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S. 3529

To require States to establish contingency plans for the conduct of elections for Federal office in response to national disasters and emergencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2020

Ms. KLOBUCHAR (for herself, Mr. WYDEN, Ms. HIRONO, Ms. BALDWIN, Mr. COONS, Mr. SANDERS, Mr. MARKEY, Mr. VAN HOLLEN, Mr. BOOKER, Ms. SMITH, Ms. HARRIS, Mr. JONES, Mrs. FEINSTEIN, Mr. PETERS, Mr. DURBIN, Mr. MERKLEY, Mr. MURPHY, Ms. STABENOW, Mr. BLUMENTHAL, Mr. WARNER, Mrs. MURRAY, Mr. HEINRICH, Mr. UDALL, Ms. WARREN, Ms. DUCKWORTH, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To require States to establish contingency plans for the conduct of elections for Federal office in response to national disasters and emergencies, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Natural Disaster and
5 Emergency Ballot Act of 2020”.

1 **SEC. 2. REQUIREMENTS FOR FEDERAL ELECTION CONTIN-**
2 **GENCY PLANS IN RESPONSE TO NATURAL**
3 **DISASTERS AND EMERGENCIES.**

4 (a) IN GENERAL.—

5 (1) ESTABLISHMENT.—Not later than 30 days
6 after the date of the enactment of this Act, each
7 State and jurisdiction shall establish and make pub-
8 licly available a contingency plan to enable qualified
9 individuals (as defined in section 322(b) of the Help
10 America Vote Act of 2002, as added by section
11 5(a)), to vote in elections for Federal office during
12 a state of emergency, public health emergency, or
13 national emergency which has been declared for rea-
14 sons including, but not limited to—

15 (A) a natural disaster; or

16 (B) an infectious disease.

17 (2) UPDATING.—Each State and jurisdiction
18 shall update the contingency plan established under
19 this subsection not less frequently than every 5
20 years.

21 (b) REQUIREMENTS RELATING TO SAFETY.—The
22 contingency plan established under subsection (a) shall in-
23 clude initiatives to provide equipment and resources need-
24 ed to protect the health and safety of poll workers and
25 voters when voting in person.

1 (c) REQUIREMENTS RELATING TO RECRUITMENT OF
2 POLL WORKERS.—The contingency plan established
3 under subsection (a) shall include initiatives by the chief
4 State election official and local election officials to recruit
5 poll workers for the November, 2020, general election and
6 subsequent elections from resilient or unaffected popu-
7 lations, which may include—

8 (1) other State and local government offices;
9 and

10 (2) high schools and colleges in the State for
11 the November, 2020, general election and in subse-
12 quent elections for Federal office in the case where
13 an infectious disease poses significant increased
14 health risks to elderly individuals and affects an
15 election for Federal office.

16 (d) PLAN FOR VOTERS TO BE ABLE TO REQUEST
17 ABSENTEE BALLOTS ONLINE AND VOTE BY MAIL.—The
18 contingency plan established under subsection (a) shall
19 permit all individuals who are registered to vote to—

20 (1) submit an online request for an absentee
21 ballot, which requirement is satisfied if the local,
22 county, or State election official’s website allows an
23 absentee ballot request application to be completed
24 and submitted online and—

1 (A) an absentee ballot request application
2 to be printed for the voter to complete and
3 mail; or

4 (B) a voter to submit an online request for
5 a hard copy absentee ballot request application
6 to be mailed or emailed to the voter to complete
7 and mail;

8 (2) return completed absentee ballot requests to
9 designated drop off boxes;

10 (3) cast a vote in elections for Federal office by
11 mail; and

12 (4) return completed absentee ballots by drop-
13 ping them off at designated locations before the
14 close of polls on the date of the election.

15 (e) STATE.—For purposes of this section, the term
16 “State” includes the District of Columbia, the Common-
17 wealth of Puerto Rico, Guam, American Samoa, the
18 United States Virgin Islands, and the Commonwealth of
19 the Northern Mariana Islands.

20 (f) ENFORCEMENT.—

21 (1) ATTORNEY GENERAL.—The Attorney Gen-
22 eral may bring a civil action against any State or ju-
23 risdiction in an appropriate United States District
24 Court for such declaratory and injunctive relief (in-
25 cluding a temporary restraining order, a permanent

1 or temporary injunction, or other order) as may be
2 necessary to carry out the requirements of this sec-
3 tion.

4 (2) PRIVATE RIGHT OF ACTION.—

5 (A) IN GENERAL.—In the case of a viola-
6 tion of this section, any person who is aggrieved
7 by such violation may provide written notice of
8 the violation to the chief election official of the
9 State involved.

10 (B) RELIEF.—If the violation is not cor-
11 rected within 20 days after receipt of a notice
12 under subparagraph (A), or within 5 days after
13 receipt of the notice if the violation occurred
14 within 120 days before the date of an election
15 for Federal office, the aggrieved person may, in
16 a civil action, obtain declaratory or injunctive
17 relief with respect to the violation.

18 (C) SPECIAL RULE.—If the violation oc-
19 curred within 5 days before the date of an elec-
20 tion for Federal office, the aggrieved person
21 need not provide notice to the chief election of-
22 ficial of the State involved under subparagraph
23 (A) before bringing a civil action under sub-
24 paragraph (B).

1 **SEC. 3. REQUIREMENT TO ALLOW FOR EARLY VOTING AND**
 2 **NO-EXCUSE ABSENTEE VOTING.**

3 (a) REQUIREMENTS.—Title III of the Help America
 4 Vote Act of 2002 (52 U.S.C. 21081) is amended by adding
 5 at the end the following new subtitle:

6 **“Subtitle C—Additional**
 7 **Requirements**

8 **“SEC. 321. AVAILABILITY OF EARLY VOTING AND VOTING**
 9 **BY MAIL.**

10 “(a) IN GENERAL.—Each State and jurisdiction
 11 shall, with respect to the 2020 general election occurring
 12 on November 3, 2020, and each subsequent election for
 13 Federal office—

14 “(1) allow individuals to vote in such election
 15 prior to the date of the election through—

16 “(A) early voting which meets the require-
 17 ments of subsection (b); and

18 “(B) voting by mail which meets the re-
 19 quirements of subsection (c);

20 “(2) publicize the details of any voting allowed
 21 under paragraph (1);

22 “(3) comply with the absentee voting require-
 23 ments of subsection (d); and

24 “(4) comply with the vote counting require-
 25 ments of subsection (e).

1 “(b) EARLY VOTING.—Early voting meets the re-
2 quirements of this subsection—

3 “(1) if such voting occurs—

4 “(A) for a 20-day period preceding the
5 date of the election so that such days constitute
6 consecutive weekdays and include at least one
7 weekend, which period may end on a date cho-
8 sen by the chief election official of the State
9 that is between the date of the election and 4
10 days preceding such date; and

11 “(B) for no less than 8 hours on each of
12 the 20 days such early voting occurs; and

13 “(2) each early voting location in the State of-
14 fers a ballot drop-off box for voters to submit their
15 voted and sealed absentee ballots.

