

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2943. Mr. LEVIN (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and non-discriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table.

SA 2944. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2945. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2946. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 565, supra; which was ordered to lie on the table.

SA 2947. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2948. Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2949. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2950. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2951. Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2952. Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2953. Mr. REID (for himself, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2954. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2955. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2956. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2957. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2958. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2959. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2960. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2961. Mr. SPECTER (for himself and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2962. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

SA 2963. Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2943.** Mr. LEVIN (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and non-discriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

On page 14, between lines 2 and 3, insert the following:

Notwithstanding the preceding provisions of this subsection, a State that had a State law in effect before the date of enactment of this Act that provides for a provisional balloting process shall be deemed to meet the requirements of this subsection as long as such State law is in effect so long as such process includes the following components:

(1) Verification of the registration, identity, and residence of the individual seeking to cast a provisional ballot.

(2) An affidavit executed by the individual seeking to cast a provisional ballot in the precinct asserting that he or she is a registered voter of the jurisdiction and eligible to vote in the election.

(3) Procedures by which the ballot that is tabulated on election day may be retrievable after the election should there be an issue over the individual's eligibility to have voted in the election.

**SA 2944.** Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal

elections, and for other purpose; which was ordered to lie on the table; as follows:

On page 68, between lines 2 and 3, insert the following:

**SEC. . . . STUDY AND REPORT ON PERMANENT REGISTRATION OF OVERSEAS VOTERS; ADMINISTRATION OF OVERSEAS VOTING BY A SINGLE STATE OFFICE.**

(a) STUDY AND REPORT ON PERMANENT REGISTRATION OF OVERSEAS VOTERS.—

(1) STUDY.—The Election Administration Commission established under section 301 (in this subsection referred to as the "Commission"), shall conduct a study on the feasibility and advisability of providing for permanent registration of overseas voters under section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3), as amended by section 1606(b) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1279).

(2) REPORT.—The Commission shall submit a report to Congress on the study conducted under paragraph (1) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

(b) ADMINISTRATION OF OVERSEAS VOTING BY A SINGLE STATE OFFICE.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 1606(a)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1278), is amended—

(1) by inserting "(a) IN GENERAL.—" before "Each State"; and

(2) by adding at the end the following new subsection:

"(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR ALL VOTERS IN THE STATE.—

"(1) IN GENERAL.—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 with respect to elections for Federal office (including procedures relating to the use of the Federal write-in absentee ballot) to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.

"(2) USE OF OFFICE TO ACCEPT AND PROCESS MATERIALS.—The State office designated under paragraph (1) shall be responsible for carrying out the State's duties under this Act that relate to the distribution of information and ballots (but not for carrying out any duties relating to the receipt or counting of ballots), including accepting valid voter registration applications, absentee ballot applications, and absentee ballots (including Federal write-in absentee ballots) from all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State."

(c) STUDY AND REPORT ON EXPANSION OF SINGLE STATE OFFICE DUTIES.—

(1) STUDY.—The Election Administration Commission established under section 301 (in this subsection referred to as the "Commission"), shall conduct a study on the feasibility and advisability of including the duties relating to the receipt and counting of ballots described in section 102(b) of such Act (as added by subsection (b)) in the duties of the State office designated under paragraph (1) of such section (as so added).

(2) REPORT.—The Commission shall submit a report to Congress on the study conducted

under paragraph (1) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

**SEC. \_\_\_\_ . REPORT ON ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS.**

(a) **IN GENERAL.**—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1) is amended by adding at the end the following new subsection:

“(c) **REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.**—Not later than 120 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government that administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Administration Commission (established under the Equal Protection of Voting Rights Act of 2002) on the number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the number of such ballots that were returned by such voters and cast in the election, and shall make such report available to the general public.”

(b) **DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS.**—The Election Administration Commission shall develop a standardized format for the reports submitted by States and units of local government under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (as added by subsection (a)), and shall make the format available to the States and units of local government submitting such reports.

**SEC. \_\_\_\_ . OTHER REQUIREMENTS TO PROMOTE PARTICIPATION OF OVERSEAS AND ABSENT UNIFORMED SERVICES VOTERS.**

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 402, is amended by adding at the end the following new subsection:

“(d) **REGISTRATION NOTIFICATION.**—With respect to each absent uniformed services voter and each overseas voter who submits a voter registration application or an absentee ballot request, if the State rejects the application or request, the State shall provide the voter with the reasons for the rejection.”

