


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: February 21, 2013

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations
Committee

FROM: Gerry F. Miller 
Chief Legislative Analyst

Assignment No. 13-01-0070
Council File No. 13-0002-S17

SUBJECT: Resolution (Koretz – Garcetti) on S.123/ H.R.12 – the Voter Empowerment Act,
and S.85 – the FAST Act

CLA RECOMMENDATION: ADOPT Resolution (Koretz – Garcetti), which would include in the City's 2013-14 Federal Legislative Program SUPPORT of S.123/H.R.12, the Voter Empowerment Act, AND SUPPORT of S.85, the Fair Accurate Secure and Timely (FAST) Act to ensure that citizens can freely exercise their most fundamental right of voting.

SUMMARY

Resolution (Koretz – Garcetti), introduced on January 25, 2013, is in support of S.123 (Gillibrand)/H.R.12 (Lewis), the Voter Empowerment Act, and S.85 (Coons), the Fair Accurate Secure and Timely (FAST) Act. The Resolution states that the hallmark of American democracy is the ability for citizens to vote in free elections without undue obstacles, and that in the most recent presidential election there were reports of voters being discouraged or prohibited from voting and/or needing to wait up to seven hours in line before they were able to cast their votes. The Resolution states that the Voter Empowerment Act will require government agencies to automatically register consenting adults, allow voters to update their information online, guarantee early voting, and ban advertisements aimed at suppressing voter turnout. The Resolution further states that the FAST Act will provide financial support to states to conduct elections more efficiently and fairly.

S.123 and H.R.12 are two identical bills that were introduced to the Senate by Senator Kirsten Gillibrand (D-NY) and to the House by Representative John Lewis (D-GA) on January 23, 2013. The bills, both entitled the Voter Empowerment Act, propose a significant number of regulations and reforms that pertain to voting registration and rights in federal elections. Major provisions of the proposed law are noted below:

- Increase restrictions on and penalties for hindering, interfering with, or otherwise discouraging voting, including specific prohibitions against voter caging and attempts to defraud voters of their rights through communication of election related communications;
- Mandate that those who have been convicted of any crime, including felonies, are eligible to vote in federal elections upon their release from prison, and require states to provide education to released prisoners advising them of their right to vote in federal elections* ;
- Require states to create an automated voter registration system in which those seeking state services are required to declare their intention or lack thereof to register to vote, at

* This represents a change from existing California voting laws, which prohibit voting by convicted felons that are currently serving a sentence in prison, on parole, or undergoing post-release supervision; the proposed law would re-enfranchise them upon release from prison but before completion of parole or post-release supervision.

which time the agency with which they are dealing would be required to provide registration information to the state's election officials;

- Require states to allow same-day voter registration, online voter registration, and pre-registration of anyone older than 16;
- Implement various technical requirements on voting systems, including mandating the use of individual, durable, voter-verified paper ballots;
- Establish a number of grant programs to assist states with enabling more voting methods for voters with disabilities, researching and developing new election-dedicated voting system software, and providing poll worker recruitment and training programs.

Upon introduction, S.12 was referred to the Senate Committee on Rules and Administration, and H.R.123 was referred to the House Subcommittee on Health, where they are awaiting hearings. A similar bill, H.R.5799, was introduced in the 112th Congress in 2012, but was not enacted.

S.85, the FAST Act, was introduced by Senator Christopher Coons (D-DE) on January 23, 2013. The bill proposes establishing a grant program that would provide funding to states to invest in practices and technology to expedite voting at the polls and to simplify voter registration methods. In order to receive grant funding, states would be required to prepare a comprehensive and coherent plan for using funds to improve flexible registration opportunities, early voting, and assistance to non-English speaking voters.

Support of S.12/H.R.123 and S.85 would be consistent with past City positions, including past support of same-day voter registration on the state level (see CF 12-0002-S5), automated voter registration systems (CF 09-0002-S14), pre-registration of those 16 years of age or older (CF 09-0002-S15), and requirements to notify felons of their eligibility to vote upon their release from prison and completion of parole (CF 04-0002-S25).

