficiary as an officer or employee, as defined in this section, or as an employee, contractor, consultant or volunteer of the campaign of the President or Vice President; or

(iii) the distribution of unused resources to a charity selected by the trustee that has not been selected or recommended by the beneficiary of the trust;

(E) that is subject to a trust agreement that prohibits the use of its resources for any other purpose or personal legal matters, including tax planning, personal injury litigation, protection of property rights, divorces, or estate probate; and

(F) that is subject to a trust agreement that prohibits the acceptance of donations, except in accordance with this section and the regulations of the Office of Government Ethics;

(3) the term ''lobbying activity'' has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

(4) the term ''officer or employee'' means—

(A) an officer (as that term is defined in section 2104 of title 5, United States Code) or employee (as that term is defined in section 2105 of such title) of the executive branch of the Government;

(B) the Vice President; and

(C) the President; and

(5) the term ''relative'' has the meaning given that term in section 3110 of title 5, United States Code.

(b) LEGAL DEFENSE FUNDS.—An officer or employee may not accept or use any gift or donation for the payment or reimbursement of legal fees or expenses incurred in investigative, civil, criminal, or other legal proceedings relating to or arising by virtue of the officer or employee's service as an officer or employee, as defined in this section, or as an employee, contractor, consultant or volunteer of the campaign of the President or Vice President except through a legal defense fund that is certified by the Director of the Office of Government Ethics.

(c) LIMITS ON GIFTS AND DONATIONS.—Not later than 120 days after the date of the enactment of this Act, the Director shall promulgate regulations establishing limits with respect to gifts and donations described in subsection (b), which shall, at a minimum—

(1) prohibit the receipt of any gift or donation described in subsection (b)—

(A) from a single contributor (other than a relative of the officer or employee) in a total amount of more than $5,000 during any calendar year;

(B) from a registered lobbyist;

(C) from a foreign government or an agent of a foreign principal;

(D) from a State government or an agent of a State government;

(E) from any person seeking official action from, or seeking to do or doing business with, the agency employing the officer or employee;

(F) from any person conducting activities regulated by the agency employing the officer or employee;

(G) from any person whose interests may be substantially affected by the performance or nonperformance of the official duties of the officer or employee;

(H) from an officer or employee of the executive branch;

(I) from any organization a majority of whose members are described in (A)–(H); or

(J) require that a legal defense fund, in order to be certified by the Director only permit distributions to the officer or employee.

(d) WRITTEN NOTICE.—

(1) IN GENERAL.—An officer or employee who wishes to accept funds or have a representative accept funds from a legal defense fund shall first ensure that the proposed trustee of the legal defense fund submits to the Director the following information:

(A) The name and contact information for any proposed trustee of the legal defense fund.

(B) A copy of any proposed trust document for the legal defense fund.

(C) The nature of the legal proceeding (or proceedings), investigation or other matter which give rise to the establishment of the legal defense fund.

(D) An acknowledgment signed by the officer or employee and the trustee indicating that they will be bound by the regulations and limitation under this section.

(2) APPROVAL.—An officer or employee may not accept any gift or donation to pay, or to reimburse any person for, fees or expenses described in subsection (b) of this section except through a legal defense fund that has been certified in writing by the Director following that office's receipt and approval of the information submitted under paragraph (1) and approval of the structure of the fund.

(e) REPORTING.—

(1) IN GENERAL.—An officer or employee who establishes a legal defense fund may not directly or indirectly accept distributions from a legal defense fund unless the fund has provided the Director a quarterly report for each quarter of every calendar year since the establishment of the legal defense fund that discloses, with respect to the quarter covered by the report—

(A) the source and amount of each contribution to the legal defense fund; and

(B) the amount, recipient, and purpose of each expenditure from the legal defense fund, including all distributions from the trust for any purpose.

(2) PUBLIC AVAILABILITY.—The Director shall make publicly available online—

(A) each report submitted under paragraph (1) in a searchable, sortable, and downloadable form;

(B) each trust agreement and any amendment thereto;

(C) the written notice and acknowledgment required by subsection (d); and

(C) the Director's written certification of the legal defense fund.

(f) RECUSAL.—An officer or employee, other than the President and the Vice President, who is the beneficiary of a legal defense fund may not participate personally and substantially in any particular matter in which the officer or employee knows a donor of any source of a gift or donation to the legal defense fund established for the officer or employee has a financial interest, for a period of two years from the date of the most recent gift or donation to the legal defense fund.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chair, this amendment cleans up the so-called legal defense funds.