16 “(c) VOTING BY MAIL.—Voting by mail meets the re-
17 quirements of this subsection if—

18 “(1) the State does not require an excuse in
19 order to obtain and cast a ballot by mail for any
20 election for Federal office;

21 “(2) the State permits any eligible voter to sub-
22 mit an online request for an absentee ballot to vote
23 in an election for Federal office, which requirement
24 is satisfied if the local, county, or State election offi-
25 cial’s website allows an absentee ballot request appli-

1 cation to be completed and submitted online and
2 if—

3 “(A) an absentee ballot request application
4 to be printed for the voter to complete and
5 mail; or

6 “(B) a voter is able to submit an online re-
7 quest via the internet to have a hard-copy ab-
8 sentee ballot request application mailed or e-
9 mailed to them to complete and mail;

10 “(3) the State sends an absentee ballot to vote
11 in an election for Federal office in the State by mail
12 to any eligible voter that submits a request for such
13 a ballot and that request is received by the appro-
14 priate election office on or before the date that is 5
15 days, not including weekend days, before the date of
16 such election, except that nothing in this paragraph
17 shall preclude a State or local jurisdiction from al-
18 lowing for the acceptance and processing of ballot
19 requests submitted or received after such required
20 period;

21 “(4) the State permits any eligible voter to have
22 the option to request an absentee ballot for subse-
23 quent elections on all absentee ballot requests;

24 “(5) the State does not require any form of
25 identification for an absentee ballot request;

1 “(6) the State does not include any require-
2 ments for notarization or witness signature or other
3 formal authentication (other than voter attestation);

4 “(7) the State permits voters to submit an ab-
5 sentee ballot by dropping it off at designated loca-
6 tions before the close of polls on the date of the elec-
7 tion, including at any polling location on the date of
8 the election before the close of polls;

9 “(8) the State—

10 “(A) permits a voter to designate any per-
11 son to return a voted and sealed absentee ballot
12 to the post office, a ballot drop-off location,
13 tribally designated building, or election office
14 and that such person designated to return an
15 absentee ballot shall not receive any form of
16 compensation based on the number of ballots
17 that the person has returned and no individual,
18 group, or organization shall provide compensa-
19 tion on this basis; or

20 “(B) does not put any limits on how many
21 voted and sealed absentee ballots any des-
22 ignated person can return to the post office, a
23 ballot drop off location, tribally designated
24 building, or election office; and

1 “(9) the State permits any eligible voter that
2 submits a request for an absentee ballot to vote in
3 such election, but does not receive their absentee
4 ballot at least 2 days prior to election day to
5 download and mark at home an absentee ballot pro-
6 vided by the State pursuant to section 103C of the
7 Uniformed Overseas Citizens Absentee Voting Act or
8 section 322 of this Act.

9 “(d) DEADLINE REQUIREMENTS.—The requirements
10 described in this subsection are that a State shall count
11 a ballot submitted by an individual by mail with respect
12 to an election for Federal office in the State—

13 “(1) if it is postmarked, signed, or otherwise in-
14 dicated by the United States Postal Service to have
15 been mailed on or before the close of polls on the
16 date of the election; and

17 “(2) received by the appropriate State election
18 official on or before the date that is 10 days after
19 the date of such election.

20 “(e) BALLOT PROCESSING AND SCANNING REQUIRE-
21 MENTS.—

22 “(1) IN GENERAL.—The requirement described
23 in this subsection is that the State begins processing
24 and scanning ballots cast during early voting or

1 through vote by mail for tabulation at least 14 days
2 prior to election day.

3 “(2) LIMITATION.—Nothing in this subsection
4 shall allow for the tabulation of ballots before the
5 close of polls on the date of the election.

6 “(f) STATE.— For purposes of this section, the term
7 ‘State’ includes the District of Columbia, the Common-
8 wealth of Puerto Rico, Guam, American Samoa, the
9 United States Virgin Islands, and the Commonwealth of
10 the Northern Mariana Islands.”.

11 (b) CONFORMING AMENDMENT RELATING TO EN-
12 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
13 is amended by striking “and 303” and inserting “303, and
14 subtitle C of title III”.

15 (c) PRIVATE RIGHT OF ACTION.—Title IV of the
16 Help America Vote Act of 2002 (52 U.S.C. 21111 et seq.)
17 is amended by adding at the end the following new section:

18 **“SEC. 403. PRIVATE RIGHT OF ACTION FOR VIOLATIONS OF**
19 **NATURAL DISASTER AND EMERGENCY BAL-**
20 **LOT ACT OF 2020.**

21 “(a) IN GENERAL.—In the case of a violation of sub-
22 title C of title III, section 402 shall not apply and any
23 person who is aggrieved by such violation may provide
24 written notice of the violation to the chief election official
25 of the State involved.

1 “(b) RELIEF.—If the violation is not corrected within
2 20 days after receipt of a notice under subsection (a), or
3 within 5 days after receipt of the notice if the violation
4 occurred within 120 days before the date of an election
5 for Federal office, the aggrieved person may, in a civil ac-
6 tion, obtain declaratory or injunctive relief with respect
7 to the violation.

8 “(c) SPECIAL RULE.—If the violation occurred within
9 5 days before the date of an election for Federal office,
10 the aggrieved person need not provide notice to the chief
11 election official of the State involved under subsection (a)
12 before bringing a civil action under subsection (b).”.

13 (d) CONFORMING AMENDMENT RELATING TO VOL-
14 UNTARY GUIDANCE BY ELECTION ASSISTANCE COMMIS-
15 SION.—Section 311(b) of such Act (52 U.S.C. 21101) is
16 amended—

17 (1) in paragraph (2), by striking “and”;

18 (2) in paragraph (3), by striking the period at
19 the end and inserting “; and”; and

20 (3) by adding at the end the following:

21 “(4) in the case of the recommendations with
22 respect to subtitle C, 1 year after the date of enact-
23 ment of the Natural Disaster and Emergency Ballot
24 Act of 2020.”.

1 (e) CLERICAL AMENDMENTS.—The table of contents
2 of such Act is amended—

3 (1) by inserting after the item relating to sec-
4 tion 312 the following:

“Subtitle C—Additional Requirements

“Sec. 321. Availability of early voting and voting by mail.”;

5 and

6 (2) by inserting after the item relating to sec-
7 tion 402 the following:

“Sec. 403. Private right of action for violations of Natural Disaster and Emer-
gency Ballot Act of 2020.”.

8 **SEC. 4. USE OF DOWNLOADABLE AND PRINTABLE ABSEN-**
9 **TEE BALLOTS PROVIDED BY STATES UNDER**
10 **UOCAVA FOR VOTERS WITH DISABILITIES**
11 **AND THOSE WHO HAVE NOT RECEIVED A**
12 **BALLOT TO VOTE IN 2020 GENERAL ELEC-**
13 **TION AND SUBSEQUENT FEDERAL ELEC-**
14 **TIONS UNTIL DOMESTIC DOWNLOADABLE**
15 **AND PRINTABLE BALLOT PRESCRIBED BY**
16 **EAC IS AVAILABLE.**

17 (a) IN GENERAL.—The Uniformed and Overseas
18 Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.)
19 is amended by inserting after section 103B the following
20 new section:

1 **“SEC. 103C. USE OF DOWNLOADABLE AND PRINTABLE AB-**
2 **SENTEE BALLOTS PROVIDED UNDER UOCAVA**
3 **FOR VOTERS WITH DISABILITIES AND THOSE**
4 **WHO HAVE NOT RECEIVED A BALLOT TO**
5 **VOTE IN 2020 GENERAL ELECTION AND SUB-**
6 **SEQUENT FEDERAL ELECTIONS UNTIL DO-**
7 **MESTIC DOWNLOADABLE AND PRINTABLE**
8 **BALLOT PRESCRIBED BY EAC IS AVAILABLE.**

9 “(a) IN GENERAL.—

10 “(1) STATE RESPONSIBILITIES.—Each State
11 shall, with respect to the 2020 general election oc-
12 ccurring on November 3, 2020, and subsequent elec-
13 tions for Federal office (until such time as the Elec-
14 tion Assistance Commission prescribes a domestic
15 downloadable and printable ballot for use in elec-
16 tions for Federal office pursuant to section 297 of
17 the Help America Vote Act of 2002), permit quali-
18 fied individuals to use the downloadable and print-
19 able absentee ballots the State provides to overseas
20 and military voters as prescribed under section 103
21 to vote in such election.

