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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. LAWRENCE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 13, 2022.

I hereby appoint the Honorable BRENDA L. LAWRENCE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Holy and omnipotent God, we stand before You, vulnerable to Your power at work within and around us. Like precious metal, we are being forged, tested like silver, formed by Your creative hands.

In these moments, may we trust that You are refining us, restoring us, and shaping us that we would best reflect Your image in all we do.

We also stand before this Nation, exposed to a multitude of opinions and a host of challenges, bearing the responsibilities that have been placed in our care.

Many voices attempt to drown out Your own divine word that has called us to hold fast to our faith in Your perfect righteousness.

In these moments, may we stand firm in our obedience to You, to Your claim on our lives.

May the trials in our lives and the testing of our faith produce steadfastness in our walk with You.

In Your abiding name we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. TAKANO) come forward and lead the House in the Pledge of Allegiance.

Mr. TAKANO led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CELEBRATING KOREAN-AMERICAN DAY

(Ms. BOURDEAUX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BOURDEAUX. Madam Speaker, I rise today to celebrate Korean-American Day, which marks the arrival of the first group of Korean immigrants to the United States in 1903.

I am proud to represent tens of thousands of Korean Americans in Georgia's Seventh District. These individuals are critical members of our community. From small business owners to healthcare workers, they continue to support us throughout the pandemic.

I would like to take this time to acknowledge Korean-American leaders in my district. Representative Sam Park is the grandson of refugees from the Korean war who became the first Asian American and openly gay person elected to the Georgia State House of Representatives.

Michelle Kang serves as president of the Korean-American Public Action Committee and is a tireless leader in the community. It is an honor to work with each of you.

Since the start of the COVID–19 pandemic, we have been challenged with an increase in the number of anti-Asian hate crimes. This Korean-American Day, I am particularly grateful to all of those working to address and end anti-Asian hate in Georgia and across the country. I look forward to continuing this work in Congress.

EACH VOTE IS IMPORTANT

(Mrs. MILLER-MEEKS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER-MEEKS. Madam Speaker, I rise today to speak on an issue that is important for every American. I know the importance of each vote and understand the difference one vote or six can make. Our country was founded on the right to vote in fair and free elections and faith in the election systems that conduct those elections.

Since Iowa implemented new voting laws in 2017, our elections have seen record turnout and participation.

Right now, the majority is pushing a Federal takeover of elections, overriding laws in States like Iowa.

The proposed legislation would limit voter ID laws, which are supported by the overwhelming majority of Americans. It would also allow politicians to use taxpayer dollars to run political ads; meaning your money could go to candidates and issues you do not support.

Finally, it would implement a ''one-size-fits-all'' set of regulations instead

of allowing individual States to establish laws that work for them as provided in our Constitution.

Voters in each congressional district across the country are best informed to choose their congressional representation. They do not need interference from Washington, D.C.

We should be working to pass bipartisan and commonsense voting laws, not pushing a partisan agenda and playing political games. Let's make sure that everyone can vote and that every vote counts.

IMPROVE OUR INFRASTRUCTURE AND PROTECT OUR CHILDREN

(Ms. GARCIA of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GARCIA of Texas. Madam Speaker, I rise today to call attention to an urgent problem facing my district. Each and every one of these dots represents children with elevated toxic levels of lead in their blood. The red dots represent the higher levels, the yellow dots, obviously, the lower levels. You could almost draw my district if you follow the red dots.

The fact is, Madam Speaker, that many of these kids are being poisoned by lead in their homes and, yes, even in their schools. This is a problem that disproportionately affects Latinos in our community.

We need action to replace these lead pipes and ensure our kids have clean, safe water, no matter where they live. That is why I am proud of our work in the Infrastructure Investment and Jobs Act. This law will bring $2.9 billion to replace lead pipes in Texas schools.

While we have more work to do, our work in this Chamber is a critical first step to improving our infrastructure and protecting our children.

HONORING THE LIFE OF CLARENCE MORGAN

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to honor the life of Clarence Morgan the longtime county recreation director for Effingham County.

Clarence started with the department in 1980 and worked until he was promoted to director in 2001. His passion for health and wellness, including promoting an active lifestyle for community members, culminated in his development of the Effingham County Recreation Department.

With limited resources and hard work, Clarence managed to grow the program into one of the top programs in the State. In 2020, the brand new, state-of-the-art gym was opened and named in his honor.

Known by all for his integrity and great strength of character, Clarence dedicated his life to ensuring a brighter, healthier future for Effingham County residents. The department that he re-ignited is a testament to his life's work. Our State and our community will forever remember the life and legacy of Clarence Morgan.

My thoughts and prayers are with his family and his friends as we mourn the loss of this great Georgian.

HONORING THE LIFE AND LEGACY OF MARTA MACIAS BROWN

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Madam Speaker, I rise today to remember Marta Macias Brown, a longtime public servant, community leader, and beloved constituent of mine.

I had the privilege of knowing Marta way before I took office and started representing a portion of Marta's late husband's district, the former Congressman George E. Brown, Jr., whose portrait hangs as a former chairman in the Science Committee room.

Marta dedicated her career to advocating for social justice, women's rights, and high-quality education for students. She used her voice to eliminate barriers and create spaces for marginalized groups.

She was a proud Latina. She cofounded one of the first Spanish publications in the Inland Empire called El Chicano, to share important news with our community.

Marta spent her life uplifting and empowering others, and anyone who knew her or knew of her could easily speak to the love that she had for her community and the commitment she embodied for equality.

To the Macias Brown family and all those who knew, loved, and respected her, I offer my deepest condolences. Marta's legacy will always be cherished.

HONORING 77 KENTUCKIANS WHO LOST THEIR LIVES TO HORRIFIC TORNADOES IN DECEMBER 2021

(Mr. GUTHRIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTHRIE. Madam Speaker, I rise today to honor the 77 Kentuckians who lost their lives to the horrific tornadoes that devastated our Commonwealth this December. May we continue to lift up all of those who were affected by these storms and support the rebuilding of homes, businesses, and livelihoods.

We lost 17 Kentuckians in my district, all in my home county of Warren County. We must ensure their memories are never forgotten, and I ask that Americans keep these families and these names in their prayers: Alisa Besic, Alma Besic, Elma Besic, Samantha Besic, Selmir Besic, Nariah Brown, Nolynn Brown, Nyles Brown, Nyssa Brown, Rachel Brown, Steven Brown, Terry Jayne, Say Meh, Cory Scott, Victoria Smith, Mae White, and Robert Williams, Jr.

May they rest in peace.

HONORING THE LIFE AND LEGACY OF SENATOR HARRY REID

(Mr. HORSFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORSFORD. Madam Speaker, I rise to honor a great son of Nevada, Senator Harry Mason Reid.

Senator Reid was raised in a home with dirt floors in Searchlight, Nevada. And even as he rose to the highest levels of power, including this Chamber, he never forgot his small-town roots.

In the Senate, he fought for all of us. He championed the DREAM Act and brought young Dreamers to Capitol Hill. He fought against Yucca Mountain. And because of his work to pass the Affordable Care Act, 31 million Americans have healthcare today.

Most people don't know this, but long before he was a Senator, he paid his way through law school by serving with the U.S. Capitol Police. He protected this Capitol, and he defended our democracy.

Senator Reid, thank you for your lifetime of service. May you rest in peace.

HONORING THE LIFE OF WAYNE CALVIN SMITH

(Mr. CAWTHORN asked and was given permission to address the House for 1 minute.)

Mr. CAWTHORN. Madam Speaker, I was raised with one brother. But I truly felt like I had dozens and dozens of siblings. You see, my cousins and I grew up a little differently than most families. We had a patriarch of our family who made sure that multiple times a year we all got together for a big hoorah. Fourth of July, kids' week, Christmas, many of my favorite memories in my entire life stem from the times we all gathered at the mountain house. Wayne Smith, my great uncle, taught us, the way to be truly wealthy was to have a strong family.

Pappaw passed away on January 10. He was about to celebrate 63 years of marriage. He was able to touch people's souls with the way he talked. He would skip classes in high school so that he could work, yet still managed to be one of the wisest men I have ever known.

He taught all of his grandsons how to drive a stick shift in a pickup truck he had since 1993. He made a bet with his son to quit smoking and held up his end of the bargain for 43 years.

He was the original grill master in our family. He drank his coffee black or didn't drink it at all.

I am very proud to say that he got to see the Braves win the World Series last season.

Pappaw, we all love you so much. Thank you for imparting so much wisdom in our lives. Thank you for making sure we all grew up with endless cousins who are truly brothers and sisters now.

Go Braves, and rest in peace, Wayne Calvin Smith.

□ 0915

HONORING THE WORK OF ALFRED H. KURLAND

(Mr. ESPAILLAT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ESPAILLAT. Madam Speaker, I rise today to honor the work of Al Kurland, who has dedicated nearly three decades to supporting youth and families throughout the 13th Congressional District.

From his early efforts and grassroots engagement in Washington Heights, Al's work has inspired countless youth advocates, social justice activists, and civic mentors across the city of New York.

Al has long championed ensuring marginalized youth have a voice and are empowered to thrive, and I am proud to recognize his contributions today.

His latest essay, ''The Soul of Adolescence Aligns with the Heart of Democracy,'' follows his journey of discovering his life's purpose and his understanding of adolescent potential and wisdom.

His candor and vulnerability have led to countless young people finding their full potential through community involvement, strengthening our community.

Al Kurland has significantly contributed to our community. For that, we are thankful.

I commend him for his unwavering dedication to all who call our city home and applaud his tireless efforts to make our community stronger for the next generation of civic leaders.

COMMEMORATING THE 50TH ANNIVERSARY OF THE GRAND OPENING OF GILLEY'S

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEBER of Texas. Madam Speaker, on March 29, 1971, in Pasadena, Texas, Mickey Gilley opened a honky-tonk bearing his name and changed the world of country music forever. Gilley's reputation grew so much that Hollywood took notice with the hit movie ''Urban Cowboy,'' filmed in and around the Pasadena location. Man, was it a hit.

Inspired by the real-life romance of a pair of the club's patrons, ''Urban Cowboy'' put Gilley's on the map, revived music careers, and launched others. It introduced two-stepping to a whole new audience and created a lifestyle which has been adopted by millions.

Madam Speaker, 40 years later, America's love of Wrangler jeans, cowboy boots, and pickup trucks underscores that lasting cultural legacy.

Although the club is no more, Gilley's is certainly not forgotten. Its memory lives on decades later through music and film, of course, but even, more importantly, through the lives and loves of those who frequented Gilley's. And you always knew when someone had been to Gilley's because they had the bumper sticker to prove it.

Thank you to Mickey Gilley for introducing our way of life to the world. Thank you to the Galveston Chamber of Commerce—at 177 years young, Texas' oldest chamber of commerce—for honoring the 50th anniversary of our great southeast Texas true country club and Mr. Mickey Gilley.

NASA ENHANCED USE LEASING EXTENSION ACT OF 2021

Mr. BUTTERFIELD. Mr. Speaker, pursuant to House Resolution 868, I call up the bill (H.R. 5746) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration, with the Senate amendment thereto.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. CARTER of Louisiana). The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''NASA Enhanced Use Leasing Extension Act of 2021''.

SEC. 2. FINDINGS.

Congress find the following:

(1) NASA uses enhanced use leasing to enter into agreements with private sector entities, State and local governments, academic institutions, and other Federal agencies for lease of non-excess, underutilized NASA properties and facilities.

(2) NASA uses enhanced use leasing authority to support responsible management of its real property, including to improve the use of underutilized property for activities that are compatible with NASA's mission and to reduce facility operating and maintenance costs.

(3) In fiscal year 2019, under its enhanced use lease authority, NASA leased 65 real properties.

(4) In fiscal year 2019, NASA's use of enhanced use leasing resulted in the collection of $10,843,025.77 in net revenue.

(5) In fiscal year 2019, NASA used a portion of its enhanced use leasing revenues for repairs of facility control systems such as lighting and heating, ventilation, and air conditioning.

(6) NASA's use of enhanced use leasing authority can contribute to reducing the rate of increase of the Agency's overall deferred maintenance cost.

SEC. 3. EXTENSION OF AUTHORITY TO ENTER INTO LEASES OF NON-EXCESS PROPERTY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Section 20145(g) of title 51, United States Code, is amended by striking ''December 31, 2021'' and inserting ''March 31, 2022''.

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

MOTION TO CONCUR

Mr. BUTTERFIELD. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Butterfield of North Carolina moves that the House concur in the Senate amendment to H.R. 5746 with an amendment consisting of the text of Rules Committee Print 117–28.

The text of the House amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Freedom to Vote: John R. Lewis Act''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into divisions as follows:

(1) Division A—Voter Access.

(2) Division B—Election Integrity.

(3) Division C—Civic Participation and Empowerment.

(4) Division D—Voting Rights.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 3. FINDINGS OF GENERAL CONSTITUTIONAL AUTHORITY.

Congress finds that the Constitution of the United States grants explicit and broad authority to protect the right to vote, to regulate elections for Federal office, to prevent and remedy discrimination in voting, and to defend the Nation's democratic process. Congress enacts the Freedom to Vote: John R. Lewis Act pursuant to this broad authority, including but not limited to the following:

(1) Congress finds that it has broad authority to regulate the time, place, and manner of congressional elections under the Elections Clause of the Constitution, article I, section 4, clause 1. The Supreme Court has affirmed that the ''substantive scope'' of the Elections Clause is ''broad''; that ''Times, Places, and Manner'' are ''comprehensive words which embrace authority to provide for a complete code for congressional elections''; and ''[t]he power of Congress over the Times, Places and Manner of congressional elections is paramount, and may be exercised at any time, and to any extent which it deems expedient; and so far as it is exercised, and no farther, the regulations effected supersede those of the State which are inconsistent therewith''. Arizona v. Inter Tribal Council of Arizona, 570 U.S. 1, 8–9 (2013) (internal quotation marks and citations omitted). Indeed, ''Congress has plenary and paramount jurisdiction over the whole subject'' of congressional elections, Ex parte Siebold, 100 U.S. (10 Otto) 371, 388 (1879), and this power ''may be exercised as and when Congress sees fit'', and ''so far as it extends and conflicts with the regulations of the State, necessarily supersedes them''. Id. at 384. Among other things, Congress finds that the Elections Clause was intended to ''vindicate the people's right to equality of representation in the House''. Wesberry v. Sanders, 376 U.S. 1, 16 (1964), and to address partisan gerrymandering, Rucho v. Common Cause, 139 S. Ct. 2484 (2019).

(2) Congress also finds that it has both the authority and responsibility, as the legislative body for the United States, to fulfill the promise of article IV, section 4, of the Constitution, which states: ''The United States shall guarantee to every State in this Union a Republican Form of Government[.]''. Congress finds that its authority and responsibility to enforce the Guarantee Clause is clear given that Federal courts have not enforced this clause because they understood that its enforcement is committed to Congress by the Constitution.

(3)(A) Congress also finds that it has broad authority pursuant to section 5 of the Fourteenth Amendment to legislate to enforce the provisions of the Fourteenth Amendment, including its protections of the right to vote and the democratic process.

(B) Section 1 of the Fourteenth Amendment protects the fundamental right to vote, which is ''of the most fundamental significance under our constitutional structure''. Ill. Bd. of Election v. Socialist Workers Party, 440 U.S. 173, 184 (1979); see United States v. Classic, 313 U.S. 299 (1941) (''Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted . . .''). As the Supreme Court has repeatedly affirmed, the right to vote is ''preservative of all rights'', Yick Wo v. Hopkins, 118 U.S. 356, 370 (1886). Section 2 of the Fourteenth Amendment also protects the right to vote, granting Congress additional authority to reduce a State's representation in Congress when the right to vote is abridged or denied.

(C) As a result, Congress finds that it has the authority pursuant to section 5 of the Fourteenth Amendment to protect the right to vote. Congress also finds that States and localities have eroded access to the right to vote through restrictions on the right to vote including excessively onerous voter identification requirements, burdensome voter registration procedures, voter purges, limited and unequal access to voting by mail, polling place closures, unequal distribution of election resources, and other impediments.

(D) Congress also finds that ''the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise''. Reynolds v. Sims, 377 U.S. 533, 555 (1964). Congress finds that the right of suffrage has been so diluted and debased by means of gerrymandering of districts. Congress finds that it has authority pursuant to section 5 of the Fourteenth Amendment to remedy this debasement.

(4)(A) Congress also finds that it has authority to legislate to eliminate racial discrimination in voting and the democratic process pursuant to both section 5 of the Fourteenth Amendment, which grants equal protection of the laws, and section 2 of the Fifteenth Amendment, which explicitly bars denial or abridgment of the right to vote on account of race, color, or previous condition of servitude.

(B) Congress finds that racial discrimination in access to voting and the political process persists. Voting restrictions, redistricting, and other electoral practices and processes continue to disproportionately impact communities of color in the United States and do so as a result of both intentional racial discrimination, structural racism, and the ongoing structural socioeconomic effects of historical racial discrimination.

(C) Recent elections and studies have shown that minority communities wait longer in lines to vote, are more likely to have their mail ballots rejected, continue to face intimidation at the polls, are more likely to be disenfranchised by voter purges, and are disproportionately burdened by excessively onerous voter identification and other voter restrictions. Research shows that communities of color are more likely to face nearly every barrier to voting than their white counterparts.

(D) Congress finds that racial disparities in disenfranchisement due to past felony convictions is particularly stark. In 2020, according to the Sentencing Project, an estimated 5,200,000 Americans could not vote due to a felony conviction. One in 16 African Americans of voting age is disenfranchised, a rate 3.7 times greater than that of non-African Americans. In seven States—Alabama, Florida, Kentucky, Mississippi, Tennessee, Virginia, and Wyoming—more than one in seven African Americans is disenfranchised, twice the national average for African Americans. Congress finds that felony disenfranchisement was one of the tools of intentional racial discrimination during the Jim Crow era. Congress further finds that current racial disparities in felony disenfranchisement are linked to this history of voter suppression, structural racism in the criminal justice system, and ongoing effects of historical discrimination.

(5)(A) Congress finds that it further has the power to protect the right to vote from denial or abridgment on account of sex, age, or ability to pay a poll tax or other tax pursuant to the Nineteenth, Twenty-Fourth, and Twenty-Sixth Amendments.

(B) Congress finds that electoral practices including voting rights restoration conditions for people with convictions and other restrictions to the franchise burden voters on account of their ability to pay.

(C) Congress further finds that electoral practices including voting restrictions related to college campuses, age restrictions on mail voting, and similar practices burden the right to vote on account of age.

SEC. 4. STANDARDS FOR JUDICIAL REVIEW.

(a) IN GENERAL.—For any action brought for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality or lawfulness of any provision of this Act or any amendment made by this Act or any rule or regulation promulgated under this Act, the following rules shall apply:

(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit. These courts, and the Supreme Court of the United States on a writ of certiorari (if such writ is issued), shall have exclusive jurisdiction to hear such actions.

(2) The party filing the action shall concurrently deliver a copy the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this Act or any amendment made by this Act or any rule or regulation promulgated under this Act, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a), any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

SEC. 5. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or the application of any such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

DIVISION A—VOTER ACCESS

TITLE I—ELECTION MODERNIZATION AND ADMINISTRATION

SEC. 1000. SHORT TITLE; STATEMENT OF POLICY.

(a) SHORT TITLE.—This title may be cited as the ''Voter Empowerment Act of 2021''.

(b) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the ability of all eligible citizens of the United States to access and exercise their constitutional right to vote in a free, fair, and timely manner must be vigilantly enhanced, protected, and maintained; and

(2) the integrity, security, and accountability of the voting process must be vigilantly protected, maintained, and enhanced in order to protect and preserve electoral and participatory democracy in the United States.

Subtitle A—Voter Registration Modernization

SEC. 1000A. SHORT TITLE.

This subtitle may be cited as the ''Voter Registration Modernization Act of 2021''.

PART 1—AUTOMATIC VOTER REGISTRATION

SEC. 1001. SHORT TITLE; FINDINGS AND PURPOSE.

(a) SHORT TITLE.—This part may be cited as the ''Automatic Voter Registration Act of 2021''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the right to vote is a fundamental right of citizens of the United States;

(B) it is the responsibility of the State and Federal Governments to ensure that every eligible citizen is registered to vote;

(C) existing voter registration systems can be inaccurate, costly, inaccessible and confusing, with damaging effects on voter participation in elections for Federal office and disproportionate impacts on young people, persons with disabilities, and racial and ethnic minorities; and

(D) voter registration systems must be updated with 21st Century technologies and procedures to maintain their security.

(2) PURPOSE.—It is the purpose of this part—

(A) to establish that it is the responsibility of government to ensure that all eligible citizens are registered to vote in elections for Federal office;

(B) to enable the State Governments to register all eligible citizens to vote with accurate, cost-efficient, and up-to-date procedures;

(C) to modernize voter registration and list maintenance procedures with electronic and internet capabilities; and

(D) to protect and enhance the integrity, accuracy, efficiency, and accessibility of the electoral process for all eligible citizens.

SEC. 1002. AUTOMATIC REGISTRATION OF ELIGIBLE INDIVIDUALS.

(a) IN GENERAL.—The National Voter Registration Act of 1993 (52 U.S.C. 20504) is amended by inserting after section 5 the following new section:

''SEC. 5A. AUTOMATIC REGISTRATION BY STATE MOTOR VEHICLE AUTHORITY.

''(a) DEFINITIONS.—In this section—

''(1) APPLICABLE AGENCY.—The term 'applicable agency' means, with respect to a State, the State motor vehicle authority responsible for motor vehicle driver's licenses under State law.

''(2) APPLICABLE TRANSACTION.—The term 'applicable transaction' means—

''(A) an application to an applicable agency for a motor vehicle driver's license; and

''(B) any other service or assistance (including for a change of address) provided by an applicable agency.

''(3) AUTOMATIC REGISTRATION.—The term 'automatic registration' means a system that registers an individual to vote and updates existing registrations, in elections for Federal office in a State, if eligible, by electronically transferring the information necessary for registration from the applicable agency to election officials of the State so that, unless the individual affirmatively declines to be registered or to update any voter registration, the individual will be registered to vote in such elections.

''(4) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means, with respect to an election for Federal office, an individual who is otherwise qualified to vote in that election.

''(5) REGISTER TO VOTE.—The term 'register to vote' includes updating an individual's existing voter registration.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The chief State election official of each State shall establish and operate a system of automatic registration for the registration of eligible individuals to vote for elections for Federal office in the State, in accordance with the provisions of this section.

''(2) REGISTRATION OF VOTERS BASED ON NEW AGENCY RECORDS.—

''(A) IN GENERAL.—The chief State election official shall—

''(i) subject to subparagraph (B), ensure that each eligible individual who completes an applicable transaction and does not decline to register to vote is registered to vote—

''(I) in the next upcoming election for Federal office (and subsequent elections for Federal office), if an applicable agency transmits information under subsection (c)(1)(E) with respect to the individual not later than the applicable date; and

''(II) in subsequent elections for Federal office, if an applicable agency transmits such information with respect to such individual after the applicable date; and

''(ii) not later than 60 days after the receipt of such information with respect to an individual, send written notice to the individual, in addition to other means of notice established by this part, of the individual's voter registration status.

''(B) APPLICABLE DATE.—For purposes of this subsection, the term ''applicable date'' means, with respect to any election for Federal office, the later of—

''(i) the date that is 28 days before the date of the election; or

''(ii) the last day of the period provided by State law for registration with respect to such election.

''(C) CLARIFICATION.—Nothing in this subsection shall prevent the chief State election official from registering an eligible individual to vote for the next upcoming election for Federal office in the State even if an applicable agency transmits information under subsection (c)(1)(E) with respect to the individual after the applicable date.

''(3) TREATMENT OF INDIVIDUALS UNDER 18 YEARS OF AGE.—A State may not refuse to treat an individual as an eligible individual for purposes of this section on the grounds that the individual is less than 18 years of age at the time an applicable agency receives information with respect to the individual, so long as the individual is at least 16 years of age at such time. Nothing in the previous sentence may be construed to require a State to permit an individual who is under 18 years of age at the time of an election for Federal office to vote in the election.

''(c) APPLICABLE AGENCY RESPONSIBILITIES.—

''(1) INSTRUCTIONS ON AUTOMATIC REGISTRATION FOR AGENCIES COLLECTING CITIZENSHIP INFORMATION.—

''(A) IN GENERAL.—Except as otherwise provided in this section, in the case of any applicable transaction for which an applicable agency (in the normal course of its operations) requests individuals to affirm United States citizenship (either directly or as part of the overall application for service or assistance or enrollment), the applicable agency shall inform each such individual who is a citizen of the United States of the following:

''(i) Unless that individual declines to register to vote, or is found ineligible to vote, the individual will be registered to vote or, if applicable, the individual's registration will be updated.

''(ii) The substantive qualifications of an elector in the State as listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9, the consequences of false registration, and how the individual should decline to register if the individual does not meet all those qualifications.

''(iii) In the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, the requirement that the individual must affiliate or enroll with a political party in order to participate in such an election.

''(iv) Voter registration is voluntary, and neither registering nor declining to register to vote will in any way affect the availability of services or benefits, nor be used for other purposes.

''(B) INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.—In the case where the individual is a member of a group that constitutes 3 percent or more of the overall population within the State served by the applicable agency as measured by the United States Census and are limited English proficient, the information described in clauses (i) through (iv) of subparagraph (A) shall be provided in a language understood by the individual.

''(C) CLARIFICATION ON PROCEDURES FOR INELIGIBLE VOTERS.—An applicable agency shall not provide an individual who did not affirm United States citizenship, or for whom the agency has conclusive documentary evidence obtained through its normal course of operations that the individual is not a United State citizen, the opportunity to register to vote under subparagraph (A).

''(D) OPPORTUNITY TO DECLINE REGISTRATION REQUIRED.—Except as otherwise provided in this section, each applicable agency shall ensure that each applicable transaction described in subparagraph (A) with an eligible individual cannot be completed until the individual is given the opportunity to decline to be registered to vote. In the case where the individual is a member of a group that constitutes 3 percent or more of the overall population within the State served by the applicable agency as measured by the United States Census and are limited English proficient, such opportunity shall be given in a language understood by the individual.

''(E) INFORMATION TRANSMITTAL.—Not later than 10 days after an applicable transaction with an eligible individual, if the individual did not decline to be registered to vote, the applicable agency shall electronically transmit to the appropriate State election official the following information with respect to the individual:

''(i) The individual's given name(s) and surname(s).

''(ii) The individual's date of birth.

''(iii) The individual's residential address.

''(iv) Information showing that the individual is a citizen of the United States.

''(v) The date on which information pertaining to that individual was collected or last updated.

''(vi) If available, the individual's signature in electronic form.

''(vii) In the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, information regarding the individual's affiliation or enrollment with a political party, but only if the individual provides such information.

''(viii) Any additional information listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9 of the National Voter Registration Act of 1993, including any valid driver's license number or the last 4 digits of the individual's social security number, if the individual provided such information.

''(F) PROVISION OF INFORMATION REGARDING PARTICIPATION IN PRIMARY ELECTIONS.—In the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, if the information transmitted under paragraph

(E) with respect to an individual does not include information regarding the individual's affiliation or enrollment with a political party, the chief State election official shall—

''(i) notify the individual that such affiliation or enrollment is required to participate in primary elections; and

''(ii) provide an opportunity for the individual to update their registration with a party affiliation or enrollment.

''(G) CLARIFICATION.—Nothing in this section shall be read to require an applicable agency to transmit to an election official the information described in subparagraph (E) for an individual who is ineligible to vote in elections for Federal office in the State, except to the extent required to pre-register citizens between 16 and 18 years of age.

''(2) ALTERNATE PROCEDURE FOR CERTAIN OTHER APPLICABLE AGENCIES.—With each applicable transaction for which an applicable agency in the normal course of its operations does not request individuals to affirm United States citizenship (either directly or as part of the overall application for service or assistance), the applicable agency shall—

''(A) complete the requirements of section 5;

''(B) ensure that each applicant's transaction with the agency cannot be completed until the applicant has indicated whether the applicant wishes to register to vote or declines to register to vote in elections for Federal office held in the State; and

''(C) for each individual who wishes to register to vote, transmit that individual's information in accordance with subsection (c)(1)(E), unless the agency has conclusive documentary evidence obtained through its normal course of operations that the individual is not a United States citizen.

''(3) REQUIRED AVAILABILITY OF AUTOMATIC REGISTRATION OPPORTUNITY WITH EACH APPLICATION FOR SERVICE OR ASSISTANCE.—Each applicable agency shall offer each eligible individual, with each applicable transaction, the opportunity to register to vote as prescribed by this section without regard to whether the individual previously declined a registration opportunity.

''(d) VOTER PROTECTION.—

''(1) APPLICABLE AGENCIES' PROTECTION OF INFORMATION.—Nothing in this section authorizes an applicable agency to collect, retain, transmit, or publicly disclose any of the following, except as necessary to comply with title III of the Civil Rights Act of 1960 (52 U.S.C. 20701 et seq.):

''(A) An individual's decision to decline to register to vote or not to register to vote.

''(B) An individual's decision not to affirm his or her citizenship.

''(C) Any information that an applicable agency transmits pursuant to subsection (c)(1)(E), except in pursuing the agency's ordinary course of business.

''(2) ELECTION OFFICIALS' PROTECTION OF INFORMATION.—

''(A) PUBLIC DISCLOSURE PROHIBITED.—

''(i) IN GENERAL.—Subject to clause (ii), with respect to any individual for whom any State election official receives information from an applicable agency, the State election officials shall not publicly disclose any of the following:

''(I) Any information not necessary to voter registration.

''(II) Any voter information otherwise shielded from disclosure under State law or section 8(a).

''(III) Any portion of the individual's social security number.

''(IV) Any portion of the individual's motor vehicle driver's license number.

''(V) The individual's signature.

''(VI) The individual's telephone number.

''(VII) The individual's email address.

''(ii) SPECIAL RULE FOR INDIVIDUALS REGISTERED TO VOTE.—The prohibition on public disclosure in clause (i) shall not apply with respect to the telephone number or email address of any individual for whom any State election official receives information from the applicable agency and who, on the basis of such information, is registered to vote in the State under this section.

''(e) MISCELLANEOUS PROVISIONS.—

''(1) ACCESSIBILITY OF REGISTRATION SERVICES.—Each applicable agency shall ensure that the services it provides under this section are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

''(2) TRANSMISSION THROUGH SECURE THIRD PARTY PERMITTED.—Nothing in this section or in the Automatic Voter Registration Act of 2021 shall be construed to prevent an applicable agency from contracting with a third party to assist the agency in meeting the information transmittal requirements of this section, so long as the data transmittal complies with the applicable requirements of this section and such Act, including provisions relating privacy and security.

''(3) NONPARTISAN, NONDISCRIMINATORY PROVISION OF SERVICES.—The services made available by applicable agencies under this section shall be made in a manner consistent with paragraphs (4), (5), and (6)(C) of section 7(a).

''(4) NOTICES.—Each State may send notices under this section via electronic mail if the individual has provided an electronic mail address and consented to electronic mail communications for election-related materials. All notices sent pursuant to this section that require a response must offer the individual notified the opportunity to respond at no cost to the individual.

''(5) REGISTRATION AT OTHER STATE OFFICES PERMITTED.—Nothing in this section may be construed to prohibit a State from offering voter registration services described in this section at offices of the State other than the State motor vehicle authority.

''(f) APPLICABILITY.—

''(1) IN GENERAL.—This section shall not apply to an exempt State.

''(2) EXEMPT STATE DEFINED.—The term 'exempt State' means a State which, under law which is in effect continuously on and after the date of the enactment of this section, either—

''(A) has no voter registration requirement for any voter in the State with respect to a Federal election; or

''(B) operates a system of automatic registration (as defined in section 1002(a)(2)) at the motor vehicle authority of the State or a Permanent Dividend Fund of the State under which an individual is provided the opportunity to decline registration during the transaction or by way of a notice sent by mail or electronically after the transaction.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 4(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(a)(1)) is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 5A;.''.

(2) Section 4(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(b)) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(B) by striking ''STATES.—This Act'' and inserting ''STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), this Act''; and

(C) by adding at the end the following new paragraph:

''(2) APPLICATION OF AUTOMATIC REGISTRATION REQUIREMENTS.—Section 5A shall apply to a State described in paragraph (1), unless the State is an exempt State as defined in subsection (f)(2) of such section.''.

(3) Section 8(a)(1) of such Act (52 U.S.C. 20507(a)(1)) is amended by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively, and by inserting after subparagraph (A) the following new subparagraph:

''(B) in the case of registration under section 5A, within the period provided in section 5A(b)(2);''.

SEC. 1003. VOTER PROTECTION AND SECURITY IN AUTOMATIC REGISTRATION.

(a) PROTECTIONS FOR ERRORS IN REGISTRATION.—An individual shall not be prosecuted under any Federal or State law, adversely affected in any civil adjudication concerning immigration status or naturalization, or subject to an allegation in any legal proceeding that the individual is not a citizen of the United States on any of the following grounds:

(1) The individual notified an election office of the individual's automatic registration to vote.

(2) The individual is not eligible to vote in elections for Federal office but was registered to vote due to individual or agency error.

(3) The individual was automatically registered to vote at an incorrect address.

(4) The individual declined the opportunity to register to vote or did not make an affirmation of citizenship, including through automatic registration.

(b) LIMITS ON USE OF AUTOMATIC REGISTRATION.—The automatic registration (within the meaning of section 5A of the National Voter Registration Act of 1993) of any individual or the fact that an individual declined the opportunity to register to vote or did not make an affirmation of citizenship (including through automatic registration) may not be used as evidence against that individual in any State or Federal law enforcement proceeding or any civil adjudication concerning immigration status or naturalization, and an individual's lack of knowledge or willfulness of such registration may be demonstrated by the individual's testimony alone.

(c) PROTECTION OF ELECTION INTEGRITY.—Nothing in subsections (a) or (b) may be construed to prohibit or restrict any action under color of law against an individual who—

(1) knowingly and willfully makes a false statement to effectuate or perpetuate automatic voter registration by any individual; or

(2) casts a ballot knowingly and willfully in violation of State law or the laws of the United States.

(d) ELECTION OFFICIALS' PROTECTION OF INFORMATION.—

(1) VOTER RECORD CHANGES.—Each State shall maintain for at least 2 years and shall make available for public inspection (and, where available, photocopying at a reasonable cost), including in electronic form and through electronic methods, all records of changes to voter records, including removals, the reasons for removals, and updates.

(2) DATABASE MANAGEMENT STANDARDS.—Not later than 1 year after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology, in consultation with State and local election officials and the Election Assistance Commission, shall, after providing the public with notice and the opportunity to comment—

(A) establish standards governing the comparison of data for voter registration list maintenance purposes, identifying as part of such standards the specific data elements, the matching rules used, and how a State may use the data to determine and deem that an individual is ineligible under State law to vote in an election, or to deem a record to be a duplicate or outdated;

(B) ensure that the standards developed pursuant to this paragraph are uniform and nondiscriminatory and are applied in a uniform and nondiscriminatory manner;

(C) not later than 45 days after the deadline for public notice and comment, publish the

standards developed pursuant to this paragraph on the Director's website and make those standards available in written form upon request; and

(D) ensure that the standards developed pursuant to this paragraph are maintained and updated in a manner that reflects innovations and best practices in the security of database management.

(3) SECURITY POLICY.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall, after providing the public with notice and the opportunity to comment, publish privacy and security standards for voter registration information not later than 45 days after the deadline for public notice and comment. The standards shall require the chief State election official of each State to adopt a policy that shall specify—

(i) each class of users who shall have authorized access to the computerized statewide voter registration list, specifying for each class the permission and levels of access to be granted, and setting forth other safeguards to protect the privacy, security, and accuracy of the information on the list; and

(ii) security safeguards to protect personal information transmitted through the information transmittal processes of section 5A(b) of the National Voter Registration Act of 1993, any telephone interface, the maintenance of the voter registration database, and any audit procedure to track access to the system.

(B) MAINTENANCE AND UPDATING.—The Director shall ensure that the standards developed pursuant to this paragraph are maintained and updated in a manner that reflects innovations and best practices in the privacy and security of voter registration information.

(4) STATE COMPLIANCE WITH NATIONAL STANDARDS.—

(A) CERTIFICATION.—The chief State election official of the State shall annually file with the Election Assistance Commission a statement certifying to the Director of the National Institute of Standards and Technology that the State is in compliance with the standards referred to in paragraphs (2) and (3). A State may meet the requirement of the previous sentence by filing with the Commission a statement which reads as follows: ''_____ hereby certifies that it is in compliance with the standards referred to in paragraphs (2) and (3) of section 1003(d) of the Automatic Voter Registration Act of 2021.'' (with the blank to be filled in with the name of the State involved).

(B) PUBLICATION OF POLICIES AND PROCEDURES.—The chief State election official of a State shall publish on the official's website the policies and procedures established under this section, and shall make those policies and procedures available in written form upon public request.

(C) FUNDING DEPENDENT ON CERTIFICATION.—If a State does not timely file the certification required under this paragraph, it shall not receive any payment under this part for the upcoming fiscal year.

(D) COMPLIANCE OF STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to carry out an activity covered by any certification submitted under this paragraph, for a period of not more than 2 years the State shall be permitted to make the certification notwithstanding that the legislation has not been enacted at the time the certification is submitted, and such State shall submit an additional certification once such legislation is enacted.

(e) RESTRICTIONS ON USE OF INFORMATION.—No person acting under color of law may discriminate against any individual based on, or use for any purpose other than voter registration, election administration, juror selection, or enforcement relating to election crimes, any of the following:

(1) Voter registration records.

(2) An individual's declination to register to vote or complete an affirmation of citizenship under section 5A of the National Voter Registration Act of 1993.

(3) An individual's voter registration status.

(f) PROHIBITION ON THE USE OF VOTER REGISTRATION INFORMATION FOR COMMERCIAL PURPOSES.—Information collected under this part or the amendments made by this part shall not be used for commercial purposes. Nothing in this subsection may be construed to prohibit the transmission, exchange, or dissemination of information for political purposes, including the support of campaigns for election for Federal, State, or local public office or the activities of political committees (including committees of political parties) under the Federal Election Campaign Act of 1971.

SEC. 1004. PAYMENTS AND GRANTS.

(a) IN GENERAL.—The Election Assistance Commission shall make grants to each eligible State to assist the State in implementing the requirements of this part and the amendments made by this part (or, in the case of an exempt State, in implementing its existing automatic voter registration program or expanding its automatic voter registration program in a manner consistent with the requirements of this part) with respect to the offices of the State motor vehicle authority and any other offices of the State at which the State offers voter registration services as described in this part and the amendments made by this part.

(b) ELIGIBILITY; APPLICATION.—A State is eligible to receive a grant under this section if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

(1) a description of the activities the State will carry out with the grant;

(2) an assurance that the State shall carry out such activities without partisan bias and without promoting any particular point of view regarding any issue; and

(3) such other information and assurances as the Commission may require.

(c) AMOUNT OF GRANT; PRIORITIES.—The Commission shall determine the amount of a grant made to an eligible State under this section. In determining the amounts of the grants, the Commission shall give priority to providing funds for those activities which are most likely to accelerate compliance with the requirements of this part (or, in the case of an exempt State, which are most likely to enhance the ability of the State to automatically register individuals to vote through its existing automatic voter registration program), including—

(1) investments supporting electronic information transfer, including electronic collection and transfer of signatures, between applicable agencies (as defined in section 5A of the National Voter Registration Act of 1993) and the appropriate State election officials;

(2) updates to online or electronic voter registration systems already operating as of the date of the enactment of this Act;

(3) introduction of online voter registration systems in jurisdictions in which those systems did not previously exist; and

(4) public education on the availability of new methods of registering to vote, updating registration, and correcting registration.

(d) EXEMPT STATE.—For purposes of this section, the term ''exempt State'' has the meaning given such term under section 5A of the National Voter Registration Act of 1993, and also includes a State in which, under law which is in effect continuously on and after the date of the enactment of the National Voter Registration Act of 1993, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to carry out this section—

(A) $3,000,000,000 for fiscal year 2022; and

(B) such sums as may be necessary for each succeeding fiscal year.