Many Americans don't know this, but it is perfectly legal for government employees to set up a fund to help them pay their legal bills when they are in trouble with the law. Amazingly, they can pack this slush fund with unlimited donations from wealthy individuals and large corporations.

In other words, employees in the White House can fund their legal defenses with contributions from the President's campaign backers or people who want to influence the President's decisions.

Not surprisingly, this President's team has set up a legal defense fund, the Patriot Fund, to help staffers pay for their legal fees related to the Russia investigation. The Patriot Fund was cleared by the Office of Government Ethics under the Acting Director, David Apol, who was appointed by—you guessed it—President Trump.

Former Trump campaign staffer Rick Gates and former National Security Advisor Michael Flynn have also set up legal defense funds.

According to a political report from a month ago, Sheldon Adelson, who is the single largest donor to the Trump campaign, and his wife, Miriam, have each contributed $250,000 to the Patriot Fund, for a total of half a million dollars.

The fund is flush, Mr. Chair. It is no wonder that one of Trump's former campaign staffers who has been interviewed by the House Intelligence Committee referred to the Patriot Fund as ''a real blessing.''

Trump lawyers have said that decisions about which staffers' legal funds are paid out of the Patriot Fund will not be related to whether the individual in question defends the President. But since the fund manager has sole discretion over who will benefit from the fund, it is almost impossible to know whether access to Patriot Fund dollars will be used to reward those who might be loyal to the President. That creates an extraordinary conflict of interest for any President, not just this one.

It is time to put a stop to this in perpetuity. That is why I have offered this amendment to direct the Office of Government Ethics to promulgate regulations on basic requirements to ensure transparency of donations to legal defense funds in the executive branch and to ensure that Federal employees cannot obtain money from prohibited sources. These regulations will be similar to rules that are already established for Members of Congress, and I think that that is just common sense.

My amendment closes loopholes and eliminates conflicts of interest in these legal defense funds in several ways.

First, it limits the gifts and donations that can be made to legal defense funds to no more than $5,000 per person per year.

Second, it prohibits registered lobbyists, foreign governments, and individuals involved in activities that are regulated by the agency that is employing the individual who will receive the legal defense fund dollars from contributing to their legal defense fund.

Third, it clarifies that employees may not accept gifts and donations outside of legal defense funds to pay for

legal fees and expenses from civil or criminal proceedings.

And, fourth, it makes legal defense funds public by requiring that the source of contributions and the amount of those contributions be publicly disclosed.

Mr. Chair, this is a sensible amendment, and I reserve the balance of my time.

Mr. JORDAN. Mr. Chair, I oppose the amendment.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Mr. Chair, the Office of Government Ethics already consults with legal defense funds when prompted. OGE already published two legal advisories around legal defense funds that define gifts according to current U.S. Code and the ''Standard of Ethical Conduct for Employees of the Executive Branch.'' Any legal defense fund reviewed by OGE bars the trustee from accepting donations from already prohibited sources.

Mr. Chair, I urge that Members oppose this bad amendment to an already terrible underlying piece of legislation, and, respectfully, I yield back the balance of my time.

Ms. JAYAPAL. Mr. Chair, in conclusion, I would say this bill, H.R. 1, is about reclaiming our democracy, ensuring transparency and accountability for the American people. For evidence of obstruction of justice, public corruption, and abuses of power for any President and the people surrounding him, we believe that this bill is essential, and this amendment is essential.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 116–16.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 265, insert after line 9 the following (and conform the succeeding subsection accordingly):

''(d) SURPLUS APPROPRIATIONS.—If the amount of funds appropriated for grants authorized under section 298D(a)(2) exceed the amount necessary to meet the requirements of subsection (b), the Commission shall consider the following in making a determination to award remaining funds to a State:

''(1) The record of the State in carrying out the following with respect to the administration of elections for Federal office:

''(A) Providing voting machines that are less than 10 years old.

''(B) Implementing strong chain of custody procedures for the physical security of voting equipment and paper records at all stages of the process.

''(C) Conducting pre-election testing on every voting machine and ensuring that paper ballots are available wherever electronic machines are used.

''(D) Maintaining offline backups of voter registration lists.