BILL STATUS

S.123

1/23/13 Introduced

1/23/13 Referred to Senate Committee on Rules and Administration

H.R.12

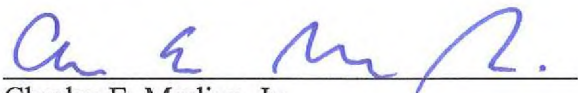
1/23/13 Introduced

1/23/13 Referred to House Subcommittee on Health

S.85

1/23/13 Introduced

1/23/13 Referred to Senate Committee on Rules and Administration



Charles E. Modica, Jr.

Analyst

Attachments:

- (1) Resolution (Koretz – Garcetti)
- (2) CRS Summary of S.123

- (3) CRS Summary of H.R.12
- (4) S.85

13-0006-S17

RESOLUTION **JAN 25 2013**

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the hallmark of this nation's democracy is the ability for its citizens to vote for its representatives and to take part in elections by freely going to their polling places to cast their votes without any undue obstacles; and

WHEREAS, there have been many reports in different parts of the country of voters being discouraged or prohibited from voting in the most recent presidential election, including requiring that voters wait up to six or seven hours in line before they were able to cast their votes; and

WHEREAS, as President Obama stated in his Second Inaugural Address, "Our journey is not complete until no citizen is forced to wait for hours to exercise the right to vote;" and

WHEREAS, numerous members of the United States House and Senate, including Representative John Lewis and Senator Kirsten Gillibrand, have reintroduced the Voter Empowerment Act, S. 123/HR 12, which, among other provisions, requires government agencies to automatically register consenting adults, allows citizens to register to vote and update their voter information on line, guarantees sufficient days of early voting and bans deceptive advertisements aimed at suppressing voter turn out; and

WHEREAS, Senator Chris Coons has introduced the Fair Accurate Secure and Timely (FAST) Act, S. 85, which provides financial support to states to conduct elections more efficiently and more fairly;

NOW, THEREFORE, BE IT RESOLVED, with concurrence of the Mayor, that with the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-2014 Federal Legislative Program SUPPORT of S. 123/HR 12, the Voter Empowerment Act, AND SUPPORT of the S. 85, the Fair Accurate Secure and Timely (FAST) Act to ensure that citizens can freely exercise their most fundamental right of voting.

PRESENTED BY: Paul Koretz
PAUL KORETZ
Councilmember, 5th District

SECONDED BY: E.G.

EPR

JAN 25 2013

ORIGINAL

The Library of Congress > THOMAS Home > Bills, Resolutions > Search Results

Bill Summary & Status

113th Congress (2013 - 2014)

H.R.12

CRS Summary

Item 1 of 1

ABOUT SUMMARIES

PREVIOUS:SUMMARY | NEXT:SUMMARY

NEW SEARCH | HOME | HELP |

[⊞ Back to Bill Summary and Status](#)

Print Subscribe Share/Save

H.R.12

Latest Title: Voter Empowerment Act of 2013

Sponsor: [Rep Lewis, John](#) [GA-5] (introduced 1/23/2013) [Cosponsors](#) (167)

Related Bills: [S.123](#)

Latest Major Action: 2/4/2013 Referred to House subcommittee. Status: Referred to the Subcommittee on Health.

SUMMARY AS OF:

1/3/2013--Introduced.

Voter Empowerment Act of 2013 - Voter Registration Modernization Act of 2013 - Amends the National Voter Registration Act of 1993 (NVRA) to require each state to make available official public websites for online voter registration.

Authorizes automated voter registration of certain individuals and establishes other initiatives to promote voter registration, such as same day registration and voter registration of individuals under 18 years of age.

Amends the federal criminal code to prohibit hindering, interfering with, or preventing voter registration.

Amends the Help America Vote Act of 2002 (HAVA) to establish requirements for states to promote access to voter registration and voting for individuals with disabilities, including a single office for providing related information.

Directs the Election Assistance Commission (EAC) to make grants to eligible states to conduct pilot programs enabling individuals with disabilities to register to vote and vote privately and independently at their own residences (including by telephone).