**SEC. \_\_\_\_ . STUDY AND REPORT ON THE DEVELOPMENT OF A STANDARD OATH FOR USE WITH OVERSEAS VOTING MATERIALS.**

(a) **STUDY.**—The Election Administration Commission established under section 301 (in this section referred to as the “Commission”), shall conduct a study on the feasibility and advisability of—

(1) prescribing a standard oath for use with any document under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq) affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction for perjury; and

(2) if the State requires an oath or affirmation to accompany any document under such Act, to require the State to use the standard oath described in paragraph (1).

(b) **REPORT.**—The Commission shall submit a report to Congress on the study conducted under subsection (a) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

**SEC. \_\_\_\_ . STUDY AND REPORT ON PROHIBITING NOTARIZATION REQUIREMENTS.**

(a) **STUDY.**—The Election Administration Commission established under section 301 (in this section referred to as the “Commission”), shall conduct a study on the feasibility and advisability of prohibiting a State

from refusing to accept any voter registration application, absentee ballot request, or absentee ballot submitted by an absent uniformed services voter or overseas voter on the grounds that the document involved is not notarized.

(b) **REPORT.**—The Commission shall submit a report to Congress on the study conducted under subsection (a) together with such recommendations for legislative and administrative action as the Commission determines appropriate.

**SA 2945.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 62, between lines 16 and 17, insert the following:

**Subtitle B—Election Administration Advisory Board**

**SEC. 311. ESTABLISHMENT OF THE ELECTION ADMINISTRATION ADVISORY BOARD.**

There is established the Election Administration Advisory Board (in this title referred to as the “Board”).

**SEC. 312. MEMBERSHIP OF THE BOARD.**

(a) **NUMBER AND APPOINTMENT.**—The Board shall be composed of 24 members appointed by the Election Administration Commission established under section 201 (in this title referred to as the “Commission”) as follows:

(1) 12 members appointed by the chairperson of the Commission.

(2) 12 members appointed by the vice chairperson of the Commission.

(b) **QUALIFICATIONS.**—

(1) **IN GENERAL.**—Members appointed under subsection (a) shall have experience administering State and local elections.

(2) **PROHIBITION.**—A member of the Board appointed under paragraph (1) may not be a candidate (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)), or hold a Federal office (as defined in such section) while serving as a member of the Board.

(3) **FEDERAL OFFICERS AND EMPLOYEES.**—No member of the Board may be an officer or employee of the Federal Government.

(c) **DATE OF APPOINTMENT.**—The appointments of the members of the Board under subsection (a) shall be made not later than 90 days after the date on which all the members of the Commission have been appointed under section 202.

(d) **PERIOD OF APPOINTMENT; VACANCIES.**—

(1) **PERIOD OF APPOINTMENT.**—Members shall be appointed for a period of 2 years, except that of the members first appointed, 6 members appointed by the chairperson of the Commission shall be appointed for a term of 3 years and 6 members appointed by the vice chairperson of the Commission shall be appointed for a term of 3 years.

(2) **VACANCIES.**—

(A) **IN GENERAL.**—A vacancy on the Board shall not affect its powers, but shall be filled

in the manner in which the original appointment was made. The appointment made to fill the vacancy shall be subject to any conditions that applied with respect to the original appointment.

(B) **FILLING UNEXPIRED TERM.**—An individual chosen to fill a vacancy on the Board occurring prior to the expiration of the term for which the individual's predecessor was appointed shall be appointed for the unexpired term of the member replaced.

(3) **EXPIRATION OF TERMS.**—A member of the Board may serve on the Board after the expiration of the member's term until the successor of such member has taken office as a member of the Board.

(e) **CHAIRPERSON; VICE CHAIRPERSON.**—

(1) **IN GENERAL.**—The Board shall elect a chairperson and vice chairperson from among its members to serve a term of 1 year.

(2) **POLITICAL AFFILIATION.**—The chairperson and vice chairperson may not be affiliated with the same political party.

**SEC. 313. DUTY OF THE BOARD.**

It shall be the duty of the Board to advise the Commission on the following matters:

(1) The revision and adoption of general policies and procedures under subparagraph (A) and clauses (ii) and (iii) of subparagraph (B) of section 305(b)(2).

(2) The revision of voting system standards under section 101(c)(2).

(3) Upon the request of the Commission, other matters relating to the administration of elections.

**SEC. 314. MEETINGS OF THE BOARD.**

(a) **IN GENERAL.**—The Board shall meet at the call of the chairperson.

