

107TH CONGRESS
1ST SESSION

H. R. 430

To establish a bipartisan commission to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards for the conduct of Federal elections, and to authorize grants and technical assistance to the States to assist them in implementing such standards.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2001

Mr. DELAHUNT (for himself, Mr. GRAHAM, Mr. LARSON of Connecticut, Mr. DEAL of Georgia, Mr. FROST, Mr. GREENWOOD, Ms. MILLENDER-MCDONALD, Mr. SCARBOROUGH, Mrs. JONES of Ohio, Mr. DUNCAN, Ms. RIVERS, Mr. COOKSEY, Mr. HOLDEN, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To establish a bipartisan commission to study the accuracy, integrity, and efficiency of Federal election procedures and develop standards for the conduct of Federal elections, and to authorize grants and technical assistance to the States to assist them in implementing such standards.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Election
3 Standards Act of 2001”.

4 **TITLE I—ESTABLISHMENT OF**
5 **NATIONAL ADVISORY COM-**
6 **MISSION ON FEDERAL ELEC-**
7 **TION STANDARDS.**

8 **SEC. 101. ESTABLISHMENT OF COMMISSION; MEMBERSHIP.**

9 (a) **ESTABLISHMENT OF COMMISSION.**—There is es-
10 tablished a commission to be known as the National Advi-
11 sory Commission on Federal Election Standards (here-
12 after in this Act referred to as the “Commission”).

13 (b) **MEMBERSHIP.**—The Commission shall be com-
14 posed of 24 voting and 2 nonvoting members, who shall
15 serve for the life of the Commission and shall be appointed
16 as follows:

17 (1) 3 members appointed by the Majority Lead-
18 er of the Senate.

19 (2) 3 members appointed by the Minority Lead-
20 er of the Senate.

21 (3) 3 members appointed by the Speaker of the
22 House of Representatives.

23 (4) 3 members appointed by the Minority Lead-
24 er of the House of Representatives.

25 (5) 3 members appointed by the National Asso-
26 ciation of Secretaries of State, of whom no more

1 than 2 shall represent States with large populations,
2 no more than 2 shall represent States with small
3 populations, and no more than 2 shall be from the
4 same political party or geographic region.

5 (6) 3 members appointed by the National Asso-
6 ciation of State Election Directors, of whom no more
7 than 2 shall represent States with large populations,
8 no more than 2 shall represent States with small
9 populations, and no more than 2 shall be from the
10 same political party or geographic region.

11 (7) 6 members who shall be local election offi-
12 cials and who shall be appointed as follows:

13 (A) 2 shall be appointed by the Election
14 Center.

15 (B) 2 shall be appointed by the Inter-
16 national Association of Clerks, Recorders, Elec-
17 tion Officials and Treasurers.

18 (C) 2 shall be appointed by the National
19 Association of County Recorders, Election Offi-
20 cials and Clerks.

21 (8) The Attorney General and the Chair of the
22 Federal Election Commission (or their respective
23 designees), who shall be nonvoting members of the
24 Commission.

1 (b) APPOINTMENTS; INITIAL MEETING.—Appoint-
2 ments to the Commission shall be made not later than 45
3 days after the date of the enactment of this Act. The Com-
4 mission shall hold its initial meeting not later than 30
5 days after the date on which all members of the Commis-
6 sion have been appointed, and at such meeting shall select
7 a chair from among the members of the Commission.

8 (c) VACANCIES.—Any vacancy in the Commission
9 shall not affect its powers, but shall be filled in the same
10 manner as the original appointment.

11 (d) RULES OF THE COMMISSION.—

12 (1) QUORUM.—A majority of the members of
13 the Commission shall constitute a quorum for the
14 transaction of business.

15 (2) MEETINGS.—Meetings shall be held at the
16 call of the chair upon at least 14 days written no-
17 tice. All meetings shall be open to the public.

18 (3) VOTING.—All actions of the Commission
19 shall be by majority vote of those present and vot-
20 ing.

21 (4) TESTIMONY.—The Commission shall pro-
22 vide opportunities for representatives of the general
23 public, civic groups, consumer groups, and State and
24 local government officials to testify.

1 (5) ADDITIONAL RULES.—The Commission may
2 adopt additional rules as needed.

3 **SEC. 102. DUTIES OF THE COMMISSION.**

4 (a) IN GENERAL.—The Commission shall—

5 (1) examine and report to the President, the
6 Congress, and the chief election official of each State
7 regarding the accuracy, integrity, and efficiency of
8 Federal election procedures in the States;

9 (2) develop standards for the conduct of Fed-
10 eral elections and make recommendations with re-
11 spect to the periodic review and updating of such
12 standards; and

13 (3) make additional recommendations to Con-
14 gress with respect to procedural and administrative
15 aspects of Federal elections over which Congress
16 may exercise legislative authority under the Con-
17 stitution of the United States.