(2) CONTINUING AVAILABILITY OF FUNDS.—Any amounts appropriated pursuant to the authority of this subsection shall remain available without fiscal year limitation until expended.

SEC. 1005. MISCELLANEOUS PROVISIONS.

(a) ENFORCEMENT.—Section 11 of the National Voter Registration Act of 1993 (52 U.S.C. 20510), relating to civil enforcement and the availability of private rights of action, shall apply with respect to this part in the same manner as such section applies to such Act.

(b) RELATION TO OTHER LAWS.—Except as provided, nothing in this part or the amendments made by this part may be construed to authorize or require conduct prohibited under, or to supersede, restrict, or limit the application of any of the following:

(1) The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(3) The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) (other than section 5A thereof).

(4) The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

SEC. 1006. DEFINITIONS.

In this part, the following definitions apply:

(1) The term ''chief State election official'' means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State's responsibilities under such Act.

(2) The term ''Commission'' means the Election Assistance Commission.

(3) The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 1007. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this part and the amendments made by this part shall apply on and after January 1, 2023.

(b) WAIVER.—If a State certifies to the Commission not later than January 1, 2023, that the State will not meet the deadline described in subsection (a) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2023'' were a reference to ''January 1, 2025''.

PART 2—ELECTION DAY AS LEGAL PUBLIC HOLIDAY

SEC. 1011. ELECTION DAY AS LEGAL PUBLIC HOLIDAY.

(a) IN GENERAL.—Section 6103(a) of title 5, United States Code, is amended by inserting after the item relating to Columbus Day, the following:

''Election Day, the Tuesday next after the first Monday in November in each even-numbered year.''.

(b) CONFORMING AMENDMENT.—Section 241(b) of the Help America Vote Act of 2002 (52 U.S.C. 20981(b)) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (19) as paragraphs (10) through (18), respectively.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the regularly scheduled general elections for Federal office held in November 2022 or any succeeding year.

PART 3—PROMOTING INTERNET REGISTRATION

SEC. 1021. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.

(a) REQUIRING AVAILABILITY OF INTERNET FOR REGISTRATION.—The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) is amended by inserting after section 6 the following new section:

"SEC. 6A. INTERNET REGISTRATION.

''(a) REQUIRING AVAILABILITY OF INTERNET FOR ONLINE REGISTRATION.—Each State, acting through the chief State election official, shall ensure that the following services are available to the public at any time on the official public websites of the appropriate State and local election officials in the State, in the same manner and subject to the same terms and conditions as the services provided by voter registration agencies under section 7(a):

''(1) Online application for voter registration.

''(2) Online assistance to applicants in applying to register to vote.

''(3) Online completion and submission by applicants of the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2), including assistance with providing a signature as required under subsection (c).

''(4) Online receipt of completed voter registration applications.

''(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—A State shall accept an online voter registration application provided by an individual under this section, and ensure that the individual is registered to vote in the State, if—

''(1) the individual meets the same voter registration requirements applicable to individuals who register to vote by mail in accordance with section 6(a)(1) using the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2); and

''(2) the individual meets the requirements of subsection (c) to provide a signature in electronic form (but only in the case of applications submitted during or after the second year in which this section is in effect in the State).

''(c) SIGNATURE REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of this section, an individual meets the requirements of this subsection as follows:

''(A) In the case of an individual who has a signature on file with a State agency, including the State motor vehicle authority, that is required to provide voter registration services under this Act or any other law, the individual consents to the transfer of that electronic signature.

''(B) If subparagraph (A) does not apply, the individual submits with the application an electronic copy of the individual's handwritten signature through electronic means.

''(C) If subparagraph (A) and subparagraph (B) do not apply, the individual executes a computerized mark in the signature field on an online voter registration application, in accordance with reasonable security measures established by the State, but only if the State accepts such mark from the individual.

''(2) TREATMENT OF INDIVIDUALS UNABLE TO MEET REQUIREMENT.—If an individual is unable to meet the requirements of paragraph (1), the State shall—

''(A) permit the individual to complete all other elements of the online voter registration application;

''(B) permit the individual to provide a signature at the time the individual requests a ballot in an election (whether the individual requests the ballot at a polling place or requests the ballot by mail); and

''(C) if the individual carries out the steps described in subparagraph (A) and subparagraph (B), ensure that the individual is registered to vote in the State.

''(3) NOTICE.—The State shall ensure that individuals applying to register to vote online are notified of the requirements of paragraph (1) and of the treatment of individuals unable to meet such requirements, as described in paragraph (2).

''(d) CONFIRMATION AND DISPOSITION.—

''(1) CONFIRMATION OF RECEIPT.—

''(A) IN GENERAL.—Upon the online submission of a completed voter registration application by an individual under this section, the appropriate State or local election official shall provide the individual a notice confirming the State's receipt of the application and providing instructions on how the individual may check the status of the application.

''(B) METHOD OF NOTIFICATION.—The appropriate State or local election official shall provide the notice required under subparagraph (A) though the online submission process and—

''(i) in the case of an individual who has provided the official with an electronic mail address, by electronic mail; and

''(ii) at the option of the individual, by text message.

''(2) NOTICE OF DISPOSITION.—

''(A) IN GENERAL.—Not later than 7 days after the appropriate State or local election official has approved or rejected an application submitted by an individual under this section, the official shall provide the individual a notice of the disposition of the application.

''(B) METHOD OF NOTIFICATION.—The appropriate State or local election official shall provide the notice required under subparagraph (A) by regular mail and—

''(i) in the case of an individual who has provided the official with an electronic mail address, by electronic mail; and

''(ii) at the option of the individual, by text message.

''(e) PROVISION OF SERVICES IN NONPARTISAN MANNER.—The services made available under subsection (a) shall be provided in a manner that ensures that—

''(1) the online application does not seek to influence an applicant's political preference or party registration; and

''(2) there is no display on the website promoting any political preference or party allegiance, except that nothing in this paragraph may be construed to prohibit an applicant from registering to vote as a member of a political party.

''(f) PROTECTION OF SECURITY OF INFORMATION.—In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent to the greatest extent practicable any unauthorized access to information provided by individuals using the services made available under subsection (a).

''(g) ACCESSIBILITY OF SERVICES.—A State shall ensure that the services made available under this section are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

''(h) NONDISCRIMINATION AMONG REGISTERED VOTERS USING MAIL AND ONLINE REGISTRATION.—In carrying out this Act, the Help America Vote Act of 2002, or any other Federal, State, or local law governing the treatment of registered voters in the State or the administration of elections for public office in the State, a State shall treat a registered voter who registered to vote online in accordance with this section in the same manner as the State treats a registered voter who registered to vote by mail.''.

(b) SPECIAL REQUIREMENTS FOR INDIVIDUALS USING ONLINE REGISTRATION.—

(1) TREATMENT AS INDIVIDUALS REGISTERING TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME VOTER IDENTIFICATION REQUIREMENTS.—Section 303(b)(1)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(b)(1)(A)) is amended by striking ''by mail'' and inserting ''by mail or online under section 6A of the National Voter Registration Act of 1993''.

(2) REQUIRING SIGNATURE FOR FIRST-TIME VOTERS IN JURISDICTION.—Section 303(b) of such Act (52 U.S.C. 21083(b)) is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph:

''(5) SIGNATURE REQUIREMENTS FOR FIRST-TIME VOTERS USING ONLINE REGISTRATION.—

''(A) IN GENERAL.—A State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of subparagraph (B) if—

''(i) the individual registered to vote in the State online under section 6A of the National Voter Registration Act of 1993; and

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

''(B) REQUIREMENTS.—An individual meets the requirements of this subparagraph if—

''(i) in the case of an individual who votes in person, the individual provides the appropriate State or local election official with a handwritten signature; or

''(ii) in the case of an individual who votes by mail, the individual submits with the ballot a handwritten signature.

''(C) INAPPLICABILITY.—Subparagraph (A) does not apply in the case of an individual who is—

''(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302 et seq.);

''(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20102(b)(2)(B)(ii)); or

''(iii) entitled to vote otherwise than in person under any other Federal law.''.

(3) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(2)(A) of such Act (52 U.S.C. 21083(d)(2)(A)) is amended by striking ''Each State'' and inserting ''Except as provided in subsection (b)(5), each State''.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1)), as amended by section 1002(b)(3), is amended—

(A) by striking ''and'' at the end of subparagraph (D);

(B) by redesignating subparagraph (E) as subparagraph (F); and

(C) by inserting after subparagraph (D) the following new subparagraph:

''(E) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 28 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and''.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (52 U.S.C. 20507(a)(5)) is amended by striking ''and 7'' and inserting ''6A, and 7''.

SEC. 1022. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)) is amended by adding at the end the following new paragraph:

''(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

''(A) IN GENERAL.—The appropriate State or local election official shall ensure that any registered voter on the computerized list may at any time update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, so long as the voter attests to the contents of the update by providing a signature in electronic form in the same manner required under section 6A(c) of the National Voter Registration Act of 1993.

''(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS.—If a registered voter

updates registration information under subparagraph (A), the appropriate State or local election official shall—

''(i) revise any information on the computerized list to reflect the update made by the voter; and

''(ii) if the updated registration information affects the voter's eligibility to vote in an election for Federal office, ensure that the information is processed with respect to the election if the voter updates the information not later than the lesser of 7 days, or the period provided by State law, before the date of the election.

''(C) CONFIRMATION AND DISPOSITION.—

''(i) CONFIRMATION OF RECEIPT.—Upon the online submission of updated registration information by an individual under this paragraph, the appropriate State or local election official shall send the individual a notice confirming the State's receipt of the updated information and providing instructions on how the individual may check the status of the update.

''(ii) NOTICE OF DISPOSITION.—Not later than 7 days after the appropriate State or local election official has accepted or rejected updated information submitted by an individual under this paragraph, the official shall send the individual a notice of the disposition of the update.

''(iii) METHOD OF NOTIFICATION.—The appropriate State or local election official shall send the notices required under this subparagraph by regular mail and—

''(I) in the case of an individual who has requested that the State provide voter registration and voting information through electronic mail, by electronic mail; and

''(II) at the option of the individual, by text message.''.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(1)(A) of such Act (52 U.S.C. 21083(d)(1)(A)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B) and subsection (a)(6)''.

(b) ABILITY OF REGISTRANT TO USE ONLINE UPDATE TO PROVIDE INFORMATION ON RESIDENCE.—Section 8(d)(2)(A) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(d)(2)(A)) is amended—

(1) in the first sentence, by inserting after ''return the card'' the following: ''or update the registrant's information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002''; and

(2) in the second sentence, by striking ''returned,'' and inserting the following: ''returned or if the registrant does not update the registrant's information on the computerized Statewide voter registration list using such online method,''.

SEC. 1023. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTE.

(a) INCLUDING OPTION ON VOTER REGISTRATION APPLICATION TO PROVIDE E–MAIL ADDRESS AND RECEIVE INFORMATION.—

(1) IN GENERAL.—Section 9(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20508(b)) is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) shall include a space for the applicant to provide (at the applicant's option) an electronic mail address, together with a statement that, if the applicant so requests, instead of using regular mail the appropriate State and local election officials shall provide to the applicant, through electronic mail sent to that address, the same voting information (as defined in section 302(b)(2) of the Help America Vote Act of 2002) which the officials would provide to the applicant through regular mail.''.

(2) PROHIBITING USE FOR PURPOSES UNRELATED TO OFFICIAL DUTIES OF ELECTION OFFICIALS.—Section 9 of such Act (52 U.S.C. 20508) is amended by adding at the end the following new subsection:

''(c) PROHIBITING USE OF ELECTRONIC MAIL ADDRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The chief State election official shall ensure that any electronic mail address provided by an applicant under subsection (b)(5) is used only for purposes of carrying out official duties of election officials and is not transmitted by any State or local election official (or any agent of such an official, including a contractor) to any person who does not require the address to carry out such official duties and who is not under the direct supervision and control of a State or local election official.''.

(b) REQUIRING PROVISION OF INFORMATION BY ELECTION OFFICIALS.—Section 302(b) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)) is amended by adding at the end the following new paragraph:

''(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL.—If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official, through electronic mail transmitted not later than 7 days before the date of the election for Federal office involved, shall provide the individual with information on how to obtain the following information by electronic means:

''(A)(i) If the individual is assigned to vote in the election at a specific polling place—

''(I) the name and address of the polling place; and

''(II) the hours of operation for the polling place.

''(ii) If the individual is not assigned to vote in the election at a specific polling place—

''(I) the name and address of locations at which the individual is eligible to vote; and

''(II) the hours of operation for those locations.

''(B) A description of any identification or other information the individual may be required to present at the polling place or a location described in subparagraph (A)(ii)(I) to vote in the election.''.

SEC. 1024. CLARIFICATION OF REQUIREMENT REGARDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.

Section 8 of the National Voter Registration Act of 1993 (52 U.S.C. 20507) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) REQUIREMENT FOR STATE TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.—For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if—

''(1) the applicant has substantially completed the application form and attested to the statement required by section 9(b)(2); and

''(2) in the case of an applicant who registers to vote online in accordance with section 6A, the applicant provides a signature in accordance with subsection (c) of such section.''.

SEC. 1025. PROHIBITING STATE FROM REQUIRING APPLICANTS TO PROVIDE MORE THAN LAST 4 DIGITS OF SOCIAL SECURITY NUMBER.

(a) FORM INCLUDED WITH APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.—Section 5(c)(2)(B)(ii) of the National Voter Registration Act of 1993 (52 U.S.C. 20504(c)(2)(B)(ii)) is amended by striking the semicolon at the end and inserting the following: '', and to the extent that the application requires the applicant to provide a Social Security number, may not require the applicant to provide more than the last 4 digits of such number;''.

(b) NATIONAL MAIL VOTER REGISTRATION FORM.—Section 9(b)(1) of such Act (52 U.S.C. 20508(b)(1)) is amended by striking the semicolon at the end and inserting the following: '', and to the extent that the form requires the applicant to provide a Social Security number, the form may not require the applicant to provide more than the last 4 digits of such number;''.

SEC. 1026. APPLICATION OF RULES TO CERTAIN EXEMPT STATES.

Section 4 of the National Voter Registration Act of 1993 (52 U.S.C. 20503) is amended by adding at the end the following new subsection:

''(c) APPLICATION OF INTERNET VOTER REGISTRATION RULES.—Notwithstanding subsection (b), the following provisions shall apply to a State described in paragraph (2) thereof:

''(1) Section 6A (as added by section 1021(a) of the Voter Registration Modernization Act of 2021).

''(2) Section 8(a)(1)(E) (as added by section 1021(c)(1) of the Voter Registration Modernization Act of 2021).

''(3) Section 8(a)(5) (as amended by section 1021(c)(2) of Voter Registration Modernization Act of 2021), but only to the extent such provision relates to section 6A.

''(4) Section 8(j) (as added by section 1024 of the Voter Registration Modernization Act of 2021), but only to the extent such provision relates to section 6A.''.

SEC. 1027. REPORT ON DATA COLLECTION RELATING TO ONLINE VOTER REGISTRATION SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on local, State, and Federal personally identifiable information data collections efforts related to online voter registration systems, the cyber security resources necessary to defend such efforts from online attacks, and the impact of a potential data breach of local, State, or Federal online voter registration systems.

SEC. 1028. PERMITTING VOTER REGISTRATION APPLICATION FORM TO SERVE AS APPLICATION FOR ABSENTEE BALLOT.

Section 5(c) of the National Voter Registration Act of 1993 (52 U.S.C. 20504(c)) is amended—

(1) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(F) at the option of the applicant, shall serve as an application to vote by absentee ballot in the next election for Federal office held in the State and in each subsequent election for Federal office held in the State.''; and

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

''(3)(A) In the case of an individual who is treated as having applied for an absentee ballot in the next election for Federal office held in the State and in each subsequent election for Federal office held in the State under paragraph (2)(F), such treatment shall remain effective until the earlier of such time as—

''(i) the individual is no longer registered to vote in the State; or

''(ii) the individual provides an affirmative written notice revoking such treatment.

''(B) The treatment of an individual as having applied for an absentee ballot in the next election for Federal office held in the State and in each subsequent election for Federal office held in the State under paragraph (2)(F) shall not be revoked on the basis that the individual has not voted in an election''.

SEC. 1029. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this part

(other than the amendments made by section 1004) shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding election for Federal office.

(b) WAIVER.—If a State certifies to the Election Assistance Commission not later than 180 days after the date of the enactment of this Act that the State will not meet the deadline described in subsection (a) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''the regularly scheduled general election for Federal office held in November 2022'' were a reference to ''January 1, 2024''.

PART 4—SAME DAY VOTER REGISTRATION

SEC. 1031. SAME DAY REGISTRATION.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

(1) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(2) by inserting after section 303 the following new section:

''SEC. 304. SAME DAY REGISTRATION.

''(a) IN GENERAL.—

''(1) REGISTRATION.—Each State shall permit any eligible individual on the day of a Federal election and on any day when voting, including early voting, is permitted for a Federal election—

''(A) to register to vote in such election at the polling place using a form that meets the requirements under section 9(b) of the National Voter Registration Act of 1993 (or, if the individual is already registered to vote, to revise any of the individual's voter registration information); and

''(B) to cast a vote in such election.

''(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to a State in which, under a State law in effect continuously on and after the date of the enactment of this section, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means, with respect to any election for Federal office, an individual who is otherwise qualified to vote in that election.

''(c) ENSURING AVAILABILITY OF FORMS.—The State shall ensure that each polling place has copies of any forms an individual may be required to complete in order to register to vote or revise the individual's voter registration information under this section.

''(d) EFFECTIVE DATE.—

''(1) IN GENERAL.—Subject to paragraph (2), each State shall be required to comply with the requirements of this section for the regularly scheduled general election for Federal office occurring in November 2022 and for any subsequent election for Federal office.

''(2) SPECIAL RULES FOR ELECTIONS BEFORE NOVEMBER 2026.—

''(A) ELECTIONS PRIOR TO NOVEMBER 2024 GENERAL ELECTION.—A State shall be deemed to be in compliance with the requirements of this section for the regularly scheduled general election for Federal office occurring in November 2022 and subsequent elections for Federal office occurring before the regularly scheduled general election for Federal office in November 2024 if at least one location for each 15,000 registered voters in each jurisdiction in the State meets such requirements, and such location is reasonably located to serve voting populations equitably across the jurisdiction.

''(B) NOVEMBER 2024 GENERAL ELECTION.—If a State certifies to the Commission not later than November 5, 2024, that the State will not be in compliance with the requirements of this section for the regularly scheduled general election for Federal office occurring in November 2024 because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such requirements, the State shall be deemed to be in compliance with the requirements of this section for such election if at least one location for each 15,000 registered voters in each jurisdiction in the State meets such requirements, and such location is reasonably located to serve voting populations equitably across the jurisdiction.''.

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''sections 301, 302, and 303'' and inserting ''subtitle A of title III''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act is amended—

(1) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306, respectively; and

(2) by inserting after the item relating to section 303 the following new item:

''Sec. 304. Same day registration.''.

SEC. 1032. ENSURING PRE-ELECTION REGISTRATION DEADLINES ARE CONSISTENT WITH TIMING OF LEGAL PUBLIC HOLIDAYS.

(a) IN GENERAL.—Section 8(a)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1)) is amended by striking ''30 days'' each place it appears and inserting ''28 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections held in 2022 or any succeeding year.

PART 5—STREAMLINE VOTER REGISTRATION INFORMATION, ACCESS, AND PRIVACY

SEC. 1041. AUTHORIZING THE DISSEMINATION OF VOTER REGISTRATION INFORMATION DISPLAYS FOLLOWING NATURALIZATION CEREMONIES.

(a) AUTHORIZATION.—The Secretary of Homeland Security shall establish a process for authorizing the chief State election official of a State to disseminate voter registration information at the conclusion of any naturalization ceremony in such State.

(b) NO EFFECT ON OTHER AUTHORITY.—Nothing in this section shall be construed to imply that a Federal agency cannot provide voter registration services beyond those minimally required herein, or to imply that agencies not named may not distribute voter registration information or provide voter registration services up to the limits of their statutory and funding authority.

(c) DESIGNATED VOTER REGISTRATION AGENCIES.—In any State or other location in which a Federal agency is designated as a voter registration agency under section 7(a)(3)(B)(ii) of the National Voter Registration Act, the voter registration responsibilities incurred through such designation shall supersede the requirements described in this section.

SEC. 1042. INCLUSION OF VOTER REGISTRATION INFORMATION WITH CERTAIN LEASES AND VOUCHERS FOR FEDERALLY ASSISTED RENTAL HOUSING AND MORTGAGE APPLICATIONS.

(a) DEFINITIONS.—In this section:

(1) BUREAU.—The term ''Bureau'' means the Bureau of Consumer Financial Protection.

(2) DIRECTOR.—The term ''Director'' means the Director of the Bureau of Consumer Financial Protection.

(3) FEDERAL RENTAL ASSISTANCE.—The term ''Federal rental assistance'' means rental assistance provided under—

(A) any covered housing program, as defined in section 41411(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12491(a));

(B) title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.), including voucher assistance under section 542 of such title (42 U.S.C. 1490r);

(C) the Housing Trust Fund program under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4588); or

(D) subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.).

(4) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term ''Federally backed multifamily mortgage loan'' includes any loan (other than temporary financing such as a construction loan) that—

(A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(5) OWNER.—The term ''owner'' has the meaning given the term in section 8(f) of the United States Housing Act of 1937 (42 U.S.C. 1437f(f)).

(6) PUBLIC HOUSING; PUBLIC HOUSING AGENCY.—The terms ''public housing'' and ''public housing agency'' have the meanings given those terms in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(7) RESIDENTIAL MORTGAGE LOAN.—The term ''residential mortgage loan'' includes any loan that is secured by a first or subordinate lien on residential real property, including individual units of condominiums and cooperatives, designed principally for the occupancy of from 1- to 4- families.

(b) UNIFORM STATEMENT.—

(1) DEVELOPMENT.—The Director, after consultation with the Election Assistance Commission, shall develop a uniform statement designed to provide recipients of the statement pursuant to this section with information on how the recipient can register to vote and the voting rights of the recipient under law.

(2) RESPONSIBILITIES.—In developing the uniform statement, the Director shall be responsible for—

(A) establishing the format of the statement;

(B) consumer research and testing of the statement; and

(C) consulting with and obtaining from the Election Assistance Commission the content regarding voter rights and registration issues needed to ensure the statement complies with the requirements of paragraph (1).

(3) LANGUAGES.—

(A) IN GENERAL.—The uniform statement required under paragraph (1) shall be developed and made available in English and in each of the 10 languages most commonly spoken by individuals with limited English proficiency, as determined by the Director using information published by the Director of the Bureau of the Census.

(B) PUBLICATION.—The Director shall make all translated versions of the uniform statement required under paragraph (1) publicly available in a centralized location on the website of the Bureau.

(c) LEASES AND VOUCHERS FOR FEDERALLY ASSISTED RENTAL HOUSING.—Each Federal agency administering a Federal rental assistance program shall require—

(1) each public housing agency to provide a copy of the uniform statement developed pursuant to subsection (b) to each lessee of a dwelling unit in public housing administered by the agency—

(A) together with the lease for the dwelling unit, at the same time the lease is signed by the lessee; and

(B) together with any income verification form, at the same time the form is provided to the lessee;

(2) each public housing agency that administers rental assistance under the Housing Choice Voucher program under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), including the program under paragraph (13) of such section 8(o), to provide a copy of the uniform statement developed pursuant to subsection (b) to each assisted family or individual—

(A) together with the voucher for the assistance, at the time the voucher is issued for the family or individual; and

(B) together with any income verification form, at the time the voucher is provided to the applicant or assisted family or individual; and

(3) each owner of a dwelling unit assisted with Federal rental assistance to provide a copy of the uniform statement developed pursuant to subsection (b) to the lessee of the dwelling unit—

(A) together with the lease for such dwelling unit, at the same time the lease is signed by the lessee; and

(B) together with any income verification form, at the same time the form is provided to the applicant or tenant.

(d) APPLICATIONS FOR RESIDENTIAL MORTGAGE LOANS.—The Director shall require each creditor (within the meaning of such term as used in section 1026.2(a)(17) of title 12, Code of Federal Regulations) that receives an application (within the meaning of such term as used in section 1026.2(a)(3)(ii) of title 12, Code of Federal Regulations) to provide a copy of the uniform statement developed pursuant to subsection (b) in written form to the applicant for the residential mortgage loan not later than 5 business days after the date of the application.

(e) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOANS.—The head of the Federal agency insuring, guaranteeing, supplementing, or assisting a Federally backed multifamily mortgage loan, or the Director of the Federal Housing Finance Agency in the case of a Federally backed multifamily mortgage loan that is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association, shall require the owner of the property secured by the Federally backed multifamily mortgage loan to provide a copy of the uniform statement developed pursuant to subsection (b) in written form to each lessee of a dwelling unit assisted by that loan at the time the lease is signed by the lessee.

(f) OPTIONAL COMPLETION OF VOTER REGISTRATION.—Nothing in this section may be construed to require any individual to complete a voter registration form.

(g) REGULATIONS.—The head of a Federal agency administering a Federal rental assistance program, the head of the Federal agency insuring, guaranteeing, supplementing, or assisting a Federally backed multifamily mortgage loan, the Director of the Federal Housing Finance Agency, and the Director may issue such regulations as may be necessary to carry out this section.

(h) NO EFFECT ON OTHER AUTHORITY.—Nothing in this section shall be construed to imply that a Federal agency cannot provide voter registration services beyond those minimally required herein, or to imply that agencies not named may not distribute voter registration information or provide voter registration services up to the limits of their statutory and funding authority.

(i) DESIGNATED VOTER REGISTRATION AGENCIES.—In any State or other location in which a Federal agency is designated as a voter registration agency under section 7(a)(3)(B)(ii) of the National Voter Registration Act, the voter registration responsibilities incurred through such designation shall supersede the requirements described in this section.

SEC. 1043. ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS FROM INDIVIDUALS UNDER 18 YEARS OF AGE.

(a) ACCEPTANCE OF APPLICATIONS.—Section 8 of the National Voter Registration Act of 1993 (52 U.S.C. 20507), as amended by section 1024, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection:

''(k) ACCEPTANCE OF APPLICATIONS FROM INDIVIDUALS UNDER 18 YEARS OF AGE.—

''(1) IN GENERAL.—A State may not refuse to accept or process an individual's application to register to vote in elections for Federal office on the grounds that the individual is under 18 years of age at the time the individual submits the application, so long as the individual is at least 16 years of age at such time.

''(2) NO EFFECT ON STATE VOTING AGE REQUIREMENTS.—Nothing in paragraph (1) may be construed to require a State to permit an individual who is under 18 years of age at the time of an election for Federal office to vote in the election.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring on or after January 1, 2022.

SEC. 1044. REQUIRING STATES TO ESTABLISH AND OPERATE VOTER PRIVACY PROGRAMS.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), is amended—

(1) by redesignating sections 305 and 306 as sections 306 and 307, respectively; and

(2) by inserting after section 304 the following new section:

''SEC. 305. VOTER PRIVACY PROGRAMS.

''(a) IN GENERAL.—Each State shall establish and operate a privacy program to enable victims of domestic violence, dating violence, stalking, sexual assault, and trafficking to have personally identifiable information that State or local election officials maintain with respect to an individual voter registration status for purposes of elections for Federal office in the State, including addresses, be kept confidential.

''(b) NOTICE.—Each State shall notify residents of that State of the information that State and local election officials maintain with respect to an individual voter registration status for purposes of elections for Federal office in the State, how that information is shared or sold and with whom, what information is automatically kept confidential, what information is needed to access voter information online, and the privacy programs that are available.

''(c) PUBLIC AVAILABILITY.—Each State shall make information about the program established under subsection (a) available on a publicly accessible website.

''(d) DEFINITIONS.—In this section:

''(1) The terms 'domestic violence', 'stalking', 'sexual assault', and 'dating violence' have the meanings given such terms in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291).

''(2) The term 'trafficking' means an act or practice described in paragraph (11) or (12) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(e) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2023.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), is amended—

(1) by redesignating the items relating to sections 305 and 306 as relating to sections 306 and 307, respectively; and

(2) by inserting after the item relating to section 304 the following new item:

''Sec. 305. Voter privacy programs.''.

PART 6—FUNDING SUPPORT TO STATES FOR COMPLIANCE

SEC. 1051. AVAILABILITY OF REQUIREMENTS PAYMENTS UNDER HAVA TO COVER COSTS OF COMPLIANCE WITH NEW REQUIREMENTS.

(a) IN GENERAL.—Section 251(b) of the Help America Vote Act of 2002 (52 U.S.C. 21001(b)) is amended—

(1) in paragraph (1), by striking ''as provided in paragraphs (2) and (3)'' and inserting ''as otherwise provided in this subsection''; and

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

''(4) CERTAIN VOTER REGISTRATION ACTIVITIES.—Notwithstanding paragraph (3), a State may use a requirements payment to carry out any of the requirements of the Voter Registration Modernization Act of 2021, including the requirements of the National Voter Registration Act of 1993 which are imposed pursuant to the amendments made to such Act by the Voter Registration Modernization Act of 2021.''.

(b) CONFORMING AMENDMENT.—Section 254(a)(1) of such Act (52 U.S.C. 21004(a)(1)) is amended by striking ''section 251(a)(2)'' and inserting ''section 251(b)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2022 and each succeeding fiscal year.

Subtitle B—Access to Voting for Individuals With Disabilities

SEC. 1101. REQUIREMENTS FOR STATES TO PROMOTE ACCESS TO VOTER REGISTRATION AND VOTING FOR INDIVIDUALS WITH DISABILITIES.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a) and section 1044(a), is amended—

(1) by redesignating sections 306 and 307 as sections 307 and 308, respectively; and

(2) by inserting after section 305 the following new section:

''SEC. 306. ACCESS TO VOTER REGISTRATION AND VOTING FOR INDIVIDUALS WITH DISABILITIES.

''(a) TREATMENT OF APPLICATIONS AND BALLOTS.—Each State shall—

''(1) ensure that absentee registration forms, absentee ballot applications, and absentee ballots that are available electronically are accessible (as defined in section 307);

''(2) permit individuals with disabilities to use absentee registration procedures and to vote by absentee ballot in elections for Federal office;

''(3) accept and process, with respect to any election for Federal office, any otherwise valid voter registration application and absentee ballot application from an individual with a disability if the application is received by the appropriate State election official within the deadline for the election which is applicable under Federal law;

''(4) in addition to any other method of registering to vote or applying for an absentee ballot in the State, establish procedures—

''(A) for individuals with disabilities to request by mail and electronically voter registration applications and absentee ballot applications with respect to elections for Federal office in accordance with subsection (c);

''(B) for States to send by mail and electronically (in accordance with the preferred method of transmission designated by the individual under subparagraph (C)) voter registration applications and absentee ballot applications requested under subparagraph (A) in accordance with subsection (c)); and

''(C) by which such an individual can designate whether the individual prefers that such voter registration application or absentee ballot application be transmitted by mail or electronically;

''(5) in addition to any other method of transmitting blank absentee ballots in the State, establish procedures for transmitting by mail and electronically blank absentee ballots to individuals with disabilities with respect to elections for Federal office in accordance with subsection (d); and

''(6) if the State declares or otherwise holds a runoff election for Federal office, establish a written plan that provides absentee ballots are made available to individuals with disabilities in a manner that gives them sufficient time to vote in the runoff election.

''(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR VOTERS WITH DISABILITIES IN STATE.—

''(1) IN GENERAL.—Each State shall designate a single office which shall be responsible for providing information regarding voter registration procedures, absentee ballot procedures, and in-person voting procedures to be used by individuals with disabilities with respect to elections for Federal office to all individuals with disabilities who wish to register to vote or vote in any jurisdiction in the State.

''(2) RESPONSIBILITIES.—Each State shall, through the office designated in paragraph (1)—

''(A) provide information to election officials—

''(i) on how to set up and operate accessible voting systems; and

''(ii) regarding the accessibility of voting procedures, including guidance on compatibility with assistive technologies such as screen readers and ballot marking devices;

''(B) integrate information on accessibility, accommodations, disability, and older individuals into regular training materials for poll workers and election administration officials;

''(C) train poll workers on how to make polling places accessible for individuals with disabilities and older individuals;

''(D) promote the hiring of individuals with disabilities and older individuals as poll workers and election staff; and

''(E) publicly post the results of any audits to determine the accessibility of polling places no later than 6 months after the completion of the audit.

''(c) DESIGNATION OF MEANS OF ELECTRONIC COMMUNICATION FOR INDIVIDUALS WITH DISABILITIES TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR OTHER PURPOSES RELATED TO VOTING INFORMATION.—

''(1) IN GENERAL.—Each State shall, in addition to the designation of a single State office under subsection (b), designate not less than 1 means of accessible electronic communication—

''(A) for use by individuals with disabilities who wish to register to vote or vote in any jurisdiction in the State to request voter registration applications and absentee ballot applications under subsection (a)(4);

''(B) for use by States to send voter registration applications and absentee ballot applications requested under such subsection; and

''(C) for the purpose of providing related voting, balloting, and election information to individuals with disabilities.

''(2) CLARIFICATION REGARDING PROVISION OF MULTIPLE MEANS OF ELECTRONIC COMMUNICATION.—A State may, in addition to the means of electronic communication so designated, provide multiple means of electronic communication to individuals with disabilities, including a means of electronic communication for the appropriate jurisdiction of the State.

''(3) INCLUSION OF DESIGNATED MEANS OF ELECTRONIC COMMUNICATION WITH INFORMATIONAL AND INSTRUCTIONAL MATERIALS THAT ACCOMPANY BALLOTING MATERIALS.—Each State shall include a means of electronic communication so designated with all informational and instructional materials that accompany balloting materials sent by the State to individuals with disabilities.

''(4) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an individual with a disability does not designate a preference under subsection (a)(4)(C), the State shall transmit the voter registration application or absentee ballot application by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(d) TRANSMISSION OF BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—

''(1) IN GENERAL.—Each State shall establish procedures—

''(A) to securely transmit blank absentee ballots by mail and electronically (in accordance with the preferred method of transmission designated by the individual with a disability under subparagraph (B)) to individuals with disabilities for an election for Federal office; and

''(B) by which the individual with a disability can designate whether the individual prefers that such blank absentee ballot be transmitted by mail or electronically.

''(2) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an individual with a disability does not designate a preference under paragraph (1)(B), the State shall transmit the ballot by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(3) APPLICATION OF METHODS TO TRACK DELIVERY TO AND RETURN OF BALLOT BY INDIVIDUAL REQUESTING BALLOT.—Under the procedures established under paragraph (1), the State shall apply such methods as the State considers appropriate, such as assigning a unique identifier to the ballot envelope, to ensure that if an individual with a disability requests the State to transmit a blank absentee ballot to the individual in accordance with this subsection, the voted absentee ballot which is returned by the individual is the same blank absentee ballot which the State transmitted to the individual.

''(e) INDIVIDUAL WITH A DISABILITY DEFINED.—In this section, an 'individual with a disability' means an individual with an impairment that substantially limits any major life activities and who is otherwise qualified to vote in elections for Federal office.

''(f) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2022.''.

(b) CONFORMING AMENDMENT RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—

(1) TIMING OF ISSUANCE.—Section 311(b) of such Act (52 U.S.C. 21101(b)) is amended—

(A) by striking ''and'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) in the case of the recommendations with respect to section 306, January 1, 2022.''.

(2) REDESIGNATION.—

(A) IN GENERAL.—Title III of such Act (52 U.S.C. 21081 et seq.) is amended by redesignating sections 311 and 312 as sections 321 and 322, respectively.

(B) CONFORMING AMENDMENT.—Section 322(a) of such Act, as redesignated by subparagraph (A), is amended by striking ''section 312'' and inserting ''section 322''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c) and section 1044(b), is amended—

(1) by redesignating the items relating to sections 306 and 307 as relating to sections 307 and 308, respectively; and

(2) by inserting after the item relating to section 305 the following new item:

''Sec. 306. Access to voter registration and voting for individuals with disabilities.''.

SEC. 1102. ESTABLISHMENT AND MAINTENANCE OF STATE ACCESSIBLE ELECTION WEBSITES.

(a) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), and section 1101(a), is amended—

(1) by redesignating sections 307 and 308 as sections 308 and 309, respectively; and

(2) by inserting after section 306 the following:

''SEC. 307. ESTABLISHMENT AND MAINTENANCE OF ACCESSIBLE ELECTION WEBSITES.

''(a) IN GENERAL.—Not later than January 1, 2023, each State shall establish a single election website that is accessible and meets the following requirements:

''(1) LOCAL ELECTION OFFICIALS.—The website shall provide local election officials, poll workers, and volunteers with—

''(A) guidance to ensure that polling places are accessible for individuals with disabilities and older individuals in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters; and

''(B) online training and resources on—

''(i) how best to promote the access and participation of individuals with disabilities and older individuals in elections for public office; and

''(ii) the voting rights and protections for individuals with disabilities and older individuals under State and Federal law.

''(2) VOTERS.—The website shall provide information about voting, including—

''(A) the accessibility of all polling places within the State, including outreach programs to inform individuals about the availability of accessible polling places;

''(B) how to register to vote and confirm voter registration in the State;

''(C) the location and operating hours of all polling places in the State;

''(D) the availability of aid or assistance for individuals with disabilities and older individuals to cast their vote in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters at polling places;

''(E) the availability of transportation aid or assistance to the polling place for individuals with disabilities or older individuals;

''(F) the rights and protections under State and Federal law for individuals with disabilities and older individuals to participate in elections; and

''(G) how to contact State, local, and Federal officials with complaints or grievances if individuals with disabilities, older individuals, Native Americans, Alaska Natives, and individuals with limited proficiency in the English language feel their ability to register to vote or vote has been blocked or delayed.

''(b) PARTNERSHIP WITH OUTSIDE TECHNICAL ORGANIZATION.—The chief State election official of each State, through the committee of appropriate individuals under subsection (c)(2), shall partner with an outside technical organization with demonstrated experience in establishing accessible and easy to use accessible election websites to—

''(1) update an existing election website to make it fully accessible in accordance with this section; or

''(2) develop an election website that is fully accessible in accordance with this section.

''(c) STATE PLAN.—

''(1) DEVELOPMENT.—The chief State election official of each State shall, through a committee of appropriate individuals as described in paragraph (2), develop a State plan that describes how the State and local governments will meet the requirements under this section.

''(2) COMMITTEE MEMBERSHIP.—The committee shall comprise at least the following individuals:

''(A) The chief election officials of the four most populous jurisdictions within the State.

''(B) The chief election officials of the four least populous jurisdictions within the State.

''(C) Representatives from two disability advocacy groups, including at least one such representative who is an individual with a disability.

''(D) Representatives from two older individual advocacy groups, including at least one such representative who is an older individual.

''(E) Representatives from two independent non-governmental organizations with expertise in establishing and maintaining accessible websites.

''(F) Representatives from two independent non-governmental voting rights organizations.

''(G) Representatives from State protection and advocacy systems as defined in section 102

of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

''(d) PARTNERSHIP TO MONITOR AND VERIFY ACCESSIBILITY.—The chief State election official of each eligible State, through the committee of appropriate individuals under subsection (c)(2), shall partner with at least two of the following organizations to monitor and verify the accessibility of the election website and the completeness of the election information and the accuracy of the disability information provided on such website:

''(1) University Centers for Excellence in Developmental Disabilities Education, Research, and Services designated under section 151(a) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15061(a)).

''(2) Centers for Independent Living, as described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.).

''(3) A State Council on Developmental Disabilities described in section 125 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15025).

''(4) State protection and advocacy systems as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

''(5) Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d).

''(6) State Assistive Technology Act Programs.

''(7) A visual access advocacy organization.

''(8) An organization for the deaf.

''(9) A mental health organization.