22 “(2) REQUIREMENTS.—Such downloadable and
23 printable absentee ballots—

24 “(A) must comply with the language re-
25 quirements under section 203 of the National
26 Voter Registration Act; and

1 “(B) must comply with the disability re-
2 quirements under section 508 of the Rehabilita-
3 tion Act of 1973 (29 U.S.C. 794d).

4 “(3) APPLICATION OF REQUIREMENTS.—The
5 provisions of section 103 shall apply with respect to
6 the use of Federal write-in absentee ballots by quali-
7 fied individuals pursuant to this section in the same
8 manner as such provisions apply with respect to the
9 use of such ballots by absent uniformed services vot-
10 ers and overseas voters pursuant to section 103.

11 “(4) CLARIFICATION REGARDING FREE POST-
12 AGE.—Federal write-in absentee ballots of qualified
13 individuals pursuant to this section shall be consid-
14 ered balloting materials as defined in section 107 for
15 purposes of section 3406 of title 39, United States
16 Code.

17 “(5) PROHIBITING REFUSAL TO ACCEPT BAL-
18 LOT FOR FAILURE TO MEET CERTAIN REQUIRE-
19 MENTS.—A State shall not refuse to accept and
20 process any otherwise valid Federal write-in absen-
21 tee ballot submitted in any manner by a qualified in-
22 dividual solely on the basis of the following:

23 “(A) Notarization or witness signature re-
24 quirements.

1 “(B) Restrictions on paper type, including
2 weight and size.

3 “(C) Restrictions on envelope type, includ-
4 ing weight and size.

5 “(b) QUALIFIED INDIVIDUAL.—For purposes of this
6 section:

7 “(1) IN GENERAL.—Except as provided in para-
8 graph (2), the term ‘qualified individual’ means any
9 individual who is otherwise qualified to vote in an
10 election for Federal office and who—

11 “(A)(i) has requested an absentee ballot
12 from the State or jurisdiction where such indi-
13 vidual is registered to vote; and

14 “(ii) has not received such absentee ballot
15 at least 2 days before the date of the election;

16 “(B) expects to be absent from such indi-
17 vidual’s jurisdiction on the day of the election
18 for Federal office due to professional or volun-
19 teer service in response to a natural disaster or
20 emergency as so declared;

21 “(C) is hospitalized or expects to be hos-
22 pitalized on the day of the election for Federal
23 office; or

24 “(D) is an individual with a disability (as
25 defined in section 3 of the Americans with Dis-

1 abilities Act of 1990 (42 U.S.C. 12102)) and
2 resides in a State which does not offer voters
3 the ability to use secure and accessible remote
4 ballot marking.

5 For purposes of subparagraph (D), a State shall
6 permit an individual to self-certify that the indi-
7 vidual is an individual with a disability.

8 “(2) COORDINATION WITH FEDERAL WRITE-IN
9 BALLOT FOR ABSENT UNIFORMED SERVICES AND
10 OVERSEAS VOTERS.—The term ‘qualified individual’
11 shall not include an individual who—

12 “(A) is an absent uniformed services voter
13 or an overseas voter; and

14 “(B) is entitled to vote using the Federal
15 write-in absentee ballot prescribed under section
16 103.

17 “(c) STATE.—For purposes of this section, the term
18 ‘State’ includes the District of Columbia, the Common-
19 wealth of Puerto Rico, Guam, American Samoa, the
20 United States Virgin Islands, and the Commonwealth of
21 the Northern Mariana Islands.”.

22 (b) CONFORMING AMENDMENT.—Section 102(a) of
23 the Uniformed and Overseas Citizens Absentee Voting Act
24 (52 U.S.C. 20302(a)) is amended by striking “and” at
25 the end of paragraph (10), by striking the period at the

1 end of paragraph (11) and inserting “; and”, and by add-
 2 ing at the end the following new paragraph:

3 “(12) meet the requirements of section 103C
 4 with respect to use of downloadable and printable
 5 absentee ballots for qualified individuals to vote in
 6 the 2020 general election.”.

7 (c) CLERICAL AMENDMENTS.—The table of contents
 8 of such Act is amended by inserting the following after
 9 section 103:

“Sec. 103A. Procedures for collection and delivery of marked absentee ballots
 of absent overseas uniformed services voters.

“Sec. 103B. Federal voting assistance program improvements.

“Sec. 103C. Use of downloadable and printable absentee ballots provided under
 UOCAVA for voters with disabilities and those who have not
 received a ballot to vote in 2020 general election and subse-
 quent Federal elections until domestic downloadable and print-
 able ballot prescribed by EAC is available.”.

10 **SEC. 5. DOWNLOADABLE AND PRINTABLE ABSENTEE BAL-**
 11 **LOT FOR DOMESTIC USE BY VOTERS WITH**
 12 **DISABILITIES AND IN EMERGENCIES START-**
 13 **ING IN 2022.**

14 (a) STATE REQUIREMENT.—

15 (1) IN GENERAL.—Subtitle C of title III of the
 16 Help America Vote Act of 2002, as added by section
 17 3, is amended by adding at the end the following
 18 new section:

19 **“SEC. 322. USE OF DOMESTIC DOWNLOADABLE AND PRINT-**
 20 **ABLE ABSENTEE BALLOT.**

21 “(a) STATE REQUIREMENT.—

1 “(1) IN GENERAL.—Each State shall permit
2 qualified individuals to use a downloadable and
3 printable absentee ballot prescribed by the Election
4 Assistance Commission under section 297 to cast a
5 vote in any election for Federal office.

6 “(2) REQUIREMENTS.—Such downloadable and
7 printable absentee ballots—

8 “(A) must comply with the language re-
9 quirements under section 203 of the National
10 Voter Registration Act; and

11 “(B) must comply with the disability re-
12 quirements under section 508 of the Rehabilita-
13 tion Act of 1973 (29 U.S.C. 794d).

14 “(b) QUALIFIED INDIVIDUAL.—For purposes of this
15 section:

16 “(1) IN GENERAL.—Except as provided in para-
17 graph (2), the term ‘qualified individual’ means any
18 individual who is otherwise qualified to vote in an
19 election for Federal office and who—

20 “(A)(i) has requested an absentee ballot
21 from the State or jurisdiction where such indi-
22 vidual is registered to vote; and

23 “(ii) has not received such absentee ballot
24 at least 2 days before the date of the election;

1 “(B)(i) resides in an area of a State with
2 respect to which an emergency or public health
3 emergency has been declared by the Governor
4 or chief government official of the State or chief
5 government official of an area, 5 days or less
6 before election day under the laws of the State
7 due to reasons including, but not limited to—

8 “(I) a natural disaster, including se-
9 vere weather; or

10 “(II) an infectious disease; and

11 “(ii) has not requested an absentee ballot;

12 “(C) expects to be absent from such indi-
13 vidual’s jurisdiction on the day of the election
14 for Federal office due to professional or volun-
15 teer service in response to a natural disaster or
16 emergency as so declared;

17 “(D) is hospitalized or expects to be hos-
18 pitalized on the day of the election for Federal
19 office; or

20 “(E) is an individual with a disability (as
21 defined in section 3 of the Americans with Dis-
22 abilities Act of 1990 (42 U.S.C. 12102)) and
23 resides in a State which does not offer voters
24 the ability to use secure and accessible remote
25 ballot marking.

1 For purposes of subparagraph (E), a State shall
2 permit an individual to self-certify that the indi-
3 vidual is an individual with a disability.

4 “(2) COORDINATION WITH FEDERAL WRITE-IN
5 BALLOT FOR ABSENT UNIFORMED SERVICES AND
6 OVERSEAS VOTERS.—The term ‘qualified individual’
7 shall not include an individual who—

8 “(A) is an absent uniformed services voter
9 (as defined in section 107(1) of the Uniformed
10 and Overseas Citizens Absentee Voting Act (52
11 U.S.C. 20310(1))) or an overseas voter (as de-
12 fined in section 107(5) of such Act (52 U.S.C.
13 20310(5))); and

14 “(B) who is entitled to vote using the Fed-
15 eral write-in absentee ballot developed under
16 section 103 of such Act (52 U.S.C. 20303).