''(E) Providing a secure voter registration database that logs requests submitted to the database.

''(F) Publishing and enforcing a policy detailing use limitations and security safeguards to protect the personal information of voters in the voter registration process.

''(G) Providing secure processes and procedures for reporting vote tallies.

''(H) Providing a secure platform for disseminating vote totals.

''(2) Evidence of established conditions of innovation and reform in providing voting system security and the proposed plan of the State for implementing additional conditions.

''(3) Evidence of collaboration between relevant stakeholders, including local election officials, in developing the grant implementation plan described in section 298B.

''(4) The plan of the State to conduct a rigorous evaluation of the effectiveness of the activities carried out with the grant.''.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chair, H.R. 1, the For the People Act of 2019, of which I am a proud cosponsor, delivers on the promise to reform American democracy by protecting voting rights and our elections, improving the transparency of campaign finance, and promoting ethics and accountability.

Key to safeguarding voting rights is ensuring that our voting system is secure and free from interference by foreign actors.

My amendment to H.R. 1 would help States implement voting system security improvements in order to enhance the integrity of our Federal election infrastructure.

Adapted from the FAST Voting Act, H.R. 1512, which I recently reintroduced with my colleague, Representative JIM LANGEVIN of Rhode Island, this amendment to H.R. 1 would award supplementary grants to State applicants based on evidence of previous election security reforms and plans for implementing additional innovations.

This race-to-the-top model would incentivize States to adopt best practices, including providing voting machines that are less than 10 years old, maintaining offline backups of voter registration lists, and providing a secure platform for disseminating vote totals.

According to the Brennan Center for Justice, in the 2016 Federal elections, voters relied on outdated voting equipment that was more than a decade old in 43 of the 50 States, Mr. Chairman.

My amendment would also instruct the Election Assistance Commission, when evaluating State grant applications, to consider evidence of collaboration between relevant stakeholders, including local election officials, in developing the grant implementation plan and the State's plan to evaluate the effectiveness of its grant activities.

We now know that Russia directly targeted State voter databases and software systems in 39 States during the 2016 Federal elections. That effort by Russia and additional foreign entities to conduct robust influence operations persisted, sadly, in the 2018 midterm elections, and the U.S. intelligence community expects such attacks to continue through the 2020 Federal elections.

Numerous witnesses before the Homeland Security Committee testified on the ongoing need for investment to protect us from such attacks. The need to strengthen the integrity of our voting system is crystal clear, Mr. Chairman. We have a moral obligation as Members of Congress to protect the sacred nature of the results of every election, and it is urgent.

Mr. Chair, I urge my colleagues to support this simple but, I think, helpful amendment to move us toward voter security in the next election and enhance cybersecurity for all of our Federal election infrastructure.

Mr. Chairman, I am delighted to see there is no opposition here on the floor, and I yield back the balance of my time.

□ 1900

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MS. FOXX OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 116–16.

Ms. FOXX of North Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 617, insert after line 2 the following (and redesignate the succeeding subtitle accordingly):

Subtitle E—Reports on Outside Compensation Earned by Congressional Employees

SEC. 9401. REPORTS ON OUTSIDE COMPENSATION EARNED BY CONGRESSIONAL EMPLOYEES.

(a) REPORTS.—The supervisor of an individual who performs services for any Member, committee, or other office of the Senate or House of Representatives for a period in excess of four weeks and who receives compensation therefor from any source other than the Federal Government shall submit a report identifying the identity of the source, amount, and rate of such compensation to—

(1) the Select Committee on Ethics of the Senate, in the case of an individual who performs services for a Member, committee, or other office of the Senate; or

(2) the Committee on Ethics of the House of Representatives, in the case of an individual who performs services for a Member (including a Delegate or Resident Commissioner to the Congress), committee, or other office of the House.

(b) TIMING.—The supervisor shall submit the report required under subsection (a) with respect to an individual—

(1) when such individual first begins performing services described in such subparagraph;

(2) at the close of each calendar quarter during which such individual is performing such services; and

(3) when such individual ceases to perform such services.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX of North Carolina. Mr. Chairman, I rise to speak on behalf of my amendment, co-authored by Representative HARLEY ROUDA of California, which seeks to bring badly-needed transparency to sources of compensation for certain individuals staffing the legislative branch.

I would like to start by thanking my colleague from California (Mr. ROUDA) for working together in this bipartisan fashion. I am always willing to work across the aisle to find common ground, and I am glad to have found a partner in him on this issue.