''(e) DEFINITIONS.—For purposes of this section, section 305, and section 307:

''(1) ACCESSIBLE.—The term 'accessible' means—

''(A) in the case of the election website under subsection (a) or an electronic communication under section 305—

''(i) that the functions and content of the website or electronic communication, including all text, visual, and aural content, are as accessible to people with disabilities as to those without disabilities;

''(ii) that the functions and content of the website or electronic communication are accessible to individuals with limited proficiency in the English language; and

''(iii) that the website or electronic communication meets, at a minimum, conformance to Level AA of the Web Content Accessibility Guidelines 2.0 of the Web Accessibility Initiative (or any successor guidelines); and

''(B) in the case of a facility (including a polling place), that the facility is readily accessible to and usable by individuals with disabilities and older individuals, as determined under the 2010 ADA Standards for Accessible Design adopted by the Department of Justice (or any successor standards).

''(2) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), and who is otherwise qualified to vote in elections for Federal office.

''(3) OLDER INDIVIDUAL.—The term 'older individual' means an individual who is 60 years of age or older and who is otherwise qualified to vote in elections for Federal office.''.

(b) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b), is amended by striking ''section 306'' and inserting ''sections 306 and 307''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), and section 1101(c), is amended—

(1) by redesignating the items relating to sections 307 and 308 as relating to sections 308 and 309, respectively; and

(2) by inserting after the item relating to section 306 the following new item:

''Sec. 307. Establishment and maintenance of accessible election websites.''.

SEC. 1103. PROTECTIONS FOR IN-PERSON VOTING FOR INDIVIDUALS WITH DISABILITIES AND OLDER INDIVIDUALS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), and section 1102(a), is amended—

(A) by redesignating sections 308 and 309 as sections 309 and 310, respectively; and

(B) by inserting after section 307 the following:

''SEC. 308. ACCESS TO VOTING FOR INDIVIDUALS WITH DISABILITIES AND OLDER INDIVIDUALS.

''(a) IN GENERAL.—Each State shall—

''(1) ensure all polling places within the State are accessible, as defined in section 306;

''(2) consider procedures to address long wait times at polling places that allow individuals with disabilities and older individuals alternate options to cast a ballot in person in an election for Federal office, such as the option to cast a ballot outside of the polling place or from a vehicle, or providing an expedited voting line; and

''(3) consider options to establish 'mobile polling sites' to allow election officials or volunteers to travel to long-term care facilities and assist residents who request assistance in casting a ballot in order to maintain the privacy and independence of voters in these facilities.

''(b) CLARIFICATION.—Nothing in this section may be construed to alter the requirements under Federal law that all polling places for Federal elections are accessible to individuals with disabilities and older individuals.

''(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2024.''.

(2) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by section 1102(b), is amended by striking ''and 307'' and inserting '', 307, and 308''.

(3) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), and section 1102(c), is amended—

(A) by redesignating the items relating to sections 308 and 309 as relating to sections 309 and 310, respectively; and

(B) by inserting after the item relating to section 307 the following new item:

''Sec. 308. Access to voting for individuals with disabilities and older individuals.''.

(b) REVISIONS TO VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT.—

(1) REPORTS TO ELECTION ASSISTANCE COMMISSION.—Section 3(c) of the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20102(c)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ELECTION COMMISSION'' and inserting ''ELECTION ASSISTANCE COMMISSION'';

(B) in each of paragraphs (1) and (2), by striking ''Federal Election Commission'' and inserting ''Election Assistance Commission''; and

(C) by striking paragraph (3).

(2) CONFORMING AMENDMENTS RELATING TO REFERENCES.—The Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.), as amended by paragraph (1), is amended—

(A) by striking ''handicapped and elderly individuals'' each place it appears and inserting ''individuals with disabilities and older individuals'';

(B) by striking ''handicapped and elderly voters'' each place it appears and inserting ''individuals with disabilities and older individuals'';

(C) in section 3(b)(2)(B), by striking ''handicapped or elderly voter'' and inserting ''individual with a disability or older individual'';

(D) in section 5(b), by striking ''handicapped voter'' and inserting ''individual with a disability''; and

(E) in section 8—

(i) by striking paragraphs (1) and (2) and inserting the following:

''(1) 'accessible' has the meaning given that term in section 307 of the Help America Vote Act of 2002, as added by section 1102(a) of the Freedom to Vote: John R. Lewis Act;

''(2) 'older individual' has the meaning given that term in such section 307;''; and

(ii) by striking paragraph (4), and inserting the following:

''(4) 'individual with a disability' has the meaning given that term in such section 306; and''.

(3) SHORT TITLE AMENDMENT.—

(A) IN GENERAL.—Section 1 of the ''Voting Accessibility for the Elderly and Handicapped Act'' (Public Law 98–435; 42 U.S.C. 1973ee note) is amended by striking ''for the Elderly and Handicapped'' and inserting ''for Individuals with Disabilities and Older Individuals''.

(B) REFERENCES.—Any reference in any other provision of law, regulation, document, paper, or other record of the United States to the ''Voting Accessibility for the Elderly and Handicapped Act'' shall be deemed to be a reference to the ''Voting Accessibility for Individuals with Disabilities and Older Individuals Act''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2024, and shall apply with respect to elections for Federal office held on or after that date.

SEC. 1104. PROTECTIONS FOR INDIVIDUALS SUBJECT TO GUARDIANSHIP.

(a) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), and section 1103(a)(1), is amended—

(1) by redesignating sections 309 and 310 as sections 310 and 311, respectively; and

(2) by inserting after section 308 the following:

''SEC. 309. PROTECTIONS FOR INDIVIDUALS SUBJECT TO GUARDIANSHIP.

''(a) IN GENERAL.—A State shall not determine that an individual lacks the capacity to vote in an election for Federal office on the ground that the individual is subject to guardianship, unless a court of competent jurisdiction issues a court order finding by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process.

''(b) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2022.''.

(b) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102 and 1103, is amended by striking ''and 308'' and inserting ''308, and 309''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), and section 1103(a)(3), is amended—

(1) by redesignating the items relating to sections 309 and 310 as relating to sections 310 and 311, respectively; and

(2) by inserting after the item relating to section 308 the following new item:

''Sec. 309. Protections for individuals subject to guardianship.''.

SEC. 1105. EXPANSION AND REAUTHORIZATION OF GRANT PROGRAM TO ASSURE VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES.

(a) PURPOSES OF PAYMENTS.—Section 261(b) of the Help America Vote Act of 2002 (52 U.S.C. 21021(b)) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) making absentee voting and voting at home accessible to individuals with the full range of disabilities (including impairments involving vision, hearing, mobility, or dexterity) through the implementation of accessible absentee voting systems that work in conjunction with assistive technologies for which individuals

have access at their homes, independent living centers, or other facilities;

''(2) making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with disabilities, including 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; and

''(3) providing solutions to problems of access to voting and elections for individuals with disabilities that are universally designed and provide the same opportunities for individuals with and without disabilities.''.

(b) REAUTHORIZATION.—Section 264(a) of such Act (52 U.S.C. 21024(a)) is amended by adding at the end the following new paragraph:

''(4) For fiscal year 2022 and each succeeding fiscal year, such sums as may be necessary to carry out this part.''.

(c) PERIOD OF AVAILABILITY OF FUNDS.—Section 264 of such Act (52 U.S.C. 21024) is amended—

(1) in subsection (b), by striking ''Any amounts'' and inserting ''Except as provided in subsection (b), any amounts''; and

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

''(c) RETURN AND TRANSFER OF CERTAIN FUNDS.—

''(1) DEADLINE FOR OBLIGATION AND EXPENDITURE.—In the case of any amounts appropriated pursuant to the authority of subsection (a) for a payment to a State or unit of local government for fiscal year 2022 or any succeeding fiscal year, any portion of such amounts which have not been obligated or expended by the State or unit of local government prior to the expiration of the 4-year period which begins on the date the State or unit of local government first received the amounts shall be transferred to the Commission.

''(2) REALLOCATION OF TRANSFERRED AMOUNTS.—

''(A) IN GENERAL.—The Commission shall use the amounts transferred under paragraph (1) to make payments on a pro rata basis to each covered payment recipient described in subparagraph (B), which may obligate and expend such payment for the purposes described in section 261(b) during the 1-year period which begins on the date of receipt.

''(B) COVERED PAYMENT RECIPIENTS DESCRIBED.—In subparagraph (A), a 'covered payment recipient' is a State or unit of local government with respect to which—

''(i) amounts were appropriated pursuant to the authority of subsection (a); and

''(ii) no amounts were transferred to the Commission under paragraph (1).''.

SEC. 1106. FUNDING FOR PROTECTION AND ADVOCACY SYSTEMS.

(a) INCLUSION OF SYSTEM SERVING AMERICAN INDIAN CONSORTIUM.—Section 291(a) of the Help America Vote Act of 2002 (52 U.S.C. 21061(a)) is amended by striking ''of each State'' and inserting ''of each State and the eligible system serving the American Indian consortium (within the meaning of section 509(c)(1)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 794e(c)(1)(B)))''.

(b) GRANT AMOUNT.—Section 291(b) of the Help America Vote Act of 2002 (52 U.S.C. 21061(b)) is amended—

(1) by striking ''as set forth in subsections (c)(3)'' and inserting ''as set forth in subsections (c)(1)(B) (regardless of the fiscal year), (c)(3)''; and

(2) by striking ''except that'' and all that follows and inserting ''except that the amount of the grants to systems referred to in subsection (c)(3)(B) of that section shall not be less than $70,000 and the amount of the grants to systems referred to in subsections (c)(1)(B) and (c)(4)(B) of that section shall not be less than $35,000.''.

SEC. 1107. PILOT PROGRAMS FOR ENABLING INDIVIDUALS WITH DISABILITIES TO REGISTER TO VOTE PRIVATELY AND INDEPENDENTLY AT RESIDENCES.

(a) ESTABLISHMENT OF PILOT PROGRAMS.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall, subject to the availability of appropriations to carry out this section, make grants to eligible States to conduct pilot programs under which individuals with disabilities may use electronic means (including the internet and telephones utilizing assistive devices) to register to vote and to request and receive absentee ballots in a manner which permits such individuals to do so privately and independently at their own residences.

(b) REPORTS.—

(1) IN GENERAL.—A State receiving a grant for a year under this section shall submit a report to the Commission on the pilot programs the State carried out with the grant with respect to elections for public office held in the State during the year.

(2) DEADLINE.—A State shall submit a report under paragraph (1) not later than 90 days after the last election for public office held in the State during the year.

(c) ELIGIBILITY.—A State is eligible to receive a grant under this section if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing such information and assurances as the Commission may require.

(d) TIMING.—The Commission shall make the first grants under this section for pilot programs which will be in effect with respect to elections for Federal office held in 2022, or, at the option of a State, with respect to other elections for public office held in the State in 2022.

(e) STATE DEFINED.—In this section, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 1108. GAO ANALYSIS AND REPORT ON VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES.

(a) ANALYSIS.—The Comptroller General of the United States shall conduct an analysis after each regularly scheduled general election for Federal office with respect to the following:

(1) In relation to polling places located in houses of worship or other facilities that may be exempt from accessibility requirements under the Americans with Disabilities Act—

(A) efforts to overcome accessibility challenges posed by such facilities; and

(B) the extent to which such facilities are used as polling places in elections for Federal office.

(2) Assistance provided by the Election Assistance Commission, Department of Justice, or other Federal agencies to help State and local officials improve voting access for individuals with disabilities during elections for Federal office.

(3) When accessible voting machines are available at a polling place, the extent to which such machines—

(A) are located in places that are difficult to access;

(B) malfunction; or

(C) fail to provide sufficient privacy to ensure that the ballot of the individual cannot be seen by another individual.

(4) The process by which Federal, State, and local governments track compliance with accessibility requirements related to voting access, including methods to receive and address complaints.

(5) The extent to which poll workers receive training on how to assist individuals with disabilities, including the receipt by such poll workers of information on legal requirements related to voting rights for individuals with disabilities.

(6) The extent and effectiveness of training provided to poll workers on the operation of accessible voting machines.

(7) The extent to which individuals with a developmental or psychiatric disability experience greater barriers to voting, and whether poll worker training adequately addresses the needs of such individuals.

(8) The extent to which State or local governments employ, or attempt to employ, individuals with disabilities to work at polling sites.

(b) REPORT.—

(1) IN GENERAL.—Not later than 9 months after the date of a regularly scheduled general election for Federal office, the Comptroller General shall submit to the appropriate congressional committees a report with respect to the most recent regularly scheduled general election for Federal office that contains the following:

(A) The analysis required by subsection (a).

(B) Recommendations, as appropriate, to promote the use of best practices used by State and local officials to address barriers to accessibility and privacy concerns for individuals with disabilities in elections for Federal office.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on House Administration of the House of Representatives;

(B) the Committee on Rules and Administration of the Senate;

(C) the Committee on Appropriations of the House of Representatives; and

(D) the Committee on Appropriations of the Senate.

Subtitle C—Early Voting

SEC. 1201. EARLY VOTING.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), and section 1104(a), is amended—

(1) by redesignating sections 310 and 311 as sections 311 and 312, respectively; and

(2) by inserting after section 309 the following new section:

''SEC. 310. EARLY VOTING.

''(a) REQUIRING VOTING PRIOR TO DATE OF ELECTION.—Each election jurisdiction shall allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, in a manner that allows the individual to receive, complete, and cast their ballot in-person.

''(b) MINIMUM EARLY VOTING REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) LENGTH OF PERIOD.—The early voting period required under this subsection with respect to an election shall consist of a period of consecutive days (including weekends) which begins on the 15th day before the date of the election (or, at the option of the State, on a day prior to the 15th day before the date of the election) and ends no earlier than the second day before the date of the election.

''(B) HOURS FOR EARLY VOTING.—Each polling place which allows voting during an early voting period under subparagraph (A) shall—

''(i) allow such voting for no less than 10 hours on each day during the period;

''(ii) have uniform hours each day for which such voting occurs; and

''(iii) allow such voting to be held for some period of time prior to 9:00 a.m. (local time) and some period of time after 5:00 p.m. (local time).

''(2) REQUIREMENTS FOR VOTE-BY-MAIL JURISDICTIONS.—In the case of a jurisdiction that sends every registered voter a ballot by mail—

''(A) paragraph (1) shall not apply;

''(B) such jurisdiction shall allow eligible individuals to vote during an early voting period that ensures voters are provided the greatest opportunity to cast ballots ahead of Election Day and which includes at least one consecutive Saturday and Sunday; and

''(C) each polling place which allows voting during an early voting period under subparagraph (B) shall allow such voting—

''(i) during the election office's regular business hours; and

''(ii) for a period of not less than 8 hours on Saturdays and Sundays included in the early voting period.

''(3) REQUIREMENTS FOR SMALL JURISDICTIONS.—

''(A) IN GENERAL.—In the case of a jurisdiction described in subparagraph (B), paragraph (1)(B) shall not apply so long as all eligible individuals in the jurisdiction have the opportunity to vote—

''(i) at each polling place which allows voting during the early voting period described in paragraph (1)(A)—

''(I) during the election office's regular business hours; and

''(II) for a period of not less than 8 hours on at least one Saturday and at least one Sunday included in the early voting period; or

''(ii) at one or more polling places in the county in which such jurisdiction is located that allows voting during the early voting period described in paragraph (1)(A) in accordance with the requirements under paragraph (1)(B).

''(B) JURISDICTION DESCRIBED.—A jurisdiction is described in this subparagraph if such jurisdiction—

''(i) had less than 3,000 registered voters at the time of the most recent prior election for Federal office; and

''(ii) consists of a geographic area that is smaller than the jurisdiction of the county in which such jurisdiction is located.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to limit the availability of additional temporary voting sites which provide voters more opportunities to cast their ballots but which do not meet the requirements of this subsection;

''(B) to limit a polling place from being open for additional hours outside of the uniform hours set for the polling location on any day of the early voting period; or

''(C) to limit a State or jurisdiction from offering early voting on the Monday before Election Day.

''(c) AVAILABILITY OF POLLING PLACES.—To the greatest extent practicable, each State and jurisdiction shall—

''(1) ensure that there are an appropriate number of polling places which allow voting during an early voting period; and

''(2) ensure that such polling places provide the greatest opportunity for residents of the jurisdiction to vote.

''(d) LOCATION OF POLLING PLACES.—

''(1) PROXIMITY TO PUBLIC TRANSPORTATION.—To the greatest extent practicable, each State and jurisdiction shall ensure that each polling place which allows voting during an early voting period under subsection (b) is located within walking distance of a stop on a public transportation route.

''(2) AVAILABILITY IN RURAL AREAS.—In the case of a jurisdiction that includes a rural area, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places (not less than one) which allow voting during an early voting period under subsection (b) will be located in such rural areas; and

''(B) ensure that such polling places are located in communities which will provide the greatest opportunity for residents of rural areas to vote during the early voting period.

''(3) CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION.—In the case of a jurisdiction that is not considered a vote by mail jurisdiction described in subsection (b)(2) or a small jurisdiction described in subsection (b)(3) and that includes an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), including a branch campus of such an institution, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places (not less than one) which allow voting during the early voting period under subsection (b) will be located on the physical campus of each such institution, including each such branch campus; and

''(B) ensure that such polling places provide the greatest opportunity for residents of the jurisdiction to vote.

''(e) STANDARDS.—Not later than June 30, 2022, the Commission shall issue voluntary standards for the administration of voting during voting periods which occur prior to the date of a Federal election. Subject to subsection (c), such voluntary standards shall include the nondiscriminatory geographic placement of polling places at which such voting occurs.

''(f) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

''(1) IN GENERAL.—Each State or jurisdiction shall begin processing and scanning ballots cast during in-person early voting for tabulation not later than the date that is 14 days prior to the date of the election involved, except that a State or jurisdiction may begin processing and scanning ballots cast during in-person early voting for tabulation after such date if the date on which the State or jurisdiction begins such processing and scanning ensures, to the greatest extent practical, that ballots cast before the date of the election are processed and scanned before the date of the election.

''(2) LIMITATION.—Nothing in this subsection shall be construed—

''(A) to permit a State or jurisdiction to tabulate ballots in an election before the closing of the polls on the date of the election unless such tabulation is a necessary component of preprocessing in the State or jurisdiction and is performed in accordance with existing State law; or

''(B) to permit an official to make public any results of tabulation and processing before the closing of the polls on the date of the election.

''(g) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding election for Federal office.''.

(b) CONFORMING AMENDMENTS RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 321(b) of such Act (52 U.S.C. 21101(b)), as redesignated and amended by section 1101(b), is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) except as provided in paragraph (4), in the case of the recommendations with respect to any section added by the Freedom to Vote: John R. Lewis Act, June 30, 2022.''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), and section 1104(c), is amended—

(1) by redesignating the items relating to sections 310 and 311 as relating to sections 311 and 312, respectively; and

(2) by inserting after the item relating to section 309 the following new item:

''Sec. 310. Early voting.''.

Subtitle D—Voting by Mail

SEC. 1301. VOTING BY MAIL.

(a) IN GENERAL.—

(1) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), and section 1201(a), is amended—

(A) by redesignating sections 311 and 312 as sections 312 and 313, respectively; and

(B) by inserting after section 310 the following new section:

''SEC. 311. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL.

''(a) UNIFORM AVAILABILITY OF ABSENTEE VOTING TO ALL VOTERS.—

''(1) IN GENERAL.—If an individual in a State is eligible to cast a vote in an election for Federal office, the State may not impose any additional conditions or requirements on the eligibility of the individual to cast the vote in such election by absentee ballot by mail.

''(2) ADMINISTRATION OF VOTING BY MAIL.—

''(A) PROHIBITING IDENTIFICATION REQUIREMENT AS CONDITION OF OBTAINING OR CASTING BALLOT.—A State may not require an individual to submit any form of identifying document as a condition of obtaining or casting an absentee ballot, except that nothing in this subparagraph may be construed to prevent a State from requiring—

''(i) the information required to complete an application for voter registration for an election for Federal office under section 303(a)(5)(A), provided that a State may not deny a voter a ballot or the opportunity to cast it on the grounds that the voter does not possess a current and valid driver's license number or a social security number; or

''(ii) a signature of the individual or similar affirmation as a condition of obtaining or casting an absentee ballot.

''(B) PROHIBITING FAULTY MATCHING REQUIREMENTS FOR IDENTIFYING INFORMATION.—A State may not deny a voter an absentee ballot or reject an absentee ballot cast by a voter—

''(i) on the grounds that the voter provided a different form of identifying information under subparagraph (A) than the voter originally provided when registering to vote or when requesting an absentee ballot; or

''(ii) due to an error in, or omission of, identifying information required by a State under subparagraph (A), if such error or omission is not material to an individual's eligibility to vote under section 2004(a)(2)(B) of the Revised Statutes (52 U.S.C. 10101(a)(2)(B)).

''(C) PROHIBITING REQUIREMENT TO PROVIDE NOTARIZATION OR WITNESS SIGNATURE AS CONDITION OF OBTAINING OR CASTING BALLOT.—A State may not require notarization or witness signature or other formal authentication (other than voter attestation) as a condition of obtaining or casting an absentee ballot, except that nothing in this subparagraph may be construed to prohibit a State from enforcing a law which has a witness signature requirement for a ballot where a voter oath is attested to with a mark rather than a voter's signature.

''(3) NO EFFECT ON IDENTIFICATION REQUIREMENTS FOR FIRST-TIME VOTERS REGISTERING BY MAIL.—Nothing in this subsection may be construed to exempt any individual described in paragraph (1) of section 303(b) from meeting the requirements of paragraph (2) of such section or to exempt an individual described in paragraph (5)(A) of section 303(b) from meeting the requirements of paragraph (5)(B).

''(b) DUE PROCESS REQUIREMENTS FOR STATES REQUIRING SIGNATURE VERIFICATION.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—A State may not impose a signature verification requirement as a condition of accepting and counting a mail-in ballot or absentee ballot submitted by any individual with respect to an election for Federal office unless the State meets the due process requirements described in paragraph (2).

''(B) SIGNATURE VERIFICATION REQUIREMENT DESCRIBED.—In this subsection, a 'signature verification requirement' is a requirement that an election official verify the identification of an individual by comparing the individual's signature on the mail-in ballot or absentee ballot with the individual's signature on the official list of registered voters in the State or another official record or other document used by the State to verify the signatures of voters.

''(2) DUE PROCESS REQUIREMENTS.—

''(A) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES.—If an individual submits a mail-in ballot or an absentee ballot and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall—

''(i) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and

''(II) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

''(B) NOTICE AND OPPORTUNITY TO CURE MISSING SIGNATURE OR OTHER DEFECT.—If an individual submits a mail-in ballot or an absentee ballot without a signature or submits a mail-in ballot or an absentee ballot with another defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, shall—

''(i) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) the ballot did not include a signature or has some other defect; and

''(II) if the individual does not provide the missing signature or cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with the missing signature on a form proscribed by the State or cures the other defect.

This subparagraph does not apply with respect to a defect consisting of the failure of a ballot to meet the applicable deadline for the acceptance of the ballot, as described in subsection (e).

''(C) OTHER REQUIREMENTS.—

''(i) IN GENERAL.—An election official may not make a determination that a discrepancy exists between the signature on a mail-in ballot or an absentee ballot and the signature of the individual on the official list of registered voters in the State or other official record or other document used by the State to verify the signatures of voters unless—

''(I) at least 2 election officials make the determination;

''(II) each official who makes the determination has received training in procedures used to verify signatures; and

''(III) of the officials who make the determination, at least one is affiliated with the political party whose candidate received the most votes in the most recent statewide election for Federal office held in the State and at least one is affiliated with the political party whose candidate received the second most votes in the most recent statewide election for Federal office held in the State.

''(ii) EXCEPTION.—Clause (i)(III) shall not apply to any State in which, under a law that is in effect continuously on and after the date of enactment of this section, determinations regarding signature discrepancies are made by election officials who are not affiliated with a political party.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than 120 days after the end of a Federal election cycle, each chief State election official shall submit to the Commission a report containing the following information for the applicable Federal election cycle in the State:

''(i) The number of ballots invalidated due to a discrepancy under this subsection.

''(ii) Description of attempts to contact voters to provide notice as required by this subsection.

''(iii) Description of the cure process developed by such State pursuant to this subsection, including the number of ballots determined valid as a result of such process.

''(B) SUBMISSION TO CONGRESS.—Not later than 10 days after receiving a report under subparagraph (A), the Commission shall transmit such report to Congress.

''(C) FEDERAL ELECTION CYCLE DEFINED.—For purposes of this subsection, the term 'Federal election cycle' means, with respect to any regularly scheduled election for Federal office, the period beginning on the day after the date of the preceding regularly scheduled general election for Federal office and ending on the date of such regularly scheduled general election.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to prohibit a State from rejecting a ballot attempted to be cast in an election for Federal office by an individual who is not eligible to vote in the election; or

''(B) to prohibit a State from providing an individual with more time and more methods for curing a discrepancy in the individual's signature, providing a missing signature, or curing any other defect than the State is required to provide under this subsection.

''(c) APPLICATIONS FOR ABSENTEE BALLOTS.—

''(1) IN GENERAL.—In addition to such other methods as the State may establish for an individual to apply for an absentee ballot, each State shall permit an individual to submit an application for an absentee ballot online.

''(2) TREATMENT OF WEBSITES.—A State shall be considered to meet the requirements of paragraph (1) if the website of the appropriate State or local election official allows an application for an absentee ballot to be completed and submitted online and if the website permits the individual—

''(A) to print the application so that the individual may complete the application and return it to the official; or

''(B) to request that a paper copy of the application be transmitted to the individual by mail or electronic mail so that the individual may complete the application and return it to the official.

''(3) ENSURING DELIVERY PRIOR TO ELECTION.—

''(A) IN GENERAL.—If an individual who is eligible to vote in an election for Federal office submits an application for an absentee ballot in the election and such application is received by the appropriate State or local election official not later than 13 days (excluding Saturdays, Sundays, and legal public holidays) before the date of the election, the election official shall ensure that the ballot and related voting materials are promptly mailed to the individual.

''(B) APPLICATIONS RECEIVED CLOSE TO ELECTION DAY.—If an individual who is eligible to vote in an election for Federal office submits an application for an absentee ballot in the election and such application is received by the appropriate State or local election official after the date described in subparagraph (A) but not later than 7 days (excluding Saturdays, Sundays, and legal public holidays) before the date of the election, the election official shall, to the greatest extent practical, ensure that the ballot and related voting materials are mailed to the individual within 1 business day of the receipt of the application.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall preclude a State or local jurisdiction from allowing for the acceptance and processing of absentee ballot applications submitted or received after the date described in subparagraph (B).

''(4) APPLICATION FOR ALL FUTURE ELECTIONS.—

''(A) IN GENERAL.—At the option of an individual, the individual's application to vote by absentee ballot by mail in an election for Federal office shall be treated as an application for an absentee ballot by mail in all subsequent elections for Federal office held in the State.

''(B) DURATION OF TREATMENT.—

''(i) IN GENERAL.—In the case of an individual who is treated as having applied for an absentee ballot for all subsequent elections for Federal office held in the State under subparagraph (A), such treatment shall remain effective until the earlier of such time as—

''(I) the individual is no longer registered to vote in the State; or

''(II) the individual provides an affirmative written notice revoking such treatment.

''(ii) PROHIBITION ON REVOCATION BASED ON FAILURE TO VOTE.—The treatment of an individual as having applied for an absentee ballot for all subsequent elections held in the State under subparagraph (A) shall not be revoked on the basis that the individual has not voted in an election.

''(d) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—Each State shall ensure that all absentee ballot applications, absentee ballots, and related voting materials in elections for Federal office are accessible to individuals with disabilities in a manner that provides the same opportunity for access and participation (including with privacy and independence) as for other voters.

''(e) UNIFORM DEADLINE FOR ACCEPTANCE OF MAILED BALLOTS.—

''(1) IN GENERAL.—A State or local election official may not refuse to accept or process a ballot submitted by an individual by mail with respect to an election for Federal office in the State on the grounds that the individual did not meet a deadline for returning the ballot to the appropriate State or local election official if—

''(A) the ballot is postmarked or otherwise indicated by the United States Postal Service to have been mailed on or before the date of the election; and

''(B) the ballot is received by the appropriate election official prior to the expiration of the 7-day period which begins on the date of the election.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit a State from having a law that allows for counting of ballots in an election for Federal office that are received through the mail after the date that is 7 days after the date of the election.

''(f) ALTERNATIVE METHODS OF RETURNING BALLOTS.—In addition to permitting an individual to whom a ballot in an election was provided under this section to return the ballot to an election official by mail, each State shall permit the individual to cast the ballot by delivering the ballot at such times and to such locations as the State may establish, including—

''(1) permitting the individual to deliver the ballot to a polling place within the jurisdiction in which the individual is registered or otherwise eligible to vote on any date on which voting in the election is held at the polling place; and

''(2) permitting the individual to deliver the ballot to a designated ballot drop-off location, a tribally designated building, or the office of a State or local election official.

''(g) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

''(1) IN GENERAL.—Each State or jurisdiction shall begin processing and scanning ballots cast by mail for tabulation not later than the date that is 14 days prior to the date of the election involved, except that a State may begin processing and scanning ballots cast by mail for tabulation after such date if the date on which the State begins such processing and scanning ensures, to the greatest extent practical, that ballots cast before the date of the election are processed and scanned before the date of the election.

''(2) LIMITATION.—Nothing in this subsection shall be construed—

''(A) to permit a State to tabulate ballots in an election before the closing of the polls on the date of the election unless such tabulation is a necessary component of preprocessing in the State and is performed in accordance with existing State law; or

''(B) to permit an official to make public any results of tabulation and processing before the closing of the polls on the date of the election.

''(h) PROHIBITING RESTRICTIONS ON DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS BY THIRD PARTIES.—A State may not prohibit any person from providing an application for an absentee ballot in the election to any individual who is eligible to vote in the election.

''(i) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of States to conduct elections for Federal office through the use of polling places at which individuals cast ballots.

''(j) NO EFFECT ON BALLOTS SUBMITTED BY ABSENT MILITARY AND OVERSEAS VOTERS.—Nothing in this section may be construed to affect the treatment of any ballot submitted by an individual who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

''(k) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding election for Federal office.''.

(2) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), and section 1201(c), is amended—

(A) by redesignating the items relating to sections 311 and 312 as relating to sections 312 and 313, respectively; and

(B) by inserting after the item relating to section 310 the following new item:

''Sec. 311. Promoting ability of voters to vote by mail.''.

(b) SAME-DAY PROCESSING OF ABSENTEE BALLOTS.—

(1) IN GENERAL.—Chapter 34 of title 39, United States Code, is amended by adding at the end the following:

''§ 3407. Same-day processing of ballots

''(a) IN GENERAL.—The Postal Service shall ensure, to the maximum extent practicable, that any ballot carried by the Postal Service is processed by and cleared from any postal facility or post office on the same day that the ballot is received by that facility or post office.

''(b) DEFINITIONS.—As used in this section—

''(1) the term 'ballot' means any ballot transmitted by a voter by mail in an election for Federal office, but does not include any ballot covered by section 3406; and

''(2) the term 'election for Federal office' means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 34 of title 39, United States Code, is amended by adding at the end the following:

''3407. Same-day processing of ballots.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to absentee ballots relating to an election for Federal office occurring on or after January 1, 2022.

(c) DEVELOPMENT OF ALTERNATIVE VERIFICATION METHODS.—

(1) DEVELOPMENT OF STANDARDS.—The National Institute of Standards, in consultation with the Election Assistance Commission, shall develop standards for the use of alternative methods which could be used in place of signature verification requirements for purposes of verifying the identification of an individual voting by mail-in or absentee ballot in elections for Federal office.

(2) PUBLIC NOTICE AND COMMENT.—The National Institute of Standards shall solicit comments from the public in the development of standards under paragraph (1).

(3) DEADLINE.—Not later than 2 years after the date of the enactment of this Act, the National Institute of Standards shall publish the standards developed under paragraph (1).

SEC. 1302. BALLOTING MATERIALS TRACKING PROGRAM.

(a) IN GENERAL.—

(1) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), and section 1301(a), is amended—

(A) by redesignating sections 312 and 313 as sections 313 and 314, respectively; and

(B) by inserting after section 311 the following new section:

''SEC. 312. BALLOT MATERIALS TRACKING PROGRAM.

''(a) REQUIREMENT.—Each State shall carry out a program to track and confirm the receipt of mail-in ballots and absentee ballots in an election for Federal office under which the State or local election official responsible for the receipt of such voted ballots in the election carries out procedures to track and confirm the receipt of such ballots, and makes information on the receipt of such ballots available to the individual who cast the ballot.

''(b) MEANS OF CARRYING OUT PROGRAM.—A State may meet the requirements of subsection (a)—

''(1) through a program—

''(A) which is established by the State;

''(B) under which the State or local election official responsible for the receipt of voted mail-in ballots and voted absentee ballots in the election—

''(i) carries out procedures to track and confirm the receipt of such ballots; and

''(ii) makes information on the receipt of such ballots available to the individual who cast the ballot; and

''(C) which meets the requirements of subsection (c); or

''(2) through the ballot materials tracking service established under section 1302(b) of the Freedom to Vote: John R. Lewis Act.

''(c) STATE PROGRAM REQUIREMENTS.—The requirements of this subsection are as follows:

''(1) INFORMATION ON WHETHER VOTE WAS ACCEPTED.—The information referred to under subsection (b)(1)(B)(ii) with respect to the receipt of mail-in ballot or an absentee ballot shall include information regarding whether the vote cast on the ballot was accepted, and, in the case of a vote which was rejected, the reasons therefor.

''(2) AVAILABILITY OF INFORMATION.—Information on whether a ballot was accepted or rejected shall be available within 1 business day of the State accepting or rejecting the ballot.

''(3) ACCESSIBILITY OF INFORMATION.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), the information provided under the program shall be available by means of online access using the internet site of the State or local election office.

''(B) USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.—In the case of a State or local election official whose office does not have an internet site, the program shall require the official to establish a toll-free telephone number that may be used by an individual who cast an absentee ballot to obtain the information required under subsection (b)(1)(B).

''(d) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2024 and each succeeding election for Federal office.''.

(2) CONFORMING AMENDMENTS.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)) is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(b) BALLOTING MATERIALS TRACKING SERVICE.—

(1) IN GENERAL.—Not later than January 1, 2024, the Secretary of Homeland Security, in consultation with the Chair of the Election Assistance Commission, the Postmaster General, the Director of the General Services Administration, the Presidential designee, and State election officials, shall establish a balloting materials tracking service to be used by State and local jurisdictions to inform voters on the status of voter registration applications, absentee ballot applications, absentee ballots, and mail-in ballots.

(2) INFORMATION TRACKED.—The balloting materials tracking service established under paragraph (1) shall provide to a voter the following information with respect to that voter:

(A) In the case of balloting materials sent by mail, tracking information from the United States Postal Service and the Presidential designee on balloting materials sent to the voter and, to the extent feasible, returned by the voter.

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

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

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

(E) The date on which any mail-in ballot or absentee ballot was sent to the voter.

(F) The date on which any mail-in ballot or absentee ballot was out for delivery to the voter.

(G) The date on which the post office processes the ballot.

(H) The date on which the returned ballot was out for delivery to the election office.

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

The information described in subparagraph (I) shall be available not later than 1 day after a determination is made on whether or not to accept and count the ballot.

(3) METHOD OF PROVIDING INFORMATION.—The balloting materials tracking service established under paragraph (1) shall allow voters the option to receive the information described in paragraph (2) through email (or other electronic means) or through the mail.

(4) PUBLIC AVAILABILITY OF LIMITED INFORMATION.—Information described in subparagraphs (E), (G), and (I) of paragraph (2) shall be made available to political parties and voter registration organizations, at cost to cover the expense of providing such information, for use, in accordance with State guidelines and procedures, in helping to return or cure mail-in ballots during any period in which mail-in ballots may be returned.

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

(6) PRESIDENTIAL DESIGNEE.—For purposes of this subsection, the term ''Presidential designee'' means the Presidential designee under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 30201).

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director such sums as are necessary for purposes of carrying out this subsection.

(c) REIMBURSEMENT FOR COSTS INCURRED BY STATES IN ESTABLISHING PROGRAM.—Subtitle D of title II of the Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.) is amended by adding at the end the following new part:

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''SEC. 297. PAYMENTS TO STATES.

''(a) PAYMENTS FOR COSTS OF PROGRAM.—In accordance with this section, the Commission shall make a payment to a State to reimburse the State for the costs incurred in establishing the absentee ballot tracking program under section 312(b)(1) (including costs incurred prior to the date of the enactment of this part).

''(b) CERTIFICATION OF COMPLIANCE AND COSTS.—

''(1) CERTIFICATION REQUIRED.—In order to receive a payment under this section, a State shall submit to the Commission a statement containing—

''(A) a certification that the State has established an absentee ballot tracking program with respect to elections for Federal office held in the State; and

''(B) a statement of the costs incurred by the State in establishing the program.

''(2) AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section shall be equal to the costs incurred by the State in establishing the absentee ballot tracking program, as set forth in the statement submitted under paragraph (1), except that such amount may not exceed the product of—

''(A) the number of jurisdictions in the State which are responsible for operating the program; and

''(B) $3,000.

''(3) LIMIT ON NUMBER OF PAYMENTS RECEIVED.—A State may not receive more than one payment under this part.

''SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated to the Commission for fiscal year 2022 and each succeeding fiscal year such sums as may be necessary for payments under this part.

''(b) CONTINUING AVAILABILITY OF FUNDS.—Any amounts appropriated pursuant to the authorization under this section shall remain available until expended.''.

(d) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), and section 1301(a), is amended—

(1) by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''Sec. 297. Payments to states.

''Sec. 297A. Authorization of appropriations.'';

(2) by redesignating the items relating to sections 312 and 313 as relating to sections 313 and 314, respectively; and

(3) by inserting after the item relating to section 311 the following new item:

''Sec. 312. Absentee ballot tracking program.''.

SEC. 1303. ELECTION MAIL AND DELIVERY IMPROVEMENTS.

(a) POSTMARK REQUIRED FOR BALLOTS.—

(1) IN GENERAL.—Chapter 34 of title 39, United States Code, as amended by section 1301(b), is amended by adding at the end the following:

''§ 3408. Postmark required for ballots

''(a) IN GENERAL.—In the case of any absentee ballot carried by the Postal Service, the Postal Service shall indicate on the ballot envelope, using a postmark or otherwise—

''(1) the fact that the ballot was carried by the Postal Service; and

''(2) the date on which the ballot was mailed.

''(b) DEFINITIONS.—As used in this section—

''(1) the term 'absentee ballot' means any ballot transmitted by a voter by mail in an election for Federal office, but does not include any ballot covered by section 3406; and

''(2) the term 'election for Federal office' means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 34 of title 39, United States Code, as amended by section 1301(b), is amended by adding at the end the following:

''3408. Postmark required for ballots.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to absentee ballots relating to an election for Federal office occurring on or after January 1, 2022.

(b) GREATER VISIBILITY FOR BALLOTS.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), and section 1302(a), is amended—

(A) by redesignating sections 313 and 314 as sections 314 and 315, respectively; and

(B) by inserting after section 312 the following new section:

''SEC. 313. BALLOT VISIBILITY.

''(a) IN GENERAL.—Each State or local election official shall—

''(1) affix Tag 191, Domestic and International Mail-In Ballots (or any successor tag designated by the United States Postal Service), to any tray or sack of official ballots relating to an election for Federal office that is destined for a domestic or international address;

''(2) use the Official Election Mail logo to designate official ballots relating to an election for Federal office that is destined for a domestic or international address; and

''(3) if an intelligent mail barcode is utilized for any official ballot relating to an election for Federal office that is destined for a domestic or international address, ensure the specific ballot service type identifier for such mail is visible.

''(b) EFFECTIVE DATE.—The requirements of this section shall apply to elections for Federal office occurring on and after January 1, 2022.''.

(2) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102, 1103 and 1104, is amended by striking ''and 309'' and inserting ''309, and 313''.

(3) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), and section 1302(a), is amended—

(A) by redesignating the items relating to sections 313 and 314 as relating to sections 314 and 315; and

(B) by inserting after the item relating to section 312 the following new item:

''Sec. 313. Ballot visibility.''.