17 “(c) SUBMISSION AND PROCESSING.—

18 “(1) IN GENERAL.—Except as otherwise pro-
19 vided in this section, a domestic downloadable and
20 printable absentee ballot to which this section ap-
21 plies shall be submitted and processed in the manner
22 provided by law for absentee ballots in the State in-
23 volved.

1 “(2) DEADLINE.—An otherwise eligible national
2 Federal write-in absentee ballot to which this section
3 applies shall be counted—

4 “(A) if it is postmarked, signed, or other-
5 wise indicated by the United States Postal
6 Service to have been mailed on or before the
7 close of polls on the date of the election; and

8 “(B) received by the appropriate State
9 election official on or before the date that is 10
10 days after the date of such election.

11 “(d) SPECIAL RULES.—The following rules shall
12 apply with respect to domestic printable and downloadable
13 absentee ballots to which this section applies:

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

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

24 “(3) Any abbreviation, misspelling, or other
25 minor variation in the form of the name of a can-

1 didate or a political party shall be disregarded in de-
2 termining the validity of the ballot.

3 “(e) PROHIBITING REFUSAL TO ACCEPT BALLOT
4 FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A
5 State shall not refuse to accept and process any otherwise
6 valid Federal write-in absentee ballot submitted in any
7 manner by a qualified individual solely on the basis of the
8 following:

9 “(1) Notarization and witness signature re-
10 quirements.

11 “(2) Restrictions on paper type, including
12 weight and size.

13 “(3) Restrictions on envelope type, including
14 weight and size.

15 “(f) STATE.—For purposes of this section, the term
16 ‘State’ includes the District of Columbia, the Common-
17 wealth of Puerto Rico, Guam, American Samoa, the
18 United States Virgin Islands, and the Commonwealth of
19 the Northern Mariana Islands.

20 “(g) EFFECTIVE DATE.—Each State shall be re-
21 quired to comply with the requirements of this section on
22 and after January 1, 2022.”.

23 (2) CLERICAL AMENDMENT.—The table of con-
24 tents for such Act is amended by inserting after the

1 item relating to section 321, as added by section 3,
2 the following:

“Sec. 322. Use of domestic downloadable and printable absentee ballot.”.

3 (b) FORM OF DOMESTIC PRINTABLE AND
4 DOWNLOADABLE ABSENTEE BALLOT.—

5 (1) IN GENERAL.—Title II of the Help America
6 Vote Act of 2002 (52 U.S.C. 20921) is amended by
7 adding at the end the following new subtitle:

8 **“PART 7—DOWNLOADABLE AND PRINTABLE**
9 **ABSENTEE BALLOT FOR DOMESTIC USE**

10 **“SEC. 297. DOWNLOADABLE AND PRINTABLE ABSENTEE**
11 **BALLOT FOR DOMESTIC USE.**

12 “(a) FORM OF BALLOT.—

13 “(1) IN GENERAL.—The Commission shall pre-
14 scribe a domestic downloadable and printable ballot
15 (including a secrecy envelope and mailing envelope
16 for such ballot) for use in elections for Federal office
17 by qualified individuals (as defined in section
18 322(b)).

19 “(2) AFFIRMATION.—The ballot prescribed
20 under paragraph (1) shall contain an affirmation,
21 signed by the person submitting the ballot, that—

22 “(A) such individual is a qualified indi-
23 vidual (as defined in section 322(b));

24 “(B) such individual has not and will not
25 cast another ballot with respect to the election

1 for which the domestic downloadable and print-
2 able absentee ballot is cast; and

3 “(C) acknowledging that a material mis-
4 statement of fact in completing the ballot may
5 constitute grounds for conviction of perjury.

6 “(b) AVAILABILITY.—The Commission shall make
7 the domestic downloadable and printable absentee ballot
8 available on the internet in a printable format.

9 “(c) REQUIREMENTS.—The domestic downloadable
10 and printable absentee ballot shall be compliant with sec-
11 tion 508 of the Rehabilitation Act of 1973 (29 U.S.C.
12 794d) and shall not transmit the information completed
13 by a voter over the internet.”.

14 (2) CONFORMING AMENDMENTS.—

15 (A) Section 202 of the Help America Vote
16 Act of 2002 (52 U.S.C. 20922) is amended by
17 redesignating paragraphs (5) and (6) as para-
18 graphs (6) and (7), respectively, and by insert-
19 ing after paragraph (4) the following new para-
20 graph:

21 “(5) carrying out the duties described in part 7
22 relating to downloadable and printable absentee bal-
23 lot for domestic use;”.

1 (B) The table of contents for such Act is
 2 amended by inserting after the item related to
 3 section 296 the following:

“PART 7—DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR
 DOMESTIC USE

“Sec. 297. Downloadable and printable absentee ballot for domestic use.”.

4 **SEC. 6. REQUIREMENT FOR PREPAID RETURN ENVELOPES**
 5 **FOR ABSENTEE BALLOTS; USE OF INTEL-**
 6 **LIGENT MAIL BARCODE.**

7 (a) IN GENERAL.—Subtitle C of title III of the Help
 8 America Vote Act of 2002, as added by section 3 and
 9 amended by section 5, is amended by adding at the end
 10 the following new section:

11 **“SEC. 323. USE OF PREPAID SELF-SEALING RETURN ENVE-**
 12 **LOPES.**

13 “(a) IN GENERAL.—Each State and local jurisdiction
 14 shall provide with any voter registration application, ab-
 15 sentee ballot application, or blank absentee ballot sent by
 16 mail a self-sealing return envelope, where possible, with
 17 prepaid postage or subject to an arrangement whereby the
 18 State will reimburse the United States Postal Service for
 19 the postage of any such return envelope that is sent by
 20 mail.

21 “(b) USE OF INTELLIGENT MAIL BARCODE FOR THE
 22 2020 GENERAL ELECTION AND UNTIL BALLOTING MA-
 23 TERIALS STATUS UPDATE SERVICE IMPLEMENTED.—For

1 the 2020 general election and subsequent elections for
2 Federal office (until such time as a State implements a
3 balloting materials status update service which meets the
4 requirements described in section 7(a)(2) of the Natural
5 Disaster and Emergency Ballot Act of 2020), unless a
6 State or jurisdiction has developed a system that enables
7 voters to track their absentee ballot through the mail, each
8 State and jurisdiction shall provide with each absentee bal-
9 lot sent by mail a self-sealing return envelope pursuant
10 to subsection (a) that contains an Intelligent Mail barcode
11 as prescribed by the United States Postal Service.

12 “(c) STATE.—For purposes of this section, the term
13 ‘State’ includes the District of Columbia, the Common-
14 wealth of Puerto Rico, Guam, American Samoa, the
15 United States Virgin Islands, and the Commonwealth of
16 the Northern Mariana Islands.

17 “(d) EFFECTIVE DATE.—The requirements of this
18 section shall apply to materials sent by States and local
19 jurisdictions after the date that is 60 days after the date
20 of the enactment of this Act.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 of such Act is amended by inserting after the item relating
23 to section 322, as added by section 5, the following new
24 item:

“Sec. 323. Use of prepaid self-sealing return envelopes.”.

1 **SEC. 7. DEVELOPMENT OF A SECURE FEDERAL PORTAL TO**
2 **ALLOW ELECTION OFFICIALS TO PROVIDE**
3 **VOTERS WITH UPDATES ON THEIR BALLOTS.**

4 (a) **BALLOTING MATERIALS STATUS UPDATE SERV-**
5 **ICE.—**

6 (1) **IN GENERAL.—**Not later than January 1,
7 2024, the Director of the Cybersecurity and Infra-
8 structure Security Agency, in consultation with the
9 Chair of the Election Assistance Commission, the
10 Postmaster General, the Director of the General
11 Services Administration, the Presidential designee,
12 and State election officials, shall establish a balloting
13 materials status update service to be used by States
14 and local jurisdictions to inform voters on the status
15 of voter registration applications, absentee ballot ap-
16 plications, and absentee ballots.