Amends HAVA to reauthorize the program of grants to state and local governments to assure voting access for individuals with disabilities.

Amends the federal criminal code to prohibit state or local election officials from preventing an individual from registering or voting in any federal election (voter caging), or from permitting a formal challenge under state law to an individual's registration status or eligibility to vote, if the

basis for such decision is evidence consisting of: (1) a voter caging document or voter caging list, (2) an unverified match list, (3) an error or omission on voter application or registration documents that is not material to an individual's eligibility to vote, or (4) any other evidence so designated by the Commission.

Amends the federal criminal code to prohibit a person, including an election official, from knowingly and willfully attempting to or depriving or defrauding the residents of a state of their free and fair exercise of the right to vote by the communication of election-related information that is known by the person to be materially false, fictitious, or fraudulent. Increases the penalty for voter intimidation.

Declares that the right of an individual U.S. citizen to vote in any federal election shall not be denied or abridged because that individual has been convicted of a criminal offense unless he or she is serving a felony sentence in a correctional institution at the time of the election. Prescribes enforcement of this right by public or private civil action.

Requires each state to notify in writing any individual convicted of a criminal offense under state law, upon release from state custody or upon sentence to probation, that he or she has the right to vote in a federal election and so may register to vote.

Voter Confidence and Increased Accessibility Act of 2013 - Amends HAVA to revise requirements for the audit capacity of voting systems, particularly those for a permanent paper record.

Requires the voting system to require the use of an individual, durable, voter-verified paper ballot of the voter's vote that shall be marked and made available for inspection by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. Requires the voting system to provide the voter with an opportunity to correct any system-made error in the voter-verified paper ballot before it is permanently preserved.

Requires the Director of the National Science Foundation (NSF) to make grants to eligible entities to study, test, and develop accessible ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy.

Prescribes requirements for: (1) publication of poll tapes, (2) treatment of ballots cast at early voting sites and of absentee ballots, and (3) the counting of provisional ballots that will be treated as votes.

Prescribes laboratory conflict-of-interest requirements and prohibitions.

Requires the NSF Director to make grants to eligible entities to conduct research on the development of election-dedicated voting system software.

Requires each state, except when the winning candidate had no opponent or received 80% or more of the votes, to administer audits of federal election results, without advance notice to the precincts selected, consisting of random hand counts of the voter-verified paper ballots.

Requires the Election Auditor of a state, as soon as practicable after the completion of an audit, to submit the results to EAC for publication.

Prohibits certification of the results of any election until completion of audits.

Amends HAVA to: (1) add requirements for counting provisional ballots, (2) require each state to allow early voting and facilitate the ability of voters to vote by mail.

Amends the Servicemembers Civil Relief Act to extend the guarantee of voting residency to family members of absent military personnel.

Amends the Uniformed and Overseas Citizens Absentee Voting Act with respect to pre-election reports on availability and transmission of absentee ballots.

Revises the 45-day absentee ballot transmission rule.

Permits use of a single absentee ballot application for subsequent elections.

Entitles to leave a federal employee who serves as a poll worker.

Directs the EAC to: (1) make a grant to each eligible state for poll-worker recruitment and training, and (2) develop materials for a model state poll worker training program.

Amends HAVA to make available to any person aggrieved by a violation of uniform and nondiscriminatory election technology and administration requirements the option to file a complaint with the Attorney General or pursue a private right of action to enforce such requirements.

Amends the Federal Election Campaign Act of 1971 to make it unlawful for a chief state election administration official, unless he or she or a family member is a candidate, to take an active part in political management or in a political campaign for federal office over which such official has supervisory authority.

Amends NVRA to treat universities as voter registration agencies.

Amends HAVA to establish minimum notification requirements on behalf of voters affected by polling place changes.

Directs the Attorney General to: (1) coordinate the establishment of a state-based response system for responding to questions and complaints from individuals voting or seeking to vote, or registering to vote or seeking to, in federal elections; (2) establish and operate a toll-free telephone service to connect directly to such response system; and (3) appoint a Voter Hotline Task Force.