SEC. 1304. CARRIAGE OF ELECTION MAIL.

(a) TREATMENT OF ELECTION MAIL.—

(1) TREATMENT AS FIRST-CLASS MAIL; FREE POSTAGE.—Chapter 34 of title 39, United States Code, as amended by section 1301(b) and section 1303(a), is amended by adding at the end the following:

''§ 3409. Domestic election mail; restriction of operational changes prior to elections

''(a) DEFINITION.—In this section, the term 'election mail' means—

''(1) a blank or completed voter registration application form, voter registration card, or similar materials, relating to an election for Federal office;

''(2) a blank or completed absentee and other mail-in ballot application form, and a blank or completed absentee or other mail-in ballot, relating to an election for Federal office, and

''(3) other materials relating to an election for Federal office that are mailed by a State or local election official to an individual who is registered to vote.

''(b) CARRIAGE OF ELECTION MAIL.—Election mail (other than balloting materials covered under section 3406 (relating to the Uniformed and Overseas Absentee Voting Act)), individually or in bulk, shall be carried in accordance with the service standards established for first-class mail under section 3691.

''(c) NO POSTAGE REQUIRED FOR COMPLETED BALLOTS.—Completed absentee or other mail-in ballots (other than balloting materials covered under section 3406 (relating to the Uniformed and Overseas Absentee Voting Act)) shall be carried free of postage.

''(d) RESTRICTION OF OPERATIONAL CHANGES.—During the 120-day period which ends on the date of an election for Federal office, the Postal Service may not carry out any new operational change that would restrict the prompt and reliable delivery of election mail. This subsection applies to operational changes which include—

''(1) removing or eliminating any mail collection box without immediately replacing it; and

''(2) removing, decommissioning, or any other form of stopping the operation of mail sorting machines, other than for routine maintenance.

''(e) ELECTION MAIL COORDINATOR.—The Postal Service shall appoint an Election Mail Coordinator at each area office and district office to facilitate relevant information sharing with State, territorial, local, and Tribal election officials in regards to the mailing of election mail.''.

(2) REIMBURSEMENT OF POSTAL SERVICE FOR REVENUE FORGONE.—Section 2401(c) of title 39, United States Code, is amended by striking ''sections 3217 and 3403 through 3406'' and inserting ''sections 3217, 3403 through 3406, and 3409''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 34 of title 39, United States Code, as amended by section 1301(b) and section 1303(a), is amended by adding at the end the following:

''3409. Domestic election mail; restriction of operational changes prior to elections.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this section.

SEC. 1305. REQUIRING STATES TO PROVIDE SECURED DROP BOXES FOR VOTED BALLOTS IN ELECTIONS FOR FEDERAL OFFICE.

(a) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), and section 1303(b) is amended—

(1) by redesignating sections 314 and 315 as sections 315 and 316, respectively; and

(2) by inserting after section 313 the following new section:

''SEC. 314. USE OF SECURED DROP BOXES FOR VOTED BALLOTS.

''(a) REQUIRING USE OF DROP BOXES.—Each jurisdiction shall provide in-person, secured,

and clearly labeled drop boxes at which individuals may, at any time during the period described in subsection (b), drop off voted ballots in an election for Federal office.

''(b) MINIMUM PERIOD FOR AVAILABILITY OF DROP BOXES.—The period described in this subsection is, with respect to an election, the period which begins on the first day on which the jurisdiction sends mail-in ballots or absentee ballots (other than ballots for absent uniformed overseas voters (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) or overseas voters (as defined in section 107(5) of such Act (52 U.S.C. 20310(5)))) to voters for such election and which ends at the time the polls close for the election in the jurisdiction involved.

''(c) ACCESSIBILITY.—

''(1) HOURS OF ACCESS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each drop box provided under this section shall be accessible to voters for a reasonable number of hours each day.

''(B) 24-HOUR DROP BOXES.—

''(i) IN GENERAL.—Of the number of drop boxes provided in any jurisdiction, not less the required number shall be accessible for 24-hours per day during the period described in subsection (b).

''(ii) REQUIRED NUMBER.—The required number is the greater of—

''(I) 25 percent of the drop boxes required under subsection (d); or

''(II) 1 drop box.

''(2) POPULATION.—

''(A) IN GENERAL.—Drop boxes provided under this section shall be accessible for use—

''(i) by individuals with disabilities, as determined in consultation with the protection and advocacy systems (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)) of the State;

''(ii) by individuals with limited proficiency in the English language; and

''(iii) by homeless individuals (as defined in section 103 of the McKinney–Vento Homeless Assistance Act (42 U.S.C. 11302)) within the State.

''(B) DETERMINATION OF ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—For purposes of this paragraph, drop boxes shall be considered to be accessible for use by individuals with disabilities if the drop boxes meet such criteria as the Attorney General may establish for such purposes.

''(C) RULE OF CONSTRUCTION.—If a drop box provided under this section is on the grounds of or inside a building or facility which serves as a polling place for an election during the period described in subsection (b), nothing in this subsection may be construed to waive any requirements regarding the accessibility of such polling place for the use of individuals with disabilities, individuals with limited proficiency in the English language, or homeless individuals.

''(d) NUMBER OF DROP BOXES.—Each jurisdiction shall have—

''(1) in the case of any election for Federal office prior to the regularly scheduled general election for Federal office held in November 2024, not less than 1 drop box for every 45,000 registered voters located in the jurisdiction; and

''(2) in the case of the regularly scheduled general election for Federal office held in November 2024 and each election for Federal office occurring thereafter, not less than the greater of—

''(A) 1 drop box for every 45,000 registered voters located in the jurisdiction; or

''(B) 1 drop box for every 15,000 votes that were cast by mail in the jurisdiction in the most recent general election that includes an election for the office of President.

In no case shall a jurisdiction have less than 1 drop box for any election for Federal office.

''(e) LOCATION OF DROP BOXES.—The State shall determine the location of drop boxes provided under this section in a jurisdiction on the basis of criteria which ensure that the drop boxes are—

''(1) available to all voters on a non-discriminatory basis;

''(2) accessible to voters with disabilities (in accordance with subsection (c));

''(3) accessible by public transportation to the greatest extent possible;

''(4) available during all hours of the day;

''(5) sufficiently available in all communities in the jurisdiction, including rural communities and on Tribal lands within the jurisdiction (subject to subsection (f)); and

''(6) geographically distributed to provide a reasonable opportunity for voters to submit their voted ballot in a timely manner.

''(f) TIMING OF SCANNING AND PROCESSING OF BALLOTS.—For purposes of section 311(g) (relating to the timing of the processing and scanning of ballots for tabulation), a vote cast using a drop box provided under this section shall be treated in the same manner as a ballot cast by mail.

''(g) POSTING OF INFORMATION.—On or adjacent to each drop box provided under this section, the State shall post information on the requirements that voted absentee ballots must meet in order to be counted and tabulated in the election.

''(h) REMOTE SURVEILLANCE.—Nothing in this section shall prohibit a State from providing for the security of drop boxes through remote or electronic surveillance.

''(i) RULES FOR DROP BOXES ON TRIBAL LANDS.—In applying this section with respect to Tribal lands in a jurisdiction, the appropriate State and local election officials shall meet the applicable requirements of the Frank Harrison, Elizabeth Peratrovich, and Miguel Trujillo Native American Voting Rights Act of 2021.

''(j) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding election for Federal office.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(c), section 1302(a), and section 1303(b), is amended—

(1) by redesignating the items relating to sections 314 and 315 as relating to sections 315 and 316, respectively; and

(2) by inserting after the item relating to section 313 the following new item:

''Sec. 314. Use of secured drop boxes for voted absentee ballots.''.

Subtitle E—Absent Uniformed Services Voters and Overseas Voters

SEC. 1401. PRE-ELECTION REPORTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.

Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(c)) is amended to read as follows:

''(c) REPORTS ON AVAILABILITY, TRANSMISSION, AND RECEIPT OF ABSENTEE BALLOTS.—

''(1) PRE-ELECTION REPORT ON ABSENTEE BALLOT AVAILABILITY.—Not later than 55 days before any regularly scheduled general election for Federal office, each State shall submit a report to the Attorney General certifying that absentee ballots for the election are or will be available for transmission to absent uniformed services voters and overseas voters by not later than 46 days before the election. The report shall be in a form prescribed by the Attorney General and shall require the State to certify specific information about ballot availability from each unit of local government which will administer the election.

''(2) PRE-ELECTION REPORT ON ABSENTEE BALLOTS TRANSMITTED.—

''(A) IN GENERAL.—Not later than 43 days before any election for Federal office held in a State, the chief State election official of such State shall submit a report containing the information in subparagraph (B) to the Attorney General.

''(B) INFORMATION REPORTED.—The report under subparagraph (A) shall consist of the following:

''(i) The total number of absentee ballots validly requested by absent uniformed services voters and overseas voters whose requests were received by the 47th day before the election by each unit of local government within the State that will transmit absentee ballots.

''(ii) The total number of ballots transmitted to such voters by the 46th day before the election by each unit of local government within the State that will administer the election.

''(iii) Specific information about any late transmitted ballots.

''(C) REQUIREMENT TO SUPPLEMENT INCOMPLETE INFORMATION.—If the report under subparagraph (A) has incomplete information on any items required to be included in the report, the chief State election official shall make all reasonable efforts to expeditiously supplement the report with complete information.

''(D) FORMAT.—The report under subparagraph (A) shall be in a format prescribed by the Attorney General in consultation with the chief State election officials of each State.

''(3) POST-ELECTION REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such report available to the general public that same day.''.

SEC. 1402. ENFORCEMENT.

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20307) is amended to read as follows:

''SEC. 105. ENFORCEMENT.

''(a) ACTION BY ATTORNEY GENERAL.—The Attorney General may bring civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(b) PRIVATE RIGHT OF ACTION.—A person who is aggrieved by a violation of this title may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(c) STATE AS ONLY NECESSARY DEFENDANT.—In any action brought under this section, the only necessary party defendant is the State, and it shall not be a defense to any such action that a local election official or a unit of local government is not named as a defendant, notwithstanding that a State has exercised the authority described in section 576 of the Military and Overseas Voter Empowerment Act to delegate to another jurisdiction in the State any duty or responsibility which is the subject of an action brought under this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of the enactment of this Act.

SEC. 1403. TRANSMISSION REQUIREMENTS; REPEAL OF WAIVER PROVISION.

(a) IN GENERAL.—Paragraph (8) of section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)) is amended to read as follows:

''(8) transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter by the date and in the manner determined under subsection (g);''.

(b) BALLOT TRANSMISSION REQUIREMENTS AND REPEAL OF WAIVER PROVISION.—Subsection (g) of section 102 of such Act (52 U.S.C. 20302(g)) is amended to read as follows:

''(g) BALLOT TRANSMISSION REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of subsection (a)(8), in the case in which a valid request for an absentee ballot is received at least 47 days before an election for Federal office, the following rules shall apply:

''(A) TRANSMISSION DEADLINE.—The State shall transmit the absentee ballot not later than 46 days before the election.

''(B) SPECIAL RULES IN CASE OF FAILURE TO TRANSMIT ON TIME.—

''(i) IN GENERAL.—If the State fails to transmit any absentee ballot by the 46th day before the election as required by subparagraph (A) and the absent uniformed services voter or overseas voter did not request electronic ballot transmission pursuant to subsection (f), the State shall transmit such ballot by express delivery.

''(ii) EXTENDED FAILURE.—If the State fails to transmit any absentee ballot by the 41st day before the election, in addition to transmitting the ballot as provided in clause (i), the State shall—

''(I) in the case of absentee ballots requested by absent uniformed services voters with respect to regularly scheduled general elections, notify such voters of the procedures established under section 103A for the collection and delivery of marked absentee ballots; and

''(II) in any other case, provide for the return of such ballot by express delivery.

''(iii) COST OF EXPRESS DELIVERY.—In any case in which express delivery is required under this subparagraph, the cost of such express delivery—

''(I) shall not be paid by the voter; and

''(II) if determined appropriate by the chief State election official, may be required by the State to be paid by a local jurisdiction.

''(iv) EXCEPTION.—Clause (ii)(II) shall not apply when an absent uniformed services voter or overseas voter indicates the preference to return the late sent absentee ballot by electronic transmission in a State that permits return of an absentee ballot by electronic transmission.

''(v) ENFORCEMENT.—A State's compliance with this subparagraph does not bar the Attorney General from seeking additional remedies necessary to fully resolve or prevent ongoing, future, or systematic violations of this provision or to effectuate the purposes of this Act.

''(C) SPECIAL PROCEDURE IN EVENT OF DISASTER.—If a disaster (hurricane, tornado, earthquake, storm, volcanic eruption, landslide, fire, flood, or explosion), or an act of terrorism prevents the State from transmitting any absentee ballot by the 46th day before the election as required by subparagraph (A), the chief State election official shall notify the Attorney General as soon as practicable and take all actions necessary, including seeking any necessary judicial relief, to ensure that affected absent uniformed services voters and overseas voters are provided a reasonable opportunity to receive and return their absentee ballots in time to be counted.

''(2) REQUESTS RECEIVED AFTER 47TH DAY BEFORE ELECTION.—For purposes of subsection (a)(8), in the case in which a valid request for an absentee ballot is received less than 47 days but not less than 30 days before an election for Federal office, the State shall transmit the absentee ballot within one business day of receipt of the request.''.

SEC. 1404. USE OF SINGLE ABSENTEE BALLOT APPLICATION FOR SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20306) is amended to read as follows:

''SEC. 104. TREATMENT OF BALLOT REQUESTS.

''(a) IN GENERAL.—If a State accepts and processes an official post card form (prescribed under section 101) submitted by an absent uniformed services voter or overseas voter for simultaneous voter registration and absentee ballot application (in accordance with section 102(a)(4)) and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the end of the calendar year following the next regularly scheduled general election for Federal office, the State shall provide an absentee ballot to the voter for each such subsequent election.

''(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State or is otherwise no longer eligible to vote in the State.

''(c) PROHIBITION OF REFUSAL OF APPLICATION ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or to process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter or overseas voter on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that election which are submitted by absentee voters who are not members of the uniformed services or overseas citizens.''.

(b) REQUIREMENT FOR REVISION TO POSTCARD FORM.—

(1) IN GENERAL.—The Presidential designee shall ensure that the official postcard form prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(b)(2)) enables a voter using the form to—

(A) request an absentee ballot for each election for Federal office held in a State through the end of the calendar year following the next regularly scheduled general election for Federal office; or

(B) request an absentee ballot for a specific election or elections for Federal office held in a State during the period described in subparagraph (A).

(2) PRESIDENTIAL DESIGNEE.—For purposes of this paragraph, the term ''Presidential designee'' means the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(a)).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to voter registration and absentee ballot applications which are submitted to a State or local election official on or after the date of the enactment of this Act.

SEC. 1405. EXTENDING GUARANTEE OF RESIDENCY FOR VOTING PURPOSES TO FAMILY MEMBERS OF ABSENT MILITARY PERSONNEL.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302), as amended by section 1302, is amended by adding at the end the following new subsection:

''(i) GUARANTEE OF RESIDENCY FOR SPOUSES AND DEPENDENTS OF ABSENT MEMBERS OF UNIFORMED SERVICE.—For the purposes of voting in any election for any Federal office or any State or local office, a spouse or dependent of an individual who is an absent uniformed services voter described in subparagraph (A) or (B) of section 107(1) shall not, solely by reason of that individual's absence and without regard to whether or not such spouse or dependent is accompanying that individual—

''(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not that individual intends to return to that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.''.

SEC. 1406. TECHNICAL CLARIFICATIONS TO CONFORM TO MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT AMENDMENTS RELATED TO THE FEDERAL WRITE-IN ABSENTEE BALLOT.

(a) IN GENERAL.—Section 102(a)(3) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)(3)) is amended by striking ''general elections'' and inserting ''general, special, primary, and runoff elections''.

(b) CONFORMING AMENDMENT.—Section 103 of such Act (52 U.S.C. 20303) is amended—

(1) in subsection (b)(2)(B), by striking ''general''; and

(2) in the heading thereof, by striking ''**GENERAL**''.

SEC. 1407. TREATMENT OF POST CARD REGISTRATION REQUESTS.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302), as amended by sections 1302 and 1405, is amended by adding at the end the following new subsection:

''(j) TREATMENT OF POST CARD REGISTRATIONS.—A State shall not remove any absent uniformed services voter or overseas voter who has registered to vote using the official post card form (prescribed under section 101) from the official list of registered voters except in accordance with subparagraph (A), (B), or (C) of section 8(a)(3) of the National Voter Registration Act of 1993 (52 U.S.C. 20507).''.

SEC. 1408. PRESIDENTIAL DESIGNEE REPORT ON VOTER DISENFRANCHISEMENT.

(a) IN GENERAL.—Not later than 1 year of enactment of this Act, the Presidential designee shall submit to Congress a report on the impact of wide-spread mail-in voting on the ability of active duty military servicemembers to vote, how quickly their votes are counted, and whether higher volumes of mail-in votes makes it harder for such individuals to vote in elections for Federal elections.

(b) PRESIDENTIAL DESIGNEE.—For purposes of this section, the term ''Presidential designee'' means the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(a)).

SEC. 1409. EFFECTIVE DATE.

Except as provided in section 1402(b) and section 1404(c), the amendments made by this subtitle shall apply with respect to elections occurring on or after January 1, 2022.

Subtitle F—Enhancement of Enforcement

SEC. 1501. ENHANCEMENT OF ENFORCEMENT OF HELP AMERICA VOTE ACT OF 2002.

(a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Section 401 of the Help America Vote Act of 2002 (52 U.S.C. 21111) is amended—

(1) by striking ''The Attorney General'' and inserting ''(a) IN GENERAL.—The Attorney General''; and

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

''(b) FILING OF COMPLAINTS BY AGGRIEVED PERSONS.—A person who is aggrieved by a violation of title III that impairs their ability to cast a ballot or a provisional ballot, to register or maintain one's registration to vote, or to vote on a voting system meeting the requirements of such title, which has occurred, is occurring, or is about to occur may file a written, signed, and notarized complaint with the Attorney General describing the violation and requesting the Attorney General to take appropriate action under this section. The Attorney General shall immediately provide a copy of a complaint filed under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

''(c) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Any person who is authorized to file a complaint under subsection (b) (including any

individual who seeks to enforce the individual's right to a voter-verifiable paper ballot, the right to have the voter-verifiable paper ballot counted in accordance with this Act, or any other right under title III) may file an action under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) to enforce the uniform and nondiscriminatory election technology and administration requirements under subtitle A of title III.

''(d) NO EFFECT ON STATE PROCEDURES.—Nothing in this section may be construed to affect the availability of the State-based administrative complaint procedures required under section 402 to any person filing a complaint under this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring with respect to elections for Federal office held in 2022 or any succeeding year.

Subtitle G—Promoting Voter Access Through Election Administration Modernization Improvements

PART 1—PROMOTING VOTER ACCESS

SEC. 1601. MINIMUM NOTIFICATION REQUIREMENTS FOR VOTERS AFFECTED BY POLLING PLACE CHANGES.

(a) REQUIREMENTS.—Section 302 of the Help America Vote Act of 2002 (52 U.S.C. 21082) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) MINIMUM NOTIFICATION REQUIREMENTS FOR VOTERS AFFECTED BY POLLING PLACE CHANGES.—

''(1) REQUIREMENT FOR PRECINCT-BASED POLLING.—

''(A) IN GENERAL.—If an applicable individual has been assigned to a polling place that is different than the polling place that such individual was assigned with respect to the most recent past election for Federal office in which the individual was eligible to vote—

''(i) the appropriate election official shall, not later than 2 days before the beginning of an early voting period—

''(I) notify the individual of the location of the polling place; and

''(II) post a general notice on the website of the State or jurisdiction, on social media platforms (if available), and on signs at the prior polling place; and

''(ii) if such assignment is made after the date which is 2 days before the beginning of an early voting period and the individual appears on the date of the election at the polling place to which the individual was previously assigned, the jurisdiction shall make every reasonable effort to enable the individual to vote a ballot on the date of the election without the use of a provisional ballot.

''(B) APPLICABLE INDIVIDUAL.—For purposes of subparagraph (A), the term 'applicable individual' means, with respect to any election for Federal office, any individual—

''(i) who is registered to vote in a jurisdiction for such election and was registered to vote in such jurisdiction for the most recent past election for Federal office; and

''(ii) whose voter registration address has not changed since such most recent past election for Federal office.

''(C) METHODS OF NOTIFICATION.—The appropriate election official shall notify an individual under clause (i)(I) of subparagraph (A) by mail, telephone, and (if available) text message and electronic mail.

''(2) REQUIREMENTS FOR VOTE CENTERS.—In the case of a jurisdiction in which individuals are not assigned to specific polling places, not later than 2 days before the beginning of an early voting period, the appropriate election official shall notify each individual eligible to vote in such jurisdiction of the location of all polling places at which the individual may vote.

''(3) NOTICE WITH RESPECT TO CLOSED POLLING PLACES.—

''(A) IN GENERAL.—If a location which served as a polling place for an election for Federal office in a State does not serve as a polling place in the next election for Federal office held in the State, the State shall ensure that signs are posted at such location on the date of the election and during any early voting period for the election containing the following information:

''(i) A statement that the location is not serving as a polling place in the election.

''(ii) The locations serving as polling places in the election in the jurisdiction involved.

''(iii) The name and address of any substitute polling place serving the same precinct and directions from the former polling place to the new polling place.

''(iv) Contact information, including a telephone number and website, for the appropriate State or local election official through which an individual may find the polling place to which the individual is assigned for the election.

''(B) INTERNET POSTING.—Each State which is required to post signs under subparagraph (A) shall also provide such information through a website and through social media (if available).

''(4) LINGUISTIC PREFERENCE.—The notices required under this subsection shall comply with the requirements of section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

''(5) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2022.''.

(b) CONFORMING AMENDMENT.—Section 302(e) of such Act (52 U.S.C. 21082(e)), as redesignated by subsection (a), is amended by striking ''Each State'' and inserting ''Except as provided in subsection (d)(4), each State''.

SEC. 1602. APPLICABILITY TO COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Paragraphs (6) and (8) of section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310) are each amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SEC. 1603. ELIMINATION OF 14-DAY TIME PERIOD BETWEEN GENERAL ELECTION AND RUNOFF ELECTION FOR FEDERAL ELECTIONS IN THE VIRGIN ISLANDS AND GUAM.

Section 2 of the Act entitled ''An Act to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives'', approved April 10, 1972 (48 U.S.C. 1712), is amended—

(1) by striking ''(a) The Delegate'' and inserting ''The Delegate'';

(2) by striking ''on the fourteenth day following such an election'' in the fourth sentence of subsection (a); and

(3) by striking subsection (b).

SEC. 1604. APPLICATION OF FEDERAL ELECTION ADMINISTRATION LAWS TO TERRITORIES OF THE UNITED STATES.

(a) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 3(4) of the National Voter Registration Act of 1993 (52 U.S.C. 20502(4)) is amended by striking ''States and the District of Columbia'' and inserting ''States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

(b) HELP AMERICA VOTE ACT OF 2002.—

(1) COVERAGE OF COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141) is amended by striking ''and the United States Virgin Islands'' and inserting ''the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

(2) CONFORMING AMENDMENTS TO HELP AMERICA VOTE ACT OF 2002.—Such Act is further amended as follows:

(A) The second sentence of section 213(a)(2) (52 U.S.C. 20943(a)(2)) is amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

(B) Section 252(c)(2) (52 U.S.C. 21002(c)(2)) is amended by striking ''or the United States Virgin Islands'' and inserting ''the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands''.

(3) CONFORMING AMENDMENT RELATING TO CONSULTATION OF HELP AMERICA VOTE FOUNDATION WITH LOCAL ELECTION OFFICIALS.—Section 90102(c) of title 36, United States Code, is amended by striking ''and the United States Virgin Islands'' and inserting ''the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

SEC. 1605. APPLICATION OF FEDERAL VOTER PROTECTION LAWS TO TERRITORIES OF THE UNITED STATES.

(a) INTIMIDATION OF VOTERS.—Section 594 of title 18, United States Code, is amended by striking ''Delegate from the District of Columbia, or Resident Commissioner,'' and inserting ''or Delegate or Resident Commissioner to the Congress''.

(b) INTERFERENCE BY GOVERNMENT EMPLOYEES.—Section 595 of title 18, United States Code, is amended by striking ''Delegate from the District of Columbia, or Resident Commissioner,'' and inserting ''or Delegate or Resident Commissioner to the Congress''.

(c) VOTING BY NONCITIZENS.—Section 611(a) of title 18, United States Code, is amended by striking ''Delegate from the District of Columbia, or Resident Commissioner,'' and inserting ''or Delegate or Resident Commissioner to the Congress''.

SEC. 1606. ENSURING EQUITABLE AND EFFICIENT OPERATION OF POLLING PLACES.

(a) IN GENERAL.—

(1) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), and section 1305(a), is amended—

(A) by redesignating sections 315 and 316 as sections 316 and 317, respectively; and

(B) by inserting after section 314 the following new section:

''SEC. 315. ENSURING EQUITABLE AND EFFICIENT OPERATION OF POLLING PLACES.

''(a) PREVENTING UNREASONABLE WAITING TIMES FOR VOTERS.—

''(1) IN GENERAL.—Each State or jurisdiction shall take reasonable efforts to provide a sufficient number of voting systems, poll workers, and other election resources (including physical resources) at a polling place used in any election for Federal office, including a polling place at which individuals may cast ballots prior to the date of the election, to ensure—

''(A) a fair and equitable waiting time for all voters in the State or jurisdiction; and

''(B) that no individual will be required to wait longer than 30 minutes to cast a ballot at the polling place.

''(2) CRITERIA.—In determining the number of voting systems, poll workers, and other election resources provided at a polling place for purposes of paragraph (1), the State or jurisdiction shall take into account the following factors:

''(A) The voting age population.

''(B) Voter turnout in past elections.

''(C) The number of voters registered.

''(D) The number of voters who have registered since the most recent Federal election.

''(E) Census data for the population served by the polling place, such as the proportion of the voting-age population who are under 25 years of age or who are naturalized citizens.

''(F) The needs and numbers of voters with disabilities and voters with limited English proficiency.

''(G) The type of voting systems used.

''(H) The length and complexity of initiatives, referenda, and other questions on the ballot.

''(I) Such other factors, including relevant demographic factors relating to the population served by the polling place, as the State considers appropriate.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to authorize a State or jurisdiction to meet the requirements of this subsection by closing any polling place, prohibiting an individual from entering a line at a polling place, or refusing to permit an individual who has arrived at a polling place prior to closing time from voting at the polling place; or

''(B) to limit the use of mobile voting centers.

''(b) LIMITING VARIATIONS ON NUMBER OF HOURS OF OPERATION OF POLLING PLACES WITHIN A STATE.—

''(1) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (2), each State shall establish hours of operation for all polling places in the State on the date of any election for Federal office held in the State such that the polling place with the greatest number of hours of operation on such date is not in operation for more than 2 hours longer than the polling place with the fewest number of hours of operation on such date.

''(B) PERMITTING VARIANCE ON BASIS OF POPULATION.—Subparagraph (A) does not apply to the extent that the State establishes variations in the hours of operation of polling places on the basis of the overall population or the voting age population (as the State may select) of the unit of local government in which such polling places are located.

''(2) EXCEPTIONS FOR POLLING PLACES WITH HOURS ESTABLISHED BY UNITS OF LOCAL GOVERNMENT.—Paragraph (1) does not apply in the case of a polling place—

''(A) whose hours of operation are established, in accordance with State law, by the unit of local government in which the polling place is located; or

''(B) which is required pursuant to an order by a court to extend its hours of operation beyond the hours otherwise established.

''(c) ENSURING ACCESS TO POLLING PLACES FOR VOTERS.—

''(1) PROXIMITY TO PUBLIC TRANSPORTATION.—To the greatest extent practicable, each State and jurisdiction shall ensure that each polling place used on the date of the election is located within walking distance of a stop on a public transportation route.

''(2) AVAILABILITY IN RURAL AREAS.—In the case of a jurisdiction that includes a rural area, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places (not less than one) used on the date of the election will be located in such rural areas; and

''(B) ensure that such polling places are located in communities which will provide the greatest opportunity for residents of rural areas to vote on Election Day.

''(3) CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION.—In the case of a jurisdiction that is not considered a vote by mail jurisdiction described in section 310(b)(2) or a small jurisdiction described in section 310(b)(3) and that includes an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), including a branch campus of such an institution, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places (not less than one) used on the date of the election will be located on the physical campus of each such institution, including each such branch campus; and

''(B) ensure that such polling places provide the greatest opportunity for residents of the jurisdiction to vote.

''(d) EFFECTIVE DATE.—This section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this subsection.''.

(2) CONFORMING AMENDMENTS RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 321(b) of such Act (52 U.S.C. 21101(b)), as redesignated and amended by section 1101(b) and as amended by sections, 1102, 1103, 1104, and 1201, is amended—

(A) by striking ''and'' at the end of paragraph (4);

(B) by redesignating paragraph (5) as paragraph (6);

(C) in paragraph (6), as so redesignated, by striking ''paragraph (4)'' and inserting ''paragraph (4) or (5)''; and

(D) by inserting after paragraph (4) the following new paragraph:

''(5) in the case of the recommendations with respect to section 315, 180 days after the date of the enactment of such section; and''.

(3) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), and section 1305(b), is amended—

(A) by redesignating the items relating to sections 315 and 316 as relating to sections 316 and 317, respectively; and

(B) by inserting after the item relating to section 314 the following new item:

''Sec. 315. Ensuring equitable and efficient operation of polling places.''.

(b) STUDY OF METHODS TO ENFORCE FAIR AND EQUITABLE WAITING TIMES.—

(1) STUDY.—The Election Assistance Commission and the Comptroller General of the United States shall conduct a joint study of the effectiveness of various methods of enforcing the requirements of section 315(a) of the Help America Vote Act of 2002, as added by subsection (a), including methods of best allocating resources to jurisdictions which have had the most difficulty in providing a fair and equitable waiting time at polling places to all voters, and to communities of color in particular.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Election Assistance Commission and the Comptroller General of the United States shall publish and submit to Congress a report on the study conducted under paragraph (1).

SEC. 1607. PROHIBITING STATES FROM RESTRICTING CURBSIDE VOTING.

(a) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), section 1305(a), and section 1606(a)(1), is amended—

(1) by redesignating sections 316 and 317 as sections 317 and 318, respectively; and

(2) by inserting after section 315 the following new section:

''SEC. 316. PROHIBITING STATES FROM RESTRICTING CURBSIDE VOTING.

''(a) PROHIBITION.—A State may not—

''(1) prohibit any jurisdiction administering an election for Federal office in the State from utilizing curbside voting as a method by which individuals may cast ballots in the election; or

''(2) impose any restrictions which would exclude any individual who is eligible to vote in such an election in a jurisdiction which utilizes curbside voting from casting a ballot in the election by such method.

''(b) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding election for Federal office.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), section 1305(a), and section 1606(a)(3), is amended—

(1) by redesignating the items relating to sections 316 and 317 as relating to sections 317 and 318, respectively; and

(2) by inserting after the item relating to section 315 the following new item:

''Sec. 316. Prohibiting States from restricting curbside voting.''.

PART 2—IMPROVEMENTS IN OPERATION OF ELECTION ASSISTANCE COMMISSION

SEC. 1611. REAUTHORIZATION OF ELECTION ASSISTANCE COMMISSION.

Section 210 of the Help America Vote Act of 2002 (52 U.S.C. 20930) is amended—

(1) by striking ''for each of the fiscal years 2003 through 2005'' and inserting ''for fiscal year 2022 and each succeeding fiscal year''; and

(2) by striking ''(but not to exceed $10,000,000 for each such year)''.

SEC. 1612. RECOMMENDATIONS TO IMPROVE OPERATIONS OF ELECTION ASSISTANCE COMMISSION.

(a) ASSESSMENT OF INFORMATION TECHNOLOGY AND CYBERSECURITY.—Not later than June 30, 2022, the Election Assistance Commission shall carry out an assessment of the security and effectiveness of the Commission's information technology systems, including the cybersecurity of such systems.

(b) IMPROVEMENTS TO ADMINISTRATIVE COMPLAINT PROCEDURES.—

(1) REVIEW OF PROCEDURES.—The Election Assistance Commission shall carry out a review of the effectiveness and efficiency of the State-based administrative complaint procedures established and maintained under section 402 of the Help America Vote Act of 2002 (52 U.S.C. 21112) for the investigation and resolution of allegations of violations of title III of such Act.

(2) RECOMMENDATIONS TO STREAMLINE PROCEDURES.—Not later than June 30, 2022, the Commission shall submit to Congress a report on the review carried out under paragraph (1), and shall include in the report such recommendations as the Commission considers appropriate to streamline and improve the procedures which are the subject of the review.

SEC. 1613. REPEAL OF EXEMPTION OF ELECTION ASSISTANCE COMMISSION FROM CERTAIN GOVERNMENT CONTRACTING REQUIREMENTS.

(a) IN GENERAL.—Section 205 of the Help America Vote Act of 2002 (52 U.S.C. 20925) is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into by the Election Assistance Commission on or after the date of the enactment of this Act.

PART 3—MISCELLANEOUS PROVISIONS

SEC. 1621. DEFINITION OF ELECTION FOR FEDERAL OFFICE.

(a) DEFINITION.—Title IX of the Help America Vote Act of 2002 (52 U.S.C. 21141 et seq.) is amended by adding at the end the following new section:

''SEC. 907. ELECTION FOR FEDERAL OFFICE DEFINED.

''For purposes of titles I through III, the term 'election for Federal office' means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to title IX the following new item:

''Sec. 907. Election for Federal office defined.''.

SEC. 1622. NO EFFECT ON OTHER LAWS.

(a) IN GENERAL.—Except as specifically provided, nothing in this title may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.).

(3) The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(4) The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(b) NO EFFECT ON PRECLEARANCE OR OTHER REQUIREMENTS UNDER VOTING RIGHTS ACT.—The approval by any person of a payment or grant application under this title, or any other action taken by any person under this title, shall not be considered to have any effect on requirements for preclearance under section 5 of the Voting Rights Act of 1965 (52 U.S.C. 10304) or any other requirements of such Act.

(c) NO EFFECT ON AUTHORITY OF STATES TO PROVIDE GREATER OPPORTUNITIES FOR VOTING.—Nothing in this title or the amendments made by this title may be construed to prohibit any State from enacting any law which provides greater opportunities for individuals to register to vote and to vote in elections for Federal office than are provided by this title and the amendments made by this title.

SEC. 1623. CLARIFICATION OF EXEMPTION FOR STATES WITHOUT VOTER REGISTRATION.

To the extent that any provision of this title or any amendment made by this title imposes a requirement on a State relating to registering individuals to vote in elections for Federal office, such provision shall not apply in the case of any State in which, under law that is in effect continuously on and after the date of the enactment of this Act, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

SEC. 1624. CLARIFICATION OF EXEMPTION FOR STATES WHICH DO NOT COLLECT TELEPHONE INFORMATION.

(a) AMENDMENT TO HELP AMERICA VOTE ACT OF 2002.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(1), and section 1607(a), is amended—

(1) by redesignating sections 317 and 318 as sections 318 and 319, respectively; and

(2) by inserting after section 316 the following new section:

"SEC. 317. APPLICATION OF CERTAIN PROVISIONS TO STATES WHICH DO NOT COLLECT TELEPHONE INFORMATION.

''(a) IN GENERAL.—To the extent that any provision of this title imposes a requirement on a State or jurisdiction relating to contacting voters by telephone, such provision shall not apply in the case of any State which continuously on and after the date of the enactment of this Act, does not collect telephone numbers for voters as part of voter registration in the State with respect to an election for Federal office.

''(b) EXCEPTION.—Subsection (a) shall not apply in any case in which the voter has voluntarily provided telephone information.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(3), and section 1607(b), is amended—

(1) by redesignating the items relating to sections 317 and 318 as relating to sections 318 and 319, respectively; and

(2) by inserting after the item relating to section 316 the following new item:

''Sec. 317. Application of certain provisions to States which do not collect telephone information.''.

Subtitle H—Democracy Restoration

SEC. 1701. SHORT TITLE.

This subtitle may be cited as the ''Democracy Restoration Act of 2021''.

SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) The right to vote is the most basic constitutive act of citizenship. Regaining the right to vote reintegrates individuals with criminal convictions into free society, helping to enhance public safety.

(2) Article I, section 4, of the Constitution grants Congress ultimate supervisory power over Federal elections, an authority which has repeatedly been upheld by the United States Supreme Court.

(3) Basic constitutional principles of fairness and equal protection require an equal opportunity for citizens of the United States to vote in Federal elections. The right to vote may not be abridged or denied by the United States or by any State on account of race, color, gender, or previous condition of servitude. The 13th, 14th, 15th, 19th, 24th, and 26th Amendments to the Constitution empower Congress to enact measures to protect the right to vote in Federal elections. The 8th Amendment to the Constitution provides for no excessive bail to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

(4) There are 3 areas in which discrepancies in State laws regarding criminal convictions lead to unfairness in Federal elections—

(A) the lack of a uniform standard for voting in Federal elections leads to an unfair disparity and unequal participation in Federal elections based solely on where a person lives;

(B) laws governing the restoration of voting rights after a criminal conviction vary throughout the country and persons in some States can easily regain their voting rights while in other States persons effectively lose their right to vote permanently; and

(C) State disenfranchisement laws disproportionately impact racial and ethnic minorities.

(5) State disenfranchisement laws vary widely. Two States (Maine and Vermont) and the Commonwealth of Puerto Rico do not disenfranchise individuals with criminal convictions at all. In 2020, the District of Columbia re-enfranchised its citizens who are under the supervision of the Federal Bureau of Prisons. Twenty-eight states disenfranchise certain individuals on felony probation or parole. In 11 States, a conviction for certain offenses can result in lifetime disenfranchisement.

(6) Several States deny the right to vote to individuals convicted of certain misdemeanors.

(7) In 2020, an estimated 5,200,000 citizens of the United States, or about 1 in 44 adults in the United States, could not vote as a result of a felony conviction. Of the 5,200,000 citizens barred from voting then, only 24 percent were in prison. By contrast, 75 percent of persons disenfranchised then resided in their communities while on probation or parole or after having completed their sentences. Approximately 2,200,000 citizens who had completed their sentences were disenfranchised due to restrictive State laws. As of November 2018, the lifetime ban for persons with certain felony convictions was eliminated through a Florida ballot initiative. As a result, as many as 1,400,000 people are now eligible to have their voting rights restored. In 4 States—Alabama, Florida, Mississippi, and Tennessee—more than 7 percent of the total population is disenfranchised.

(8) In those States that disenfranchise individuals post-sentence, the right to vote can be regained in theory, but in practice this possibility is often granted in a non-uniform and potentially discriminatory manner. Disenfranchised individuals sometimes must either obtain a pardon or an order from the Governor or an action by the parole or pardon board, depending on the offense and State. Individuals convicted of a Federal offense often have additional barriers to regaining voting rights.

(9) Many felony disenfranchisement laws today derive directly from post-Civil War efforts to stifle the Fourteenth and Fifteenth Amendments. Between 1865 and 1880, at least 14 states—Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Mississippi, Missouri, Nebraska, New York, North Carolina, South Carolina, Tennessee, and Texas—enacted or expanded their felony disenfranchisement laws. One of the primary goals of these laws was to prevent African Americans from voting. Of the states that enacted or expanded their felony disenfranchisement laws during this post-Civil War period, at least 11 continue to preclude persons on felony probation or parole from voting.

(10) State disenfranchisement laws disproportionately impact racial and ethnic minorities. In recent years, African Americans have been imprisoned at over 5 times the rate of Whites. More than 6 percent of the voting-age African-American population, or 1,800,000 African Americans, are disenfranchised due to a felony conviction. In 9 States—Alabama (16 percent), Arizona (13 percent), Florida (15 percent), Kentucky (15 percent), Mississippi (16 percent), South Dakota (14 percent), Tennessee (21 percent), Virginia (16 percent), and Wyoming (36 percent)—more than 1 in 8 African Americans are unable to vote because of a felony conviction, twice the national average for African Americans.