17 (2) **INFORMATION TRACKED.—**The balloting
18 materials status update service established under
19 paragraph (1) shall provide to a voter the following
20 information with respect to that voter:

21 (A) In the case of balloting materials sent
22 by mail, tracking information from the United
23 States Post Office and the Presidential designee
24 on balloting materials sent to the voter and, to
25 the extent feasible, returned by the voter.

1 (B) The date on which any request by the
2 voter for an application for voter registration or
3 an absentee ballot was received.

4 (C) The date on which any such requested
5 application was sent to the voter.

6 (D) The date on which any such completed
7 application was received from the voter and the
8 status of such application.

9 (E) The date on which any absentee ballot
10 was sent to the voter.

11 (F) The date on which any absentee ballot
12 was received by the voter.

13 (G) The date on which the post office proc-
14 esses the absentee ballot.

15 (H) The date on which post office deliv-
16 ered the absentee ballot to the election office.

17 (I) Whether such ballot was accepted and
18 counted, and in the case of any ballot not
19 counted, the reason why the ballot was not
20 counted.

21 (3) METHOD OF PROVIDING INFORMATION.—

22 The balloting materials status update service estab-
23 lished under paragraph (1) shall allow voters the op-
24 tion to receive the information described in para-

1 graph (2) through email (or other electronic means)
2 or through the mail.

3 (4) PROHIBITION ON FEES.—The Director may
4 not charge any fee to a State or jurisdiction for use
5 of the balloting materials status update service in
6 connection with any Federal, State, or local election.

7 (5) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated to the Di-
9 rector such sums as are necessary for purposes of
10 carrying out this subsection.

11 (b) REQUIRED USE FOR ABSENT UNIFORMED SERV-
12 ICE VOTERS AND OVERSEAS VOTERS.—

13 (1) IN GENERAL.—Section 102(a) of the Uni-
14 formed and Overseas Citizens Absentee Voting Act
15 (52 U.S.C. 20302(a)), as amended by section 4(b),
16 is amended by striking “and” at the end of para-
17 graph (11), by striking the period at the end of
18 paragraph (12) and inserting “; and”, and by add-
19 ing at the end the following new paragraph:

20 “(13) use the balloting materials status update
21 service developed under section 7(a) of the Natural
22 Disaster and Emergency Ballot Act of 2020 to in-
23 form absent uniformed services voters and overseas
24 voters on the status of voter registration applica-

1 tions, absentee ballot applications, and absentee bal-
2 lots used in elections for Federal office.”.

3 (2) CONFORMING AMENDMENT.—Section 102
4 of such Act (52 U.S.C. 20302) is amended by strik-
5 ing subsection (h).

6 (3) EFFECTIVE DATE.—The amendments made
7 by this subsection shall apply to elections for Fed-
8 eral office occurring after the date that is 1 year
9 after the date on which the Director of the Cyberse-
10 curity and Infrastructure Security Agency certifies
11 that the service described in subsection (a) is oper-
12 ational.

13 (c) REQUIRED USE UNDER HELP AMERICA VOTE
14 ACT.—

15 (1) IN GENERAL.—Section 321(a) of the Help
16 American Vote Act of 2002, as added by section 3,
17 is amended by striking “and” at the end of para-
18 graph (3), by striking the period at the end of para-
19 graph (4) and inserting “; and”, and by adding at
20 the end the following new paragraph:

21 “(5) use the balloting materials status update
22 service developed under section 7(a) of the Natural
23 Disaster and Emergency Ballot Act of 2020 to pro-
24 vide eligible voters and qualified individuals (as de-
25 fined in section 322(b) of this Act) information re-

1 regarding the status of voter registration applications,
2 absentee ballot applications, and absentee ballots
3 used in elections for Federal office, except that any
4 State or jurisdiction which has developed a balloting
5 materials status update system which meets the re-
6 quirements of paragraph (2) of such section 7(a)
7 (relating to information tracked) may continue to
8 use such system.”.

9 (2) EFFECTIVE DATE.—The amendments made
10 by this subsection shall apply to elections for Fed-
11 eral office occurring after the date that is 1 year
12 after the date on which the Director of the Cyberse-
13 curity and Infrastructure Security Agency certifies
14 that the service described in subsection (a) is oper-
15 ational.

16 (d) AVAILABILITY TO DEPARTMENT OF DEFENSE.—
17 The Cybersecurity and Infrastructure Security Agency
18 may make the balloting materials status update service
19 available to the Department of Defense to administer and
20 implement to absent uniformed services voters and over-
21 seas voters pursuant to the Uniformed Overseas and Citi-
22 zens Absentee Voting Act (52 U.S.C. 20301 et seq.).

23 (e) REIMBURSEMENTS TO STATES.—

1 (1) FOR USE WITH RESPECT TO BALLOTING
2 MATERIALS OF ABSENT UNIFORMED SERVICE VOT-
3 ERS AND OVERSEAS VOTERS.—

4 (A) IN GENERAL.—The Uniformed and
5 Overseas Citizens Absentee Voting Act (52
6 U.S.C. 20301 et seq.) is amended by inserting
7 after section 103C, as added by section 4(a),
8 the following new section:

9 **“SEC. 103D. REIMBURSEMENTS FOR USE OF BALLOTING**
10 **MATERIALS STATUS UPDATE SERVICE.**

11 “(a) IN GENERAL.—The Presidential designee shall
12 make payments to each State and local jurisdiction equal
13 to the costs to the State or local jurisdiction of using the
14 balloting materials status update service under section
15 7(a) of the Natural Disaster and Emergency Ballot Act
16 of 2020 with respect to balloting materials of absent uni-
17 formed services and overseas voters.

18 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to the Presidential des-
20 ignee such sums as are necessary for carrying out this sec-
21 tion, to remain available without fiscal year limitation.”.

22 (B) CONFORMING AMENDMENT.—Section
23 101(b) of the Uniformed and Overseas Citizens
24 Absentee Voting Act (52 U.S.C. 20301(b)) is
25 amended by striking “and” at the end of para-

1 graph (10), by striking the period at the end of
 2 paragraph (11) and inserting “; and”, and by
 3 adding at the end the following new paragraph:

4 “(12) make payments to States in accordance
 5 with section 103D.”.

6 (C) CLERICAL AMENDMENT.—The table of
 7 contents of such Act is amended by inserting
 8 after the item relating to section 103, as added
 9 by section 4(c), the following new item:

“Sec. 103D. Reimbursements for use of balloting materials status update service.”.

10 (2) FOR USE WITH RESPECT TO BALLOTING
 11 MATERIALS OF DOMESTIC VOTERS.—

12 (A) IN GENERAL.—Subtitle D of title II of
 13 the Help America Vote Act of 2002 (52 U.S.C.
 14 21001 et seq.), as amended by section 5(b), is
 15 amended by adding at the end the following:

16 **“PART 8—REIMBURSEMENTS FOR USE OF BAL-**
 17 **LOTING MATERIALS STATUS UPDATE SERV-**
 18 **ICE**

19 **“SEC. 298. REIMBURSEMENTS FOR USE OF BALLOTING MA-**
 20 **TERIALS STATUS UPDATE SERVICE.**

21 “(a) IN GENERAL.—The Commission shall make pay-
 22 ments to each State and local jurisdiction equal to the
 23 costs to the State or local jurisdiction of using the ballot
 24 material update service under section 7(a) of the Natural

1 Disaster and Emergency Ballot Act of 2020 with respect
2 to balloting materials of voters (other than balloting mate-
3 rials of absent uniformed services and overseas voters for
4 which the State is eligible for payment under section 103D
5 of the Uniformed and Overseas Citizens Absentee Voting
6 Act) for which States or jurisdictions elect to use such
7 tracking service.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Commission such
10 sums as are necessary for carrying out this section, to re-
11 main available without fiscal year limitation.”.