18 (b) SPECIFIC CONSIDERATION OF CERTAIN ISSUES
19 IN DEVELOPMENT OF STANDARDS.—In developing stand-
20 ards under subsection (a)(2) for the conduct of Federal
21 elections, the Commission shall give specific consideration
22 to the following:

23 (1) Procedures for voter registration and main-
24 tenance of lists of registered voters.

1 (2) Ballot design, voting equipment, the meth-
2 ods employed in counting and recounting votes, and
3 the procedures for challenging the results.

4 (3) Factors which affect access to and the effi-
5 cient and orderly operation of polling places, includ-
6 ing hours of voting (which may include standards for
7 a uniform national poll closing time for presidential
8 elections), number and accessibility of polling sta-
9 tions, training of poll workers, methods of reducing
10 delay, and steps to ensure that all voters who report
11 to the polls have an opportunity to cast votes.

12 (4) Procedures for mail-in and absentee voting
13 (including deadlines for receipt of mail-in and absen-
14 tee ballots).

15 (c) SPECIFIC CONSIDERATION OF CERTAIN ISSUES
16 IN ADDITIONAL RECOMMENDATIONS.—In preparing addi-
17 tional recommendations for Congress under subsection
18 (a)(3), the Commission shall make recommendations as to
19 whether Federal law should be amended to authorize Fed-
20 eral elections to be conducted—

21 (1) on dates other than those prescribed by cur-
22 rent Federal law so as to permit weekend elections,
23 voting on multiple days, or expanded early voting
24 options; and

25 (2) by means of the Internet.

1 **SEC. 103. REPORTS.**

2 (a) REPORT ON CURRENT PROCEDURES AND REC-
3 OMMENDED STANDARDS.—Not later than 12 months after
4 the date of the initial meeting of the Commission, the
5 Commission shall submit to the President, the Congress,
6 the chair of the Federal Election Commission, and the
7 chief election official of each State a report which
8 includes—

9 (1) the findings and conclusions of the Commis-
10 sion on the accuracy, integrity, and efficiency of
11 Federal election procedures in the States made
12 under section 102(a)(1), together with other findings
13 and conclusions of the Commission; and

14 (2) the recommended standards for the conduct
15 of Federal elections developed under section
16 102(a)(2).

17 (b) REPORT ON ADDITIONAL RECOMMENDATIONS.—
18 Not later than 12 months after the date of the initial
19 meeting of the Commission, the Commission shall submit
20 to Congress the additional recommendations prepared
21 under section 102(a)(3).

22 (c) SEPARATE VIEWS.—Any member of the Commis-
23 sion may submit additional findings and recommendations
24 to be made a part of the reports submitted under this sec-
25 tion.

1 **SEC. 104. POWERS.**

2 (a) HEARINGS.—The Commission may hold such
3 hearings, sit and act at such places and times, take such
4 testimony, and receive such evidence as the Commission
5 deems necessary to carry out the provisions of this Act,
6 except that in holding hearings the Commission shall se-
7 lect locations for the hearings in a manner which reflects
8 a balance among various geographic regions of the United
9 States.

10 (b) ACCESS TO FEDERAL INFORMATION.—The Com-
11 mission may secure directly from any department or agen-
12 cy of the United States information necessary to enable
13 it to carry out this Act. Upon request of the chair of the
14 Commission, the head of that department or agency shall
15 furnish that information to the Commission.

16 (c) USE OF MAILS.—The Commission may use the
17 United States mails in the same manner and under the
18 same conditions as other departments and agencies of the
19 Federal Government.

20 **SEC. 105. COMPENSATION AND PERSONNEL.**

21 (a) COMPENSATION OF MEMBERS.—Members of the
22 Commission shall serve without pay, but shall receive trav-
23 el expenses, including per diem in lieu of subsistence, as
24 authorized by law for persons serving intermittently in
25 Government service under subchapter I of chapter 57 of
26 title 5, United States Code, while away from their homes

1 and places of business in the performance of services for
2 the Commission.

3 (b) PERSONNEL.—The chair of the Commission may
4 appoint staff of the Commission, request the detail of Fed-
5 eral employees, and accept temporary and intermittent
6 services in accordance with section 3161 of title 5, United
7 States Code, except that the rate of pay of any staff may
8 not exceed the annual rate payable for level V of the Exec-
9 utive Schedule under section 5316 of title 5, United States
10 Code.

11 **SEC. 106. SUPPORT SERVICES.**

12 The Administrator of General Services shall provide
13 to the Commission on a reimbursable basis such adminis-
14 trative support services as the Commission may request.