(11) Latino citizens are also disproportionately disenfranchised based upon their disproportionate representation in the criminal justice system. In recent years, Latinos have been imprisoned at 2.5 times the rate of Whites. More than 2 percent of the voting-age Latino population, or 560,000 Latinos, are disenfranchised due to a felony conviction. In 34 states Latinos are disenfranchised at a higher rate than the general population. In 11 states 4 percent or more of Latino adults are disenfranchised due to a felony conviction (Alabama, 4 percent; Arizona, 7 percent; Arkansas, 4 percent; Idaho, 4 percent; Iowa, 4 percent; Kentucky, 6 percent; Minnesota, 4 percent; Mississippi, 5 percent; Nebraska, 6 percent; Tennessee, 11 percent; Wyoming, 4 percent), twice the national average for Latinos.

(12) Disenfranchising citizens who have been convicted of a criminal offense and who are living and working in the community serves no compelling State interest and hinders their rehabilitation and reintegration into society.

(13) State disenfranchisement laws can suppress electoral participation among eligible voters by discouraging voting among family and community members of disenfranchised persons. Future electoral participation by the children of disenfranchised parents may be impacted as well. Models of successful re-entry for persons convicted of a crime emphasize the importance of community ties, feeling vested and integrated, and prosocial attitudes. Individuals with criminal convictions who succeed in avoiding recidivism are typically more likely to see themselves as law-abiding members of the community. Restoration of voting rights builds those qualities and facilitates reintegration into the community. That is why allowing citizens with criminal convictions who are living in a community to vote is correlated with a lower likelihood of recidivism. Restoration of voting rights thus reduces violence and protects public safety.

(14) The United States is one of the only Western democracies that permits the permanent denial of voting rights for individuals with felony convictions.

(15) The Eighth Amendment's prohibition on cruel and unusual punishments ''guarantees individuals the right not to be subjected to excessive sanctions.'' (Roper v. Simmons, 543 U.S. 551, 560 (2005)). That right stems from the basic precept of justice ''that punishment for crime should be graduated and proportioned to [the]

offense.'' Id. (quoting Weems v. United States, 217 U.S. 349, 367 (1910)). As the Supreme Court has long recognized, ''[t]he concept of proportionality is central to the Eighth Amendment.'' (Graham v. Florida, 560 U.S. 48, 59 (2010)). Many State disenfranchisement laws are grossly disproportional to the offenses that lead to disenfranchisement and thus violate the bar on cruel and unusual punishments. For example, a number of states mandate lifetime disenfranchisement for a single felony conviction or just two felony convictions, even where the convictions were for non-violent offenses. In numerous other States, disenfranchisement can last years or even decades while individuals remain on probation or parole, often only because a person cannot pay their legal financial obligations. These kinds of extreme voting bans run afoul of the Eighth Amendment.

(16) The Twenty-Fourth Amendment provides that the right to vote ''shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.''. Section 2 of the Twenty-Fourth Amendment gives Congress the power to enforce this article by appropriate legislation. Court fines and fees that individuals must pay to have their voting rights restored constitute an ''other tax'' for purposes of the Twenty-Fourth Amendment. At least five States explicitly require the payment of fines and fees before individuals with felony convictions can have their voting rights restored. More than 20 other states effectively tie the right to vote to the payment of fines and fees, by requiring that individuals complete their probation or parole before their rights are restored. In these States, the non-payment of fines and fees is a basis on which probation or parole can be extended. Moreover, these states sometimes do not record the basis on which an individual's probation or parole was extended, making it impossible to determine from the State's records whether non-payment of fines and fees is the reason that an individual remains on probation or parole. For these reasons, the only way to ensure that States do not deny the right to vote based solely on non-payment of fines and fees is to prevent States from conditioning voting rights on the completion of probation or parole.

SEC. 1703. RIGHTS OF CITIZENS.

The right of an individual who is a citizen of the United States to vote in any election for Federal office shall not be denied or abridged because that individual has been convicted of a criminal offense unless such individual is serving a felony sentence in a correctional institution or facility at the time of the election.

SEC. 1704. ENFORCEMENT.

(a) ATTORNEY GENERAL.—The Attorney General may, in a civil action, obtain such declaratory or injunctive relief as is necessary to remedy a violation of this subtitle.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—A person who is aggrieved by a violation of this subtitle may provide written notice of the violation to the chief election official of the State involved.

(2) RELIEF.—Except as provided in paragraph (3), if the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

(3) EXCEPTION.—If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action to obtain declaratory or injunctive relief with respect to the violation.

SEC. 1705. NOTIFICATION OF RESTORATION OF VOTING RIGHTS.

(a) STATE NOTIFICATION.—

(1) NOTIFICATION.—On the date determined under paragraph (2), each State shall—

(A) notify in writing any individual who has been convicted of a criminal offense under the law of that State that such individual—

(i) has the right to vote in an election for Federal office pursuant to the Democracy Restoration Act of 2021; and

(ii) may register to vote in any such election; and

(B) provide such individual with any materials that are necessary to register to vote in any such election.

(2) DATE OF NOTIFICATION.—

(A) FELONY CONVICTION.—In the case of such an individual who has been convicted of a felony, the notification required under paragraph (1) shall be given on the date on which the individual—

(i) is sentenced to serve only a term of probation; or

(ii) is released from the custody of that State (other than to the custody of another State or the Federal Government to serve a term of imprisonment for a felony conviction).

(B) MISDEMEANOR CONVICTION.—In the case of such an individual who has been convicted of a misdemeanor, the notification required under paragraph (1) shall be given on the date on which such individual is sentenced by a State court.

(b) FEDERAL NOTIFICATION.—

(1) NOTIFICATION.—Any individual who has been convicted of a criminal offense under Federal law—

(A) shall be notified in accordance with paragraph (2) that such individual—

(i) has the right to vote in an election for Federal office pursuant to the Democracy Restoration Act of 2021; and

(ii) may register to vote in any such election; and

(B) shall be provided with any materials that are necessary to register to vote in any such election.

(2) DATE OF NOTIFICATION.—

(A) FELONY CONVICTION.—In the case of such an individual who has been convicted of a felony, the notification required under paragraph (1) shall be given—

(i) in the case of an individual who is sentenced to serve only a term of probation, by the Assistant Director for the Office of Probation and Pretrial Services of the Administrative Office of the United States Courts on the date on which the individual is sentenced; or

(ii) in the case of any individual committed to the custody of the Bureau of Prisons, by the Director of the Bureau of Prisons, during the period beginning on the date that is 6 months before such individual is released and ending on the date such individual is released from the custody of the Bureau of Prisons.

(B) MISDEMEANOR CONVICTION.—In the case of such an individual who has been convicted of a misdemeanor, the notification required under paragraph (1) shall be given on the date on which such individual is sentenced by a court established by an Act of Congress.

SEC. 1706. DEFINITIONS.

For purposes of this subtitle:

(1) CORRECTIONAL INSTITUTION OR FACILITY.—The term ''correctional institution or facility'' means any prison, penitentiary, jail, or other institution or facility for the confinement of individuals convicted of criminal offenses, whether publicly or privately operated, except that such term does not include any residential community treatment center (or similar public or private facility).

(2) ELECTION.—The term ''election'' means—

(A) a general, special, primary, or runoff election;

(B) a convention or caucus of a political party held to nominate a candidate;

(C) a primary election held for the selection of delegates to a national nominating convention of a political party; or

(D) a primary election held for the expression of a preference for the nomination of persons for election to the office of President.

(3) FEDERAL OFFICE.—The term ''Federal office'' means the office of President or Vice President of the United States, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States.

(4) PROBATION.—The term ''probation'' means probation, imposed by a Federal, State, or local court, with or without a condition on the individual involved concerning—

(A) the individual's freedom of movement;

(B) the payment of damages by the individual;

(C) periodic reporting by the individual to an officer of the court; or

(D) supervision of the individual by an officer of the court.

SEC. 1707. RELATION TO OTHER LAWS.

(a) STATE LAWS RELATING TO VOTING RIGHTS.—Nothing in this subtitle may be construed to prohibit the States from enacting any State law which affords the right to vote in any election for Federal office on terms less restrictive than those established by this subtitle.

(b) CERTAIN FEDERAL ACTS.—The rights and remedies established by this subtitle—

(1) are in addition to all other rights and remedies provided by law, and

(2) shall not supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) or the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

SEC. 1708. FEDERAL PRISON FUNDS.

No State, unit of local government, or other person may receive or use, to construct or otherwise improve a prison, jail, or other place of incarceration, any Federal funds unless that person has in effect a program under which each individual incarcerated in that person's jurisdiction who is a citizen of the United States is notified, upon release from such incarceration, of that individual's rights under section 1703.

SEC. 1709. EFFECTIVE DATE.

This subtitle shall apply to citizens of the United States voting in any election for Federal office held after the date of the enactment of this Act.

Subtitle I—Voter Identification and Allowable Alternatives

SEC. 1801. REQUIREMENTS FOR VOTER IDENTIFICATION.

(a) REQUIREMENT TO PROVIDE IDENTIFICATION AS CONDITION OF RECEIVING BALLOT.—Section 303 of the Help America Vote Act of 2002 (52 U.S.C. 21083) is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by inserting after subsection (b) the following new subsection:

''(c) VOTER IDENTIFICATION REQUIREMENTS.—

''(1) VOTER IDENTIFICATION REQUIREMENT DEFINED.—For purposes of this subsection:

''(A) IN GENERAL.—The term 'voter identification requirement' means any requirement that an individual desiring to vote in person in an election for Federal office present identification as a requirement to receive or cast a ballot in person in such election.

''(B) EXCEPTION.—Such term does not include any requirement described in subsection (b)(2)(A) as applied with respect to an individual described in subsection (b)(1).

''(2) IN GENERAL.—If a State or local jurisdiction has a voter identification requirement, the State or local jurisdiction—

''(A) shall treat any applicable identifying document as meeting such voter identification requirement;

''(B) notwithstanding the failure to present an applicable identifying document, shall treat an individual desiring to vote in person in an election for Federal office as meeting such voter identification requirement if—

''(i) the individual presents the appropriate State or local election official with a sworn written statement, signed in the presence of the official by an adult who has known the individual

for at least six months under penalty of perjury, attesting to the individual's identity;

''(ii) the official has known the individual for at least six months; or

''(iii) in the case of a resident of a State-licensed care facility, an employee of the facility confirms the individual's identity; and

''(C) shall permit any individual desiring to vote in an election for Federal office who does not present an applicable identifying document required under subparagraph (A) or qualify for an exception under subparagraph (B) to cast a provisional ballot with respect to the election under section 302 in accordance with paragraph (3).

''(3) RULES FOR PROVISIONAL BALLOT.—

''(A) IN GENERAL.—An individual may cast a provisional ballot pursuant to paragraph (2)(C) so long as the individual presents the appropriate State or local election official with a sworn written statement, signed by the individual under penalty of perjury, attesting to the individual's identity.

''(B) PROHIBITION ON OTHER REQUIREMENTS.—Except as otherwise provided this paragraph, a State or local jurisdiction may not impose any other additional requirement or condition with respect to the casting of a provisional ballot by an individual described in paragraph (2)(C).

''(C) COUNTING OF PROVISIONAL BALLOT.—In the case of a provisional ballot cast pursuant to paragraph (2)(C), the appropriate State or local election official shall not make a determination under section 302(a)(4) that the individual is eligible under State law to vote in the election unless—

''(i) the official determines that the signature on such statement matches the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; or

''(ii) not later than 10 days after casting the provisional ballot, the individual presents an applicable identifying document, either in person or by electronic methods, to the official and the official confirms the individual is the person identified on the applicable identifying document.

''(D) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES OR OTHER DEFECTS ON PROVISIONAL BALLOTS.—

''(i) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES.—If an individual casts a provisional ballot under this paragraph and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall—

''(I) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(aa) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and

''(bb) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(II) cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

''(ii) NOTICE AND OPPORTUNITY TO CURE OTHER DEFECTS.—If an individual casts a provisional ballot under this paragraph with a defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, shall—

''(I) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(aa) the ballot has some defect; and

''(bb) if the individual does not cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(II) count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual cures the defect.

''(E) NO EXEMPTION.—Notwithstanding section 302(a), States described in section 4(b) of the National Voter Registration Act of 1993 shall be required to meet the requirements of paragraph (2)(C).

''(F) RULE OF CONSTRUCTION.—

''(i) IN GENERAL.—Nothing in paragraph (2)(C) or this paragraph shall be construed to prevent a State from permitting an individual who provides a sworn statement described in subparagraph (A) to cast a regular ballot in lieu of a provisional ballot.

''(ii) REGULAR BALLOT.—For purpose of this subparagraph, the term 'regular ballot' means a ballot which is cast and counted in same manner as ballots cast by individuals meeting the voter identification requirement (and all other applicable requirements with respect to voting in the election).

''(4) DEVELOPMENT AND USE OF PRE-PRINTED VERSION OF STATEMENT BY COMMISSION.—

''(A) IN GENERAL.—The Commission shall develop pre-printed versions of the statements described in paragraphs (2)(B)(i) and (3)(A) which include appropriate blank spaces for the provision of names and signatures.

''(B) PROVIDING PRE-PRINTED COPY OF STATEMENT.—Each State and jurisdiction that has a voter identification requirement shall make copies of the pre-printed version of the statement developed under subparagraph (A) available at polling places for use by individuals voting in person.

''(5) REQUIRED PROVISION OF IDENTIFYING DOCUMENTS.—

''(A) IN GENERAL.—Each State and jurisdiction that has a voter identification requirement shall—

''(i) for each individual who, on or after the applicable date, is registered to vote in such State or jurisdiction in elections for Federal office, provide the individual with a government-issued identification that meets the requirements of this subsection without charge;

''(ii) for each individual who, before the applicable date, was registered to vote in such State or jurisdiction in elections for Federal office but does not otherwise possess an identifying document, provide the individual with a government-issued identification that meets the requirements of this subsection without charge, so long as the State provides the individual with reasonable opportunities to obtain such identification prior to the date of the election; and

''(iii) for each individual who is provided with an identification under clause (i) or clause (ii), provide the individual with such assistance without charge upon request as may be necessary to enable the individual to obtain and process any documentation necessary to obtain the identification.

''(B) APPLICABLE DATE.—For purposes of this paragraph, the term 'applicable date' means the later of—

''(i) January 1, 2022, or

''(ii) the first date after the date of the enactment of this subsection for which the State or local jurisdiction has in effect a voter identification requirement.

''(6) APPLICABLE IDENTIFYING DOCUMENT.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'applicable identifying document' means, with respect to any individual, any document issued to such individual containing the individual's name.

''(B) INCLUDED DOCUMENTS.—The term 'applicable identifying document' shall include any of the following (so long as such document is not expired, as indicated by an expiration date included on the document):

''(i) A valid driver's license or an identification card issued by a State, the Federal Government, or a State or federally recognized Tribal government.

''(ii) A State-issued identification described in paragraph (4).

''(iii) A valid United States passport or passport card.

''(iv) A valid employee identification card issued by—

''(I) any branch, department, agency, or entity of the United States Government or of any State,

''(II) any State or federally recognized Tribal government, or

''(III) any county, municipality, board, authority, or other political subdivision of a State.

''(v) A valid student identification card issued by an institution of higher education, or a valid high school identification card issued by a State-accredited high school.

''(vi) A valid military identification card issued by the United States.

''(vii) A valid gun license or concealed carry permit.

''(viii) A valid Medicare card or Social Security card.

''(ix) A valid birth certificate.

''(x) A valid voter registration card.

''(xi) A valid hunting or fishing license issued by a State.

''(xii) A valid identification card issued to the individual by the Supplemental Nutrition Assistance (SNAP) program.

''(xiii) A valid identification card issued to the individual by the Temporary Assistance for Needy Families (TANF) program.

''(xiv) A valid identification card issued to the individual by Medicaid.

''(xv) A valid bank card or valid debit card.

''(xvi) A valid utility bill issued within six months of the date of the election.

''(xvii) A valid lease or mortgage document issued within six months of the date of the election.

''(xviii) A valid bank statement issued within six months of the date of the election.

''(xix) A valid health insurance card issued to the voter.

''(xx) Any other document containing the individual's name issued by—

''(I) any branch, department, agency, or entity of the United States Government or of any State;

''(II) any State or federally recognized tribal government; or

''(III) any county, municipality, board, authority, or other political subdivision of a State.

''(C) COPIES AND ELECTRONIC DOCUMENTS ACCEPTED.—The term 'applicable identifying document' includes—

''(i) any copy of a document described in subparagraph (A) or (B); and

''(ii) any document described in subparagraph (A) or (B) which is presented in electronic format.''.

(b) PAYMENTS TO STATES TO COVER COSTS OF REQUIRED IDENTIFICATION DOCUMENTS.—

(1) IN GENERAL.—The Election Assistance Commission shall make payments to States to cover the costs incurred in providing identifications under section 303(c)(5) of the Help America Vote Act of 2002, as amended by this section.

(2) AMOUNT OF PAYMENT.—The amount of the payment made to a State under this subsection for any year shall be equal to the amount of fees which would have been collected by the State

during the year in providing the identifications required under section 303(c)(5) of such Act if the State had charged the usual and customary rates for such identifications, as determined on the basis of information furnished to the Commission by the State at such time and in such form as the Commission may require.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for payments under this subsection an aggregate amount of $5,000,000 for fiscal year 2022 and each of the 4 succeeding fiscal years.

(c) CONFORMING AMENDMENTS.—Section 303(b)(2)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(b)(2)(A)) is amended—

(1) in clause (i), by striking ''in person'' and all that follows and inserting ''in person, presents to the appropriate State or local election official an applicable identifying document (as defined in subsection (c)(6)); or''; and

(2) in clause (ii), by striking ''by mail'' and all that follows and inserting ''by mail, submits with the ballot an applicable identifying document (as so defined).''.

(d) DEFINITION.—For the purposes of this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(e) EFFECTIVE DATE.—Section 303(e) of such Act (52 U.S.C. 21083(d)(2)), as redesignated by subsection (a), is amended by adding at the end the following new paragraph:

''(3) VOTER IDENTIFICATION REQUIREMENTS.—Each State and jurisdiction shall be required to comply with the requirements of subsection (c) with respect to elections for Federal office held on or after January 1, 2022.''.

Subtitle J—Voter List Maintenance Procedures

PART 1—VOTER CAGING PROHIBITED

SEC. 1901. VOTER CAGING PROHIBITED.

(a) DEFINITIONS.—In this section—

(1) the term ''voter caging document'' means—

(A) a non-forwardable document sent by any person other than a State or local election official that is returned to the sender or a third party as undelivered or undeliverable despite an attempt to deliver such document to the address of a registered voter or applicant; or

(B) any document sent by any person other than a State or local election official with instructions to an addressee that the document be returned to the sender or a third party but is not so returned, despite an attempt to deliver such document to the address of a registered voter or applicant;

(2) the term ''voter caging list'' means a list of individuals compiled from voter caging documents; and

(3) the term ''unverified match list'' means any list produced by matching the information of registered voters or applicants for voter registration to a list of individuals who are ineligible to vote in the registrar's jurisdiction, by virtue of death, conviction, change of address, or otherwise, unless one of the pieces of information matched includes a signature, photograph, or unique identifying number ensuring that the information from each source refers to the same individual.

(b) PROHIBITION AGAINST VOTER CAGING.—No State or local election official shall prevent an individual from registering or voting in any election for Federal office, or permit in connection with any election for Federal office 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 any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material to an individual's eligibility to vote under section 2004(a)(2)(B) of the Revised Statutes (52 U.S.C. 10101(a)(2)(B)); or

(4) any other evidence so designated for purposes of this section by the Election Assistance Commission,

except that the election official may use such evidence if it is corroborated by independent evidence of the individual's ineligibility to register or vote.

(c) ENFORCEMENT.—

(1) CIVIL ENFORCEMENT.—

(A) IN GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this section.

(B) PRIVATE RIGHT OF ACTION.—

(i) IN GENERAL.—A person who is aggrieved by a violation of this section may provide written notice of the violation to the chief election official of the State involved.

(ii) RELIEF.—Except as provided in clause (iii), if the violation is not corrected within 90 days after receipt of a notice under clause (i), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

(iii) EXCEPTION.—If the violation occurred within 30 days before the date of an election for Federal office, on the date of the election, or after the date of the election but prior to the completion of the canvass, the aggrieved person need not provide notice under clause (i) before bringing a civil action to obtain declaratory or injunctive relief with respect to the violation.

(2) CRIMINAL PENALTY.—Whoever knowingly challenges the eligibility of one or more individuals to register or vote or knowingly causes the eligibility of such individuals to be challenged in violation of this section with the intent that one or more eligible voters be disqualified, shall be fined under title 18, United States Code, or imprisoned not more than 1 year, or both, for each such violation. Each violation shall be a separate offense.

(d) NO EFFECT ON RELATED LAWS.—Nothing in this section is intended to override the protections of the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) or to affect the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

PART 2—SAVING ELIGIBLE VOTERS FROM VOTER PURGING

SEC. 1911. CONDITIONS FOR REMOVAL OF VOTERS FROM LIST OF REGISTERED VOTERS.

(a) CONDITIONS DESCRIBED.—The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) is amended by inserting after section 8 the following new section:

''SEC. 8A. CONDITIONS FOR REMOVAL OF VOTERS FROM OFFICIAL LIST OF REGISTERED VOTERS.

''(a) VERIFICATION ON BASIS OF OBJECTIVE AND RELIABLE EVIDENCE OF INELIGIBILITY.—

''(1) REQUIRING VERIFICATION.—Notwithstanding any other provision of this Act, a State may not remove the name of any registrant from the official list of voters eligible to vote in elections for Federal office in the State unless the State verifies, on the basis of objective and reliable evidence, that the registrant is ineligible to vote in such elections.

''(2) FACTORS NOT CONSIDERED AS OBJECTIVE AND RELIABLE EVIDENCE OF INELIGIBILITY.—For purposes of paragraph (1), except as permitted under section 8(d) after a notice described in paragraph (2) of such section has been sent, the following factors, or any combination thereof, shall not be treated as objective and reliable evidence of a registrant's ineligibility to vote:

''(A) The failure of the registrant to vote in any election.

''(B) The failure of the registrant to respond to any election mail, unless the election mail has been returned as undeliverable.

''(C) The failure of the registrant to take any other action with respect to voting in any election or with respect to the registrant's status as a registrant.

''(3) REMOVAL BASED ON OFFICIAL RECORDS.—

''(A) IN GENERAL.—Nothing in this section shall prohibit a State from removing a registrant from the official list of eligible voters in elections for Federal office if, on the basis of official records maintained by the State, a State or local election official knows, on the basis of objective and reliable evidence, that the registrant has—

''(i) died; or

''(ii) permanently moved out of the State and is no longer eligible to vote in the State.

''(B) OPPORTUNITY TO DEMONSTRATE ELIGIBILITY.—The State shall provide a voter removed from the official list of eligible voters in elections for Federal office under this paragraph an opportunity to demonstrate that the registrant is eligible to vote and be reinstated on the official list of eligible voters in elections for Federal office in the State.

''(b) NOTICE AFTER REMOVAL.—

''(1) NOTICE TO INDIVIDUAL REMOVED.—

''(A) IN GENERAL.—Not later than 48 hours after a State removes the name of a registrant from the official list of eligible voters, the State shall send notice of the removal to the former registrant, and shall include in the notice the grounds for the removal and information on how the former registrant may contest the removal or be reinstated, including a telephone number for the appropriate election official.

''(B) EXCEPTIONS.—Subparagraph (A) does not apply in the case of a registrant—

''(i) who sends written confirmation to the State that the registrant is no longer eligible to vote in the registrar's jurisdiction in which the registrant was registered; or

''(ii) who is removed from the official list of eligible voters by reason of the death of the registrant.

''(2) PUBLIC NOTICE.—Not later than 48 hours after conducting any general program to remove the names of ineligible voters from the official list of eligible voters (as described in section 8(a)(4)), the State shall disseminate a public notice through such methods as may be reasonable to reach the general public (including by publishing the notice in a newspaper of wide circulation and posting the notice on the websites of the appropriate election officials) that list maintenance is taking place and that registrants should check their registration status to ensure no errors or mistakes have been made. The State shall ensure that the public notice disseminated under this paragraph is in a format that is reasonably convenient and accessible to voters with disabilities, including voters who have low vision or are blind.''.

(b) CONDITIONS FOR TRANSMISSION OF NOTICES OF REMOVAL.—Section 8(d) of such Act (52 U.S.C. 20507(d)) is amended by adding at the end the following new paragraph:

''(4) A State may not transmit a notice to a registrant under this subsection unless the State obtains objective and reliable evidence (in accordance with the standards for such evidence which are described in section 8A(a)(2)) that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered.''.

(c) CONFORMING AMENDMENTS.—

(1) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 8(a) of such Act (52 U.S.C. 20507(a)) is amended—

(A) in paragraph (3), by striking ''provide'' and inserting ''subject to section 8A, provide''; and

(B) in paragraph (4), by striking ''conduct'' and inserting ''subject to section 8A, conduct''.

(2) HELP AMERICA VOTE ACT OF 2002.—Section 303(a)(4)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)(4)(A)) is amended by striking ''registrants'' the second place it appears and inserting ''and subject to section 8A of such Act, registrants''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Subtitle K—Severability

SEC. 1921. SEVERABILITY.

If any provision of this title or any amendment made by this title, or the application of any such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

DIVISION B—ELECTION INTEGRITY

TITLE II—PROHIBITING INTERFERENCE WITH VOTER REGISTRATION

SEC. 2001. PROHIBITING HINDERING, INTERFERING WITH, OR PREVENTING VOTER REGISTRATION.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 612. Hindering, interfering with, or preventing registering to vote

''(a) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to corruptly hinder, interfere with, or prevent another person from registering to vote or to corruptly hinder, interfere with, or prevent another person from aiding another person in registering to vote.

''(b) ATTEMPT.—Any person who attempts to commit any offense described in subsection (a) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(c) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

''612. Hindering, interfering with, or preventing registering to vote.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections held on or after the date of the enactment of this Act, except that no person may be found to have violated section 612 of title 18, United States Code (as added by subsection (a)), on the basis of any act occurring prior to the date of the enactment of this Act.

SEC. 2002. ESTABLISHMENT OF BEST PRACTICES.

(a) BEST PRACTICES.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall develop and publish recommendations for best practices for States to use to deter and prevent violations of section 612 of title 18, United States Code (as added by section 2001), and section 12 of the National Voter Registration Act of 1993 (52 U.S.C. 20511) (relating to the unlawful interference with registering to vote, or voting, or attempting to register to vote or vote), including practices to provide for the posting of relevant information at polling places and voter registration agencies under such Act, the training of poll workers and election officials, and relevant educational materials. For purposes of this subsection, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) INCLUSION IN VOTER INFORMATION REQUIREMENTS.—Section 302(b)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(G) information relating to the prohibitions of section 612 of title 18, United States Code, and section 12 of the National Voter Registration Act of 1993 (52 U.S.C. 20511) (relating to the unlawful interference with registering to vote, or voting, or attempting to register to vote or vote), including information on how individuals may report allegations of violations of such prohibitions.''.

TITLE III—PREVENTING ELECTION SUBVERSION

Subtitle A—Restrictions on Removal of Election Administrators

SEC. 3001. RESTRICTIONS ON REMOVAL OF LOCAL ELECTION ADMINISTRATORS IN ADMINISTRATION OF ELECTIONS FOR FEDERAL OFFICE.

(a) FINDINGS.—Congress makes the following findings:

(1) Congress has explicit and broad authority to regulate the time, place, and manner of Federal elections under the Elections Clause under article I, section 4, clause 1 of the Constitution, including by establishing standards for the fair, impartial, and uniform administration of Federal elections by State and local officials.

(2) The Elections Clause was understood from the framing of the Constitution to contain ''words of great latitude,'' granting Congress broad power over Federal elections and a plenary right to preempt State regulation in this area. As made clear at the Constitutional Convention and the State ratification debates that followed, this grant of congressional authority was meant to ''insure free and fair elections,'' promote the uniform administration of Federal elections, and ''preserve and restore to the people their equal and sacred rights of election.''.

(3) In the founding debates on the Elections Clause, many delegates also argued that a broad grant of authority to Congress over Federal elections was necessary to check any ''abuses that might be made of the discretionary power'' to regulate the time, place, and manner of elections granted the States, including attempts at partisan entrenchment, malapportionment, and the exclusion of political minorities. As the Supreme Court has recognized, the Elections Clause empowers Congress to ''protect the elections on which its existence depends,'' Ex parte Yarbrough, 110 U.S. 651, 658 (1884), and ''protect the citizen in the exercise of rights conferred by the Constitution of the United States essential to the healthy organization of the government itself,'' id. at 666.

(4) The Elections Clause grants Congress ''plenary and paramount jurisdiction over the whole subject'' of Federal elections, Ex parte Siebold, 100 U.S. 371, 388 (1879), allowing Congress to implement ''a complete code for congressional elections.'' Smiley v. Holm, 285 U.S. 355, 366 (1932). The Elections Clause, unlike, for example, the Commerce Clause, has been found to grant Congress the authority to compel States to alter their regulations as to Federal elections, id. at id. at 366–67, even if these alterations would impose additional costs on the States to execute or enforce. Association of Community Organizations for Reform Now v. Miller, 129 F.3d 833 (6th Cir. 1997).

(5) The phrase ''manner of holding elections'' in the Elections Clause has been interpreted by the Supreme Court to authorize Congress to regulate all aspects of the Federal election process, including ''notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and the making and publication of election returns.'' Smiley v. Holm, 285 U.S. 355, 366 (1932).

(6) The Supreme Court has recognized the broad ''substantive scope'' of the Elections Clause and upheld Federal laws promulgated thereunder regulating redistricting, voter registration, campaign finance, primary elections, recounts, party affiliation rules, and balloting.

(7) The authority of Congress under the Elections Clause also entails the power to ensure enforcement of its laws regulating Federal elections. ''[I]f Congress has the power to make regulations, it must have the power to enforce them.'' Ex parte Siebold, 100 U.S. 371, 387 (1879). The Supreme Court has noted that there can be no question that Congress may impose additional penalties for offenses committed by State officers in connection with Federal elections even if they differ from the penalties prescribed by State law for the same acts. Id. at 387–88.

(8) The fair and impartial administration of Federal elections by State and local officials is central to ''the successful working of this government,'' Ex parte Yarbrough, 110 U.S. 651, 666 (1884), and to ''protect the act of voting . . . and the election itself from corruption or fraud,'' id. at 661–62.

(9) The Elections Clause thus grants Congress the authority to ensure that the administration of Federal elections is free of political bias or discrimination and that election officials are insulated from political influence or other forms of coercion in discharging their duties in connection with Federal elections.

(10) In some States, oversight of local election administrators has been allocated to State Election Boards, or special commissions formed by those boards, that are appointed by the prevailing political party in a State, as opposed to nonpartisan or elected office holders.

(11) In certain newly enacted State policies, these appointed statewide election administrators have been granted wide latitude to suspend or remove local election administrators in cases where the statewide election administrators identify whatever the State deems to be a violation. There is no requirement that there be a finding of intent by the local election administrator to commit the violation.

(12) Local election administrators across the country can be suspended or removed according to different standards, potentially exposing them to different political pressures or biases that could result in uneven administration of Federal elections.

(13) The Elections Clause grants Congress the ultimate authority to ensure that oversight of State and local election administrators is fair and impartial in order to ensure equitable and uniform administration of Federal elections.

(b) RESTRICTION.—

(1) STANDARD FOR REMOVAL OF A LOCAL ELECTION ADMINISTRATOR.—A statewide election administrator may only suspend, remove, or relieve the duties of a local election administrator in the State with respect to the administration of an election for Federal office for inefficiency, neglect of duty, or malfeasance in office.

(2) PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—Any local election administrator suspended, removed, or otherwise relieved of duties in violation of paragraph (1) with respect to the administration of an election for Federal office or against whom any proceeding for suspension, removal, or relief from duty in violation of paragraph (1) with respect to the administration of an election for Federal office may be pending, may bring an action in an appropriate district court of the United States for declaratory or injunctive relief with respect to the violation. Any such action shall name as the defendant the statewide election administrator responsible for the adverse action. The district court shall, to the extent practicable, expedite any such proceeding.

(B) STATUTE OF LIMITATIONS.—Any action brought under this subsection must be commenced not later than one year after the date of the suspension, removal, relief from duties, or commencement of the proceeding to remove, suspend, or relieve the duties of a local election administrator with respect to the administration of an election for Federal office.

(3) ATTORNEY'S FEES.—In any action or proceeding under this subsection, the court may allow a prevailing plaintiff, other than the United States, reasonable attorney's fees as part of the costs, and may include expert fees as part of the attorney's fee. The term ''prevailing

plaintiff'' means a plaintiff that substantially prevails pursuant to a judicial or administrative judgment or order, or an enforceable written agreement.

(4) REMOVAL OF STATE PROCEEDINGS TO FEDERAL COURT.—A local election administrator who is subject to an administrative or judicial proceeding for suspension, removal, or relief from duty by a statewide election administrator with respect to the administration of an election for Federal office may remove the proceeding to an appropriate district court of the United States. Any order remanding a case to the State court or agency from which it was removed under this subsection shall be reviewable by appeal or otherwise.

(5) RIGHT OF UNITED STATES TO INTERVENE.—

(A) NOTICE TO ATTORNEY GENERAL.—Whenever any administrative or judicial proceeding is brought to suspend, remove, or relieve the duties of any local election administrator by a statewide election administrator with respect to the administration of an election for Federal office, the statewide election administrator who initiated such proceeding shall deliver a copy of the pleadings instituting the proceeding to the Assistant Attorney General for the Civil Rights Division of the Department of Justice. The local election administrator against whom such proceeding is brought may also deliver such pleadings to the Assistant Attorney General.

(B) RIGHT TO INTERVENE.—The United States may intervene in any administrative or judicial proceeding brought to suspend, remove, or relieve the duties of any local election administrator by a statewide election administrator with respect to the administration of an election for Federal office and in any action initiated pursuant to paragraph (2) or in any removal pursuant to paragraph (4).

(6) REVIEW.—In reviewing any action brought under this section, a court of the United States shall not afford any deference to any State official, administrator, or tribunal that initiated, approved, adjudicated, or reviewed any administrative or judicial proceeding to suspend, remove, or otherwise relieve the duties of a local election administrator.

(c) REPORTS TO DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—Not later than 30 days after the suspension, removal, or relief of the duties of a local election administrator by a statewide election administrator, the Statewide election administrator shall submit to the Assistant Attorney General for the Civil Rights Divisions of the Department of Justice a report that includes the following information:

(A) A statement that a local election administrator was suspended, removed, or relieved of their duties.

(B) Information on whether the local election administrator was determined to have engaged in gross negligence, neglect of duty, or malfeasance in office.

(C) A description of the effect that the suspension, removal, or relief of the duties of the local election administrator will have on—

(i) the administration of elections and voters in the election jurisdictions for which the local election official provided such duties; and

(ii) the administration of elections and voters in the State at large.

(D) Demographic information about the local election official suspended, removed, or relieved and the jurisdictions for which such election official was providing the duties suspended, removed, or relieved.

(E) Such other information as requested by the Assistant Attorney General for the purposes of determining—

(i) whether such suspension, removal, or relief of duties was based on unlawful discrimination; and

(ii) (whether such suspension, removal, or relief of duties was due to gross negligence, neglect of duty, or malfeasance in office.

(2) EXPEDITED REPORTING FOR ACTIONS WITHIN 30 DAYS OF AN ELECTION.—

(A) IN GENERAL.—If a suspension, removal, or relief of duties of a local administrator described in paragraph (1) occurs during the period described in subparagraph (B), the report required under paragraph (1) shall be submitted not later than 48 hours after such suspension, removal, or relief of duties.

(B) PERIOD DESCRIBED.—The period described in this subparagraph is any period which begins 60 days before the date of an election for Federal office and which ends 60 days after such election.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ELECTION.—The term ''election'' has the meaning given the term in section 301(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(1)).

(2) FEDERAL OFFICE.—The term ''Federal office'' has the meaning given the term in section 301(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(3)).

(3) LOCAL ELECTION ADMINISTRATOR.—The term ''local election administrator'' means, with respect to a local jurisdiction in a State, the individual or entity responsible for the administration of elections for Federal office in the local jurisdiction.

(4) STATEWIDE ELECTION ADMINISTRATOR.—The term ''Statewide election administrator'' means, with respect to a State—

(A) the individual or entity, including a State elections board, responsible for the administration of elections for Federal office in the State on a statewide basis; or

(B) a statewide legislative or executive entity with the authority to suspend, remove, or relieve a local election administrator.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant any additional authority to remove a local elections administrator beyond any authority provided under the law of the State.

Subtitle B—Increased Protections for Election Workers

SEC. 3101. HARASSMENT OF ELECTION WORKERS PROHIBITED.

(a) IN GENERAL.—Chapter 29 of title 18, United 6 States Code, as amended by section 2001(a), is amended by adding at the end the following new section:

''SEC. 613. HARASSMENT OF ELECTION RELATED OFFICIALS.

''(a) HARASSMENT OF ELECTION WORKERS.—It shall be unlawful for any person, whether acting under color of law or otherwise, to intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce an election worker described in subsection (b) with intent to impede, intimidate, or interfere with such official while engaged in the performance of official duties, or with intent to retaliate against such official on account of the performance of official duties.

''(b) ELECTION WORKER DESCRIBED.—An election worker as described in this section is any individual who is an election official, poll worker, or an election volunteer in connection with an election for a Federal office.

''(c) PENALTY.—Any person who violates subsection (a) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, as amended by section 2001(b), is amended by adding at the end the following new item:

''613. Harassment of election related officials.''.

SEC. 3102. PROTECTION OF ELECTION WORKERS.

Paragraph (2) of section 119(b) of title 18, United States Code, is amended by striking ''or'' at the end of subparagraph (C), by inserting ''or'' at the end of subparagraph (D), and by adding at the end the following new subparagraph:

''(E) any individual who is an election official, a poll worker, or an election volunteer in connection with an election for a Federal office;''.

Subtitle C—Prohibiting Deceptive Practices and Preventing Voter Intimidation

SEC. 3201. SHORT TITLE.

This subtitle may be cited as the ''Deceptive Practices and Voter Intimidation Prevention Act of 2021''.

SEC. 3202. PROHIBITION ON DECEPTIVE PRACTICES IN FEDERAL ELECTIONS.

(a) PROHIBITION.—Subsection (b) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)) is amended—

(1) by striking ''No person'' and inserting the following:

''(1) IN GENERAL.—No person''; and

(2) by inserting at the end the following new paragraphs:

''(2) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time, place, or manner of holding any election described in paragraph (5); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal, civil, or other legal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(3) FALSE STATEMENTS REGARDING PUBLIC ENDORSEMENTS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate, or cause to be communicated, a materially false statement about an endorsement, if such person—

''(i) knows such statement to be false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) DEFINITION OF 'MATERIALLY FALSE'.—For purposes of subparagraph (A), a statement about an endorsement is 'materially false' if, with respect to an upcoming election described in paragraph (5)—

''(i) the statement states that a specifically named person, political party, or organization has endorsed the election of a specific candidate for a Federal office described in such paragraph; and

''(ii) such person, political party, or organization has not endorsed the election of such candidate.

''(4) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in paragraph (5), including by operating a polling place or ballot box that falsely purports to be an official location established for such an election by a unit of government.

''(5) ELECTION DESCRIBED.—An election described in this paragraph is any general, primary, runoff, or special election held solely or in

part for the purpose of nominating or electing a candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.''.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—Subsection (c) of section 2004 of the Revised Statutes (52 U.S.C. 10101(c)) is amended—

(A) by striking ''Whenever any person'' and inserting the following:

''(1) IN GENERAL.—Whenever any person''; and

(B) by adding at the end the following new paragraph:

''(2) CIVIL ACTION.—Any person aggrieved by a violation of this section may institute a civil action for preventive relief, including an application in a United States district court for a permanent or temporary injunction, restraining order, or other order. In any such action, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.''.