Makes requirements of the National Voter Registration Act of 1993 and HAVA applicable to the Commonwealth of the Northern Mariana Islands.

Amends HAVA to: (1) reauthorize and extend the EAC, and (2) repeal its exemption from certain government contracting requirements.

Stay Connected with the Library [All ways to connect »](#)

Find us on



Subscribe & Comment

[RSS & E-Mail](#) [Blogs](#)

Download & Play

[Podcasts](#) [Webcasts](#) [iTunes U](#)

[About](#) | [Press](#) | [Site Map](#) | [Contact](#) | [Accessibility](#) | [Legal](#) | [External Link Disclaimer](#) | [USA.gov](#)
Enabled

[Speech](#)

The Library of Congress > THOMAS Home > Bills, Resolutions > Search Results

Bill Summary & Status

113th Congress (2013 - 2014)

S.123

CRS Summary

ABOUT SUMMARIES

NEW SEARCH | HOME | HELP |

⦿ [Back to Bill Summary and Status](#)

Print Subscribe Share/Save

S.123

Latest Title: Voter Empowerment Act of 2013

Sponsor: [Sen Gillibrand, Kirsten E. \[NY\]](#) (introduced 1/23/2013) [Cosponsors](#) (7)

Related Bills: [H.R.12](#)

Latest Major Action: 1/23/2013 Referred to Senate committee. Status: Read twice and referred to the Committee on Rules and Administration.

SUMMARY AS OF:

1/23/2013--Introduced.

Voter Empowerment Act of 2013 - Voter Registration Modernization Act of 2013 - Amends the National Voter Registration Act of 1993 (NVRA) to require each state to make available official public websites for online voter registration.

Authorizes automated voter registration of certain individuals and establishes other initiatives to promote voter registration, such as same day registration and voter registration of individuals under 18 years of age.

Amends the federal criminal code to prohibit hindering, interfering with, or preventing voter registration.

Amends the Help America Vote Act of 2002 (HAVA) to establish requirements for states to promote access to voter registration and voting for individuals with disabilities, including a single office for providing related information.

Directs the Election Assistance Commission (EAC) to make grants to eligible states to conduct pilot programs enabling individuals with disabilities to register to vote and vote privately and independently at their own residences (including by telephone).

Amends HAVA to reauthorize the program of grants to state and local governments to assure voting access for individuals with disabilities.

Amends the federal criminal code to prohibit state or local election officials from preventing an individual from registering or voting in any federal election (voter caging), or from permitting a formal challenge under state law to an individual's registration status or eligibility to vote, if the basis for such decision is evidence consisting of: (1) a voter caging document or voter caging list, (2) an unverified match list, (3) an error or omission on voter application or registration documents that is not material to an individual's eligibility to vote, or (4) any other evidence so

designated by the Commission.

Amends the federal criminal code to prohibit a person, including an election official, from knowingly and willfully attempting to or depriving or defrauding the residents of a state of their free and fair exercise of the right to vote by the communication of election-related information that is known by the person to be materially false, fictitious, or fraudulent. Increases the penalty for voter intimidation.

Declares that the right of an individual U.S. citizen to vote in any federal election shall not be denied or abridged because that individual has been convicted of a criminal offense unless he or she is serving a felony sentence in a correctional institution at the time of the election. Prescribes enforcement of this right by public or private civil action.

Requires each state to notify in writing any individual convicted of a criminal offense under state law, upon release from state custody or upon sentence to probation, that he or she has the right to vote in a federal election and so may register to vote.

Voter Confidence and Increased Accessibility Act of 2013 - Amends HAVA to revise requirements for the audit capacity of voting systems, particularly those for a permanent paper record.

Requires the voting system to require the use of an individual, durable, voter-verified paper ballot of the voter's vote that shall be marked and made available for inspection by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. Requires the voting system to provide the voter with an opportunity to correct any system-made error in the voter-verified paper ballot before it is permanently preserved.

Requires the Director of the National Science Foundation (NSF) to make grants to eligible entities to study, test, and develop accessible ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy.