I would be remiss, however, if I did not mention the missed opportunity for doing so on the underlying bill. This underlying legislation ran afoul of the legislative process, having gone through only one markup, despite 10 committee referrals.

Democratic leaders also rejected many Republican amendments that I support, amendments that would have terminated Congressional pensions, prohibiting pay for Congressmen when the government shuts down, and other commonsense reforms.

If we are serious about strengthening our democracy, we need to start with reforming our own Congress. Luckily, Representative ROUDA and I are doing just that through our amendment. Our amendment codifies a Senate rule that requires legislative branch offices to disclose the source of funding for Congressional fellows.

While the general public understands the need for strict regulations on campaign contributions, gifts, and other methods of influence, many Americans would be shocked to learn that the influence of personnel is escaping public notice.

The Congressional Fellows program is a great contribution to this institution on the whole, as it offers direct exposure and experience in the legislative process to people outside of the Beltway. That exposure is great for our democracy and great for the American public.

However, it goes without saying that fellows being paid by industry groups, advocacy groups, or for-profit industries shouldn't be creating any undue advantage by way of their access to this body.

In fact, there is an old saying around Congress that personnel equals policy. If that is so evident to Members of Congress, then surely we can understand the potential conflicts of interest that could arise from this influence.

It has been reported some Congressional Fellows are working on legislation pertaining to the very interest group they are being paid by to support their work in Congress. The public would rightfully be outraged to learn that even some of the largest social media firms in this country are retaining fellows on Capitol Hill, and yet, the average citizen outside the Beltway has no way of knowing about it. This situation gives a whole new meaning to the term ''social media influencer.''

While House ethics rules currently bar fellowship programs from giving an ''undue advantage to special interests,'' the House of Representatives lacks a reporting requirement to expose conflicts of interest.

Our amendment would fill this gap by mandating that legislative offices disclose the rate and source of compensation for Congressional Fellows to their Chamber's respective Ethics Committee.

The taxpayers have a right to know about the funding, Mr. Chairman.

Mr. Chairman, at this time, let me yield to the gentleman from California (Mr. ROUDA), my cosponsor for the amendment.

Mr. ROUDA. Mr. Chair, I rise today in support of this bipartisan amendment, which would codify disclosure requirements for paid Congressional fellowships sponsored by nongovernment sources.

It has been a privilege to work with Congresswoman FOXX and her office on this amendment to enhance transparency in Congress, and I thank her for her attention to this matter.

I look forward to continuing to work with Congresswoman FOXX and my other colleagues across the aisle to advance bipartisan initiatives.

I am eager to work with Democrats and Republicans to find common ground and deliver practical, commonsense solutions for the American people.

By passing this bipartisan amendment, we can show our constituents that we are serious about improving transparency and accountability in the people's House.

I ask my colleagues to join me in supporting this amendment.

Ms. FOXX of North Carolina. Mr. Chairman, could I inquire as to how much time is remaining?

The Acting CHAIR. The gentlewoman from North Carolina has 45 seconds remaining.

Ms. FOXX of North Carolina. Mr. Chairman, if personnel equals policy, then the general public should have access to knowledge about the influencers in our legislative body.

Again, I am glad to have been a partner with Congressman ROUDA in this bipartisan initiative. I ask my colleagues to support our amendment to uphold transparency, accountability, and the integrity of our legislative process. And I urge all Members to vote for the amendment. It is a very commonsense amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MRS. LAWRENCE

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in part B of House Report 116–16.

Mrs. LAWRENCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 555, line 16, insert ''**CABINET MEMBER,**'' after ''**VICE PRESIDENT,**''.

Page 555, line 19, strike ''the President or Vice President,'' and insert ''the President, Vice President, or any Cabinet member''.

The Acting CHAIR. Pursuant to House Resolution 172, the gentlewoman from Michigan (Mrs. LAWRENCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this week, Congress has an opportunity to restore the American people's faith in our political system. H.R. 1 is a comprehensive set of democratic and anti-corruption reforms that work for the people, as opposed to those privileged enough to game the system.

My amendment is simple. It adds Cabinet members to the list of individuals who cannot benefit from an agreement with the United States government.

By ensuring the President, Vice President, and Cabinet members are not able to benefit from agreements with the government, individuals in a position to use their authority for their own personal gain will be prohibited from doing so.