(b) **ANNUAL MEETING REQUIRED.**—The Board shall meet not less often than annually.

(c) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold its first meeting.

(d) **QUORUM.**—A majority of the members of the Board shall constitute a quorum.

**SEC. 315. VOTING.**

Each action of the Board shall be approved by a majority vote of the members of the Board. Each member of the Board shall have 1 vote.

**SEC. 316. BOARD PERSONNEL MATTERS.**

(a) **COMPENSATION OF MEMBERS.**—Each member of the Board shall serve without compensation, notwithstanding section 1342 of title 31, United States Code.

(b) **TRAVEL EXPENSES.**—Each member of the Board shall be allowed 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 Board.

**SEC. 317. TERMINATION OF THE BOARD.**

Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

**SEC. 318. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There are authorized to be appropriated to the Board such sums as may be necessary to carry out this title.

(b) **AVAILABILITY.**—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until expended.

**SA 2946.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program

under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . RETROACTIVE PAYMENTS FOR CERTAIN DRE VOTING SYSTEMS.**

In addition to any other payment made under section 206 or 215, the Attorney General may make retroactive payments under such section (as appropriate) to any State or locality having an application approved under section 203 or 213 (as appropriate) for any costs incurred by such State or locality for the purpose of acquiring a direct recording electronic voting system during calendar year 2000 if that State or locality is continuing to make payments for such system as of the date of enactment of this Act.

**SA 2947.** Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 69, after line 19, add the following:

**SEC. 403. SEVERABILITY OF PROVISIONS.**

If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

**SA 2948.** Mr. THOMAS (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 5, strike line 22 and all that follows through line 13 on page 6, and insert the following:

(3) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—

(A) IN GENERAL.—The voting system shall—

(i) be accessible for individuals with disabilities, including nonvisual accessibility for 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;

(ii) except as provided in subparagraph (B), satisfy the requirement of clause (i) through the use of at least 1 direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place; and

(iii) meet the voting system standards for disability access if purchased with funds made available under title II on or after January 1, 2007.

(B) ACCESS TO VOTING SYSTEMS IN RURAL AREAS.—The requirement of subparagraph (A)(ii) shall not apply to a city, town, or unincorporated area in a State if—

(i) pursuant to the most recent Decennial Census (including any supplemental surveys thereto), the city, town, or area is determined to have a population of less than 50,000 inhabitants (other than an urbanized area immediately adjacent to a city, town, or unincorporated area that has a population in excess of 50,000 inhabitants); and

(ii) the State submits, as part of the State plan submitted under section 202, a plan demonstrating that individuals with disabilities in the city, town, or unincorporated areas involved will be permitted to vote through the use of—

(I) direct recording electronic voting systems or other voting systems equipped for individuals with disabilities that are located at the office of each county clerk within the areas involved, or the office of each chief election official with jurisdiction over the areas involved, and that are available to such individuals during the entire period in which absentee ballots for the election involved are permitted to be submitted, at least 30 days in advance of the election and up through the day of the election; or

(II) other voting systems determined to be appropriate to provide voting accessibility to individuals with disabilities.

**SA 2949.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . NATIONAL DEMONSTRATION PROGRAM IN EXPERIENCE-BASED CIVIC EDUCATION.**

(a) GENERAL AUTHORITY.—The Attorney General is authorized to award a grant or contract to The Citizenship Trust and its American Village for the operation of a national educational demonstration and resource program in experience-based civic education that works to promote citizenship and voter participation.

(b) EDUCATIONAL ACTIVITIES AND PROGRAM CONTENT.—The grant or contract awarded under subsection (a) shall include provisions to—

(1) support, enhance, and expand the ‘Securing the Blessings of Liberty’ experienced-based civic education program administered by The Citizenship Trust and its American Village national civic education center;

(2) foster increased student learning of challenging and critical content in civics, government, and American history through comprehensive programs, projects, and activities which directly involve students as active participants in simulations, reenactments of historical and contemporary civic events, dramatizations, debates, proceedings, and other programs which illustrate and model important responsibilities of citizens; and

(3) demonstrate ways in which comprehensive experienced-based civic education programs can be implemented by States, school districts, public and private schools, classrooms, and other non-profit entities by developing and making available programs, training, seminars, projects, materials, media, resources and other services.