Prescribes requirements for: (1) publication of poll tapes, (2) treatment of ballots cast at early voting sites and of absentee ballots, and (3) the counting of provisional ballots that will be treated as votes.

Prescribes laboratory conflict-of-interest requirements and prohibitions.

Requires the NSF Director to make grants to eligible entities to conduct research on the development of election-dedicated voting system software.

Requires each state, except when the winning candidate had no opponent or received 80% or more of the votes, to administer audits of federal election results, without advance notice to the precincts selected, consisting of random hand counts of the voter-verified paper ballots.

Requires the Election Auditor of a state, as soon as practicable after the completion of an audit, to submit the results to EAC for publication.

Prohibits certification of the results of any election until completion of audits.

Amends HAVA to: (1) add requirements for counting provisional ballots, (2) require each state to allow early voting and facilitate the ability of voters to vote by mail.

Amends the Servicemembers Civil Relief Act to extend the guarantee of voting residency to

family members of absent military personnel.

Amends the Uniformed and Overseas Citizens Absentee Voting Act with respect to pre-election reports on availability and transmission of absentee ballots.

Revises the 45-day absentee ballot transmission rule.

Permits use of a single absentee ballot application for subsequent elections.

Entitles to leave a federal employee who serves as a poll worker.

Directs the EAC to: (1) make a grant to each eligible state for poll-worker recruitment and training, and (2) develop materials for a model state poll worker training program.

Amends HAVA to make available to any person aggrieved by a violation of uniform and nondiscriminatory election technology and administration requirements the option to file a complaint with the Attorney General or pursue a private right of action to enforce such requirements.

Amends the Federal Election Campaign Act of 1971 to make it unlawful for a chief state election administration official, unless he or she or a family member is a candidate, to take an active part in political management or in a political campaign for federal office over which such official has supervisory authority.

Amends NVRA to treat universities as voter registration agencies.

Amends HAVA to establish minimum notification requirements on behalf of voters affected by polling place changes.

Directs the Attorney General to: (1) coordinate the establishment of a state-based response system for responding to questions and complaints from individuals voting or seeking to vote, or registering to vote or seeking to, in federal elections; (2) establish and operate a toll-free telephone service to connect directly to such response system; and (3) appoint a Voter Hotline Task Force.

Makes requirements of the National Voter Registration Act of 1993 and HAVA applicable to the Commonwealth of the Northern Mariana Islands.

Amends HAVA to: (1) reauthorize and extend the EAC, and (2) repeal its exemption from certain government contracting requirements.

Stay Connected with the Library [All ways to connect >](#)

Find us on



Subscribe & Comment

[RSS & E-Mail](#) [Blogs](#)

Download & Play

[Podcasts](#) [Webcasts](#) [iTunes U](#)

[About](#) | [Press](#) | [Site Map](#) | [Contact](#) | [Accessibility](#) | [Legal](#) | [External Link Disclaimer](#) | [USA.gov](#)
[Enabled](#)

[Speech](#)

113TH CONGRESS
1ST SESSION

S. 85

To provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration.

IN THE SENATE OF THE UNITED STATES

JANUARY 23 (legislative day, JANUARY 3), 2013

Mr. COONS (for himself, Mr. WARNER, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide incentives for States to invest in practices and technology that are designed to expedite voting at the polls and to simplify voter registration.

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 “Louis L. Redding Fair,
5 Accurate, Secure, and Timely Voting Act of 2013” or the
6 “FAST Voting Act of 2013”.

1 **SEC. 2. INCENTIVES FOR STATES TO INVEST IN PRACTICES**
2 **AND TECHNOLOGY THAT ARE DESIGNED TO**
3 **EXPEDITE VOTING AT THE POLLS AND SIM-**
4 **PLIFY VOTER REGISTRATION.**

5 (a) **PURPOSES.**—The purposes of this section are
6 to—

7 (1) provide incentives for States to invest in
8 practices and technology that are designed to expedite voting at the polls; and
9

10 (2) provide incentives for States to simplify
11 voter registration.