The American people expect their government to act in their best interest, not in the best interest of their bank accounts.

When a department issues a ruling, the American people should not have to consider whether a Cabinet member will benefit from that action.

The President, the Vice President, and Cabinet members all have tremendous power and decisionmaking authority within our government. That power comes with great scrutiny and the need for oversight. This commonsense amendment will eliminate that confusion.

Aside from providing essential oversight for our government, H.R. 1 addresses serious issues that have plagued our country for decades. For years, Americans' access to the ballot box has been under attack, and millions of voters have been removed from voter rolls across the country.

Democrats are committed to ensuring that voting is free, fair, and easy for all citizens, and that every vote by an eligible voter is counted as cast.

H.R. 1, the For the People Act, codifies that oversight, and seeks to shed a

light on any corrupt actions being taken by our elected officials and Cabinet members.

Mr. Chairman, Cabinet members should be held to the same standard as the President, Vice President, and Members of Congress, and should not be able to benefit from agreements, policy, and their actions while serving the U.S. Government. I urge my colleagues to support this commonsense amendment that will help provide important oversight of our government.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 116–16.

AMENDMENT NO. 20 OFFERED BY MR. ROUDA

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part B of House Report 116–16.

Mr. ROUDA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 127, insert after line 17 the following new section (and conform the succeeding section accordingly):

SEC. 1505. PAPER BALLOT PRINTING REQUIREMENTS.

(a) IN GENERAL.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 1504, is amended by adding at the end the following new paragraph:

''(8) PRINTING REQUIREMENTS FOR BALLOTS.—All paper ballots used in an election for Federal office shall be printed on recycled paper.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections occurring on or after January 1, 2021.

Page 128, line 4, strike ''subparagraphs (B) and (C)'' and insert ''section 1505(b) of the For the People Act of 2019 and subparagraphs (B) and (C)''.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from California (Mr. ROUDA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROUDA. Mr. Chair, the people of Orange County sent me to Congress because they were disillusioned with the nature of our politics, whether it is the toxic partnership or the vice grip of special interest money on our political system.

I offer these amendments today to improve this landmark bill by regulating political ads and restore voters' confidence in our elections.

Our government has, for too long, preferred to shield special interests instead of our constituents; and that ends by getting out of politics and passing the For the People Act.

In an age of advanced cybersecurity threats, more States are looking to one of the oldest technologies in existence, paper. Currently, the majority of States utilize some form of paper ballot for elections, with more taking steps to adopt paper-only systems.

My amendment would require the use of recycled paper for Federal elections, a critical step to increasing the sustainability of our elections. Recycled paper production emits 40 percent fewer greenhouse gases, uses 26 percent less energy, and creates 43 percent less water waste than non-recycled paper.

The impact of requiring the use of recycled paper for ballots is significant when you consider the amount of paper used in the United States. In fact, Americans use approximately 85 million tons of paper a year, about 680 pounds per person per year.

Recycling just 1 ton of paper can save 17 trees, 7,000 gallons of water, 380 gallons of oil, 3.3 cubic yards of landfill space, and 4,000 kilowatts of energy, reducing greenhouse gases by 1 metric ton of carbon.

As security concerns continue to inspire moves to replace electronic voting methods with paper ballots, we must be mindful of the environmental impact.

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Using recycled paper for our ballots would improve not just our right to vote, but also save the environment.

Mr. Chair, I urge adoption of my amendment, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I respect the gentleman's amendment. As important as recycled paper may be, this, I believe, would present an undue burden on our States and our local officials who administer these elections.

This requirement of using recycled paper is narrowly tailored for Federal office elections, yet Federal, State, and local elections often occur at the same time. This makes it incredibly impractical and difficult for State election officials to comply with this amendment. States, theoretically, may have to have two different paper ballots: one for Federal elections and the other for State and local matters.

Also, recycled paper is less available and more expensive, giving local election officials fewer options. This requirement could have an undue burden on States as they aim to comply with this amendment, and it is impractical, as voters often vote on Federal, State, and local elections on the same ballot.

This is ultimately a federalism issue. I have a problem with the entire bill being a federalism issue. We should defer to the States and their budgets on how to best administer elections tailored to their unique considerations.

Mr. Chair, I reserve the balance of my time.