12 (B) CONFORMING AMENDMENTS.—

13 (i) Section 202 of the Help America
14 Vote Act of 2002 (52 U.S.C. 20922), as
15 amended by section 5(b), is amended by
16 redesignating paragraphs (6) and (7) as
17 paragraphs (7) and (8), respectively, and
18 by inserting after paragraph (5) the fol-
19 lowing new paragraph:

20 “(6) carrying out the duties described in part 8
21 (relating to balloting materials status update reim-
22 bursements);”.

23 (ii) The table of contents for such Act
24 is amended by inserting after the item re-
25 lated to section 297 the following:

“PART 8—REIMBURSEMENTS FOR USE OF BALLOTING MATERIALS STATUS
UPDATE SERVICE

“Sec. 298. Reimbursements for use of balloting materials status update service.”.

1 **SEC. 8. NOTICE AND CURE PROCESS REQUIRED FOR MIS-**
2 **MATCHED SIGNATURES ON MAIL-IN AND**
3 **PROVISIONAL BALLOTS.**

4 (a) IN GENERAL.—Subtitle C of title III of the Help
5 America Vote Act of 2002, as added by section 3 and
6 amended by sections 5 and 6, is amended by adding at
7 the end the following new section:

8 **“SEC. 324. SIGNATURE MISMATCH ON BALLOT SUBMITTED**
9 **BY MAIL OR PROVISIONAL BALLOT.**

10 “(a) COVERED STATE DEFINED.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
12 in this section, the term ‘covered State’ means a
13 State in which, under State law, a ballot submitted
14 by mail or a provisional ballot is not counted as a
15 vote in an election for Federal office unless the State
16 verifies the signature of the individual who sub-
17 mitted such ballot by comparing the signature on
18 the envelope containing such ballot or a document
19 accompanying such ballot and the signature of such
20 individual on the official list of registered voters in
21 the State or other official record, or other document.

22 “(2) EXCEPTION FOR CERTAIN STATES.—Such
23 term shall not include a State which conducted a

1 Federal election entirely through vote by mail prior
2 to 2020.

3 “(b) NOTICE REQUIRED.—

4 “(1) IN GENERAL.—If an individual submits a
5 ballot by mail or a provisional ballot in an election
6 for Federal office in a covered State, and the appro-
7 priate State or local election official determines that
8 a discrepancy exists between the signature on the
9 envelope containing such ballot or a document ac-
10 companying such ballot used to verify the signature
11 and the signature of such individual on the official
12 list of registered voters in the State or other official
13 record, or other document used by the State to
14 verify the signatures of voters, such election official,
15 prior to making a final determination as to the va-
16 lidity of such ballot, shall make a good faith effort
17 to immediately notify such individual that—

18 “(A) a discrepancy exists between the sig-
19 nature on the envelope containing such ballot or
20 a document accompanying such ballot used to
21 verify the signature and the signature of such
22 individual on the official list of registered voters
23 in the State or other official record, or other
24 document used by the State to verify the signa-
25 tures of voters;

1 “(B) such individual may provide informa-
2 tion to cure such discrepancy in accordance
3 with the procedures established pursuant to
4 subsection (c)(1)(A); and

5 “(C) if such discrepancy is not cured, such
6 ballot will not be counted.

7 “(2) FORM OF NOTICE.—An election official
8 shall provide the notice required by paragraph (1) by
9 at least two of the following methods:

10 “(A) Regular mail.

11 “(B) Phone.

12 “(C) Electronic mail.

13 “(D) Text message.

14 “(3) NO EFFECT ON OTHER NOTICE REQUIRE-
15 MENTS RELATED TO PROVISIONAL BALLOTS.—In the
16 case of an individual who submits a provisional bal-
17 lot, the requirements of this subsection shall be in
18 addition to the requirements applicable to such an
19 individual under section 302(a).

20 “(c) OPPORTUNITY TO CURE.—

21 “(1) ESTABLISHMENT OF PROCEDURES.—A
22 covered State shall establish uniform and non-dis-
23 criminatory procedures—

24 “(A) to allow an individual to whom notice
25 is provided under subsection (b)—

1 “(i) to provide confirmation or infor-
2 mation to cure the discrepancy described in
3 subsection (b)(1) through the same form in
4 which the notice is provided pursuant to
5 subsection (b)(1) by a date that is not less
6 than 10 calendar days following the date
7 on which the notice required under sub-
8 section (b) is given; and

9 “(ii) if such confirmation or informa-
10 tion is rejected, to appeal the rejection;

11 “(B) that require that voters whose ballots
12 are returned without signatures be notified and
13 given an opportunity to provide a missing sig-
14 nature on a form proscribed by the State; and

15 “(C) prior to the date of final certification
16 of ballots in the election by such State, to pro-
17 vide such individual a final determination as to
18 the validity of the ballot and whether the indi-
19 vidual’s ballot was counted in the election.

20 “(2) DEADLINE.— A voter has until the day
21 before certification of election results to provide con-
22 firmation that the signature in question is their gen-
23 uine signature. This confirmation can be provided
24 orally, in writing, or electronically, including through

1 any of the forms described in subsection (b)(2). No
2 separate oath or affirmation is required.

3 “(3) COUNTING OF VOTE.—A final determina-
4 tion with respect to the validity of a ballot in the
5 case of a signature mismatch under this section shall
6 be made by three election officials, at least one of
7 whom is of an opposing party and, unless such elec-
8 tion officials determine, taking into account any con-
9 formation or information provided under the proce-
10 dures established pursuant to paragraph (1)(A),
11 through a unanimous vote and beyond a reasonable
12 doubt that the ballot is not valid, such ballot shall
13 be counted as a vote in that election.

14 “(d) REPORT.—

15 “(1) IN GENERAL.—Not later than 120 days
16 after the end of a Federal election cycle, each chief
17 State election official in a covered State shall submit
18 to Congress a report containing the following infor-
19 mation for the applicable Federal election cycle in
20 the State:

21 “(A) The number of ballots invalidated due
22 to a discrepancy under this section.

23 “(B) Description of attempts to contact
24 voters to provide notice as required by this sec-
25 tion.

1 “(C) Description of the cure process devel-
2 oped by such State pursuant to this section, in-
3 cluding the number of ballots determined valid
4 as a result of such process.

5 “(2) FEDERAL ELECTION CYCLE DEFINED.—
6 For purposes of this subsection, the term ‘Federal
7 For election cycle’ means the period beginning on
8 January 1 of any odd numbered year and ending on
9 December 31 of the following year.

10 “(e) RESEARCH AND DEVELOPMENT.—The Director
11 of the National Institute of Standards and Technology
12 shall expand the research and develop best practices or
13 guidelines for the acceptance, verification, and curing of
14 signatures for mail-in ballots.

15 “(f) EFFECTIVE DATE.—This section shall apply
16 with respect to the general election for Federal office held
17 in 2020 and any subsequent election for Federal office.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 of such Act is amended by inserting after the item relating
20 to section 323, as added by section 6, the following new
21 item:

 “Sec. 324. Signature mismatch on ballot submitted by mail or provisional bal-
 lot.”.