12 (b) **RESERVATION OF FUNDS.**—From the amount
13 made available to carry out this section for a fiscal year,
14 the Attorney General may reserve not more than 10 per-
15 cent of such amount to carry out activities related to—

16 (1) technical assistance; and

17 (2) outreach and dissemination.

18 (c) **PROGRAM AUTHORIZED.**—

19 (1) **IN GENERAL.**—From the amounts made
20 available under subsection (h) for a fiscal year and
21 not reserved under subsection (b), the Attorney Gen-
22 eral shall award grants, on a competitive basis, to
23 States in accordance with subsection (d)(2), to en-
24 able the States to carry out the purposes of this sec-
25 tion.

1 (2) NUMBER OF GRANTS.—A State may not re-
2 ceive more than 1 grant under this section per grant
3 period.

4 (3) DURATION OF GRANTS.—

5 (A) IN GENERAL.—A grant under this sec-
6 tion shall be awarded for a period of not more
7 than 4 years.

8 (B) CONTINUATION OF GRANTS.—A State
9 that is awarded a grant under this section shall
10 not receive grant funds under this section for
11 the second or any subsequent year of the grant
12 unless the State demonstrates to the Attorney
13 General, at such time and in such manner as
14 determined by the Attorney General, that the
15 State is—

16 (i) making progress in implementing
17 the plan under subsection (d)(1)(C) at a
18 rate that the Attorney General determines
19 will result in the State fully implementing
20 such plan during the remainder of the
21 grant period; or

22 (ii) making progress against the per-
23 formance measures set forth in subsection
24 (e) at a rate that the Attorney General de-
25 termines will result in the State reaching

1 its targets and achieving the objectives of
2 the grant during the remainder of the
3 grant period.

4 (d) APPLICATIONS.—

5 (1) APPLICATIONS.—Each State that desires to
6 receive a grant under this section shall submit an
7 application to the Attorney General at such time, in
8 such manner, and containing such information as
9 the Attorney General may reasonably require. At a
10 minimum, each such application shall include—

11 (A) documentation of the applicant's
12 record, as applicable—

13 (i) in providing various voter registra-
14 tion opportunities;

15 (ii) in providing early voting;

16 (iii) in providing absentee voting;

17 (iv) in providing assistance to voters
18 who do not speak English as a primary
19 language;

20 (v) in providing assistance to voters
21 with disabilities;

22 (vi) in providing effective access to
23 voting for members of the armed services;

24 (vii) in providing formal training of
25 election officials;

1 (viii) in auditing or otherwise docu-
2 menting waiting times at polling stations;

3 (ix) in allocating polling locations,
4 equipment, and staff to match population
5 distribution;

6 (x) in responding to voting irregular-
7 ities and concerns raised at polling sta-
8 tions;

9 (xi) in creating and adhering to con-
10 tingency voting plans in the event of a nat-
11 ural or other disaster; and

12 (xii) with respect to any other per-
13 formance measure described in subsection
14 (e) that is not included in clauses (i)
15 through (xi);

16 (B) evidence of conditions of innovation
17 and reform that the applicant has established
18 and the applicant's proposed plan for imple-
19 menting additional conditions for innovation
20 and reform, including—

21 (i) a description of how the applicant
22 has identified and eliminated ineffective
23 practices in the past and the applicant's
24 plan for doing so in the future;

1 (ii) a description of how the applicant
2 has identified and promoted effective prac-
3 tices in the past and the applicant's plan
4 for doing so in the future; and

5 (iii) steps the applicant has taken and
6 will take to eliminate statutory, regulatory,
7 procedural, or other barriers and to facili-
8 tate the full implementation of the pro-
9 posed plan under this subparagraph;

10 (C) a comprehensive and coherent plan for
11 using funds under this section, and other Fed-
12 eral, State, and local funds, to improve the ap-
13 plicant's performance on the measures de-
14 scribed in subsection (e), consistent with cri-
15 teria set forth by the Attorney General, includ-
16 ing how the applicant will, if applicable—