The content focus of activities under paragraph (2) shall be on the basic principles of the Constitution, the Bill of Rights, key founding documents and events in the history of the United States, and the important role of individual citizens in the founding and sustaining of the American system of liberty and self-government.

(c) AVAILABILITY AND EMPHASIS.—The program and activities carried out under this section shall be available as a national demonstration and resource project to serve public and private elementary and secondary schools throughout the United States. The emphasis of such activities shall be on the experiential component of civic education through a cooperative effort with other civic education programs. Such activities shall model and demonstrate ways in which experience-based civic education can enhance student knowledge and skills in critical areas of civics and government.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, \$650,000 for fiscal year 2002, and such sums as may be necessary for each of the succeeding 6 fiscal years.

**SA 2950.** Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, after line 25, insert the following:

**SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON RECEIPT OF FUNDS.**

Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title

unless that State or locality elects to apply for a grant under title II and has received funding under that title for the purpose of meeting such requirement.

**SA 2951.** Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, strike lines 19 and 20, and insert the following:

“(a) IN GENERAL.—Nothing in this Act may be construed to authorize”.

**SA 2952.** Mr. DASCHLE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 18, line 8, strike through page 19, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4(c)) and subject to paragraphs (3) and (4), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual has registered to vote in a jurisdiction by mail; and

(B) the individual has not previously voted in an election for Federal office in that State.

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification;

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter;

(III) provides written affirmation on a form provided by the appropriate State or local election official of the individual's identity; or

(IV) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official; or

(i) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter; or

(III) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 102(a).

(3) IDENTITY VERIFICATION BY SIGNATURE OR PERSONAL MARK.—In lieu of the requirements of paragraph (1), a State may require each individual described in such paragraph to provide a signature or personal mark for the purpose of matching such signature or mark with the signature or personal mark of that individual on record with a State or local election official.

**SA 2953.** Mr. REID (for himself, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purpose; which was ordered to lie on the table; as follows:

Beginning on page 18, line 8, strike through page 19, line 24, and insert the following:

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4(c)) and subject to paragraphs (3) and (4), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual has registered to vote in a jurisdiction by mail; and

(B) the individual has not previously voted in an election for Federal office in that State.

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification;

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, Government check, paycheck, or other Government docu-

ment that shows the name and address of the voter;

(III) provides written affirmation on a form provided by the appropriate State or local election official of the individual's identity; or

(IV) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official; or

(i) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification;

(II) a copy of a current utility bill, bank statement, Government check, paycheck, or other Government document that shows the name and address of the voter; or

(III) provides a signature or personal mark for matching with the signature or personal mark of the individual on record with a State or local election official.

(B) PROVISIONAL VOTING.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 102(a).

(3) IDENTITY VERIFICATION BY SIGNATURE OR PERSONAL MARK.—In lieu of the requirements of paragraph (1), a State may require each individual described in such paragraph to provide a signature or personal mark for the purpose of matching such signature or mark with the signature or personal mark of that individual on record with a State or local election official.

(4) RELATIONSHIP TO OTHER LAWS.—Notwithstanding section 402(a), nothing in this Act may be construed to authorize or require conduct prohibited under any of the laws described in such section, or supersede, restrict, or limit any of the laws described in such section.

**SA 2954.** Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . PURGING OF VOTER REGISTRATION LISTS.**

Not less than once every 2 years, each jurisdiction shall tally the number of registered voters in that jurisdiction and compare that number with the number of citizens of voting age in that jurisdiction, as determined by the U.S. Census Bureau. If the number of registered voters exceeds the number of citizens of voting age in that jurisdiction, the jurisdiction shall provide notice as described in section 8(d)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-6(d)(2)) to each citizen of voting age in that jurisdiction and shall remove the name of each citizen from the official list of eligible voters if that citizen does not return the card provided as part of such notice and has not voted in the election for Federal office immediately preceding, and

the election for Federal office immediately following, the date on which such notice was provided.

**SA 2955.** Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administrative requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, between lines 6 and 7, insert the following:

(6) **FREE VOTER IDENTIFICATION CARDS.**—A State or locality shall not meet the requirements of this subsection unless the State or locality issues, upon request, to any registered voter who lacks appropriate documentation a voter identification card that contains the name, address, and photo of the voter and that is valid only for purposes of the requirements of this subsection. A State or locality may not charge any fee for the issuance of the voter identification card.

**SA 2956.** Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, between lines 2 and 3, insert the following:

(b) **RECENTLY REGISTERED VOTERS.**—Any individual who registers to vote in an election for Federal office on or after the date that is 21 days before the date of the election may only vote in that election by casting a provisional ballot under subsection (a).