Mr. ROUDA. Mr. Chair, I thank the gentleman for his comments, but with all due respect, I don't believe the facts support those statements.

It is quite clear that many States are already using recycled paper in their ballots, and recycled paper often can be cheaper than the paper chosen by certain States. This is a small request that goes a long way in supporting environmental health across our great country and continuing to fight climate change.

Mr. Chair, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I appreciate the gentleman's willingness to show awareness and concern over climate change and our environment. Maybe this amendment is better suited for when the New Green Deal is called up on the floor for all of us to cast a vote upon, but this is an undue, unfunded mandate from the Federal Government right down to the State and local officials.

This is something that can cost local election officials even more money to run elections and then also run the risk of them not having enough money to budget to print enough ballots that will be available on election day for the increased voter turnout that we have seen over the last few election cycles. At that point in time, it becomes a very big burden on local taxpayers.

This bill is going to be a burden on local taxpayers. This bill is estimated to already cost almost $3 billion. It creates another mandatory spending program.

I appreciate my new colleague's willingness to come here and offer amendments. I just believe that this amendment is, again, adding to the unfair, unfunded burden that H.R. 1 gives to many State and local election officials.

State and local election officials know best how to stack their ballot boxes to ensure they have enough ballots for everybody to vote, and this will now be an added cost.

Mr. Chair, I yield back the balance of my time.

Mr. ROUDA. Mr. Chair, while I appreciate the comments and concerns about the potential increase in cost to local and State institutions in administering the vote, I would point out that my Republican brethren were quick to pass a tax bill that added $2 trillion to our deficit, while simultaneously not addressing requests by local municipalities and States for additional funding to make sure that we had proper voting taking place for all voters across the U.S.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROUDA).

The amendment was agreed to.

AMENDMENT NO. 21 OFFERED BY MR. ROUDA

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 116–16.

Mr. ROUDA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 127, insert after line 17 the following (and conform the succeeding section accordingly):

SEC. 1505. STUDY AND REPORT ON OPTIMAL BALLOT DESIGN.

(a) STUDY.—The Election Assistance Commission shall conduct a study of the best ways to design ballots used in elections for public office, including paper ballots and electronic or digital ballots, to minimize confusion and user errors.

(b) REPORT.—Not later than January 1, 2020, the Election Assistance Commission shall submit to Congress a report on the study conducted under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from California (Mr. ROUDA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROUDA. Mr. Chair, every election, hundreds of thousands of votes are not counted simply because of bad ballot design. These citizens fulfill their patriotic duty, but their voices are silenced by confusing voter instructions and poor ballot design. This cannot continue.

Although most Americans associate bad ballot design with the 2000 Presidential race and hanging chads, unnecessarily complex and misleading ballots still plague our elections today.

Confusing ballot design has a significant and well-documented effect on our elections, disproportionately affecting low-income and elderly voters.

You shouldn't need a magnifying glass to read a candidate's name and you shouldn't need a Ph.D. to understand voter instructions. My amendment simply directs the U.S. Election Assistance Commission to study the best ways to design both paper and digital ballots. By reviewing uncounted vote data and conducting usability tests, the U.S. Election Assistance Commission can provide States with better ballot design guidelines.

This study, which would be due in January 2020, is a commonsense way to ensure that more Americans' votes are counted next election and in every election to come.

Mr. Chair, I ask my colleagues to join me in supporting this amendment, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I rise in opposition to the amendment.

The Acting Chair. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank the sponsor of the amendment.

Mr. Chair, again, this is another added cost to the taxpayers that I believe, and my colleagues, I believe, should agree is already being taken care of. The EAC is already tasked to take on this role.

The Election Assistance Commission is an independent, bipartisan commission charged with developing guidance to meet the Help America Vote Act of 2002 requirements.

The EAC has already done extensive work on best practices for ballot design that are available to State and local officials already. In fact, the EAC published their insights on the importance of good ballot design just last month and are already in the process of updating its guidance based upon the feedback it has received. I would assume that would have been studied already.

Additionally, every 2 years following an election, the EAC sends its election administration voting survey to election officials in all 50 States, the District of Columbia, and our four territories. The survey includes national-, State-, and county-level data on voter registration; uniformed and overseas voters; early, absentee, provisional voting; voting equipment usage; and poll workers, polling places, and precincts.

All that to say, again, this is a waste of taxpayer dollars to be redundant and have the EAC perform another study that is going to cost the taxpayers of this country.