17 (i) provide flexible registration oppor-
18 tunities, including online and same-day
19 registration and registration updating;

20 (ii) provide early voting, at a min-
21 imum of 9 of the 10 calendar days pre-
22 ceding an election, at sufficient and flexible
23 hours;

24 (iii) provide absentee voting, including
25 no-excuse absentee voting;

- 1 (iv) provide assistance to voters who
2 do not speak English as a primary lan-
3 guage;
- 4 (v) provide assistance to voters with
5 disabilities, including visual impairment;
- 6 (vi) provide effective access to voting
7 for members of the armed services;
- 8 (vii) provide formal training of elec-
9 tion officials, including State and county
10 administrators and volunteers;
- 11 (viii) audit and reduce waiting times
12 at polling stations;
- 13 (ix) allocate polling locations, equip-
14 ment, and staff to match population dis-
15 tribution;
- 16 (x) respond to any reports of voting
17 irregularities or concerns raised at the poll-
18 ing station;
- 19 (xi) create contingency voting plans in
20 the event of a natural or other disaster;
21 and
- 22 (xii) improve the wait times at the
23 persistently poorest performing polling sta-
24 tions within the jurisdiction of the appli-
25 cant;

1 (D) evidence of collaboration between the
2 State, local election officials, and other stake-
3 holders, in developing the plan described in sub-
4 paragraph (C), including evidence of the com-
5 mitment and capacity to implement the plan;

6 (E) the applicant's annual performance
7 measures and targets, consistent with the re-
8 quirements of subsection (e); and

9 (F) a description of the applicant's plan to
10 conduct a rigorous evaluation of the effective-
11 ness of activities carried out with funds under
12 this section.

13 (2) CRITERIA FOR EVALUATING APPLICA-
14 TIONS.—

15 (A) AWARD BASIS.—The Attorney General
16 shall award grants under this section on a com-
17 petitive basis, based on the quality of the appli-
18 cations submitted under paragraph (1), includ-
19 ing—

20 (i) each applicant's record in the
21 areas described in paragraph (1)(A);

22 (ii) each applicant's record of, and
23 commitment to, establishing conditions for
24 innovation and reform, as described in
25 paragraph (1)(B);

1 (iii) the quality and likelihood of suc-
2 cess of each applicant's plan described in
3 paragraph (1)(C) in showing improvement
4 in the areas described in paragraph (1)(A),
5 including each applicant's capacity to im-
6 plement the plan and evidence of collabora-
7 tion as described in paragraph (1)(D); and
8 (iv) each applicant's evaluation plan
9 as described in paragraph (1)(F).

10 (B) EXPLANATION.—The Attorney General
11 shall publish an explanation of how the applica-
12 tion review process under this paragraph will
13 ensure an equitable and objective evaluation
14 based on the criteria described in subparagraph
15 (A).

16 (e) PERFORMANCE MEASURES.—Each State receiv-
17 ing a grant under this section shall establish performance
18 measures and targets, approved by the Attorney General,
19 for the programs and activities carried out under this sec-
20 tion. These measures shall, at a minimum, track the
21 State's progress—

22 (1) in implementing its plan described in sub-
23 section (d)(1)(C);

24 (2) in expediting voting at the polls or simpli-
25 fying voter registration, as applicable; and

1 (3) on any other measures identified by the At-
2 torney General.

3 (f) USES OF FUNDS.—Each State that receives a
4 grant under this section shall use the grant funds for any
5 purpose included in the State's plan under subsection
6 (d)(1)(C).

7 (g) REPORTING.—A State that receives a grant under
8 this section shall submit to the Attorney General, at such
9 time and in such manner as the Attorney General may
10 require, an annual report including—

11 (1) data on the State's progress in achieving
12 the targets for the performance measures established
13 under subsection (e);

14 (2) a description of the challenges the State has
15 faced in implementing its program and how it has
16 addressed or plans to address those challenges; and

17 (3) findings from the evaluation plan as de-
18 scribed in subsection (d)(1)(F).

19 (h) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated such sums as may be
21 necessary to carry out this section.

○