(2) CONFORMING AMENDMENTS.—Section 2004 of the Revised Statutes (52 U.S.C. 10101) is amended—

(A) in subsection (e), by striking ''subsection (c)'' and inserting ''subsection (c)(1)''; and

(B) in subsection (g), by striking ''subsection (c)'' and inserting ''subsection (c)(1)''.

(c) CRIMINAL PENALTIES.—

(1) DECEPTIVE ACTS.—Section 594 of title 18, United States Code, is amended—

(A) by striking ''Whoever'' and inserting the following:

''(a) INTIMIDATION.—Whoever'';

(B) in subsection (a), as inserted by subparagraph (A), by striking ''at any election'' and inserting ''at any general, primary, runoff, or special election''; and

(C) by adding at the end the following new subsections:

''(b) DECEPTIVE ACTS.—

''(1) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, within 60 days before an election described in subsection (e), by any means, including by means of written, electronic, or telephonic communications, to communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in subsection (e).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time or place of holding any election described in subsection (e); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal, civil, or other legal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(c) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—

''(1) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to corruptly hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in subsection (e).

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(d) ATTEMPT.—Any person who attempts to commit any offense described in subsection (a), (b)(1), or (c)(1) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(e) ELECTION DESCRIBED.—An election described in this subsection is any general, primary, runoff, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, Presidential elector, Senator, Member of the House of Representatives, or Delegate or Resident Commissioner to the Congress.''.

(2) MODIFICATION OF PENALTY FOR VOTER INTIMIDATION.—Section 594(a) of title 18, United States Code, as amended by paragraph (1), is amended by striking ''fined under this title or imprisoned not more than one year'' and inserting ''fined not more than $100,000, imprisoned for not more than 5 years''.

(3) SENTENCING GUIDELINES.—

(A) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 594 of title 18, United States Code, as amended by this section.

(B) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal Sentencing Guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(4) PAYMENTS FOR REFRAINING FROM VOTING.—Subsection (c) of section 11 of the Voting Rights Act of 1965 (52 U.S.C. 10307) is amended by striking ''either for registration to vote or for voting'' and inserting ''for registration to vote, for voting, or for not voting''.

SEC. 3203. CORRECTIVE ACTION.

(a) CORRECTIVE ACTION.—

(1) IN GENERAL.—If the Attorney General receives a credible report that materially false information has been or is being communicated in violation of paragraphs (2) and (3) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 3202(a), and if the Attorney General determines that State and local election officials have not taken adequate steps to promptly communicate accurate information to correct the materially false information, the Attorney General shall, pursuant to the written procedures and standards under subsection (b), communicate to the public, by any means, including by means of written, electronic, or telephonic communications, accurate information designed to correct the materially false information.

(2) COMMUNICATION OF CORRECTIVE INFORMATION.—Any information communicated by the Attorney General under paragraph (1)—

(A) shall—

(i) be accurate and objective;

(ii) consist of only the information necessary to correct the materially false information that has been or is being communicated; and

(iii) to the extent practicable, be by a means that the Attorney General determines will reach the persons to whom the materially false information has been or is being communicated; and

(B) shall not be designed to favor or disfavor any particular candidate, organization, or political party.

(b) WRITTEN PROCEDURES AND STANDARDS FOR TAKING CORRECTIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall publish written procedures and standards for determining when and how corrective action will be taken under this section.

(2) INCLUSION OF APPROPRIATE DEADLINES.—The procedures and standards under paragraph (1) shall include appropriate deadlines, based in part on the number of days remaining before the upcoming election.

(3) CONSULTATION.—In developing the procedures and standards under paragraph (1), the Attorney General shall consult with the Election Assistance Commission, State and local election officials, civil rights organizations, voting rights groups, voter protection groups, and other interested community organizations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this subtitle.

SEC. 3204. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after each general election for Federal office, the Attorney General shall submit to Congress a report compiling all allegations received by the Attorney General of deceptive practices described in paragraphs (2), (3), and (4) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 3202(a), relating to the general election for Federal office and any primary, runoff, or a special election for Federal office held in the 2 years preceding the general election.

(b) CONTENTS.—

(1) IN GENERAL.—Each report submitted under subsection (a) shall include—

(A) a description of each allegation of a deceptive practice described in subsection (a), including the geographic location, racial and ethnic composition, and language minority-group membership of the persons toward whom the alleged deceptive practice was directed;

(B) the status of the investigation of each allegation described in subparagraph (A);

(C) a description of each corrective action taken by the Attorney General under section 4(a) in response to an allegation described in subparagraph (A);

(D) a description of each referral of an allegation described in subparagraph (A) to other Federal, State, or local agencies;

(E) to the extent information is available, a description of any civil action instituted under section 2004(c)(2) of the Revised Statutes (52 U.S.C. 10101(c)(2)), as added by section 3202(b), in connection with an allegation described in subparagraph (A); and

(F) a description of any criminal prosecution instituted under section 594 of title 18, United States Code, as amended by section 3202(c), in connection with the receipt of an allegation described in subparagraph (A) by the Attorney General.

(2) EXCLUSION OF CERTAIN INFORMATION.—

(A) IN GENERAL.—The Attorney General shall not include in a report submitted under subsection (a) any information protected from disclosure by rule 6(e) of the Federal Rules of Criminal Procedure or any Federal criminal statute.

(B) EXCLUSION OF CERTAIN OTHER INFORMATION.—The Attorney General may determine that the following information shall not be included in a report submitted under subsection (a):

(i) Any information that is privileged.

(ii) Any information concerning an ongoing investigation.

(iii) Any information concerning a criminal or civil proceeding conducted under seal.

(iv) Any other nonpublic information that the Attorney General determines the disclosure of which could reasonably be expected to infringe on the rights of any individual or adversely affect the integrity of a pending or future criminal investigation.

(c) REPORT MADE PUBLIC.—On the date that the Attorney General submits the report under

subsection (a), the Attorney General shall also make the report publicly available through the internet and other appropriate means.

SEC. 3205. PRIVATE RIGHTS OF ACTION BY ELECTION OFFICIALS.

Subsection (c)(2) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 3202(b), is amended—

(1) by striking ''Any person'' and inserting the following:

''(A) IN GENERAL.—Any person''; and

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

''(B) INTIMIDATION, ETC.—

''(i) IN GENERAL.—A person aggrieved by a violation of subsection (b)(1) shall include, without limitation, an officer responsible for maintaining order and preventing intimidation, threats, or coercion in or around a location at which voters may cast their votes. .

''(ii) CORRECTIVE ACTION.—If the Attorney General receives a credible report that conduct that violates or would be reasonably likely to violate subsection (b)(1) has occurred or is likely to occur, and if the Attorney General determines that State and local officials have not taken adequate steps to promptly communicate that such conduct would violate subsection (b)(1) or applicable State or local laws, Attorney General shall communicate to the public, by any means, including by means of written, electronic, or telephonic communications, accurate information designed to convey the unlawfulness of proscribed conduct under subsection (b)(1) and the responsibilities of and resources available to State and local officials to prevent or correct such violations.''.

SEC. 3206. MAKING INTIMIDATION OF TABULATION, CANVASS, AND CERTIFICATION EFFORTS A CRIME.

Section 12(1) of the National Voter Registration Act (52 U.S.C. 20511) is amended—

(1) in subparagraph (B), by striking ''or'' at the end; and

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

''(D) processing or scanning ballots, or tabulating, canvassing, or certifying voting results; or''.

Subtitle D—Protection of Election Records & Election Infrastructure

SEC. 3301. STRENGTHEN PROTECTIONS FOR FEDERAL ELECTION RECORDS.

(a) FINDING OF CONSTITUTIONAL AUTHORITY.—Congress finds as follows:

(1) Congress has explicit and broad authority to regulate the time, place, and manner of Federal elections under the Elections Clause under article I, section 4, clause 1 of the Constitution, including by establishing standards for the fair, impartial, and uniform administration of Federal elections by State and local officials.

(2) The Elections Clause grants Congress ''plenary and paramount jurisdiction over the whole subject'' of Federal elections, Ex parte Siebold, 100 U.S. 371, 388 (1879), allowing Congress to implement ''a complete code for congressional elections.'' Smiley v. Holm, 285 U.S. 355, 366 (1932).

(3) The fair and impartial administration of Federal elections by State and local officials is central to ''the successful working of this government'', Ex parte Yarbrough, 110 U.S. 651, 666 (1884), and to ''protect the act of voting . . . and the election itself from corruption or fraud'', id. at 661–62.

(4) The Elections Clause thus grants Congress the authority to strengthen the protections for Federal election records.

(5) Congress has intervened in the electoral process to protect the health and legitimacy of federal elections, including for example, Congress' enactment of the Help America Vote Act of 2002 as a response to several issues that occurred during the 2000 Presidential election. See ''The Elections Clause: Constitutional Interpretation and Congressional Exercise'', Hearing Before Comm. on House Administration, 117th Cong. (2021), written testimony of Vice Dean Franita Tolson at 3.

(b) STRENGTHENING OF PROTECTIONS.—Section 301 of the Civil Rights Act of 1960 (52 U.S.C. 20701) is amended—

(1) by striking ''Every officer'' and inserting the following:

''(a) IN GENERAL.—Every officer'';

(2) by striking ''records and papers'' and inserting ''records (including electronic records), papers, and election equipment'' each place the term appears;

(3) by striking ''record or paper'' and inserting ''record (including electronic record), paper, or election equipment'';

(4) by inserting ''(but only under the direct administrative supervision of an election officer). Notwithstanding any other provision of this section, the paper record of a voter's cast ballot shall remain the official record of the cast ballot for purposes of this title'' after ''upon such custodian'';

(5) by inserting '', or acts in reckless disregard of,'' after ''fails to comply with''; and

(6) by inserting after subsection (a) the following:

''(b) ELECTION EQUIPMENT.—The requirement in subsection (a) to preserve election equipment shall not be construed to prevent the reuse of such equipment in any election that takes place within twenty-two months of a Federal election described in subsection (a), provided that all electronic records, files, and data from such equipment related to such Federal election are retained and preserved.

''(c) GUIDANCE.—Not later than 1 year after the date of enactment of this subsection, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in consultation with the Election Assistance Commission and the Attorney General, shall issue guidance regarding compliance with subsections (a) and (b), including minimum standards and best practices for retaining and preserving records and papers in compliance with subsection (a). Such guidance shall also include protocols for enabling the observation of the preservation, security, and transfer of records and papers described in subsection (a) by the Attorney General and by a representative of each party, as defined by the Attorney General.''.

(c) PROTECTING THE INTEGRITY OF PAPER BALLOTS IN FEDERAL ELECTIONS.—

(1) PROTOCOLS AND CONDITIONS FOR INSPECTION OF BALLOTS.—Not later than 60 days after the date of the enactment of this Act, the Attorney General, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and the Election Assistance Commission, shall promulgate regulations establishing the election security protocols and conditions, including appropriate chain of custody and proper preservation practices, which will apply to the inspection of the paper ballots which are required to be retained and preserved under section 301 of the Civil Rights Act of 1960 (52 U.S.C. 20701).

(2) CAUSE OF ACTION FOR INJUNCTIVE AND DECLARATORY RELIEF.—The Attorney General may bring an action in an appropriate district court of the United States for such declaratory or injunctive relief as may be necessary to ensure compliance with the regulations promulgated under subsection (a).

SEC. 3302. PENALTIES; INSPECTION; NONDISCLOSURE; JURISDICTION.

(a) EXPANSION OF SCOPE OF PENALTIES FOR INTERFERENCE.—Section 302 of the Civil Rights Act of 1960 (52 U.S.C. 20702) is amended—

(1) by inserting '', or whose reckless disregard of section 301 results in the theft, destruction, concealment, mutilation, or alteration of,'' after ''or alters''; and

(2) by striking ''record or paper'' and inserting ''record (including electronic record), paper, or election equipment''.

(b) INSPECTION, REPRODUCTION, AND COPYING.—Section 303 of such Act (52 U.S.C. 20703) is amended by striking ''record or paper'' each place it appears and inserting ''record (including electronic record), paper, or election equipment''.

(c) NONDISCLOSURE.—Section 304 of such Act (52 U.S.C. 20704) is amended by striking ''record or paper'' and inserting ''record (including electronic record), paper, or election equipment''.

(d) JURISDICTION TO COMPEL PRODUCTION.—Section 305 of such Act (52 U.S.C. 20705) is amended by striking ''record or paper'' each place it appears and inserting ''record (including electronic record), paper, or election equipment''.

SEC. 3303. JUDICIAL REVIEW TO ENSURE COMPLIANCE.

Title III of the Civil Rights Act of 1960 (52 U.S.C. 20701 et seq.) is amended by adding at the end the following:

''SEC. 307. JUDICIAL REVIEW TO ENSURE COMPLIANCE.

''(a) CAUSE OF ACTION.—The Attorney General, a representative of the Attorney General, or a candidate in a Federal election described in section 301 may bring an action in the district court of the United States for the judicial district in which a record or paper is located, or in the United States District Court for the District of Columbia, to compel compliance with the requirements of section 301.

''(b) DUTY TO EXPEDITE.—It shall be the duty of the court to advance on the docket, and to expedite to the greatest possible extent the disposition of, the action and any appeal under this section.''.

Subtitle E—Judicial Protection of the Right to Vote and Non-partisan Vote Tabulation

PART 1—RIGHT TO VOTE ACT

SEC. 3401. SHORT TITLE.

This part may be cited as the ''Right to Vote Act''.

SEC. 3402. UNDUE BURDENS ON THE ABILITY TO VOTE IN ELECTIONS FOR FEDERAL OFFICE PROHIBITED.

(a) IN GENERAL.—Every citizen of legal voting age shall have the right to vote and have one's vote counted in elections for Federal office free from any burden on the time, place, or manner of voting, as set forth in subsections (b) and (c).

(b) RETROGRESSION.—A government may not diminish the ability to vote or to have one's vote counted in an election for Federal office unless the law, rule, standard, practice, procedure, or other governmental action causing the diminishment is the least restrictive means of significantly furthering an important, particularized government interest.

(c) SUBSTANTIAL IMPAIRMENT.—

(1) IN GENERAL.—A government may not substantially impair the ability of an individual to vote or to have one's vote counted in an election for Federal office unless the law, rule, standard, practice, procedure, or other governmental action causing the impairment significantly furthers an important, particularized governmental interest.

(2) SUBSTANTIAL IMPAIRMENT.—For purposes of this section, a substantial impairment is a non-trivial impairment that makes it more difficult to vote or to have one's vote counted than if the law, rule, standard, practice, procedure, or other governmental action had not been adopted or implemented. An impairment may be substantial even if the voter or other similarly situated voters are able to vote or to have one's vote counted notwithstanding the impairment.

SEC. 3403. JUDICIAL REVIEW.

(a) CIVIL ACTION.—An action challenging a violation of this part may be brought by any aggrieved person or the Attorney General in the district court for the District of Columbia, or the district court for the district in which the violation took place or where any defendant resides or does business, at the selection of the plaintiff, to obtain all appropriate relief, whether declaratory or injunctive, or facial or as-applied. Process may be served in any district where a defendant resides, does business, or may be found.

(b) STANDARDS TO BE APPLIED.—A courts adjudicating an action brought under this part shall apply the following standards:

(1) RETROGRESSION.—

(A) A plaintiff establishes a prima facie case of retrogression by demonstrating by a preponderance of the evidence that a rule, standard, practice, procedure, or other governmental action diminishes the ability, or otherwise makes it more difficult, to vote, or have one's vote counted.

(B) If a plaintiff establishes a prima facie case as described in subparagraph (A), the government shall be provided an opportunity to demonstrate by clear and convincing evidence that the diminishment is necessary to significantly further an important, particularized governmental interest.

(C) If the government meets its burden under subparagraph (B), the challenged rule, standard, practice, procedure, or other governmental action shall nonetheless be deemed invalid if the plaintiff demonstrates by a preponderance of the evidence that the government could adopt or implement a less-restrictive means of furthering the particularized important governmental interest.

(2) SUBSTANTIAL IMPAIRMENT.—

(A) A plaintiff establishes a prima facie case of substantial impairment by demonstrating by a preponderance of the evidence that a rule, standard, practice, procedure, or other governmental action is a non-trivial impairment of the ability to vote or to have one's vote counted.

(B) If a plaintiff establishes a prima facie case as described in subparagraph (A), the government shall be provided an opportunity to demonstrate by clear and convincing evidence that the impairment significantly furthers an important, particularized governmental interest.

(c) DUTY TO EXPEDITE.—It shall be the duty of the court to advance on the docket and to expedite to the greatest reasonable extent the disposition of the action and appeal under this section.

(d) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended—

(1) by striking ''or section 40302'' and inserting ''section 40302''; and

(2) by striking '', the court'' and inserting '', or section 3402(a) of the Freedom to Vote Act, the court''.

SEC. 3404. DEFINITIONS.

In this part—

(1) the term ''covered entity'' means the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands;

(2) the terms ''election'' and ''Federal office'' have the meanings given such terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101);

(3) the term ''have one's vote counted'' means all actions necessary to have a vote included in the appropriate totals of votes cast with respect to candidates for public office for which votes are received in an election and reflected in the certified vote totals by any government responsible for tallying or certifying the results of elections for Federal office;

(4) the term ''government'' includes a branch, department, agency, instrumentality, and official (or other person acting under color of law) of the United States, of any State, of any covered entity, or of any political subdivision of any State or covered entity; and

(5) the term ''vote'' means all actions necessary to make a vote effective, including registration or other action required by law as a prerequisite to voting, casting a ballot.

SEC. 3405. RULES OF CONSTRUCTION.

(a) BURDENS NOT AUTHORIZED.—Nothing in this part may be construed to authorize a government to burden the right to vote in elections for Federal office.

(b) OTHER RIGHTS AND REMEDIES.—Nothing in this part shall be construed to alter any rights existing under a State constitution or the Constitution of the United States, or to limit any remedies for any other violations of Federal, State, or local law.

(c) OTHER PROVISIONS OF THIS ACT.—Nothing in this subtitle shall be construed as affecting section 1703 of this Act (relating to rights of citizens).

(d) OTHER DEFINITIONS.—The definitions set forth in section 3404 shall apply only to this part and shall not be construed to amend or interpret any other provision of law.

SEC. 3406. SEVERABILITY.

If any provision of this part or the application of such provision to any citizen or circumstance is held to be unconstitutional, the remainder of this part and the application of the provisions of such to any citizen or circumstance shall not be affected thereby.

SEC. 3407. EFFECTIVE DATE.

(a) ACTIONS BROUGHT FOR RETROGRESSION.—Subsection (b) of section 3402 shall apply to any law, rule, standard, practice, procedure, or other governmental action that was not in effect during the November 2020 general election for Federal office but that will be in effect with respect to elections for Federal office occurring on or after January 1, 2022, even if such law, rule, standard, practice, procedure, or other governmental action is already in effect as of the date of the enactment of this Act.

(b) ACTIONS BROUGHT FOR SUBSTANTIAL IMPAIRMENT.—Subsection (c) of section 3402 shall apply to any law, rule, standard, practice, procedure, or other governmental action in effect with respect to elections for Federal office occurring on or after January 1, 2022.

PART 2—CLARIFYING JURISDICTION OVER ELECTION DISPUTES

SEC. 3411. FINDINGS.

In addition to providing for the statutory rights described in sections part 1, including judicial review under section 3403, Congress makes the following findings regarding enforcement of constitutional provisions protecting the right to vote:

(1) It is a priority of Congress to ensure that pending and future disputes arising under the Fifteenth Amendment or any other constitutional provisions protecting the right to vote may be heard in federal court.

(2) The Fifth Circuit has misconstrued section 1344 of title 28, United States Code, to deprive Federal courts of subject matter jurisdiction in certain classes of cases that implicate voters' constitutional rights, see, e.g., Keyes v. Gunn, 890 F.3d 232 (5th Cir. 2018), cert. denied, 139 S. Ct. 434 (2018); Johnson v. Stevenson, 170 F.2d 108 (5th Cir. 1948).

(3) Section 1344 of such title is also superfluous in light of other broad grants of Federal jurisdiction. See, e.g., section 1331, section 1343(a)(3), and section 1343(a)(4) of title 28, United States Code.

(4) Congress therefore finds that a repeal of section 1344 is appropriate and that such repeal will ensure that Federal courts nationwide are empowered to enforce voters' constitutional rights in federal elections and state legislative elections.

SEC. 3412. CLARIFYING AUTHORITY OF UNITED STATES DISTRICT COURTS TO HEAR CASES.

(a) IN GENERAL.—Section 1344 of title 28, United States Code, is repealed.

(b) CONTINUING AUTHORITY OF COURTS TO HEAR CASES UNDER OTHER EXISTING AUTHORITY.—Nothing in this part may be construed to affect the authority of district courts of the United States to exercise jurisdiction pursuant to existing provisions of law, including sections 1331, 1343(a)(3), and 1343(a)(4) of title 28, United States Code, in any cases arising under the Constitution, laws, or treaties of the United States concerning the administration, conduct, or results of an election for Federal office or state legislative office.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 85 of title 28, United States Code, is amended by striking the item relating to section 1344.

SEC. 3413. EFFECTIVE DATE.

This part and the amendments made by this part shall apply to actions brought on or after the date of the enactment of this Act and to actions brought before the date of enactment of this Act which are pending as of such date.

Subtitle F—Poll Worker Recruitment and Training

SEC. 3501. GRANTS TO STATES FOR POLL WORKER RECRUITMENT AND TRAINING.

(a) GRANTS BY ELECTION ASSISTANCE COMMISSION.—

(1) IN GENERAL.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall, subject to the availability of appropriations provided to carry out this section, make a grant to each eligible State for recruiting and training individuals to serve as poll workers on dates of elections for public office.

(2) USE OF COMMISSION MATERIALS.—In carrying out activities with a grant provided under this section, the recipient of the grant shall use the manual prepared by the Commission on successful practices for poll worker recruiting, training, and retention as an interactive training tool, and shall develop training programs with the participation and input of experts in adult learning.

(3) ACCESS AND CULTURAL CONSIDERATIONS.—The Commission shall ensure that the manual described in paragraph (2) provides training in methods that will enable poll workers to provide access and delivery of services in a culturally competent manner to all voters who use their services, including those with limited English proficiency, diverse cultural and ethnic backgrounds, disabilities, and regardless of gender, sexual orientation, or gender identity. These methods must ensure that each voter will have access to poll worker services that are delivered in a manner that meets the unique needs of the voter.

(b) REQUIREMENTS FOR ELIGIBILITY.—

(1) APPLICATION.—Each State that desires to receive a payment under this section shall submit an application for the payment to the Commission at such time and in such manner and containing such information as the Commission shall require.

(2) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall—

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

(B) provide assurances that the funds provided under this section will be used to supplement and not supplant other funds used to carry out the activities;

(C) provide assurances that the State will furnish the Commission with information on the number of individuals who served as poll workers after recruitment and training with the funds provided under this section;

(D) provide assurances that the State will dedicate poll worker recruitment efforts with respect to—

(i) youth and minors, including by recruiting at institutions of higher education and secondary education; and

(ii) diversity, including with respect to race, ethnicity, and disability; and

(E) provide such additional information and certifications as the Commission determines to be essential to ensure compliance with the requirements of this section.

(c) AMOUNT OF GRANT.—

(1) IN GENERAL.—The amount of a grant made to a State under this section shall be equal to the product of—

(A) the aggregate amount made available for grants to States under this section; and

(B) the voting age population percentage for the State.

(2) VOTING AGE POPULATION PERCENTAGE DEFINED.—In paragraph (1), the ''voting age population percentage'' for a State is the quotient of—

(A) the voting age population of the State (as determined on the basis of the most recent information available from the Bureau of the Census); and

(B) the total voting age population of all States (as determined on the basis of the most recent information available from the Bureau of the Census).

(d) REPORTS TO CONGRESS.—

(1) REPORTS BY RECIPIENTS OF GRANTS.—Not later than 6 months after the date on which the final grant is made under this section, each recipient of a grant shall submit a report to the Commission on the activities conducted with the funds provided by the grant.

(2) REPORTS BY COMMISSION.—Not later than 1 year after the date on which the final grant is made under this section, the Commission shall submit a report to Congress on the grants made under this section and the activities carried out by recipients with the grants, and shall include in the report such recommendations as the Commission considers appropriate.

(e) FUNDING.—

(1) CONTINUING AVAILABILITY OF AMOUNT APPROPRIATED.—Any amount appropriated to carry out this section shall remain available without fiscal year limitation until expended.

(2) ADMINISTRATIVE EXPENSES.—Of the amount appropriated for any fiscal year to carry out this section, not more than 3 percent shall be available for administrative expenses of the Commission.

SEC. 3502. STATE DEFINED.

In this subtitle, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Subtitle G—Preventing Poll Observer Interference

SEC. 3601. PROTECTIONS FOR VOTERS ON ELECTION DAY.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. VOTER PROTECTION REQUIREMENTS.

''(a) REQUIREMENTS FOR CHALLENGES BY PERSONS OTHER THAN ELECTION OFFICIALS.—

''(1) REQUIREMENTS FOR CHALLENGES.—No person, other than a State or local election official, shall submit a formal challenge to an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office unless that challenge is supported by personal knowledge with respect to each individual challenged regarding the grounds for ineligibility which is—

''(A) documented in writing; and

''(B) subject to an oath or attestation under penalty of perjury that the challenger has a good faith factual basis to believe that the individual who is the subject of the challenge is ineligible to register to vote or vote in that election, except a challenge which is based on the race, ethnicity, or national origin of the individual who is the subject of the challenge may not be considered to have a good faith factual basis for purposes of this paragraph.

''(2) PROHIBITION ON CHALLENGES ON OR NEAR DATE OF ELECTION.—No person, other than a State or local election official, shall be permitted—

''(A) to challenge an individual's eligibility to vote in an election for Federal office on the date of the election on grounds that could have been made in advance of such date, or

''(B) to challenge an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office less than 10 days before the election unless the individual registered to vote less than 20 days before the election.

''(b) BUFFER RULE.—

''(1) IN GENERAL.—A person who is serving as a poll observer with respect to an election for Federal office may not come within 8 feet of—

''(A) a voter or ballot at a polling location during any period of voting (including any period of early voting) in such election; or

''(B) a ballot at any time during which the processing, scanning, tabulating, canvassing, or certifying voting results is occurring.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) may be construed to limit the ability of a State or local election official to require poll observers to maintain a distance greater than 8 feet.

''(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office occurring on and after January 1, 2022.''.

(b) CONFORMING AMENDMENT RELATING TO VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102, 1103, 1104, and 1303, is amended by striking ''and 313'' and inserting ''313, and 303A''.

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

''Sec. 303A. Voter protection requirements.''.

Subtitle H—Preventing Restrictions on Food and Beverages

SEC. 3701. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This subtitle may be cited as the ''Voters' Access to Water Act''.

(b) FINDINGS.—Congress finds the following:

(1) States have a legitimate interest in prohibiting electioneering at or near polling places, and each State has some form of restriction on political activities near polling places when voting is taking place.

(2) In recent elections, voters have waited in unacceptably long lines to cast their ballot. During the 2018 midterm election, more than 3,000,000 voters were made to wait longer than the acceptable threshold for wait times set by the Presidential Commission on Election Administration, including many well-documented cases where voters were made to wait for several hours. A disproportionate number of those who had to wait long periods were Black or Latino voters, who were more likely than White voters to wait in the longest lines on Election Day.

(3) Allowing volunteers to donate food and water to all people waiting in line at a polling place, regardless of the voters' political preference and without engaging in electioneering activities or partisan advocacy, helps ensure Americans who face long lines at their polling place can still exercise their Constitutional right to vote, without risk of dehydration, inadequate food, discomfort, and risks to health.

SEC. 3702. PROHIBITING RESTRICTIONS ON DONATIONS OF FOOD AND BEVERAGES AT POLLING STATIONS.

(a) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(1), section 1607(a), and section 1624(a) is amended—

(1) by redesignating sections 318 and 319 as sections 319 and 320, respectively; and

(2) by inserting after section 317 the following new section:

''SEC. 318. PROHIBITING STATES FROM RESTRICTING DONATIONS OF FOOD AND BEVERAGES AT POLLING STATIONS.

''(a) PROHIBITION.—Subject to the exception in subsection (b), a State may not impose any restriction on the donation of food and nonalcoholic beverages to persons outside of the entrance to the building where a polling place for a Federal election is located, provided that such food and nonalcoholic beverages are distributed without regard to the electoral participation or political preferences of the recipients.

''(b) EXCEPTION.—A State may require persons distributing food and nonalcoholic beverages outside the entrance to the building where a polling place for a Federal election is located to refrain from political or electioneering activity.

''(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office occurring on and after January 1, 2022.''.

(b) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102, 1103, 1104, 1303, and 3601(b), is amended by striking ''and 303A'' and inserting ''303A, and 317''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(3), section 1607(b), and section 1624(b) is amended—

(1) by redesignating the items relating to sections 318 and 319 as relating to sections 319 and 320, respectively; and

(2) by inserting after the item relating to section 317 the following new item:

''Sec. 318. Prohibiting States from restricting donations of food and beverages at polling stations.''.

Subtitle I—Establishing Duty to Report Foreign Election Interference

SEC. 3801. FINDINGS RELATING TO ILLICIT MONEY UNDERMINING OUR DEMOCRACY.

Congress finds the following:

(1) Criminals, terrorists, and corrupt government officials frequently abuse anonymously held Limited Liability Companies (LLCs), also known as ''shell companies,'' to hide, move, and launder the dirty money derived from illicit activities such as trafficking, bribery, exploitation, and embezzlement. Ownership and control of the finances that run through shell companies are obscured to regulators and law enforcement because little information is required and collected when establishing these entities.

(2) The public release of the ''Panama Papers'' in 2016 and the ''Paradise Papers'' in 2017 revealed that these shell companies often purchase and sell United States real estate. United States anti-money laundering laws do not apply to cash transactions involving real estate effectively concealing the beneficiaries and transactions from regulators and law enforcement.

(3) Since the Supreme Court's decisions in Citizens United v. Federal Election Commission, 558 U.S. 310 (2010), millions of dollars have flowed into super PACs through LLCs whose funders are anonymous or intentionally obscured. Criminal investigations have uncovered LLCs that were used to hide illegal campaign contributions from foreign criminal fugitives, to advance international influence-buying schemes, and to conceal contributions from donors who were already under investigation for bribery and racketeering. Voters have no way to know the true sources of the money being routed through these LLCs to influence elections, including whether any of the funds come from foreign or other illicit sources.

(4) Congress should curb the use of anonymous shell companies for illicit purposes by requiring United States companies to disclose their beneficial owners, strengthening anti-money laundering and counter-terrorism finance laws.

(5) Congress should examine the money laundering and terrorist financing risks in the real estate market, including the role of anonymous parties, and review legislation to address any vulnerabilities identified in this sector.

(6) Congress should examine the methods by which corruption flourishes and the means to detect and deter the financial misconduct that fuels this driver of global instability. Congress should monitor government efforts to enforce United States anticorruption laws and regulations.

SEC. 3802. FEDERAL CAMPAIGN REPORTING OF FOREIGN CONTACTS.

(a) INITIAL NOTICE.—

(1) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE OF REPORTABLE FOREIGN CONTACTS.—

''(1) COMMITTEE OBLIGATION TO NOTIFY.—Not later than 1 week after a reportable foreign contact, each political committee shall notify the Federal Bureau of Investigation and the Commission of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact. The Federal Bureau of Investigation, not later than 1 week after receiving a notification from a political committee under this paragraph, shall submit to the political committee, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate written or electronic confirmation of receipt of the notification.

''(2) INDIVIDUAL OBLIGATION TO NOTIFY.—Not later than 3 days after a reportable foreign contact—

''(A) each candidate and each immediate family member of a candidate shall notify the treasurer or other designated official of the principal campaign committee of such candidate of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact; and

''(B) each official, employee, or agent of a political committee shall notify the treasurer or other designated official of the committee of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(3) REPORTABLE FOREIGN CONTACT.—In this subsection:

''(A) IN GENERAL.—The term 'reportable foreign contact' means any direct or indirect contact or communication that—

''(i) is between—

''(I) a candidate, an immediate family member of the candidate, a political committee, or any official, employee, or agent of such committee; and

''(II) an individual that the person described in subclause (I) knows, has reason to know, or reasonably believes is a covered foreign national; and

''(ii) the person described in clause (i)(I) knows, has reason to know, or reasonably believes involves—

''(I) an offer or other proposal for a contribution, donation, expenditure, disbursement, or solicitation described in section 319; or

''(II) direct or indirect coordination or collaboration with, or a direct or indirect offer or provision of information or services to or from, a covered foreign national in connection with an election.

''(B) EXCEPTIONS.—

''(i) CONTACTS IN OFFICIAL CAPACITY AS ELECTED OFFICIAL.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by an elected official or an employee of an elected official solely in an official capacity as such an official or employee.

''(ii) CONTACTS FOR PURPOSES OF ENABLING OBSERVATION OF ELECTIONS BY INTERNATIONAL OBSERVERS.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by any person which is made for purposes of enabling the observation of elections in the United States by a foreign national or the observation of elections outside of the United States by a candidate, political committee, or any official, employee, or agent of such committee.

''(iii) EXCEPTIONS NOT APPLICABLE IF CONTACTS OR COMMUNICATIONS INVOLVE PROHIBITED DISBURSEMENTS.—A contact or communication by an elected official or an employee of an elected official shall not be considered to be made solely in an official capacity for purposes of clause (i), and a contact or communication shall not be considered to be made for purposes of enabling the observation of elections for purposes of clause (ii), if the contact or communication involves a contribution, donation, expenditure, disbursement, or solicitation described in section 319.

''(C) COVERED FOREIGN NATIONAL DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'covered foreign national' means—

''(I) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(II) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in subclause (I) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in subclause (I); or

''(III) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in subclause (I).

''(ii) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, subclause (II) of clause (i) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described in subclause (I) of clause (i).

''(4) IMMEDIATE FAMILY MEMBER.—In this subsection, the term 'immediate family member' means, with respect to a candidate, a parent, parent-in-law, spouse, adult child, or sibling.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to reportable foreign contacts which occur on or after the date of the enactment of this Act.

(b) INFORMATION INCLUDED ON REPORT.—

(1) IN GENERAL.—Section 304(b) of such Act (52 U.S.C. 30104(b)) is amended—

(A) by striking ''and'' at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(9) for any reportable foreign contact (as defined in subsection (j)(3))—

''(A) the date, time, and location of the contact;

''(B) the date and time of when a designated official of the committee was notified of the contact;

''(C) the identity of individuals involved; and

''(D) a description of the contact, including the nature of any contribution, donation, expenditure, disbursement, or solicitation involved and the nature of any activity described in subsection (j)(3)(A)(ii)(II) involved.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to reports filed on or after the expiration of the 60-day period which begins on the date of the enactment of this Act.

SEC. 3803. FEDERAL CAMPAIGN FOREIGN CONTACT REPORTING COMPLIANCE SYSTEM.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102) is amended by adding at the end the following new subsection:

''(j) REPORTABLE FOREIGN CONTACTS COMPLIANCE POLICY.—

''(1) REPORTING.—Each political committee shall establish a policy that requires all officials, employees, and agents of such committee (and, in the case of an authorized committee, the candidate and each immediate family member of the candidate) to notify the treasurer or other appropriate designated official of the committee of any reportable foreign contact (as defined in section 304(j)) not later than 3 days after such contact was made.

''(2) RETENTION AND PRESERVATION OF RECORDS.—Each political committee shall establish a policy that provides for the retention and preservation of records and information related to reportable foreign contacts (as so defined) for a period of not less than 3 years.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—Upon filing its statement of organization under section 303(a), and with each report filed under section 304(a), the treasurer of each political committee (other than an authorized committee) shall certify that—

''(i) the committee has in place policies that meet the requirements of paragraphs (1) and (2);

''(ii) the committee has designated an official to monitor compliance with such policies; and

''(iii) not later than 1 week after the beginning of any formal or informal affiliation with the committee, all officials, employees, and agents of such committee will—

''(I) receive notice of such policies;

''(II) be informed of the prohibitions under section 319; and

''(III) sign a certification affirming their understanding of such policies and prohibitions.

''(B) AUTHORIZED COMMITTEES.—With respect to an authorized committee, the candidate shall make the certification required under subparagraph (A).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to political committees which file a statement of organization under section 303(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30103(a)) on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR EXISTING COMMITTEES.—Not later than 30 days after the date of the enactment of this Act, each political committee under the Federal Election Campaign Act of 1971 shall file a certification with the Federal Election Commission that the committee is in compliance with the requirements of section 302(j) of such Act (as added by subsection (a)).

SEC. 3804. CRIMINAL PENALTIES.

Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)) is amended by adding at the end the following new subparagraphs:

''(E) Any person who knowingly and willfully commits a violation of subsection (j) or (b)(9) of section 304 or section 302(j) shall be fined not more than $500,000, imprisoned not more than 5 years, or both.

''(F) Any person who knowingly and willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 304(j)) shall be fined not more than $1,000,000, imprisoned not more than 5 years, or both.''.

SEC. 3805. REPORT TO CONGRESSIONAL INTELLIGENCE COMMITTEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a report relating to notifications received by the Federal Bureau of Investigation under section 304(j)(1) of the Federal Election Campaign Act of 1971 (as added by section 4902(a) of this Act).

(b) ELEMENTS.—Each report under subsection (a) shall include, at a minimum, the following with respect to notifications described in subsection (a):

(1) The number of such notifications received from political committees during the year covered by the report.

(2) A description of protocols and procedures developed by the Federal Bureau of Investigation relating to receipt and maintenance of records relating to such notifications.

(3) With respect to such notifications received during the year covered by the report, a description of any subsequent actions taken by the Director resulting from the receipt of such notifications.

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 3806. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed—

(1) to impede legitimate journalistic activities; or

(2) to impose any additional limitation on the right to express political views or to participate in public discourse of any individual who—

(A) resides in the United States;

(B) is not a citizen of the United States or a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(C) is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

Subtitle J—Promoting Accuracy, Integrity, and Security Through Voter-Verifiable Permanent Paper Ballot

SEC. 3901. SHORT TITLE.

This subtitle may be cited as the ''Voter Confidence and Increased Accessibility Act of 2021''.

SEC. 3902. PAPER BALLOT AND MANUAL COUNTING REQUIREMENTS.

(a) IN GENERAL.—Section 301(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is amended to read as follows:

''(2) PAPER BALLOT REQUIREMENT.—

''(A) VOTER-VERIFIABLE PAPER BALLOTS.—

''(i) The voting system shall require the use of an individual, durable, voter-verifiable paper ballot of the voter's vote selections that shall be marked by the voter and presented to the voter for verification before the voter's ballot is preserved in accordance with subparagraph (B), and which shall be counted by hand or other counting device or read by a ballot tabulation device. For purposes of this subclause, the term 'individual, durable, voter-verifiable paper ballot' means a paper ballot marked by the voter by hand or a paper ballot marked through the use of a nontabulating ballot marking device or system, so long as the voter shall have the option at every in-person voting location to mark by hand a printed ballot that includes all relevant contests and candidates.

''(ii) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the permanent voter-verifiable paper ballot is preserved in accordance with subparagraph (B).

''(iii) The voting system shall not preserve the voter-verifiable paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote selections.

''(iv) The voting system shall prevent, through mechanical means or through independently verified protections, the modification or addition of vote selections on a printed or marked ballot at any time after the voter has been provided an opportunity to correct errors on the ballot pursuant to clause (ii).

''(B) PRESERVATION AS OFFICIAL RECORD.—The individual, durable, voter-verifiable paper ballot used in accordance with subparagraph (A) shall constitute the official ballot and shall be preserved and used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used.

''(C) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS AND AUDITS.—

''(i) Each paper ballot used pursuant to subparagraph (A) shall be suitable for a manual audit, and such ballots, or at least those ballots the machine could not count, shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.

''(ii) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verifiable paper ballots used pursuant to subparagraph (A), the individual, durable, voter-verifiable paper ballots shall be the true and correct record of the votes cast.