(c) **VOTERS WHO VOTE AFTER THE POLLS CLOSE.**—Any individual who votes in an election for Federal office for any reason, including a Federal or State court order, after the time set for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot under subsection (a).

**SA 2957.** Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election adminis-

tration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ CLARIFICATION OF ABILITY OF ELECTION OFFICIALS TO REMOVE REGISTRANTS FROM OFFICIAL LIST OF VOTERS ON GROUNDS OF CHANGE OF RESIDENCE.**

(a) **IN GENERAL.**—Section 8(b)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-6(b)(2)) is amended by striking the period at the end and inserting the following: “, except that nothing in this paragraph may be construed to prohibit a State from using the procedures described in subsections (c) and (d) to remove an individual from the official list of eligible voters if the individual has not voted or appeared to vote in 2 or more consecutive general elections for Federal office and has not either notified the applicable registrar (in person or in writing) or responded to a notice sent by the applicable registrar during the period in which such elections are held that the individual intends to remain registered in the registrar’s jurisdiction.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the day after the date of enactment of this Act.

**SA 2958.** Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, strike lines 17 through 19, and insert the following:

(B) The individual has not previously voted in an election for Federal office in the State.

**SA 2959.** Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uni-

form and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, strike lines 19 through 23, and insert the following:

(2) **REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.**—

(A) Each State and locality shall be required to comply with the requirements of subsection (b) on and after January 1, 2004; and

(B) The provisions of section (b) shall apply to any individual who registers to vote on or after the first day after the date on which voters must be registered under the law of that State in order to be eligible to vote in the election for Federal office to be held in 2002.

**SA 2960.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, after line 19, insert the following:

**Subtitle D—Federal Election Antifraud Pilot Program**

**SEC. 231. ESTABLISHMENT OF THE FEDERAL ELECTION ANTIFRAUD PILOT PROGRAM.**

There is established a Federal Election Antifraud Pilot Program under which the Attorney General is authorized to make grants to States and localities to pay the costs of the activities described in section 234.

**SEC. 232. APPLICATION.**

(a) **IN GENERAL.**—Each State or locality that desires to receive a grant under this subtitle shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General shall require, consistent with the provisions of this section.

(b) **CONTENTS.**—Each application submitted under subsection (a) shall—

(1) describe the activities for which assistance under this section is sought; and

(2) provide such additional assurances as the Attorney General determines to be essential to ensure compliance with the requirements of this subtitle.

(c) **RELATION TO FEDERAL ELECTION REFORM INCENTIVE GRANT PROGRAM.**—A State or locality that desires to do so may submit an application under this section as part of any application submitted under section 212(a).

(d) **SAFE HARBOR.**—No action may be brought against a State or locality on the basis of any information contained in the application submitted under subsection (a).

**SEC. 233. APPROVAL OF APPLICATIONS.**

The Attorney General shall establish general policies and criteria for the approval of applications submitted under section 232(a).

**SEC. 234. AUTHORIZED ACTIVITIES.**

A State or locality may use grant payments received under this subtitle—

(1) for the purchase, lease, installation, use, and operation of video cameras or other surveillance equipment at registration and polling sites in order to monitor compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973a et seq.) and other Federal and State voting rights laws;

(2) for the costs of employing law enforcement officers at registration and polling sites in order to monitor compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973a et seq.) and other Federal and State voting rights laws. Such law enforcement officers working at registration and polling sites shall be readily identifiable to the public so that the law enforcement officer can be easily recognized and located in the event that a voter desires to complain that their voting rights have been or are being violated; and

(3) for the costs of implementing a photographic or biometric identification program for all registered voters in the State.

**SEC. 235. PAYMENTS.**

The Attorney General shall pay to each State or locality having an application approved under section 233 the costs of the activities described in that application.

**SEC. 236. AUDITS AND EXAMINATIONS OF STATES AND LOCALITIES.**

(a) **RECORDKEEPING REQUIREMENT.**—Each recipient of a grant under this subtitle shall keep such records as the Attorney General shall prescribe.

(b) **AUDITS AND EXAMINATIONS.**—The Attorney General and the Comptroller General, or any authorized representative of the Attorney General or the Comptroller General, may audit or examine any recipient of a grant under this subtitle and shall, for the purpose of conducting an audit or examination, have access to any record of a recipient of a grant under this subtitle that the Attorney General or the Comptroller General determines may be related to the grant.

