

Union Calendar No. 359

110TH CONGRESS
2D SESSION

H. R. 281

[Report No. 110-581]

To amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2007

Mrs. DAVIS of California (for herself, Mrs. JONES of Ohio, Mr. LARSEN of Washington, Mr. SCHIFF, Mrs. CAPPS, Ms. HOOLEY, Ms. WOOLSEY, and Mr. McDERMOTT) introduced the following bill; which was referred to the Committee on House Administration

APRIL 14, 2008

Additional sponsors: Mr. FILNER, Mr. GRIJALVA, Mr. HOLT, Mr. BACA, Ms. ESHOO, Ms. KILPATRICK, Mr. HASTINGS of Florida, Mr. CLEAVER, Mr. CARSON, Mr. AL GREEN of Texas, Mr. STARK, Mr. KIND, Mr. WYNN, Mr. ANDREWS, Mr. MCGOVERN, Mr. SMITH of Washington, Mr. HARE, Mr. BLUMENAUER, Mr. FRANK of Massachusetts, Mr. JACKSON of Illinois, Mr. FARR, Mr. GEORGE MILLER of California, Mr. WU, Mr. McNERNEY, Mr. ABERCROMBIE, Ms. CLARKE, Ms. BERKLEY, Ms. LINDA T. SÁNCHEZ of California, Ms. ZOE LOFGREN of California, Mr. CUMMINGS, Mr. BECERRA, Mr. HONDA, Mr. BRALEY of Iowa, Mr. SPACE, Mr. LEVIN, Mr. DAVIS of Alabama, Mr. KAGEN, Mr. LOEBSACK, Ms. MATSUI, Mr. WALZ of Minnesota, Mr. HINCHEY, Mr. YARMUTH, Mr. BISHOP of Georgia, Mr. CROWLEY, Mr. COSTA, Mrs. GILLIBRAND, Mr. WILSON of Ohio, Ms. NORTON, Ms. SUTTON, Mr. CLAY, Mrs. MALONEY of New York, Mr. McINTYRE, Mr. PRICE of North Carolina, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Mr. RUSH, Mr. UDALL of New Mexico, Mr. ORTIZ, Mr. KENNEDY, Mr. MITCHELL, Ms. DELAURO, Mr. COURTNEY, Ms. LORETTA SANCHEZ of California, Mr. BERRY, Mr. MILLER of North Carolina, Ms. HIRONO, Mr. ROTHMAN, Mr. BISHOP of New York, Mr. THOMPSON of California, Mr. PALLONE, Mr. KILDEE, Mr. HINOJOSA, Mr. PETERSON of Minnesota, Mr. BOSWELL, Ms. WATSON, Mr. INSLEE, and Mr. CARDOZA

APRIL 14, 2008

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on January 5, 2007]

A BILL

To amend the Help America Vote Act of 2002 to allow
all eligible voters to vote by mail in Federal elections.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Universal Right to Vote*
5 *by Mail Act of 2008”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds the following:*

8 (1) *An inequity of voting rights exists in the*
9 *United States because voters in some States have the*
10 *universal right to vote by mail while voters in other*
11 *States do not.*

12 (2) *Many voters often have work, family, or*
13 *other commitments that make getting to polls on the*
14 *date of an election difficult or impossible.*

15 (3) *Allowing voters to vote by mail can lead to*
16 *increased voter participation.*

1 (4) *Voting by mail is more convenient for many*
 2 *voters.*

3 (5) *Voting by mail gives voters more time to con-*
 4 *sider their choices.*

5 (6) *Studies show that an overwhelming majority*
 6 *of voters prefer voting by mail as an alternative to*
 7 *going to the polls.*

8 (7) *No evidence exists suggesting the potential for*
 9 *fraud in absentee balloting is greater than the poten-*
 10 *tial for fraud by any other method of voting.*

11 (8) *28 States currently allow universal absentee*
 12 *voting, which permits any voter to request a mail-in*
 13 *ballot without providing a reason for the request.*

14 **SEC. 3. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL**
 15 **IN FEDERAL ELECTIONS.**

16 (a) *IN GENERAL.*—Subtitle A of title III of the Help
 17 *America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is*
 18 *amended by inserting after section 303 the following new*
 19 *section:*

20 **“SEC. 303A. PROMOTING ABILITY OF VOTERS TO VOTE BY**
 21 **MAIL.**

22 “(a) *IN GENERAL.*—If an individual in a State is eli-
 23 *gible to cast a vote in an election for Federal office, the*
 24 *State may not impose any additional conditions or require-*
 25 *ments on the eligibility of the individual to cast the vote*

1 *in such election by mail, except as required under sub-*
 2 *section (b) and except to the extent that the State imposes*
 3 *a deadline for requesting the ballot and related voting mate-*
 4 *rials from the appropriate State or local election official*
 5 *and for returning the ballot to the appropriate State or*
 6 *local election official.*

7 “(b) *REQUIRING SIGNATURE VERIFICATION.*—A State
 8 *may not accept and process an absentee ballot submitted*
 9 *by any individual with respect to an election for Federal*
 10 *office unless the State verifies the identification of the indi-*
 11 *vidual by comparing the individual’s signature on the ab-*
 12 *sentee ballot with the individual’s signature on the official*
 13 *list of registered voters in the State, in accordance with such*
 14 *procedures as the State may adopt.*

15 “(c) *EFFECTIVE DATE.*—A State shall be required to
 16 *comply with the requirements of this section with respect*
 17 *to the regularly scheduled general elections for Federal office*
 18 *held in November 2010 and each succeeding election for*
 19 *Federal office.”.*

20 (b) *CONFORMING AMENDMENT RELATING TO EN-*
 21 *FORCEMENT.*—Section 401 of such Act (42 U.S.C. 15511)
 22 *is amended by striking “and 303” and inserting “303, and*
 23 *303A”.*

1 (c) *CLERICAL AMENDMENT.*—*The table of contents for*
2 *such Act is amended by inserting after the item relating*
3 *to section 303 the following new item:*

“Sec. 303A. *Promoting ability of voters to vote by mail.*”.

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