''(D) SENSE OF CONGRESS.—It is the sense of Congress that as innovation occurs in the election infrastructure sector, Congress should ensure that this Act and other Federal requirements for voting systems are updated to keep pace with best practices and recommendations for security and accessibility.''.

(b) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting ''(including the paper ballots required to be used under paragraph (2))'' after ''voting system''.

(c) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(2) in subparagraph (A)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(3) in subparagraph (A)(iii), by striking ''counted'' each place it appears and inserting ''counted, in accordance with paragraphs (2) and (3)''; and

(4) in subparagraph (B)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)''.

SEC. 3903. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Paragraph (3) of section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)) is amended to read as follows:

''(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)(I) ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verifiable paper ballot; and

''(II) satisfy the requirement of clause (i) through the use at in-person polling locations of a sufficient number (not less than one) of voting systems equipped to serve individuals with and without disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired; and

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

''(B) MEANS OF MEETING REQUIREMENTS.—A voting system may meet the requirements of subparagraph (A)(i) and paragraph (2) by—

''(i) allowing the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote tabulation or auditing;

''(ii) allowing the voter to privately and independently verify and cast the permanent paper ballot without requiring the voter to manually handle the paper ballot;

''(iii) marking ballots that are identical in size, ink, and paper stock to those ballots that would either be marked by hand or be marked by a ballot marking device made generally available to voters; or

''(iv) combining ballots produced by any ballot marking devices reserved for individuals with disabilities with ballots that have either been marked by voters by hand or marked by ballot marking devices made generally available to voters, in a way that prevents identification of the ballots that were cast using any ballot marking device that was reserved for individuals with disabilities.

''(C) SUFFICIENT NUMBER.—For purposes of subparagraph (A)(ii)(II), the sufficient number of voting systems for any in-person polling location shall be determined based on guidance from the Attorney General, in consultation with the Architectural and Transportation Barriers Compliance Board established under section 502(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 792(a)(1)) (commonly referred to as the United States Access Board) and the Commission.''.

(b) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE VOTING OPTIONS.—

(1) STUDY AND REPORTING.—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating section 247 as section 248; and

(B) by inserting after section 247 the following new section:

''SEC. 248. STUDY AND REPORT ON ACCESSIBLE VOTING OPTIONS.

''(a) GRANTS TO STUDY AND REPORT.—The Commission, in coordination with the Access Board and the Cybersecurity and Infrastructure Security Agency, shall make grants to not fewer than 2 eligible entities to study, test, and develop—

''(1) accessible and secure remote voting systems;

''(2) voting, verification, and casting devices to enhance the accessibility of voting and verification for individuals with disabilities; or

''(3) both of the matters described in paragraph (1) and (2).

''(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

''(1) a certification that the entity shall complete the activities carried out with the grant not later than January 1, 2024; and

''(2) such other information and certifications as the Commission may require.

''(c) AVAILABILITY OF TECHNOLOGY.—Any technology developed with the grants made under this section shall be treated as non-proprietary and shall be made available to the public, including to manufacturers of voting systems.

''(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Commission shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Commission determine necessary to provide for the advancement of accessible voting technology.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $10,000,000, to remain available until expended.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 247 as relating to section 248; and

(B) by inserting after the item relating to section 247 the following new item:

''Sec. 248. Study and report on accessible voting options.''.

(c) CLARIFICATION OF ACCESSIBILITY STANDARDS UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In adopting any voluntary guidance

under subtitle B of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable under the voluntary guidance adopted for accessible voting systems under such subtitle.

(d) PERMITTING USE OF FUNDS FOR PROTECTION AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO ENFORCE ELECTION-RELATED DISABILITY ACCESS.—Section 292(a) of the Help America Vote Act of 2002 (52 U.S.C. 21062(a)) is amended by striking ''; except that'' and all that follows and inserting a period.

SEC. 3904. DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)) is amended by adding at the end the following new paragraph:

''(7) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.—

''(A) DURABILITY REQUIREMENTS FOR PAPER BALLOTS.—

''(i) IN GENERAL.—All voter-verifiable paper ballots required to be used under this Act shall be marked or printed on durable paper.

''(ii) DEFINITION.—For purposes of this Act, paper is 'durable' if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

''(B) READABILITY REQUIREMENTS FOR PAPER BALLOTS MARKED BY BALLOT MARKING DEVICE.—All voter-verifiable paper ballots completed by the voter through the use of a ballot marking device shall be clearly readable by the voter without assistance (other than eyeglasses or other personal vision enhancing devices) and by a ballot tabulation device or other device equipped for individuals with disabilities.''.

SEC. 3905. STUDY AND REPORT ON OPTIMAL BALLOT DESIGN.

(a) STUDY.—The Election Assistance Commission shall conduct a study of the best ways to design ballots used in elections for public office, including paper ballots and electronic or digital ballots, to minimize confusion and user errors.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Election Assistance Commission shall submit to Congress a report on the study conducted under subsection (a).

SEC. 3906. BALLOT MARKING DEVICE CYBERSECURITY REQUIREMENTS.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 3914, is further amended by adding at the end the following new paragraphs:

''(8) PROHIBITION OF USE OF WIRELESS COMMUNICATIONS DEVICES IN SYSTEMS OR DEVICES.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters at a polling place (except as necessary for individuals with disabilities to use ballot marking devices that meet the accessibility requirements of paragraph (3)), or upon which votes are cast, tabulated, or aggregated shall contain, use, or be accessible by any wireless, power-line, or concealed communication device.

''(9) PROHIBITING CONNECTION OF SYSTEM TO THE INTERNET.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters at a voting place, or upon which votes are cast, tabulated, or aggregated shall be connected to the internet or any nonlocal computer system via telephone or other communication network at any time.''.

SEC. 3907. EFFECTIVE DATE FOR NEW REQUIREMENTS.

Section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)) is amended to read as follows:

''(d) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

''(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the requirements of this section which are first imposed on a State or jurisdiction pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2021 shall apply with respect to voting systems used for any election for Federal office held in 2022 or any succeeding year.

''(B) SPECIAL RULE FOR JURISDICTIONS USING CERTAIN PAPER RECORD PRINTERS OR CERTAIN SYSTEMS USING OR PRODUCING VOTER-VERIFIABLE PAPER RECORDS IN 2020.—

''(i) IN GENERAL.—In the case of a jurisdiction described in clause (ii), the requirements of paragraphs (2)(A)(i) and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2021) shall not apply before the date on which the jurisdiction replaces the printers or systems described in clause (ii)(I) for use in the administration of elections for Federal office.

''(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

''(I) which used voter-verifiable paper record printers attached to direct recording electronic voting machines, or which used other voting systems that used or produced paper records of the vote verifiable by voters but that are not in compliance with paragraphs (2)(A)(i) and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2021), for the administration of the regularly scheduled general election for Federal office held in November 2020; and

''(II) which will continue to use such printers or systems for the administration of elections for Federal office held in years before the applicable year.

''(iii) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES USING GRANDFATHERED PRINTERS AND SYSTEMS.—

''(I) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—The appropriate election official at each polling place that uses a printer or system described in clause (ii)(I) for the administration of elections for Federal office shall offer each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank printed paper ballot which the individual may mark by hand and which is not produced by the direct recording electronic voting machine or other such system. The official shall provide the individual with the ballot and the supplies necessary to mark the ballot, and shall ensure (to the greatest extent practicable) that the waiting period for the individual to cast a vote is the lesser of 30 minutes or the average waiting period for an individual who does not agree to cast the vote using such a paper ballot under this clause.

''(II) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this clause shall be counted and otherwise treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for the precinct) and not as a provisional ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot.

''(III) POSTING OF NOTICE.—The appropriate election official shall ensure there is prominently displayed at each polling place a notice that describes the obligation of the official to offer individuals the opportunity to cast votes using a printed blank paper ballot. The notice shall comply with the requirements of section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

''(IV) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under subclause (III), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank printed paper ballot.

''(V) PERIOD OF APPLICABILITY.—The requirements of this clause apply only during the period beginning on January 1, 2022, and ending on the date on which the which the jurisdiction replaces the printers or systems described in clause (ii)(I) for use in the administration of elections for Federal office.

''(C) DELAY FOR CERTAIN JURISDICTIONS USING VOTING SYSTEMS WITH WIRELESS COMMUNICATION DEVICES OR INTERNET CONNECTIONS.—

''(i) DELAY.—In the case of a jurisdiction described in clause (ii), subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to '2022' were a reference to 'the applicable year', but only with respect to the following requirements of this section.

''(I) Paragraph (8) of subsection (a) (relating to prohibition of wireless communication devices)

''(II) Paragraph (9) of subsection (a) (relating to prohibition of connecting systems to the internet)

''(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

''(I) which used a voting system which is not in compliance with paragraphs (8) or (9) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2021) for the administration of the regularly scheduled general election for Federal office held in November 2020;

''(II) which was not able, to all extent practicable, to comply with paragraph (8) and (9) of subsection (a) before January 1, 2022; and

''(III) which will continue to use such printers or systems for the administration of elections for Federal office held in years before the applicable year.

''(iii) APPLICABLE YEAR.—

''(I) IN GENERAL.—Except as provided in subclause (II), the term 'applicable year' means 2026.

''(II) EXTENSION.—If a State or jurisdiction certifies to the Commission not later than January 1, 2026, that the State or jurisdiction will not meet the requirements described in subclauses (I) and (II) of clause (i) by such date because it would be impractical to do so and includes in the certification the reasons for the failure to meet the deadline, the term 'applicable year' means 2030.''.

SEC. 3908. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

(a) AVAILABILITY OF GRANTS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 1302(c), is amended by adding at the end the following new part:

''PART 8—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''SEC. 298. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

''(a) AVAILABILITY AND USE OF GRANT.—

''(1) IN GENERAL.—The Commission shall make a grant to each eligible State—

''(A) to replace a voting system—

''(i) which does not meet the requirements which are first imposed on the State pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2021 with a voting system which—

''(I) does meet such requirements; and

''(II) in the case of a grandfathered voting system (as defined in paragraph (2)), is in compliance with the most recent voluntary voting system guidelines; or

''(ii) which does meet such requirements but which is not in compliance with the most recent voluntary voting system guidelines with another system which does meet such requirements and is in compliance with such guidelines;

''(B) to carry out voting system security improvements described in section 298A with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding election for Federal office;

''(C) to implement and model best practices for ballot design, ballot instructions, and the testing of ballots; and

''(D) to purchase or acquire accessible voting systems that meet the requirements of paragraph (2) and paragraph (3)(A)(i) of section 301(a) by the means described in paragraph (3)(B) of such section.

''(2) DEFINITION OF GRANDFATHERED VOTING SYSTEM.—In this subsection, the term 'grandfathered voting system' means a voting system that is used by a jurisdiction described in subparagraph (B)(ii) or (C)(ii) of section 301(d)(2).

''(b) AMOUNT OF PAYMENT.—

''(1) IN GENERAL.—The amount of payment made to an eligible State under this section shall be the minimum payment amount described in paragraph (2) plus the voting age population proportion amount described in paragraph (3).

''(2) MINIMUM PAYMENT AMOUNT.—The minimum payment amount described in this paragraph is—

''(A) in the case of any of the several States or the District of Columbia, one-half of 1 percent of the aggregate amount made available for payments under this section; and

''(B) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, one-tenth of 1 percent of such aggregate amount.

''(3) VOTING AGE POPULATION PROPORTION AMOUNT.—The voting age population proportion amount described in this paragraph is the product of—

''(A) the aggregate amount made available for payments under this section minus the total of all of the minimum payment amounts determined under paragraph (2); and

''(B) the voting age population proportion for the State (as defined in paragraph (4)).

''(4) VOTING AGE POPULATION PROPORTION DEFINED.—The term 'voting age population proportion' means, with respect to a State, the amount equal to the quotient of—

''(A) the voting age population of the State (as reported in the most recent decennial census); and

''(B) the total voting age population of all States (as reported in the most recent decennial census).

''(5) REQUIREMENT RELATING TO PURCHASE OF ACCESSIBLE VOTING SYSTEMS.—An eligible State shall use not less than 10 percent of funds received by the State under this section to purchase accessible voting systems described in subsection (a)(1)(D).

''SEC. 298A. VOTING SYSTEM SECURITY IMPROVEMENTS DESCRIBED.

''(a) PERMITTED USES.—A voting system security improvement described in this section is any of the following:

''(1) The acquisition of goods and services from qualified election infrastructure vendors by purchase, lease, or such other arrangements as may be appropriate.

''(2) Cyber and risk mitigation training.

''(3) A security risk and vulnerability assessment of the State's election infrastructure (as defined in section 3908(b) of the Voter Confidence and Increased Accessibility Act of 2021) which is carried out by a provider of cybersecurity services under a contract entered into between the chief State election official and the provider.

''(4) The maintenance of infrastructure used for elections, including addressing risks and vulnerabilities which are identified under either of the security risk and vulnerability assessments described in paragraph (3), except that none of the funds provided under this part may be used to renovate or replace a building or facility which is not a primary provider of information technology services for the administration of elections, and which is used primarily for purposes other than the administration of elections for public office.

''(5) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part of the State's election infrastructure (as so defined) or designates as critical to the operation of the State's election infrastructure (as so defined).

''(6) Enhancing the cybersecurity and operations of the information technology infrastructure described in paragraph (4).

''(7) Enhancing the cybersecurity of voter registration systems.

''(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS DESCRIBED.—For purposes of this part, a 'qualified election infrastructure vendor' is any person who provides, supports, or maintains, or who seeks to provide, support, or maintain, election infrastructure (as defined in section 3908(b) of the Voter Confidence and Increased Accessibility Act of 2021) on behalf of a State, unit of local government, or election agency (as defined in section 3908(b) of such Act) who meets the criteria described in section 3908(b) of such Act.

''SEC. 298B. ELIGIBILITY OF STATES.

''A State is eligible to receive a grant under this part if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

''(1) a description of how the State will use the grant to carry out the activities authorized under this part;

''(2) a certification and assurance that, not later than 5 years after receiving the grant, the State will carry out voting system security improvements, as described in section 298A; and

''(3) such other information and assurances as the Commission may require.

''SEC. 298C. REPORTS TO CONGRESS.

''Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the Committees on Homeland Security, House Administration, and the Judiciary of the House of Representatives and the Committees on Homeland Security and Governmental Affairs, the Judiciary, and Rules and Administration of the Senate, on the activities carried out with the funds provided under this part.

''SEC. 298D. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated for grants under this part—

''(1) $2,400,000,000 for fiscal year 2022; and

''(2) $175,000,000 for each of the fiscal years 2024, 2026, 2028, and 2030.

''(b) CONTINUING AVAILABILITY OF AMOUNTS.—Any amounts appropriated pursuant to the authorization of this section shall remain available until expended.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1402(c), is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 8—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''Sec. 298. Grants for obtaining compliant paper ballot voting systems and carrying out voting system security improvements.

''Sec. 298A. Voting system security improvements described.

''Sec. 298B. Eligibility of States.

''Sec. 298C. Reports to Congress.

''Sec. 298D. Authorization of appropriations.

(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS.—

(1) IN GENERAL.—The Secretary, in consultation with the Chair, shall establish and publish criteria for qualified election infrastructure vendors for purposes of section 298A of the Help America Vote Act of 2002 (as added by this Act).

(2) CRITERIA.—The criteria established under paragraph (1) shall include each of the following requirements:

(A) The vendor shall—

(i) be owned and controlled by a citizen or permanent resident of the United States or a member of the Five Eyes intelligence-sharing alliance; and

(ii) in the case of any election infrastructure which is a voting machine, ensure that such voting machine is assembled in the United States.

(B) The vendor shall disclose to the Secretary and the Chair, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act), of any sourcing outside the United States for parts of the election infrastructure.

(C) The vendor shall disclose to the Secretary and the Chair, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under such part 8, the identification of any entity or individual with a more than 5 percent ownership interest in the vendor.

(D) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(E) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(F) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the supply chain best practices issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(G) The vendor agrees to ensure that it has personnel policies and practices in place that are consistent with personnel best practices, including cybersecurity training and background checks, issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(H) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with data integrity best practices, including requirements for encrypted transfers and validation, testing and checking printed materials for accuracy, and disclosure of quality control incidents, issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(I) The vendor agrees to meet the requirements of paragraph (3) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act).

(J) The vendor agrees to permit independent security testing by the Election Assistance Commission (in accordance with section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971)) and by the Secretary of the goods and services provided by the vendor pursuant to a grant under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act).

(3) CYBERSECURITY INCIDENT REPORTING REQUIREMENTS.—

(A) IN GENERAL.—A vendor meets the requirements of this paragraph if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided by the vendor pursuant to a grant under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act)—

(i) the vendor promptly assesses whether or not such an incident occurred, and submits a notification meeting the requirements of subparagraph (B) to the Secretary and the Chair of the assessment as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred);

(ii) if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the requirements of subparagraph (B) to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and

(iii) the vendor provides all necessary updates to any notification submitted under clause (i) or clause (ii).

(B) CONTENTS OF NOTIFICATIONS.—Each notification submitted under clause (i) or clause (ii) of subparagraph (A) shall contain the following information with respect to any election cybersecurity incident covered by the notification:

(i) The date, time, and time zone when the election cybersecurity incident began, if known.

(ii) The date, time, and time zone when the election cybersecurity incident was detected.

(iii) The date, time, and duration of the election cybersecurity incident.

(iv) The circumstances of the election cybersecurity incident, including the specific election infrastructure systems believed to have been accessed and information acquired, if any.

(v) Any planned and implemented technical measures to respond to and recover from the incident.

(vi) In the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.

(C) DEVELOPMENT OF CRITERIA FOR REPORTING.—Not later than 1 year after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall, in consultation with the Election Infrastructure Sector Coordinating Council, develop criteria for incidents which are required to be reported in accordance with subparagraph (A).

(4) DEFINITIONS.—In this subsection:

(A) CHAIR.—The term ''Chair'' means the Chair of the Election Assistance Commission.

(B) CHIEF STATE ELECTION OFFICIAL.—The term ''chief State election official'' means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State's responsibilities under such Act.

(C) ELECTION AGENCY.—The term ''election agency'' means any component of a State, or any component of a unit of local government in a State, which is responsible for the administration of elections for Federal office in the State.

(D) ELECTION INFRASTRUCTURE.—The term ''election infrastructure'' means storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology, including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

(E) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(F) STATE.—The term ''State'' has the meaning given such term in section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141).

Subtitle K—Provisional Ballots

SEC. 3911. REQUIREMENTS FOR COUNTING PROVISIONAL BALLOTS; ESTABLISHMENT OF UNIFORM AND NONDISCRIMINATORY STANDARDS.

(a) IN GENERAL.—Section 302 of the Help America Vote Act of 2002 (52 U.S.C. 21082), as amended by section 1601(a), is amended—

(1) by redesignating subsection (e) as subsection (h); and

(2) by inserting after subsection (d) the following new subsections:

''(e) COUNTING OF PROVISIONAL BALLOTS.—

''(1) IN GENERAL.—

''(A) For purposes of subsection (a)(4), if a provisional ballot is cast within the same county in which the voter is registered or otherwise eligible to vote, then notwithstanding the precinct or polling place at which a provisional ballot is cast within the county, the appropriate election official of the jurisdiction in which the individual is registered or otherwise eligible to vote shall count each vote on such ballot for each election in which the individual who cast such ballot is eligible to vote.

''(B) In addition to the requirements under subsection (a), for each State or political subdivision that provides voters provisional ballots, challenge ballots, or affidavit ballots under the State's applicable law governing the voting processes for those voters whose eligibility to vote is determined to be uncertain by election officials, election officials shall—

''(i) provide clear written instructions indicating the reason the voter was given a provisional ballot, the information or documents the voter needs to prove eligibility, the location at which the voter must appear to submit these materials or alternative methods, including email or facsimile, that the voter may use to submit these materials, and the deadline for submitting these materials;

''(ii) provide a verbal translation of any written instructions to the voter if necessary;

''(iii) permit any voter who votes provisionally at any polling place on Indian lands to appear at any polling place or at a central location for the election board to submit the documentation or information to prove eligibility; and

''(iv) notify the voter as to whether the voter's provisional ballot was counted or rejected and provide the reason for rejection if the voter's provisional ballot was rejected after the voter provided the required information or documentation on eligibility.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall prohibit a State or jurisdiction from counting a provisional ballot which is cast in a different county within the State than the county in which the voter is registered or otherwise eligible to vote.

''(f) DUE PROCESS REQUIREMENTS FOR STATES REQUIRING SIGNATURE VERIFICATION.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—A State may not impose a signature verification requirement as a condition of accepting and counting a provisional ballot submitted by any individual with respect to an election for Federal office unless the State meets the due process requirements described in paragraph (2).

''(B) SIGNATURE VERIFICATION REQUIREMENT DESCRIBED.—In this subsection, a 'signature verification requirement' is a requirement that an election official verify the identification of an individual by comparing the individual's signature on the provisional ballot with the individual's signature on the official list of registered voters in the State or another official record or other document used by the State to verify the signatures of voters.

''(2) DUE PROCESS REQUIREMENTS.—

''(A) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES.—If an individual submits a provisional ballot and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall—

''(i) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and

''(II) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted ; and

''(ii) cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

''(B) NOTICE AND OPPORTUNITY TO CURE MISSING SIGNATURE OR OTHER DEFECT.—If an individual submits a provisional ballot without a signature or submits a provisional ballot with another defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, shall—

''(i) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) the ballot did not include a signature or has some other defect; and

''(II) if the individual does not provide the missing signature or cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with the missing signature on a form proscribed by the State or cures the other defect.

''(C) OTHER REQUIREMENTS.—

''(i) IN GENERAL.—An election official may not make a determination that a discrepancy exists between the signature on a provisional ballot and the signature of the individual on the official list of registered voters in the State or other official record or other document used by the State to verify the signatures of voters unless—

''(I) at least 2 election officials make the determination;

''(II) each official who makes the determination has received training in procedures used to verify signatures; and

''(III) of the officials who make the determination, at least one is affiliated with the political party whose candidate received the most votes in the most recent statewide election for Federal office held in the State and at least one is affiliated with the political party whose candidate received the second most votes in the most recent statewide election for Federal office held in the State.

''(ii) EXCEPTION.—Clause (i)(III) shall not apply to any State in which, under a law that

is in effect continuously on and after the date of enactment of this section, determinations regarding signature discrepancies are made by election officials who are not affiliated with a political party.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than 120 days after the end of a Federal election cycle, each chief State election official shall submit to the Commission a report containing the following information for the applicable Federal election cycle in the State:

''(i) The number of provisional ballots invalidated due to a discrepancy under this subsection.

''(ii) Description of attempts to contact voters to provide notice as required by this subsection.

''(iii) Description of the cure process developed by such State pursuant to this subsection, including the number of provisional ballots determined valid as a result of such process.

''(B) SUBMISSION TO CONGRESS.—Not later than 10 days after receiving a report under subparagraph (A), the Commission shall transmit such report to Congress.

''(C) FEDERAL ELECTION CYCLE DEFINED.—For purposes of this subsection, the term 'Federal election cycle' means, with respect to any regularly scheduled election for Federal office, the period beginning on the day after the date of the preceding regularly scheduled general election for Federal office and ending on the date of such regularly scheduled general election.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to prohibit a State from rejecting a ballot attempted to be cast in an election for Federal office by an individual who is not eligible to vote in the election; or

''(B) to prohibit a State from providing an individual with more time and more methods for curing a discrepancy in the individual's signature, providing a missing signature, or curing any other defect than the State is required to provide under this subsection.

''(5) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2022.

''(g) UNIFORM AND NONDISCRIMINATORY STANDARDS.—

''(1) IN GENERAL.—Consistent with the requirements of this section, each State shall establish uniform and nondiscriminatory standards for the issuance, handling, and counting of provisional ballots.

''(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2022.

''(h) ADDITIONAL CONDITIONS PROHIBITED.—If an individual in a State is eligible to cast a provisional ballot as provided under this section, the State may not impose any additional conditions or requirements (including conditions or requirements regarding the timeframe in which a provisional ballot may be cast) on the eligibility of the individual to cast such provisional ballot.''.

(b) CONFORMING AMENDMENT.—Section 302(h) of such Act (52 U.S.C. 21082(g)), as amended by section 1601(a) and redesignated by subsection (a), is amended by striking ''subsection (d)(4)'' and inserting ''subsections (d)(4), (e)(3), and (f)(2)''.

TITLE IV—VOTING SYSTEM SECURITY

SEC. 4001. POST-ELECTION AUDIT REQUIREMENT.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 3601, is amended by inserting after section 303A the following new section:

''SEC. 303B. POST-ELECTION AUDITS.

''(a) DEFINITIONS.—In this section:

''(1) POST-ELECTION AUDIT.—Except as provided in subsection (c)(1)(B), the term 'post-election audit' means, with respect to any election contest, a post-election process that—

''(A) has a probability of at least 95 percent of correcting the reported outcome if the reported outcome is not the correct outcome;

''(B) will not change the outcome if the reported outcome is the correct outcome; and

''(C) involves a manual adjudication of voter intent from some or all of the ballots validly cast in the election contest.

''(2) REPORTED OUTCOME; CORRECT OUTCOME; OUTCOME.—

''(A) REPORTED OUTCOME.—The term 'reported outcome' means the outcome of an election contest which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

''(B) CORRECT OUTCOME.—The term 'correct outcome' means the outcome that would be determined by a manual adjudication of voter intent for all votes validly cast in the election contest.

''(C) OUTCOME.—The term 'outcome' means the winner or set of winners of an election contest.

''(3) MANUAL ADJUDICATION OF VOTER INTENT.—The term 'manual adjudication of voter intent' means direct inspection and determination by humans, without assistance from electronic or mechanical tabulation devices, of the ballot choices marked by voters on each voter-verifiable paper record.

''(4) BALLOT MANIFEST.—The term 'ballot manifest' means a record maintained by each jurisdiction that—

''(A) is created without reliance on any part of the voting system used to tabulate votes;

''(B) functions as a sampling frame for conducting a post-election audit; and

''(C) accounts for all ballots validly cast regardless of how they were tabulated and includes a precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) AUDITS.—

''(i) IN GENERAL.—Each State and jurisdiction shall administer post-election audits of the results of all election contests for Federal office held in the State in accordance with the requirements of paragraph (2).

''(ii) EXCEPTION.—Clause (i) shall not apply to any election contest for which the State or jurisdiction conducts a full recount through a manual adjudication of voter intent.

''(B) FULL MANUAL TABULATION.—If a post-election audit conducted under subparagraph (A) corrects the reported outcome of an election contest, the State or jurisdiction shall use the results of the manual adjudication of voter intent conducted as part of the post-election audit as the official results of the election contest.

''(2) AUDIT REQUIREMENTS.—

''(A) RULES AND PROCEDURES.—

''(i) IN GENERAL.—Not later than 6 years after the date of the enactment of this section, the chief State election official of the State shall establish rules and procedures for conducting post-election audits.

''(ii) MATTERS INCLUDED.—The rules and procedures established under clause (i) shall include the following:

''(I) Rules and procedures for ensuring the security of ballots and documenting that prescribed procedures were followed.

''(II) Rules and procedures for ensuring the accuracy of ballot manifests produced by jurisdictions.

''(III) Rules and procedures for governing the format of ballot manifests and other data involved in post-election audits.

''(IV) Methods to ensure that any cast vote records used in a post-election audit are those used by the voting system to tally the results of the election contest sent to the chief State election official of the State and made public.

''(V) Rules and procedures for the random selection of ballots to be inspected manually during each audit.

''(VI) Rules and procedures for the calculations and other methods to be used in the audit and to determine whether and when the audit of each election contest is complete.

''(VII) Rules and procedures for testing any software used to conduct post-election audits.

''(B) PUBLIC REPORT.—

''(i) IN GENERAL.—After the completion of the post-election audit and at least 5 days before the election contest is certified by the State, the State shall make public and submit to the Commission a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly.

''(ii) FORMAT OF DATA.—All data published with the report under clause (i) shall be published in machine-readable, open data formats.

''(iii) PROTECTION OF ANONYMITY OF VOTES.—Information and data published by the State under this subparagraph shall not compromise the anonymity of votes.

''(iv) REPORT MADE AVAILABLE BY COMMISSION.—After receiving any report submitted under clause (i), the Commission shall make such report available on its website.

''(3) EFFECTIVE DATE; WAIVER.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), each State and jurisdiction shall be required to comply with the requirements of this subsection for the first regularly scheduled election for Federal office occurring in 2032 and for each subsequent election for Federal office.

''(B) WAIVER.—Except as provided in subparagraph (C), if a State certifies to the Commission not later than the first regularly scheduled election for Federal office occurring in 2032, that the State will not meet the deadline described in subparagraph (A) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subparagraph (A) of this subsection and subsection (c)(2)(A) shall apply to the State as if the reference in such subsections to '2032' were a reference to '2034'.

''(C) ADDITIONAL WAIVER PERIOD.—If a State certifies to the Commission not later than the first regularly scheduled election for Federal office occurring in 2034, that the State will not meet the deadline described in subparagraph (B) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subparagraph (B) of this subsection and subsection (c)(2)(A) shall apply to the State as if the reference in such subsections to '2034' were a reference to '2036'.

''(c) PHASED IMPLEMENTATION.—

''(1) POST-ELECTION AUDITS.—

''(A) IN GENERAL.—For the regularly scheduled elections for Federal office occurring in 2024 and 2026, each State shall administer a post-election audit of the result of at least one statewide election contest for Federal office held in the State, or if no such statewide contest is on the ballot, one election contest for Federal office chosen at random.

''(B) POST-ELECTION AUDIT DEFINED.—In this subsection, the term 'post-election audit' means a post-election process that involves a manual adjudication of voter intent from a sample of ballots validly cast in the election contest.

''(2) POST-ELECTION AUDITS FOR SELECT CONTESTS.—Subject to subparagraphs (B) and (C) of subsection (b)(3), for the regularly scheduled elections for Federal office occurring in 2028 and for each subsequent election for Federal office that occurs prior to the first regularly scheduled election for Federal office occurring in 2032, each State shall administer a post-election audit of the result of at least one statewide election contest for Federal office held in the State, or if no such statewide contest is on the ballot, one election contest for Federal office chosen at random.

''(3) STATES THAT ADMINISTER POST-ELECTION AUDITS FOR ALL CONTESTS.—A State shall be exempt from the requirements of this subsection for any regularly scheduled election for Federal

office in which the State meets the requirements of subsection (b).''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act, as amended by section 3601, is amended by inserting after the item relating to section 303A the following new item:

''Sec. 303B. Post-election audits.''.

(c) STUDY ON POST-ELECTION AUDIT BEST PRACTICES.—

(1) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an advisory committee to study post-election audits and establish best practices for post-election audit methodologies and procedures.

(2) ADVISORY COMMITTEE.—The Director of the National Institute of Standards and Technology shall appoint individuals to the advisory committee and secure the representation of—

(A) State and local election officials;

(B) individuals with experience and expertise in election security;

(C) individuals with experience and expertise in post-election audit procedures; and

(D) individuals with experience and expertise in statistical methods.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subsection.

SEC. 4002. ELECTION INFRASTRUCTURE DESIGNATION.

Subparagraph (J) of section 2001(3) of the Homeland Security Act of 2002 (6 U.S.C. 601(3)) is amended by inserting '', including election infrastructure'' before the period at the end.

SEC. 4003. GUIDELINES AND CERTIFICATION FOR ELECTRONIC POLL BOOKS AND REMOTE BALLOT MARKING SYSTEMS.

(a) INCLUSION UNDER VOLUNTARY VOTING SYSTEM GUIDELINES.—Section 222 of the Help America Vote Act of 2002 (52 U.S.C. 20962) is amended—

(1) by redesignating subsections (a), (b), (c), (d), and (e) as subsections (b), (c), (d), (e), and (f);

(2) by inserting after the section heading the following:

''(a) VOLUNTARY VOTING SYSTEM GUIDELINES.—The Commission shall adopt voluntary voting system guidelines that describe functionality, accessibility, and security principles for the design, development, and operation of voting systems, electronic poll books, and remote ballot marking systems.''; and

(3) by adding at the end the following new subsections:

''(g) INITIAL GUIDELINES FOR ELECTRONIC POLL BOOKS AND REMOTE BALLOT MARKING SYSTEMS.—

''(1) ADOPTION DATE.—The Commission shall adopt initial voluntary voting system guidelines for electronic poll books and remote ballot marking systems not later than 1 year after the date of the enactment of the Freedom to Vote: John R. Lewis Act.

''(2) SPECIAL RULE FOR INITIAL GUIDELINES.—The Commission may adopt initial voluntary voting system guidelines for electronic poll books and remote ballot marking systems without modifying the most recently adopted voluntary voting system guidelines for voting systems.

''(h) DEFINITIONS.—In this section:

''(1) ELECTRONIC POLL BOOK.—The term 'electronic poll book' means the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—

''(A) to retain the list of registered voters at a polling location, or vote center, or other location at which voters cast votes in an election for Federal office; and

''(B) to identify registered voters who are eligible to vote in an election.

''(2) REMOTE BALLOT MARKING SYSTEM.—The term 'remote ballot marking system' means an election system that—

''(A) is used by a voter to mark their ballots outside of a voting center or polling place; and

''(B) allows a voter to receive a blank ballot to mark electronically, print, and then cast by returning the printed ballot to the elections office or other designated location.''.

(b) PROVIDING FOR CERTIFICATION OF ELECTRONIC POLL BOOKS AND REMOTE BALLOT MARKING SYSTEM.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971(a)) is amended in paragraphs (1) and (2) by inserting '', electronic poll books, and remote ballot marking systems'' after ''software''.

SEC. 4004. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

(a) REQUIRING STATES TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 301 the following new section:

''SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

''(a) REQUIRING STATES TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Commission containing a detailed voting system usage plan for each jurisdiction in the State which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system. If a jurisdiction acquires and implements a new voting system within the 120 days before the date of the election, it shall notify the chief State election official of the State, who shall submit to the Commission in a timely manner an updated report under the preceding sentence.

''(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding regularly scheduled general election for Federal office''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 301 the following new item:

''Sec. 301A. Pre-election reports on voting system usage.''.

SEC. 4005. USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES.

(a) REQUIREMENT.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 3904 and section 3906, is further amended by adding at the end the following new paragraph:

''(10) VOTING MACHINE REQUIREMENTS.—

''(A) MANUFACTURING REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2024, each State shall seek to ensure to the extent practicable that any voting machine used in such election and in any subsequent election for Federal office is manufactured in the United States.

''(B) ASSEMBLY REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2024, each State shall seek to ensure that any voting machine purchased or acquired for such election and in any subsequent election for Federal office is assembled in the United States.

''(C) SOFTWARE AND CODE REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2024, each State shall seek to ensure that any software or code developed for any voting system purchased or acquired for such election and in any subsequent election for Federal office is developed and stored in the United States.''.

(b) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 301(d)(1) of such Act (52 U.S.C. 21081(d)(1)), as amended by section 3907, is amended by striking ''paragraph (2)'' and inserting ''subsection (a)(10) and paragraph (2)''.

SEC. 4006. USE OF POLITICAL PARTY HEADQUARTERS BUILDING FUND FOR TECHNOLOGY OR CYBERSECURITY-RELATED PURPOSES.

(a) PERMITTING USE OF FUND.—Section 315(a)(9)(B) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(9)(B)) is amended by striking the period at the end and inserting the following: '', and to defray technology or cybersecurity-related expenses.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to calendar year 2022 and each succeeding calendar year.

SEC. 4007. SEVERABILITY.

If any provision of this title or any amendment made by this title, or the application of any such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

DIVISION C—CIVIC PARTICIPATION AND EMPOWERMENT

TITLE V—NONPARTISAN REDISTRICTING REFORM

SEC. 5001. FINDING OF CONSTITUTIONAL AUTHORITY.

Congress finds that it has the authority to establish the terms and conditions States must follow in carrying out congressional redistricting after an apportionment of Members of the House of Representatives because—

(1) the authority granted to Congress under article I, section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives;

(2) the authority granted to Congress under section 5 of the 14th amendment to the Constitution gives Congress the power to enact laws to enforce section 2 of such amendment, which requires Representatives to be apportioned among the several States according to their number;

(3) the authority granted to Congress under section 5 of the 14th amendment to the Constitution gives Congress the power to enact laws to enforce section 1 of such amendment, including protections against excessive partisan gerrymandering that Federal courts have not enforced because they understand such enforcement to be committed to Congress by the Constitution;

(4) of the authority granted to Congress to enforce article IV, section 4, of the Constitution, and the guarantee of a Republican Form of Government to every State, which Federal courts have not enforced because they understand such enforcement to be committed to Congress by the Constitution;

(5) requiring States to use uniform redistricting criteria is an appropriate and important exercise of such authority; and

(6) partisan gerrymandering dilutes citizens' votes because partisan gerrymandering injures voters and political parties by infringing on their First Amendment right to associate freely and their Fourteenth Amendment right to equal protection of the laws.

SEC. 5002. BAN ON MID-DECADE REDISTRICTING.

A State that has been redistricted in accordance with this title may not be redistricted again until after the next apportionment of Representatives under section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a), unless a court requires the State to conduct such subsequent redistricting to comply with the Constitution of the United States, the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the terms or conditions of this title, or applicable State law.

SEC. 5003. CRITERIA FOR REDISTRICTING.

(a) REQUIRING PLANS TO MEET CRITERIA.—A State may not use a congressional redistricting

plan enacted following the notice of apportionment transmitted to the President on April 26, 2021, or any subsequent notice of apportionment, if such plan is not in compliance with this section, without regard to whether or not the plan was enacted by the State before, on, or after the effective date of this title.

(b) RANKED CRITERIA.—Under the redistricting plan of a State, there shall be established single-member congressional districts using the following criteria as set forth in the following order of priority:

(1) Districts shall comply with the United States Constitution, including the requirement that they substantially equalize total population, without regard to age, citizenship status, or immigration status.

(2) Districts shall comply with the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), including by creating any districts where, if based upon the totality of the circumstances, 2 or more politically cohesive groups protected by such Act are able to elect representatives of choice in coalition with one another, and all applicable Federal laws.

(3)(A) Districts shall be drawn, to the extent that the totality of the circumstances warrant, to ensure the practical ability of a group protected under the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to participate in the political process and to nominate candidates and to elect representatives of choice is not diluted or diminished, regardless of whether or not such protected group constitutes a majority of a district's population, voting age population, or citizen voting age population.

(B) For purposes of subparagraph (A), the assessment of whether a protected group has the practical ability to nominate candidates and to elect representatives of choice shall require the consideration of the following factors:

(i) Whether the group is politically cohesive.

(ii) Whether there is racially polarized voting in the relevant geographic region.

(iii) If there is racially polarized voting in the relevant geographic region, whether the preferred candidates of the group nevertheless receive a sufficient amount of consistent crossover support from other voters such that the group is a functional majority with the ability to both nominate candidates and elect representatives of choice.

(4)(A) Districts shall be drawn to respect communities of interest and neighborhoods to the extent practicable after compliance with the requirements of paragraphs (1) through (3). A community of interest is defined as an area for which the record before the entity responsible for developing and adopting the redistricting plan demonstrates the existence of broadly shared interests and representational needs, including shared interests and representational needs rooted in common ethnic, racial, economic, Indian, social, cultural, geographic, or historic identities, or arising from similar socioeconomic conditions. The term communities of interest may, if the record warrants, include political subdivisions such as counties, municipalities, Indian lands, or school districts, but shall not include common relationships with political parties or political candidates.

(B) For purposes of subparagraph (A), in considering the needs of multiple, overlapping communities of interest, the entity responsible for developing and adopting the redistricting plan shall give greater weight to those communities of interest whose representational needs would most benefit from the community's inclusion in a single congressional district.

(c) NO FAVORING OR DISFAVORING OF POLITICAL PARTIES.—

(1) PROHIBITION.—A State may not use a redistricting plan to conduct an election if the plan's congressional districts, when considered cumulatively on a statewide basis, have been drawn with the intent or have the effect of materially favoring or disfavoring any political party.