15 **SEC. 107. TERMINATION.**

16 The Commission shall terminate not later than the
17 date that is 30 days after the date the Commission sub-
18 mits the reports required under section 103.

19 **SEC. 108. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated \$10,000,000
21 to the Commission to carry out this title.

1 **TITLE II—FEDERAL ELECTION**
2 **STANDARDS IMPLEMENTA-**
3 **TION GRANTS**

4 **SEC. 201. GRANT AUTHORIZATION.**

5 (a) IN GENERAL.—

6 (1) ESTABLISHMENT OF PROGRAM.—Not later
7 than 60 days after the National Advisory Commis-
8 sion on Federal Election Standards submits the re-
9 port containing its recommended standards for the
10 conduct of Federal elections under section 103(a),
11 the Federal Election Commission shall establish a
12 program to make grants to qualifying States to im-
13 prove the accuracy, integrity, and efficiency of Fed-
14 eral election procedures by carrying out programs,
15 projects, and other activities to bring the conduct of
16 Federal elections into conformity with such stand-
17 ards.

18 (2) SOLICITATION OF APPLICATIONS.—Not
19 later than 30 days after establishing the program
20 under this section, the Federal Election Commission
21 shall begin soliciting applications from States for
22 grants under the program.

23 (b) QUALIFYING STATE DEFINED.—In this section,
24 a “qualifying State” is a State which has submitted an
25 application for a grant under the program under this sec-

1 tion (at such time and in such form and manner as the
2 Federal Election Commission may require) containing
3 such information and assurances as the Federal Election
4 Commission may require.

5 (c) PERMITTED USES.—Grants made under the pro-
6 gram under this section may be used by States, either di-
7 rectly or through units of local government, Indian tribal
8 governments, other public and private entities, and multi-
9 jurisdictional or regional consortia, for activities which
10 may include the following:

11 (1) The hiring of employees or consultants to
12 design and implement systems and procedures which
13 meet the standards referred to in subsection (a).

14 (2) The procurement of equipment, technology,
15 and administrative and managerial support systems
16 which meet such standards.

17 (3) The provision of training or retraining to
18 election officials, employees, and volunteers in the
19 proper use and maintenance of new systems and
20 procedures which meet such standards.

21 (4) Activities to enhance public confidence and
22 participation in the electoral process by increasing
23 knowledge and awareness of new systems and proce-
24 dures which meet such standards.

1 (5) The evaluation of the effectiveness of new
2 systems and procedures put in place using funds
3 provided under this title.

4 (d) **MATCHING FUNDS.**—The portion of the costs of
5 a program, project, or activity provided by a grant under
6 the program under this section may not exceed 75 percent
7 of the total costs of the program, project, or activity, ex-
8 cept that the Federal Election Commission may waive this
9 requirement in whole or in part under such terms and con-
10 ditions as the Federal Election Commission considers ap-
11 propriate.

12 (e) **MINIMUM AMOUNT.**—Unless all applications sub-
13 mitted by all qualifying States for grants under the pro-
14 gram under this section have been funded, the amount re-
15 ceived under this section for any fiscal year by each quali-
16 fying State, together with grantees within the State, may
17 not be less than 0.5 percent of the total amount appro-
18 priated for such grants for the fiscal year.

19 **SEC. 202. TECHNICAL ASSISTANCE.**

20 (a) **IN GENERAL.**—The Federal Election Commission
21 may provide technical assistance to States, units of local
22 government, Indian tribal governments, and other public
23 and private entities, in furtherance of the purposes of this
24 title.

1 (b) TRAINING CENTERS AND FACILITIES.—The tech-
2 nical assistance provided by the Federal Election Commis-
3 sion under this section may include the establishment and
4 operation of training centers or facilities, either directly
5 or by contracting or cooperative arrangements. The func-
6 tions of such centers or facilities may include instruction
7 and seminars for election officials, employees, trainers,
8 and such others as the Federal Election Commission con-
9 siders appropriate to meet the objectives of this title.

10 **SEC. 203. REPORTS TO CONGRESS.**

11 Not later than 60 days after each fiscal year for
12 which grants are made under this title, the Federal Elec-
13 tion Commission shall submit a report to Congress on the
14 programs carried out under this title during the year, and
15 may include in the report any recommendations of the
16 Federal Election Commission for amendments to this title
17 and related provisions of law.

18 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to carry out
20 this title \$250,000,000 for each of the first 3 fiscal years
21 beginning after the date of the enactment of this Act, and
22 such sums as may be necessary for each succeeding fiscal
23 year.

1 **TITLE III—STATE DEFINED**

2 **SEC. 301. STATE DEFINED.**

3 In this Act, the term “State” means a State of the
4 United States, the District of Columbia, the Common-
5 wealth of Puerto Rico, Guam, the Virgin Islands, and
6 American Samoa.

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