1 **SEC. 9. REQUIREMENT FOR ACCEPTANCE OF VOTER REG-**
2 **ISTRATION APPLICATIONS.**

3 (a) IN GENERAL.—Subtitle C of title III of the Help
4 America Vote Act of 2002, as added by section 3 and
5 amended by sections 5, 6, and 8, is amended by adding
6 at the end the following new section:

7 **“SEC. 325. ACCEPTANCE OF VOTER REGISTRATION APPLI-**
8 **CATIONS.**

9 “(a) REQUIREMENTS FOR VOTER REGISTRATION AP-
10 PPLICATIONS.—Each State and local jurisdiction shall—

11 “(1) accept and process voter registration appli-
12 cations submitted in person, by mail, or online at
13 least 21 days prior to the date of an election for
14 Federal office, except nothing in this paragraph shall
15 preclude a State or local jurisdiction from allowing
16 for the acceptance and processing of voter registra-
17 tion applications submitted or received after such re-
18 quired period; and

19 “(2) ensure that any voter registration applica-
20 tions provided by the State permit the voter, at the
21 time of submitted the application, to register to vote
22 by mail in accordance with the requirements under
23 section 321(c).

24 “(b) EXCEPTION.—This section shall not apply with
25 respect to any State or local jurisdiction that allows—

26 “(1) voter registration during early voting; or

1 “(2) same day voter registration.

2 “(c) EFFECTIVE DATE.—This section shall apply be-
3 ginning on the date that is 60 days after the date of enact-
4 ment of the Natural Disaster and Emergency Ballot Act
5 of 2020.”.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 of such Act is amended by inserting after the item relating
8 to section 324, as added by section 8, the following new
9 item:

“Sec. 325. Acceptance of voter registration applications.”.

10 **SEC. 10. ACCOMMODATIONS FOR VOTERS RESIDING IN IN-**
11 **DIAN LANDS.**

12 (a) ACCOMMODATIONS.—

13 (1) IN GENERAL.—The following requirements
14 shall apply with respect to the general election for
15 Federal office held in 2020 and any subsequent elec-
16 tion for Federal office:

17 (A) Given the widespread lack of residen-
18 tial mail delivery in Indian Country, an Indian
19 Tribe may designate buildings as ballot pickup
20 and collection locations at no cost to the Indian
21 Tribe. An Indian Tribe may designate one
22 building per precinct located within Indian
23 lands. The applicable State or political subdivi-
24 sion shall collect ballots from those locations.
25 The applicable State or political subdivision

1 shall provide the Indian Tribe with accurate
2 precinct maps for all precincts located within
3 Indian lands 60 days before any election.

4 (B) The State or political subdivision shall
5 provide mail-in and absentee ballots to each
6 registered voter residing on Indian lands in the
7 State or political subdivision without requiring
8 a residential address or a mail-in or absentee
9 ballot request.

10 (C) The address of a designated building
11 that is a ballot pickup and collection location
12 may serve as the residential address and mail-
13 ing address for voters living on Indian lands if
14 the tribally designated building is in the same
15 precinct as that voter. If there is no tribally
16 designated building within a voter's precinct,
17 the voter may use another tribally designated
18 building within the Indian lands where the
19 voter is located. Voters using a tribally des-
20 ignated building outside of the voter's precinct
21 may use the tribally designated building as a
22 mailing address and may separately designate
23 the voter's appropriate precinct through a de-
24 scription of the voter's address, as specified in

1 section 9428.4(a)(2) of title 11, Code of Fed-
2 eral Regulations.

3 (D) In the case of a State or political sub-
4 division that is a covered State or political sub-
5 division under section 203 of the Voting Rights
6 Act of 1965 (52 U.S.C. 10503), that State or
7 political subdivision shall provide absentee or
8 mail-in voting materials in the language of the
9 applicable minority group as well as in the
10 English language, bilingual election voting as-
11 sistance, and written translations of all voting
12 materials in the language of the applicable mi-
13 nority group, as required by section 203 of the
14 Voting Rights Act of 1965 (52 U.S.C. 10503)
15 as amended by subsection (b).

16 (2) CLARIFICATION.—Nothing in this section
17 alters the ability of an individual voter residing on
18 Indian lands to request a ballot in a manner avail-
19 able to all other voters in the State.

20 (3) DEFINITIONS.—In this section:

21 (A) INDIAN.—The term “Indian” has the
22 meaning given the term in section 4 of the In-
23 dian Self-Determination and Education Assist-
24 ance Act (25 U.S.C. 5304).

1 (B) INDIAN LANDS.—The term “Indian
2 lands” includes—

3 (i) any Indian country of an Indian
4 Tribe, as defined under section 1151 of
5 title 18, United States Code;

6 (ii) any land in Alaska owned, pursu-
7 ant to the Alaska Native Claims Settle-
8 ment Act (43 U.S.C. 1601 et seq.), by an
9 Indian Tribe that is a Native village (as
10 defined in section 3 of that Act (43 U.S.C.
11 1602)) or by a Village Corporation that is
12 associated with an Indian Tribe (as de-
13 fined in section 3 of that Act (43 U.S.C.
14 1602));

15 (iii) any land on which the seat of the
16 Tribal Government is located; and

17 (iv) any land that is part or all of a
18 Tribal designated statistical area associ-
19 ated with an Indian Tribe, or is part or all
20 of an Alaska Native village statistical area
21 associated with an Indian Tribe, as defined
22 by the Census Bureau for the purposes of
23 the most recent decennial census.

24 (C) INDIAN TRIBE.—The term “Indian
25 Tribe” has the meaning given the term “Indian

1 tribe” in section 4 of the Indian Self-Deter-
2 mination and Education Assistance Act (25
3 U.S.C. 5304).

4 (D) TRIBAL GOVERNMENT.—The term
5 “Tribal Government” means the recognized
6 governing body of an Indian Tribe.

7 (4) ENFORCEMENT.—

8 (A) ATTORNEY GENERAL.—The Attorney
9 General may bring a civil action in an appro-
10 priate district court for such declaratory or in-
11 junctive relief as is necessary to carry out this
12 subsection.

13 (B) PRIVATE RIGHT OF ACTION.—

14 (i) A person or Tribal Government
15 who is aggrieved by a violation of this sub-
16 section may provide written notice of the
17 violation to the chief election official of the
18 State involved.

19 (ii) An aggrieved person or Tribal
20 Government may bring a civil action in an
21 appropriate district court for declaratory
22 or injunctive relief with respect to a viola-
23 tion of this subsection, if—

1 (I) that person or Tribal Govern-
2 ment provides the notice described in
3 clause (i); and

4 (II)(aa) in the case of a violation
5 that occurs more than 120 days be-
6 fore the date of an election for Fed-
7 eral office, the violation remains and
8 90 days or more have passed since the
9 date on which the chief election offi-
10 cial of the State receives the notice
11 under clause (i); or

12 (bb) in the case of a violation
13 that occurs 120 days or less before
14 the date of an election for Federal of-
15 fice, the violation remains and 20
16 days or more have passed since the
17 date on which the chief election offi-
18 cial of the State receives the notice
19 under clause (i).

20 (iii) In the case of a violation of this
21 section that occurs 30 days or less before
22 the date of an election for Federal office,
23 an aggrieved person or Tribal Government
24 may bring a civil action in an appropriate
25 district court for declaratory or injunctive

1 relief with respect to the violation without
2 providing notice to the chief election offi-
3 cial of the State under clause (i).

4 (b) BILINGUAL ELECTION REQUIREMENTS.—Section
5 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503)
6 is amended—

7 (1) in subsection (b)(3)(C), by striking “1990”
8 and inserting “2010”; and

9 (2) by striking subsection (c) and inserting the
10 following:

11 “(c) PROVISION OF VOTING MATERIALS IN THE LAN-
12 GUAGE OF A MINORITY GROUP.—

13 “(1) IN GENERAL.—Whenever any State or po-
14 litical subdivision subject to the prohibition of sub-
15 section (b) of this section provides any registration
16 or voting notices, forms, instructions, assistance, or
17 other materials or information relating to the elec-
18 toral process, including ballots, it shall provide them
19 in the language of the applicable minority group as
20 well as in the English language.