Mr. Chair, I reserve the balance of my time.

Mr. ROUDA. Mr. Chair, I thank the gentleman for his comments.

It sounds like we are in agreement, because he supports studies that have made these ballots improved over time. As we just saw from the most recent election cycle, it is clear that we still have work to do. So we have agreement that we want better ballots at all locations, and I am glad Mr. DAVIS is joining me in support of that.

I also would recognize that this does not require States to follow the suggested potential improved ballot, but makes it clear that there are better ways to do it.

Mr. Chair, I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I appreciate the gentleman's intention, and I appreciate his willingness as a new Member of this institution to come down here and participate in the amendment process. We need folks who come to this institution and they want to legislate, they want to be on the floor, they want to offer amendments.

My biggest problem with this amendment is we don't know how much this study is going to cost taxpayers. These are the types of studies that I believe the information that my colleague wants to get is already going to be in place. Why do we need to spend any more tax dollars on another study that is going to provide the same answers that my colleague has already asked them to now do a new study on? The EAC is doing their job.

Now, let's get back to the overall issue of H.R. 1.

H.R. 1 was a bill introduced on January 3 with zero Republican input, zero outreach to anybody on my side of the aisle, let alone the three Republicans that we have serving on the House Administration Committee, the only committee that marked this bill up.

At that announcement of this 571-page bill that is cosponsored by every member of the Democratic conference, it was shown that, heck, the author thanked all the outside special interest groups who helped write it.

We were given no input whatsoever on this legislation that is going to cost the taxpayers billions of dollars.

I am sorry, Mr. Chairman. I am going to do everything I can to make sure we lessen the amount of undue influence and unfunded mandates coming through this amendment process, and this is my one chance to do that.

Now, I am glad that my colleague mentioned the H.R. 1 of the last Congress. I learned my lesson not to yield back, as he just did, because now I get the last word.

This is an opportunity to remind my colleague, my new colleague, that it has even been reported 80 percent of what the Congressional Budget Office estimated that our tax cut bill that put thousands of dollars in the pockets of middle-class families, it has already paid for itself by 80 percent. In less than a year, we changed this. This is why H.R. 1 of the last Congress actually helped families put more money in their pockets.

H.R. 1 this year is going to actually cost taxpayers billions and put more money in the pockets of Members of Congress' campaigns.

This is a travesty that is no comparison, and that is exactly why this bill is terrible. And no offense to my colleague; I just oppose his amendment because I think it is redundant.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROUDA).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. ROUDA

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 116–16.

Mr. ROUDA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 72, insert after line 2 the following:

SEC. 1052. USE OF POSTAL SERVICE HARD COPY CHANGE OF ADDRESS FORM TO REMIND INDIVIDUALS TO UPDATE VOTER REGISTRATION.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Postmaster General shall modify any hard copy change of address form used by the United States Postal Service so that such form contains a reminder that any individual using such form should update the individual's voter registration as a result of any change in address.

(b) APPLICATION.—The requirement in subsection (a) shall not apply to any electronic version of a change of address form used by the United States Postal Service.

The Acting CHAIR. Pursuant to House Resolution 172, the gentleman from California (Mr. ROUDA) and a

Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROUDA. Mr. Chair, each year, too many Americans lose their voter registration status when they move without updating their voter registration address.

My amendment is a commonsense measure which directs the Postmaster General to include a notice on the Postal Service's hard copy change of address form simply reminding voters to update their voter registration following a change of address.

The online change of address form on the Postal Service's website already includes a reminder to reregister with your new address. This amendment would simply ensure that voters who use the hard copy change of address form also get a reminder to update their voter registration.

No one should be denied the right to vote simply because they forgot to update their voter registration address following a move.

Mr. Chair, I urge adoption of this amendment, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. RODNEY DAVIS of Illinois. Mr. Chair, I appreciate the opportunity.

I am not necessarily opposed to this amendment, and if the gentleman is willing, I am ready to move towards closing. I am ready to close on this debate, so I reserve the balance of my time.

Mr. ROUDA. Mr. Chair, if my colleague is ready to yield back and proceed to a vote, then I am certainly willing to do so as well.

I reserve the balance of my time.

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Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield back the balance of my time.

Mr. ROUDA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ROUDA).

The amendment was agreed to.