**SEC. 237. REPORTS TO CONGRESS AND THE ATTORNEY GENERAL.****(a) REPORTS TO CONGRESS.—**

(1) **IN GENERAL.**—Not later than January 31, 2003, and each year thereafter, the Attorney General shall submit to the President and Congress a report on the grant program established under this subtitle for the preceding year.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall contain the following:

(A) A description and analysis of any activities funded by a grant awarded under this subtitle.

(B) Any recommendation for legislative or administrative action that the Attorney General considers appropriate.

(b) **REPORTS TO THE ATTORNEY GENERAL.**—The Attorney General shall require each recipient of a grant under this subtitle to submit reports to the Attorney General at such time, in such manner, and containing such information as the Attorney General considers appropriate.

**SEC. 238. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary for fiscal year 2003 to carry out the provisions of this subtitle.

**SEC. 239. EFFECTIVE DATE.**

The Access Board shall establish the general policies and criteria for the approval of applications under section 233 in a manner that ensures that the Attorney General is able to approve applications not later than October 1, 2002.

**SA 2961.** Mr. SPECTER (for himself and Mr. REID) submitted an amend-

ment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ STUDY AND REPORT ON SECURING THE VOTING RIGHTS OF INDIVIDUALS WHO HAVE SERVED THEIR SENTENCES.****(a) STUDY.—**

(1) **IN GENERAL.**—The Election Administration Commission established under section 301 (in this section referred to as the “Commission”) shall conduct a study on the feasibility and advisability of prohibiting States from restricting the right of an individual who is a citizen of the United States to vote in any election for Federal office because that individual has been convicted of a criminal offense unless, at the time of the election, such individual—

(A) is serving a felony sentence in a correctional institution or facility; or

(B) is on parole or probation for a felony offense.

(2) **ISSUES STUDIED.**—In conducting the study under paragraph (1) the Commission shall determine—

(A) whether the application of State laws that determine the qualifications for voting in Federal elections result in unfair discrepancies regarding which citizens may vote in Federal elections;

(B) the number of individuals in the United States that cannot vote in elections for Federal office as a result of a felony conviction;

(C) whether State disenfranchisement laws disproportionately impact ethnic minorities;

(D) the number of States that disenfranchise ex-offenders who have fully served their sentences, regardless of the nature or seriousness of the offense;

(E) whether the nature and seriousness of the offense should be considered in determining whether voting rights may be restored to an ex-offender; and

(F) the number of individuals who have regained the right to vote after losing that right as the result of a felony conviction and the feasibility and costs of regaining the right to vote through a pardon process on the State or Federal level.

(b) **REPORT.**—Not later than the date that is 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report on the study conducted under subsection (a)(1) together with recommendations for such legislative and administrative action as the Commission determines appropriate.

**SA 2962.** Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program

under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. . CONSTRUCTION REGARDING STATE REQUIREMENT OF PROOF OF CITIZENSHIP FOR VOTER REGISTRATION.**

Notwithstanding any other provision of law, nothing in this Act shall be construed to prohibit a State from requiring an individual to provide proof of the citizenship of that individual before permitting that individual to register to vote in an election for Federal office.

**SA 2963.** Mr. BURNS submitted an amendment intended to be proposed by him to the bill S. 565, to establish the Commission on Voting Rights and Procedures to study and make recommendations regarding election technology, voting, and election administration, to establish a grant program under which the Office of Justice Programs and the Civil Rights Division of the Department of Justice shall provide assistance to States and localities in improving election technology and the administration of Federal elections, to require States to meet uniform and nondiscriminatory election technology and administration requirements for the 2004 Federal elections, and for other purposes; which was ordered to lie on the table; as follows:

On page 22, after line 25, insert the following:

**SEC. 105. COMPLIANCE WITH ELECTION TECHNOLOGY AND ADMINISTRATION REQUIREMENTS CONDITIONED ON FUNDING.**

Notwithstanding any other provision of this title, no State or locality shall be required to meet a requirement of this title prior to the date on which funds are appropriated pursuant to the authorization contained in section 209.

**AUTHORITY FOR COMMITTEES TO MEET****COMMITTEE ON ARMED SERVICES**

Dr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 9:30 a.m., in open session to receive testimony on the future of the North Atlantic Treaty Organization (NATO).

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, February 28, 2002, at 10 a.m. to conduct an oversight hearing on