21 “(2) EXCEPTIONS.—

22 “(A) IN GENERAL.—

23 “(i) In the case of a minority group
24 that is not American Indian or Alaska Na-
25 tive and the language of that minority

1 group is oral or unwritten, the State or po-
2 litical subdivision shall only be required to
3 furnish, in the covered language, oral in-
4 structions, assistance, translation of voting
5 materials, or other information relating to
6 registration and voting.

7 “(ii) In the case of a minority group
8 that is American Indian or Alaska Native,
9 the State or political subdivision shall only
10 be required to furnish in the covered lan-
11 guage oral instructions, assistance, or
12 other information relating to registration
13 and voting, including all voting materials,
14 if the Tribal Government of that minority
15 group has certified that the language of
16 the applicable American Indian or Alaska
17 Native language is presently unwritten or
18 the Tribal Government does not want writ-
19 ten translations in the minority language.

20 “(3) WRITTEN TRANSLATIONS FOR ELECTION
21 WORKERS.—Notwithstanding paragraph (2), the
22 State or political division may be required to provide
23 written translations of voting materials, with the
24 consent of any applicable Indian Tribe, to election
25 workers to ensure that the translations from English

1 to the language of a minority group are complete,
2 accurate, and uniform.”.

3 **SEC. 11. REIMBURSEMENTS TO STATES FOR COSTS OF**
4 **COMPLYING WITH NATURAL DISASTER AND**
5 **EMERGENCY BALLOT ACT OF 2020 WITH RE-**
6 **SPECT TO 2020 GENERAL ELECTION.**

7 (a) IN GENERAL.—Title II of the Help America Vote
8 Act of 2002 (52 U.S.C. 21001 et seq.), as amended by
9 section 7(e), is amended by adding at the end the following
10 new part:

11 **“PART 9—REIMBURSEMENT TO STATES FOR**
12 **COSTS OF COMPLYING WITH NATURAL DIS-**
13 **ASTER AND EMERGENCY BALLOT ACT OF**
14 **2020 WITH RESPECT TO 2020 GENERAL ELEC-**
15 **TION**

16 **“SEC. 299. REIMBURSEMENTS TO STATES FOR COSTS OF**
17 **COMPLYING WITH NATURAL DISASTER AND**
18 **EMERGENCY BALLOT ACT OF 2020 WITH RE-**
19 **SPECT TO 2020 GENERAL ELECTION.**

20 “(a) IN GENERAL.—The Commission shall make pay-
21 ments to each State equal to the costs incurred by the
22 State (and local jurisdictions within the State) in com-
23 plying with the following requirements with respect to the
24 2020 general election occurring on November 3, 2020:

1 “(1) Costs of establishing contingency plans
2 pursuant to section 2 of the Natural Disaster and
3 Emergency Ballot Act of 2020, including initiatives
4 to recruit pollworkers pursuant to subsection (b) of
5 such section.

6 “(2) Costs of establishing a system for voters to
7 submit an online request for an absentee ballot pur-
8 suant to section 2(c) of such Act.

9 “(3) Costs of implementing requirements with
10 respect to availability of voting prior to election day
11 pursuant to section 321 of this Act.

12 “(4) Costs associated with purchasing addi-
13 tional and upgrading high speed ballot printers,
14 inserters, ballot sorters, envelope extractors, and
15 scanners to send and process absentee ballots and
16 costs associated with purchasing ballot drop boxes.

17 “(5) Costs associated with the development or
18 purchase, implementation, and use of technology to
19 allow election officials to electronically verify a vot-
20 er’s signature on a ballot envelope against a voter’s
21 signature on file without physically handling the en-
22 velope, provided that the technology is not connected
23 to the internet.

24 “(6) Costs associated with the use of download-
25 able and printable ballots by qualified individuals

1 under section 103C the Uniformed and Overseas
2 Citizens Absentee Voting Act.

3 “(7) Costs associated with developing or pur-
4 chasing secure accessible remote ballot marking sys-
5 tems for use by voters with disabilities, provided that
6 such systems do not cause the voter’s ballot selec-
7 tions to be transmitted over the internet and do not
8 allow for the electronic submission of a marked bal-
9 lot.

10 “(8) Costs associated with developing or pur-
11 chasing and implementing signature verification
12 software.

13 “(9) Costs for providing return envelopes and
14 the postage associated with such envelopes pursuant
15 to section 323 of this Act.

16 “(b) PRIMARY ELECTIONS.—

17 “(1) PAYMENTS TO STATES.—In addition to
18 any payments under subsection (a), the Commission
19 shall make payments to each State equal to any
20 costs that the State (and local jurisdictions within
21 the State) incurs in voluntarily electing to comply
22 with and implementing the provisions of, and
23 amendments made by, the Natural Disaster and
24 Emergency Ballot Act of 2020 with respect to the
25 2020 primary election in the State.

1 “(2) STATE PARTY-RUN PRIMARIES.—The Com-
2 mission shall make payments to State parties for
3 costs incurred by such parties to send absentee bal-
4 lots and return envelopes with prepaid postage to eli-
5 gible voters participating in such primaries during
6 2020.

7 “(c) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—There are authorized to be
9 appropriated for payments under this section any
10 sums necessary to reimburse States for costs de-
11 scribed in subsections (a) and (b) with respect to the
12 2020 general election occurring on November 3,
13 2020.

14 “(2) AVAILABILITY OF FUNDS.—Amounts ap-
15 propriated pursuant to the authorization under this
16 subsection shall remain available without fiscal year
17 limitation.

18 “(d) INSUFFICIENT FUNDS.—If the amount appro-
19 priated under subsection (b) is less than the aggregate
20 costs incurred by all States for the activities described in
21 subsections (a)(1) and (b) for any period, the amount of
22 payment made under each such subsection to each State
23 shall not exceed the amount which bears the same ratio
24 to the aggregate amount of costs described in such sub-
25 section for such State for such period as—

1 “(1) the voting age population of the State (as
2 reported in the most recent decennial census); bears
3 to

4 “(2) the total voting age population of all
5 States (as reported in the most recent decennial cen-
6 sus).

7 “(e) PASS-THROUGH OF FUNDS TO LOCAL JURISDIC-
8 TIONS.—

9 “(1) IN GENERAL.—If a State receives a pay-
10 ment under this section for costs that include costs
11 incurred by a local jurisdiction within the State, the
12 State shall pass through to such local jurisdiction or
13 Tribal government a portion of such payment that
14 is equal to the amount of the costs incurred by such
15 local jurisdiction.

16 “(2) INSUFFICIENT FUNDS.—If a State receives
17 a payment for a period under this section that, as
18 a result of the application of subsection (d), is less
19 than the aggregate amount of costs described in sub-
20 sections (a) and (b) for such State for such period,
21 than the portion of such payment that the State is
22 required to pass through to a local jurisdiction or
23 Tribal government under paragraph (1) shall not ex-
24 ceed the amount which bears the same ratio to the

1 total amount of costs incurred by such local jurisdic-
2 tion or Tribal government for such period as—

3 “(A) the amount of the payment received
4 by the State under this section for the period;
5 bears to

6 “(B) the aggregate amount of costs de-
7 scribed in subsection (a) and (b) for such State
8 for such period.

9 “(f) LIMITATION.—No funds may be provided to a
10 State under this section for costs attributable to the elec-
11 tronic return of marked ballots by any voter.”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) Section 202 of the Help America Vote Act
14 of 2002 (52 U.S.C. 20922), as amended by section
15 7(e), is amended by redesignating paragraphs (7)
16 and (8) as paragraphs (8) and (9), respectively, and
17 by inserting after paragraph (6) the following new
18 paragraph:

19 “(7) carrying out the duties described in part 9
20 (relating to reimbursements to States for costs of
21 complying with the Natural Disaster and Emergency
22 Ballot Act of 2020 with respect to the 2020 general
23 election);”.