Ms. LOFGREN. I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. MUCARSEL-POWELL) having assumed the chair, Mr. CARTWRIGHT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1) to expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes, had come to no resolution thereon.

REMEMBERING ANTHONY RIOS

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute.)

Mr. ESPAILLAT. Madam Speaker, the Dominican Republic lost one of its brightest stars this week, with the passing of singer and composer Froilan Antonio Jimenez, known in the artistic world as Anthony Rios.

Rios' ascent was rapid due to his remarkable work ethic, perseverance, and an undeniable God-given talent. Even as a child, Rios demonstrated a unique ability to intertwine music into his life.

As a young shoeshine boy in the city of Hato Mayor del Rey, Rios would serenade his customers. During Christmas season, he sang Christmas carols door to door. The world and the Dominican Republic have lost a true talent.

May he rest in peace and may God comfort his friends, family, and all those who knew and loved him dearly. He will be missed. ''Rest in peace,'' ''De descanse en paz,'' Anthony Rios.

COMPREHENSIVE IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from New York (Mr. ESPAILLAT) is recognized for 60 minutes as the designee of the majority leader.

Mr. ESPAILLAT. Madam Speaker, as the whip of the Congressional Hispanic Caucus, I am pleased to lead our second monthly Special Order hour.

Last month, my colleagues and I spoke about the importance of comprehensive immigration reform. Since then, the Congressional Hispanic Caucus Immigration Task Force, led by Congresswoman LINDA SÁNCHEZ of California, drafted a set of immigration principles, which our caucus has now adopted. We plan to use these as a guide as we work on developing a comprehensive immigration reform proposal. Chief among these principles is a timely path to citizenship for Dreamers and a permanent solution for those with temporary protected status and deferred and forced departure.

Democrats made an important commitment to these communities. After a failed attempt at a bipartisan solution for Dreamers and TPS recipients last year, and again a few weeks ago, we said that if we regained control of the House, we would move quickly to fix this. Democrats have spent the last few weeks working just on that.

In particular, two of our CHC colleagues, Congresswoman LUCILLE ROYBAL-ALLARD and Congresswoman NYDIA VELÁZQUEZ, along with Congresswoman YVETTE CLARKE, have been putting together a proposal that will provide overdue needed relief. Their Dream and Promise Act, H.R. 6, will be introduced next week. We are also grateful for the time and effort they have put into this critical legislation.

That is why we wanted to take this month's CHC's Special Order to focus on Dreamers and TPS recipients. These are unique groups within our broader immigration community and their current plight—the uncertainty of their status—is entirely the fault of President Donald Trump and actions he took against them.

For Dreamers, the American people have heard us talk about them for many years, but I think it serves reminding just who those folks are. Dreamers are mostly young adults whose parents brought them to this country when they were minors. They do not have legal immigration status in the United States. They are undocumented, just like I was once. They came here through no fault of their own. For the vast majority of them, the United States of America is the only country they have ever known. A good number of them grew up not even knowing they were in immigration limbo and at risk of being deported.

Some only found out when they applied to college. Just think about that, Madam Speaker. You are a young high school student with your whole life ahead of you. You have dreams and aspirations for future careers and you are excited to take on a new chapter of your life. Then one day you find out that you are one of those undocumented folks you have been hearing about. There is now a barrier to your ability to get a higher education, to get a good job, to establish yourself in our society.

President Obama recognized this injustice and he created a program that would give Dreamers relief from deportation, known as the Deferred Action for Childhood Arrivals, or DACA. This gave them some sense of certainty, and, most importantly, it gave them the legal status they needed to pursue an education and career, to buy a home, and begin raising a family.

Nearly 800,000 individuals across the country receive DACA, and thousands more were still eligible. But President Trump abruptly chose to end the program as part of his anti-immigrant policies. Not only is this cruel and unjust, it is economic malpractice.

According to the Center for American Progress, ending DACA will cost our GDP $460 billion. Let me say that again, Madam Speaker. Ending DACA will cost our GDP $460 billion. That is because it will mean removing 685,000 workers out of the workforce.

If President Trump wants to promote economic growth, as he says, then why would he make such a horrible decision? I leave it up to the American people to sort out that mystery. Perhaps they can do it at the ballot box in a couple of years.

TPS recipients. Now, what is worse, Madam Speaker, is that Dreamers aren't the only group President Trump has decided to throw into legal limbo.