(2) DETERMINATION OF EFFECT.—The determination of whether a redistricting plan has the effect of materially favoring or disfavoring a political party shall be based on an evaluation of the totality of circumstances which, at a minimum, shall involve consideration of each of the following factors:

(A) Computer modeling based on relevant statewide general elections for Federal office held over the 8 years preceding the adoption of the redistricting plan setting forth the probable electoral outcomes for the plan under a range of reasonably foreseeable conditions.

(B) An analysis of whether the redistricting plan is statistically likely to result in partisan advantage or disadvantage on a statewide basis, the degree of any such advantage or disadvantage, and whether such advantage or disadvantage is likely to be present under a range of reasonably foreseeable electoral conditions.

(C) A comparison of the modeled electoral outcomes for the redistricting plan to the modeled electoral outcomes for alternative plans that demonstrably comply with the requirements of paragraphs (1), (2), and (3) of subsection (b) in order to determine whether reasonable alternatives exist that would result in materially lower levels of partisan advantage or disadvantage on a statewide basis. For purposes of this subparagraph, alternative plans considered may include both actual plans proposed during the redistricting process and other plans prepared for purposes of comparison.

(D) Any other relevant information, including how broad support for the redistricting plan was among members of the entity responsible for developing and adopting the plan and whether the processes leading to the development and adoption of the plan were transparent and equally open to all members of the entity and to the public.

(3) REBUTTABLE PRESUMPTION.—

(A) TRIGGER.—In any civil action brought under section 5006 in which a party asserts a claim that a State has enacted a redistricting plan which is in violation of this subsection, a party may file a motion not later than 30 days after the enactment of the plan (or, in the case of a plan enacted before the effective date of this Act, not later than 30 days after the effective date of this Act) requesting that the court determine whether a presumption of such a violation exists. If such a motion is timely filed, the court shall hold a hearing not later than 15 days after the date the motion is filed to assess whether a presumption of such a violation exists.

(B) ASSESSMENT.—To conduct the assessment required under subparagraph (A), the court shall do the following:

(i) Determine the number of congressional districts under the plan that would have been carried by each political party's candidates for the office of President and the office of Senator in the 2 most recent general elections for the office of President and the 2 most recent general elections for the office of Senator (other than special general elections) immediately preceding the enactment of the plan, except that if a State conducts a primary election for the office of Senator which is open to candidates of all political parties, the primary election shall be used instead of the general election and the number of districts carried by a party's candidates for the office of Senator shall be determined on the basis of the combined vote share of all candidates in the election who are affiliated with such party.

(ii) Determine, for each of the 4 elections assessed under clause (i), whether the number of districts that would have been carried by any party's candidate as determined under clause (i) results in partisan advantage or disadvantage in excess of the applicable threshold described in subparagraph (C). The degree of partisan advantage or disadvantage shall be determined by one or more standard quantitative measures of partisan fairness that—

(I) use a party's share of the statewide vote to calculate a corresponding benchmark share of seats; and

(II) measure the amount by which the share of seats the party's candidates would have won in the election involved exceeds that benchmark share of seats.

(C) APPLICABLE THRESHOLD DESCRIBED.—The applicable threshold described in this subparagraph is, with respect to a State and a number of seats, the greater of—

(i) an amount equal to 7 percent of the number of congressional districts in the State; or

(ii) one congressional district.

(D) DESCRIPTION OF QUANTITATIVE MEASURES; PROHIBITING ROUNDING.—In carrying out this subsection—

(i) the standard quantitative measures of partisan fairness used by the court may include the simplified efficiency gap but may not include strict proportionality; and

(ii) the court may not round any number.

(E) PRESUMPTION OF VIOLATION.—A plan is presumed to violate paragraph (1) if, on the basis of at least one standard quantitative measure of partisan fairness, it exceeds the applicable threshold described in subparagraph (C) with respect to 2 or more of the 4 elections assessed under subparagraph (B).

(F) STAY OF USE OF PLAN.—Notwithstanding any other provision of this title, in any action under this paragraph, the following rules shall apply:

(i) Upon filing of a motion under subparagraph (A), a State's use of the plan which is the subject of the motion shall be automatically stayed pending resolution of such motion.

(ii) If after considering the motion, the court rules that the plan is presumed under subparagraph (B) to violate paragraph (1), a State may not use such plan until and unless the court which is carrying out the determination of the effect of the plan under paragraph (2) determines that, notwithstanding the presumptive violation, the plan does not violate paragraph (1).

(G) NO EFFECT ON OTHER ASSESSMENTS.—The absence of a presumption of a violation with respect to a redistricting plan as determined under this paragraph shall not affect the determination of the effect or intent of the plan under this section.

(4) DETERMINATION OF INTENT.—A court may rely on all available evidence when determining whether a redistricting plan was drawn with the intent to materially favor or disfavor a political party, including evidence of the partisan effects of a plan, the degree of support the plan received from members of the entity responsible for developing and adopting the plan, and whether the processes leading to development and adoption of the plan were transparent and equally open to all members of the entity and to the public.

(5) NO VIOLATION BASED ON CERTAIN CRITERIA.—No redistricting plan shall be found to be in violation of paragraph (1) because of the proper application of the criteria set forth in paragraphs (1), (2), or (3) of subsection (b), unless one or more alternative plans could have complied with such paragraphs without having the effect of materially favoring or disfavoring a political party.

(d) FACTORS PROHIBITED FROM CONSIDERATION.—In developing the redistricting plan for the State, the State may not take into consideration any of the following factors, except as necessary to comply with the criteria described in paragraphs (1) through (3) of subsection (b), to achieve partisan fairness and comply with subsection (b), and to enable the redistricting plan to be measured against the external metrics described in section 5004(c):

(1) The residence of any Member of the House of Representatives or candidate.

(2) The political party affiliation or voting history of the population of a district.

(e) ADDITIONAL CRITERIA.—A State may not rely upon criteria, districting principles, or

other policies of the State which are not set forth in this section to justify non-compliance with the requirements of this section.

(f) APPLICABILITY.—

(1) IN GENERAL.—This section applies to any authority, whether appointed, elected, judicial, or otherwise, responsible for enacting the congressional redistricting plan of a State.

(2) DATE OF ENACTMENT.—This section applies to any congressional redistricting plan enacted following the notice of apportionment transmitted to the President on April 26, 2021, regardless of the date of enactment by the State of the congressional redistricting plan.

(g) SEVERABILITY OF CRITERIA.—If any provision of this section or any amendment made by this section, or the application of any such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this section, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

SEC. 5004. DEVELOPMENT OF PLAN.

(a) PUBLIC NOTICE AND INPUT.—

(1) USE OF OPEN AND TRANSPARENT PROCESS.—The entity responsible for developing and adopting the congressional redistricting plan of a State shall solicit and take into consideration comments from the public throughout the process of developing the plan, and shall carry out its duties in an open and transparent manner which provides for the widest public dissemination reasonably possible of its proposed and final redistricting plans.

(2) WEBSITE.—

(A) FEATURES.—The entity shall maintain a public Internet site which is not affiliated with or maintained by the office of any elected official and which includes the following features:

(i) All proposed redistricting plans and the final redistricting plan, including the accompanying written evaluation under subsection (c).

(ii) All comments received from the public submitted under paragraph (1).

(iii) Access in an easily usable format to the demographic and other data used by the entity to develop and analyze the proposed redistricting plans, together with any reports analyzing and evaluating such plans and access to software that members of the public may use to draw maps of proposed districts.

(iv) A method by which members of the public may submit comments directly to the entity.

(B) SEARCHABLE FORMAT.—The entity shall ensure that all information posted and maintained on the site under this paragraph, including information and proposed maps submitted by the public, shall be maintained in an easily searchable format.

(3) MULTIPLE LANGUAGE REQUIREMENTS FOR ALL NOTICES.—The entity responsible for developing and adopting the plan shall make each notice which is required to be posted and published under this section available in any language in which the State (or any jurisdiction in the State) is required to provide election materials under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

(b) DEVELOPMENT OF PLAN.—

(1) HEARINGS.—The entity responsible for developing and adopting the congressional redistricting plan shall hold hearings both before and after releasing proposed plans in order to solicit public input on the content of such plans. These hearings shall—

(A) be held in different regions of the State and streamed live on the public Internet site maintained under subsection (a)(2);

(B) be sufficient in number, scheduled at times and places, and noticed and conducted in a manner to ensure that all members of the public, including members of racial, ethnic, and language minorities protected under the Voting Rights Act of 1965, have a meaningful opportunity to attend and provide input both before and after the entity releases proposed plans.

(2) POSTING OF MAPS.—The entity responsible for developing and adopting the congressional redistricting plan shall make proposed plans, amendments to proposed plans, and the data needed to analyze such plans for compliance with the criteria of this title available for public review, including on the public Internet site required under subsection (a)(2), for a period of not less than 5 days before any vote or hearing is held on any such plan or any amendment to such a plan.

(c) RELEASE OF WRITTEN EVALUATION OF PLAN AGAINST EXTERNAL METRICS REQUIRED PRIOR TO VOTE.—The entity responsible for developing and adopting the congressional redistricting plan for a State may not hold a vote on a proposed redistricting plan, including a vote in a committee, unless at least 48 hours prior to holding the vote the State has released a written evaluation that measures each such plan against external metrics which cover the criteria set forth in section 5003(b), including the impact of the plan on the ability of members of a class of citizens protected by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to elect candidates of choice, the degree to which the plan preserves or divides communities of interest, and any analysis used by the State to assess compliance with the requirements of section 5003(b) and (c).

(d) PUBLIC INPUT AND COMMENTS.—The entity responsible for developing and adopting the congressional redistricting plan for a State shall make all public comments received about potential plans, including alternative plans, available to the public on the Internet site required under subsection (a)(2), at no cost, not later than 24 hours prior to holding a vote on final adoption of a plan.

SEC. 5005. FAILURE BY STATE TO ENACT PLAN.

(a) DEADLINE FOR ENACTMENT OF PLAN.—

(1) IN GENERAL.—Except as provided in paragraph (2), each State shall enact a final congressional redistricting plan following transmission of a notice of apportionment to the President by the earliest of—

(A) the deadline set forth in State law, including any extension to the deadline provided in accordance with State law;

(B) February 15 of the year in which regularly scheduled general elections for Federal office are held in the State; or

(C) 90 days before the date of the next regularly scheduled primary election for Federal office held in the State.

(2) SPECIAL RULE FOR PLANS ENACTED PRIOR TO EFFECTIVE DATE OF TITLE.—If a State enacted a final congressional redistricting plan prior to the effective date of this title and the plan is not in compliance with the requirements of this title, the State shall enact a final redistricting plan which is in compliance with the requirements of this title not later than 45 days after the effective date of this title.

(b) DEVELOPMENT OF PLAN BY COURT IN CASE OF MISSED DEADLINE.—If a State has not enacted a final congressional redistricting plan by the applicable deadline under subsection (a), or it appears reasonably likely that a State will fail to enact a final congressional redistricting plan by such deadline—

(1) any citizen of the State may file an action in the United States district court for the applicable venue asking the district court to assume jurisdiction;

(2) the United States district court for the applicable venue, acting through a 3-judge court convened pursuant to section 2284 of title 28, United States Code, shall have the exclusive authority to develop and publish the congressional redistricting plan for the State; and

(3) the final congressional redistricting plan developed and published by the court under this section shall be deemed to be enacted on the date on which the court publishes the final congressional redistricting plan, as described in subsection (e).

(c) APPLICABLE VENUE.—For purposes of this section, the ''applicable venue'' with respect to a State is the District of Columbia or the judicial district in which the capital of the State is located, as selected by the first party to file with the court sufficient evidence that a State has failed to, or is reasonably likely to fail to, enact a final redistricting plan for the State prior to the expiration of the applicable deadline set forth in subsection (a).

(d) PROCEDURES FOR DEVELOPMENT OF PLAN.—

(1) CRITERIA.—In developing a redistricting plan for a State under this section, the court shall adhere to the same terms and conditions that applied (or that would have applied, as the case may be) to the development of a plan by the State under section 5003.

(2) ACCESS TO INFORMATION AND RECORDS.—The court shall have access to any information, data, software, or other records and material that was used (or that would have been used, as the case may be) by the State in carrying out its duties under this title.

(3) HEARING; PUBLIC PARTICIPATION.—In developing a redistricting plan for a State, the court shall—

(A) hold one or more evidentiary hearings at which interested members of the public may appear and be heard and present testimony, including expert testimony, in accordance with the rules of the court; and

(B) consider other submissions and comments by the public, including proposals for redistricting plans to cover the entire State or any portion of the State.

(4) USE OF SPECIAL MASTER.—To assist in the development and publication of a redistricting plan for a State under this section, the court may appoint a special master to make recommendations to the court on possible plans for the State.

(e) PUBLICATION OF PLAN.—

(1) PUBLIC AVAILABILITY OF INITIAL PLAN.—Upon completing the development of one or more initial redistricting plans, the court shall make the plans available to the public at no cost, and shall also make available the underlying data used to develop the plans and a written evaluation of the plans against external metrics (as described in section 5004(c)).

(2) PUBLICATION OF FINAL PLAN.—At any time after the expiration of the 14-day period which begins on the date the court makes the plans available to the public under paragraph (1), and taking into consideration any submissions and comments by the public which are received during such period, the court shall develop and publish the final redistricting plan for the State.

(f) USE OF INTERIM PLAN.—In the event that the court is not able to develop and publish a final redistricting plan for the State with sufficient time for an upcoming election to proceed, the court may develop and publish an interim redistricting plan which shall serve as the redistricting plan for the State until the court develops and publishes a final plan in accordance with this section. Nothing in this subsection may be construed to limit or otherwise affect the authority or discretion of the court to develop and publish the final redistricting plan, including the discretion to make any changes the court deems necessary to an interim redistricting plan.

(g) APPEALS.—Review on appeal of any final or interim plan adopted by the court in accordance with this section shall be governed by the appellate process in section 5006.

(h) STAY OF STATE PROCEEDINGS.—The filing of an action under this section shall act as a stay of any proceedings in State court with respect to the State's congressional redistricting plan unless otherwise ordered by the court.

SEC. 5006. CIVIL ENFORCEMENT.

(a) CIVIL ENFORCEMENT.—

(1) ACTIONS BY ATTORNEY GENERAL.—The Attorney General may bring a civil action for such relief as may be appropriate to carry out this title.

(2) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—Any person residing or domiciled in a State who is aggrieved by the failure of the State to meet the requirements of the Constitution or Federal law, including this title, with respect to the State's congressional redistricting, may bring a civil action in the United States district court for the applicable venue for such relief as may be appropriate to remedy the failure.

(B) SPECIAL RULE FOR CLAIMS RELATING TO PARTISAN ADVANTAGE.—For purposes of subparagraph (A), a person who is aggrieved by the failure of a State to meet the requirements of section 5003(c) may include—

(i) any political party or committee in the State; and

(ii) any registered voter in the State who resides in a congressional district that the voter alleges was drawn in a manner that contributes to a violation of such section.

(C) NO AWARDING OF DAMAGES TO PREVAILING PARTY.—Except for an award of attorney's fees under subsection (d), a court in a civil action under this section shall not award the prevailing party any monetary damages, compensatory, punitive, or otherwise.

(3) DELIVERY OF COMPLAINT TO HOUSE AND SENATE.—In any action brought under this section, a copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(4) EXCLUSIVE JURISDICTION AND APPLICABLE VENUE.—The district courts of the United States shall have exclusive jurisdiction to hear and determine claims asserting that a congressional redistricting plan violates the requirements of the Constitution or Federal law, including this title. The applicable venue for such an action shall be the United States District Court for the District of Columbia or for the judicial district in which the capital of the State is located, as selected by the person bringing the action. In a civil action that includes a claim that a redistricting plan is in violation of section 5003(b) or (c), the United States District Court for the District of Columbia shall have jurisdiction over any defendant who has been served in any United States judicial district in which the defendant resides, is found, or has an agent, or in the United States judicial district in which the capital of the State is located. Process may be served in any United States judicial district where a defendant resides, is found, or has an agent, or in the United States judicial district in which the capital of the State is located.

(5) USE OF 3-JUDGE COURT.—If an action under this section raises statewide claims under the Constitution or this title, the action shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(6) REVIEW OF FINAL DECISION.—A final decision in an action brought under this section shall be reviewable on appeal by the United States Court of Appeals for the District of Columbia Circuit, which shall hear the matter sitting en banc. There shall be no right of appeal in such proceedings to any other court of appeals. Such appeal shall be taken by the filing of a notice of appeal within 10 days of the entry of the final decision. A final decision by the Court of Appeals may be reviewed by the Supreme Court of the United States by writ of certiorari.

(b) EXPEDITED CONSIDERATION.—In any action brought under this section, it shall be the duty of the district court, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States (if it chooses to hear the action) to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(c) REMEDIES.—

(1) ADOPTION OF REPLACEMENT PLAN.—

(A) IN GENERAL.—If the district court in an action under this section finds that the congressional redistricting plan of a State violates, in whole or in part, the requirements of this title—

(i) the court shall adopt a replacement congressional redistricting plan for the State in accordance with the process set forth in section 5005; or

(ii) if circumstances warrant and no delay to an upcoming regularly scheduled election for the House of Representatives in the State would result, the district court, in its discretion, may allow a State to develop and propose a remedial congressional redistricting plan for review by the court to determine whether the plan is in compliance with this title, except that—

(I) the State may not develop and propose a remedial plan under this clause if the court determines that the congressional redistricting plan of the State was enacted with discriminatory intent in violation of the Constitution or section 5003(b); and

(II) nothing in this clause may be construed to permit a State to use such a remedial plan which has not been approved by the court.

(B) PROHIBITING USE OF PLANS IN VIOLATION OF REQUIREMENTS.—No court shall order a State to use a congressional redistricting plan which violates, in whole or in part, the requirements of this title, or to conduct an election under terms and conditions which violate, in whole or in part, the requirements of this title.

(C) SPECIAL RULE IN CASE FINAL ADJUDICATION NOT EXPECTED WITHIN 3 MONTHS OF ELECTION.—

(i) DUTY OF COURT.—If final adjudication of an action under this section is not reasonably expected to be completed at least 3 months prior to the next regularly scheduled primary election for the House of Representatives in the State, the district court shall—

(I) develop, adopt, and order the use of an interim congressional redistricting plan in accordance with section 5005(f) to address any claims under this title for which a party seeking relief has demonstrated a substantial likelihood of success; or

(II) order adjustments to the timing of primary elections for the House of Representatives and other related deadlines, as needed, to allow sufficient opportunity for adjudication of the matter and adoption of a remedial or replacement plan for use in the next regularly scheduled general elections for the House of Representatives.

(ii) PROHIBITING FAILURE TO ACT ON GROUNDS OF PENDENCY OF ELECTION.—The court may not refuse to take any action described in clause (i) on the grounds of the pendency of the next election held in the State or the potential for disruption, confusion, or additional burdens with respect to the administration of the election in the State.

(2) NO STAY PENDING APPEAL.—Notwithstanding the appeal of an order finding that a congressional redistricting plan of a State violates, in whole or in part, the requirements of this title, no stay shall issue which shall bar the development or adoption of a replacement or remedial plan under this subsection, as may be directed by the district court, pending such appeal. If such a replacement or remedial plan has been adopted, no appellate court may stay or otherwise enjoin the use of such plan during the pendency of an appeal, except upon an order holding, based on the record, that adoption of such plan was an abuse of discretion.

(3) SPECIAL AUTHORITY OF COURT OF APPEALS.—

(A) ORDERING OF NEW REMEDIAL PLAN.—If, upon consideration of an appeal under this title, the Court of Appeals determines that a plan does not comply with the requirements of this title, it shall direct that the District Court promptly develop a new remedial plan with assistance of a special master for consideration by the Court of Appeals.

(B) FAILURE OF DISTRICT COURT TO TAKE TIMELY ACTION.—If, at any point during the pendency of an action under this section, the District Court fails to take action necessary to permit resolution of the case prior to the next regularly scheduled election for the House of Representatives in the State or fails to grant the relief described in paragraph (1)(C), any party may seek a writ of mandamus from the Court of Appeals for the District of Columbia Circuit. The Court of Appeals shall have jurisdiction over the motion for a writ of mandamus and shall establish an expedited briefing and hearing schedule for resolution of the motion. If the Court of Appeals determines that a writ should be granted, the Court of Appeals shall take any action necessary, including developing a congressional redistricting plan with assistance of a special master to ensure that a remedial plan is adopted in time for use in the next regularly scheduled election for the House of Representatives in the State.

(4) EFFECT OF ENACTMENT OF REPLACEMENT PLAN.—A State's enactment of a redistricting plan which replaces a plan which is the subject of an action under this section shall not be construed to limit or otherwise affect the authority of the court to adjudicate or grant relief with respect to any claims or issues not addressed by the replacement plan, including claims that the plan which is the subject of the action was enacted, in whole or in part, with discriminatory intent, or claims to consider whether relief should be granted under section 3(c) of the Voting Rights Act of 1965 (52 U.S.C. 10302(c)) based on the plan which is the subject of the action.

(d) ATTORNEY'S FEES.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(e) RELATION TO OTHER LAWS.—

(1) RIGHTS AND REMEDIES ADDITIONAL TO OTHER RIGHTS AND REMEDIES.—The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this title shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) VOTING RIGHTS ACT OF 1965.—Nothing in this title authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(f) LEGISLATIVE PRIVILEGE.—No person, legislature, or State may claim legislative privilege under either State or Federal law in a civil action brought under this section or in any other legal challenge, under either State or Federal law, to a redistricting plan enacted under this title.

(g) REMOVAL.—

(1) IN GENERAL.—At any time, a civil action brought in a State court which asserts a claim for which the district courts of the United States have exclusive jurisdiction under this title may be removed by any party in the case, including an intervenor, by filing, in the district court for an applicable venue under this section, a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure containing a short and plain statement of the grounds for removal. Consent of parties shall not be required for removal.

(2) CLAIMS NOT WITHIN THE ORIGINAL OR SUPPLEMENTAL JURISDICTION.—If a civil action removed in accordance with paragraph (1) contains claims not within the original or supplemental jurisdiction of the district court, the district court shall sever all such claims and remand them to the State court from which the action was removed.

SEC. 5007. NO EFFECT ON ELECTIONS FOR STATE AND LOCAL OFFICE.

Nothing in this title or in any amendment made by this title may be construed to affect the manner in which a State carries out elections for State or local office, including the process by which a State establishes the districts used in such elections.

SEC. 5008. EFFECTIVE DATE.

(a) IN GENERAL.—This title and the amendments made by this title shall apply on the date of enactment of this title.

(b) APPLICATION TO CONGRESSIONAL REDISTRICTING PLANS RESULTING FROM 2020 DECENNIAL CENSUS.—Notwithstanding subsection (a), this title and the amendments made by this title, other than section 5004, shall apply with respect to each congressional redistricting plan enacted pursuant to the notice of apportionment transmitted to the President on April 26, 2021, without regard to whether or not a State enacted such a plan prior to the date of the enactment of this Act.

TITLE VI—CAMPAIGN FINANCE TRANSPARENCY

Subtitle A—DISCLOSE Act

SEC. 6001. SHORT TITLE.

This subtitle may be cited as the ''Democracy Is Strengthened by Casting Light On Spending in Elections Act of 2021'' or the ''DISCLOSE Act of 2021''.

SEC. 6002. FINDINGS.

Congress finds the following:

(1) Campaign finance disclosure is a narrowly tailored and minimally restrictive means to advance substantial government interests, including fostering an informed electorate capable of engaging in self-government and holding their elected officials accountable, detecting and deterring quid pro quo corruption, and identifying information necessary to enforce other campaign finance laws, including campaign contribution limits and the prohibition on foreign money in U.S. campaigns. To further these substantial interests, campaign finance disclosure must be timely and complete, and must disclose the true and original source of money given, transferred, and spent to influence Federal elections. Current law does not meet this objective because corporations and other entities that the Supreme Court has permitted to spend money to influence Federal elections are subject to few if any transparency requirements.

(2) As the Supreme Court recognized in its per curiam opinion in Buckley v. Valeo, 424 U.S. 1, (1976), ''disclosure requirements certainly in most applications appear to be the least restrictive means of curbing the evils of campaign ignorance and corruption that Congress found to exist.'' Buckley, 424 U.S. at 68. In Citizens United v. FEC, the Court reiterated that ''disclosure is a less restrictive alternative to more comprehensive regulations of speech.'' 558 U.S. 310, 369 (2010).

(3) No subsequent decision has called these holdings into question, including the Court's decision in Americans for Prosperity Foundation v. Bonta, 141 S. Ct. 2373 (2021). That case did not involve campaign finance disclosure, and the Court did not overturn its longstanding recognition of the substantial interests furthered by such disclosure.

(4) Campaign finance disclosure is also essential to enforce the Federal Election Campaign Act's prohibition on contributions by and solicitations of foreign nationals. See section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121).

(5) Congress should close loopholes allowing spending by foreign nationals in domestic elections. For example, in 2021, the Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process, found reason to believe and conciliated a matter where an experienced political consultant knowingly and willfully violated Federal law by soliciting a contribution from a foreign national by offering to transmit a $2,000,000 contribution to a super PAC through his company and two 501(c)(4) organizations, to conceal the origin of the funds. This scheme was only unveiled after appearing in a The Telegraph UK article and video capturing the solicitation. See Conciliation Agreement, MURs 7165 & 7196 (Great America PAC, et al.), date June 28, 2021; Factual and Legal Analysis, MURs 7165 & 7196 (Jesse Benton), dated Mar. 2, 2021.

PART 1—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SEC. 6003. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs 2 ems to the right;

(2) by striking ''As used in this section, the term'' and inserting the following: ''DEFINITIONS.—For purposes of this section—

''(1) FOREIGN NATIONAL.—The term'';

(3) by moving paragraphs (1) and (2) two ems to the right and redesignating them as subparagraphs (A) and (B), respectively; and

(4) by adding at the end the following new paragraph:

''(2) CONTRIBUTION AND DONATION.—For purposes of paragraphs (1) and (2) of subsection (a), the term 'contribution or donation' includes any disbursement to a political committee which accepts donations or contributions that do not comply with any of the limitations, prohibitions, and reporting requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions), or to any other person for the purpose of funding an expenditure, independent expenditure, or electioneering communication (as defined in section 304(f)(3)).''.

SEC. 6004. STUDY AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) STUDY.—For each 4-year election cycle (beginning with the 4-year election cycle ending in 2020), the Comptroller General shall conduct a study on the incidence of illicit foreign money in all elections for Federal office held during the preceding 4-year election cycle, including what information is known about the presence of such money in elections for Federal office.

(b) REPORT.—

(1) IN GENERAL.—Not later than the applicable date with respect to any 4-year election cycle, the Comptroller General shall submit to the appropriate congressional committees a report on the study conducted under subsection (a).

(2) MATTERS INCLUDED.—The report submitted under paragraph (1) shall include a description of the extent to which illicit foreign money was used to target particular groups, including rural communities, African-American and other minority communities, and military and veteran communities, based on such targeting information as is available and accessible to the Comptroller General.

(3) APPLICABLE DATE.—For purposes of paragraph (1), the term ''applicable date'' means—

(A) in the case of the 4-year election cycle ending in 2020, the date that is 1 year after the date of the enactment of this Act; and

(B) in the case of any other 4-year election cycle, the date that is 1 year after the date on which such 4-year election cycle ends.

(c) DEFINITIONS.—As used in this section:

(1) 4-YEAR ELECTION CYCLE.—The term ''4-year election cycle'' means the 4-year period ending on the date of the general election for the offices of President and Vice President.

(2) ILLICIT FOREIGN MONEY.—The term ''illicit foreign money'' means any contribution, donation, expenditure, or disbursement by a foreign national (as defined in section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C.30121(b))) prohibited under such section.

(3) ELECTION; FEDERAL OFFICE.—The terms ''election'' and ''Federal office'' have the meanings given such terms under section 301 of the Federal Election Campaign Act of 1971 (53 U.S.C. 30101).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on House Administration of the House of Representatives;

(B) the Committee on Rules and Administration of the Senate;

(C) the Committee on the Judiciary of the House of Representatives; and

(D) the Committee on the Judiciary of the Senate.

(d) SUNSET.—This section shall not apply to any 4-year election cycle beginning after the election for the offices of President and Vice President in 2032.

SEC. 6005. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTION WITH BALLOT INITIATIVES AND REFERENDA.

(a) IN GENERAL.—Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), as amended by section 6003, is amended by adding at the end the following new paragraph:

''(3) FEDERAL, STATE, OR LOCAL ELECTION.—The term 'Federal, State, or local election' includes a State or local ballot initiative or referendum, but only in the case of—

''(A) a covered foreign national described in section 304(j)(3)(C);

''(B) a foreign principal described in section 1(b)(2) or 1(b)(3) of the Foreign Agent Registration Act of 1938, as amended (22 U.S.C. 611(b)(2) or (b)(3)) or an agent of such a foreign principal under such Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections held in 2022 or any succeeding year.

SEC. 6006. DISBURSEMENTS AND ACTIVITIES SUBJECT TO FOREIGN MONEY BAN.

(a) DISBURSEMENTS DESCRIBED.—Section 319(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (B); and

(2) by striking subparagraph (C) and inserting the following:

''(C) an expenditure;

''(D) an independent expenditure;

''(E) a disbursement for an electioneering communication (within the meaning of section 304(f)(3));

''(F) a disbursement for a communication which is placed or promoted for a fee on a website, web application, or digital application that refers to a clearly identified candidate for election for Federal office and is disseminated within 60 days before a general, special or runoff election for the office sought by the candidate or 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate for the office sought by the candidate;

''(G) a disbursement by a covered foreign national described in section 304(j)(3)(C) for a broadcast, cable or satellite communication, or for a communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);

''(H) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on an online platform (as defined in section 304(k)(3)), that discusses a national legislative issue of public importance in a year in which a regularly scheduled general election for Federal office is held, but only if the disbursement is made by a covered foreign national described in section 304(j)(3)(C);

''(I) a disbursement by a covered foreign national described in section 304(j)(3)(C) to compensate any person for internet activity that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether

the activity contains express advocacy or the functional equivalent of express advocacy); or

''(J) a disbursement by a covered foreign national described in section 304(j)(3)(C) for a Federal judicial nomination communication (as defined in section 324(g)(2));''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

SEC. 6007. PROHIBITING ESTABLISHMENT OF CORPORATION TO CONCEAL ELECTION CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS.

(a) PROHIBITION.—Chapter 29 of title 18, United States Code, as amended by section 2001(a) and section 3101(a), is amended by adding at the end the following:

''§ 614. Establishment of corporation to conceal election contributions and donations by foreign nationals

''(a) OFFENSE.—It shall be unlawful for an owner, officer, attorney, or incorporation agent of a corporation, company, or other entity to establish or use the corporation, company, or other entity with the intent to conceal an activity of a foreign national (as defined in section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121)) prohibited under such section 319.

''(b) PENALTY.—Any person who violates subsection (a) shall be imprisoned for not more than 5 years, fined under this title, or both.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code, as amended by section 2001(b) and section 3101(b), is amended by inserting after the item relating to section 612 the following:

''614. Establishment of corporation to conceal election contributions and donations by foreign nationals.''.

PART 2—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS

SEC. 6011. REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS.

(a) IN GENERAL.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126) is amended to read as follows:

''SEC. 324. DISCLOSURE OF CAMPAIGN-RELATED DISBURSEMENTS BY COVERED ORGANIZATIONS.

''(a) DISCLOSURE STATEMENT.—

''(1) IN GENERAL.—Any covered organization that makes campaign-related disbursements aggregating more than $10,000 in an election reporting cycle shall, not later than 24 hours after each disclosure date, file a statement with the Commission made under penalty of perjury that contains the information described in paragraph (2)—

''(A) in the case of the first statement filed under this subsection, for the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the first such disclosure date) and ending on the first such disclosure date; and

''(B) in the case of any subsequent statement filed under this subsection, for the period beginning on the previous disclosure date and ending on such disclosure date.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph is as follows:

''(A) The name of the covered organization and the principal place of business of such organization and, in the case of a covered organization that is a corporation (other than a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d))) or an entity described in subsection (e)(2), a list of the beneficial owners (as defined in paragraph (4)(A)) of the entity that—

''(i) identifies each beneficial owner by name and current residential or business street address; and

''(ii) if any beneficial owner exercises control over the entity through another legal entity, such as a corporation, partnership, limited liability company, or trust, identifies each such other legal entity and each such beneficial owner who will use that other entity to exercise control over the entity.

''(B) The amount of each campaign-related disbursement made by such organization during the period covered by the statement of more than $1,000, and the name and address of the person to whom the disbursement was made.

''(C) In the case of a campaign-related disbursement that is not a covered transfer, the election to which the campaign-related disbursement pertains and if the disbursement is made for a public communication, the name of any candidate identified in such communication and whether such communication is in support of or in opposition to a candidate.

''(D) A certification by the chief executive officer or person who is the head of the covered organization that the campaign-related disbursement is not made in cooperation, consultation, or concert with or at the request or suggestion of a candidate, authorized committee, or agent of a candidate, political party, or agent of a political party.

''(E)(i) If the covered organization makes campaign-related disbursements using exclusively funds in a segregated bank account consisting of funds that were paid directly to such account by persons other than the covered organization that controls the account, for each such payment to the account—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the account in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2022, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2022.

''(F)(i) If the covered organization makes campaign-related disbursements using funds other than funds in a segregated bank account described in subparagraph (E), for each payment to the covered organization—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the covered organization in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2022, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2022.

''(G) Such other information as required in rules established by the Commission to promote the purposes of this section.

''(3) EXCEPTIONS.—

''(A) AMOUNTS RECEIVED IN ORDINARY COURSE OF BUSINESS.—The requirement to include in a statement filed under paragraph (1) the information described in paragraph (2) shall not apply to amounts received by the covered organization in commercial transactions in the ordinary course of any trade or business conducted by the covered organization or in the form of investments (other than investments by the principal shareholder in a limited liability corporation) in the covered organization. For purposes of this subparagraph, amounts received by a covered organization as remittances from an employee to the employee's collective bargaining representative shall be treated as amounts received in commercial transactions in the ordinary course of the business conducted by the covered organization.

''(B) DONOR RESTRICTION ON USE OF FUNDS.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (F) of paragraph (2) shall not apply if—

''(i) the person described in such subparagraph prohibited, in writing, the use of the payment made by such person for campaign-related disbursements; and

''(ii) the covered organization agreed to follow the prohibition and deposited the payment in an account which is segregated from any account used to make campaign-related disbursements.

''(C) THREAT OF HARASSMENT OR REPRISAL.—The requirement to include any information relating to the name or address of any person (other than a candidate) in a statement submitted under paragraph (1) shall not apply if the inclusion of the information would subject the person to serious threats, harassment, or reprisals.

''(4) OTHER DEFINITIONS.—For purposes of this section:

''(A) BENEFICIAL OWNER DEFINED.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'beneficial owner' means, with respect to any entity, a natural person who, directly or indirectly—

''(I) exercises substantial control over an entity through ownership, voting rights, agreement, or otherwise; or

''(II) has a substantial interest in or receives substantial economic benefits from the assets of an entity.

''(ii) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(I) a minor child;

''(II) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(III) a person acting solely as an employee of an entity and whose control over or economic benefits from the entity derives solely from the employment status of the person;

''(IV) a person whose only interest in an entity is through a right of inheritance, unless the person also meets the requirements of clause (i); or

''(V) a creditor of an entity, unless the creditor also meets the requirements of clause (i).

''(iii) ANTI-ABUSE RULE.—The exceptions under clause (ii) shall not apply if used for the purpose of evading, circumventing, or abusing the provisions of clause (i) or paragraph (2)(A).

''(B) DISCLOSURE DATE.—The term 'disclosure date' means—

''(i) the first date during any election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000; and

''(ii) any other date during such election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000 since the most recent disclosure date for such election reporting cycle.

''(C) ELECTION REPORTING CYCLE.—The term 'election reporting cycle' means the 2-year period beginning on the date of the most recent general election for Federal office.

''(D) PAYMENT.—The term 'payment' includes any contribution, donation, transfer, payment of dues, or other payment.

''(b) COORDINATION WITH OTHER PROVISIONS.—

''(1) OTHER REPORTS FILED WITH THE COMMISSION.—Information included in a statement filed under this section may be excluded from statements and reports filed under section 304.

''(2) TREATMENT AS SEPARATE SEGREGATED FUND.—A segregated bank account referred to in subsection (a)(2)(E) may be treated as a separate segregated fund for purposes of section 527(f)(3) of the Internal Revenue Code of 1986.

''(c) FILING.—Statements required to be filed under subsection (a) shall be subject to the requirements of section 304(d) to the same extent and in the same manner as if such reports had been required under subsection (c) or (g) of section 304.

''(d) CAMPAIGN-RELATED DISBURSEMENT DEFINED.—

''(1) IN GENERAL.—In this section, the term 'campaign-related disbursement' means a disbursement by a covered organization for any of the following:

''(A) An independent expenditure which expressly advocates the election or defeat of a clearly identified candidate for election for Federal office, or is the functional equivalent of express advocacy because, when taken as a whole, it can be interpreted by a reasonable person only as advocating the election or defeat of a candidate for election for Federal office.

''(B) An applicable public communication.

''(C) An electioneering communication, as defined in section 304(f)(3).

''(D) A covered transfer.

''(2) APPLICABLE PUBLIC COMMUNICATIONS.—

''(A) IN GENERAL.—The term 'applicable public communication' means any public communication that refers to a clearly identified candidate for election for Federal office and which promotes or supports the election of a candidate for that office, or attacks or opposes the election of a candidate for that office, without regard to whether the communication expressly advocates a vote for or against a candidate for that office.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(3) INTENT NOT REQUIRED.—A disbursement for an item described in subparagraph (A), (B), (C) or (D) of paragraph (1) shall be treated as a campaign-related disbursement regardless of the intent of the person making the disbursement.

''(e) COVERED ORGANIZATION DEFINED.—In this section, the term 'covered organization' means any of the following:

''(1) A corporation (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(2) A limited liability corporation that is not otherwise treated as a corporation for purposes of this Act (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(3) An organization described in section 501(c) of such Code and exempt from taxation under section 501(a) of such Code (other than an organization described in section 501(c)(3) of such Code).

''(4) A labor organization (as defined in section 316(b)).

''(5) Any political organization under section 527 of the Internal Revenue Code of 1986, other than a political committee under this Act (except as provided in paragraph (6)).

''(6) A political committee with an account that accepts donations or contributions that do not comply with the contribution limits or source prohibitions under this Act, but only with respect to such accounts.

''(f) COVERED TRANSFER DEFINED.—

''(1) IN GENERAL.—In this section, the term 'covered transfer' means any transfer or payment of funds by a covered organization to another person if the covered organization—

''(A) designates, requests, or suggests that the amounts be used for—

''(i) campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(B) made such transfer or payment in response to a solicitation or other request for a donation or payment for—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(C) engaged in discussions with the recipient of the transfer or payment regarding—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) donating or transferring any amount of such transfer or payment to another person for the purpose of making or paying for such campaign-related disbursements; or

''(D) knew or had reason to know that the person receiving the transfer or payment would make campaign-related disbursements in an aggregate amount of $50,000 or more during the 2-year period beginning on the date of the transfer or payment.

''(2) EXCLUSIONS.—The term 'covered transfer' does not include any of the following:

''(A) A disbursement made by a covered organization in a commercial transaction in the ordinary course of any trade or business conducted by the covered organization or in the form of investments made by the covered organization.

''(B) A disbursement made by a covered organization if—

''(i) the covered organization prohibited, in writing, the use of such disbursement for campaign-related disbursements; and

''(ii) the recipient of the disbursement agreed to follow the prohibition and deposited the disbursement in an account which is segregated from any account used to make campaign-related disbursements.

''(3) SPECIAL RULE REGARDING TRANSFERS AMONG AFFILIATES.—

''(A) SPECIAL RULE.—A transfer of an amount by one covered organization to another covered organization which is treated as a transfer between affiliates under subparagraph (C) shall be considered a covered transfer by the covered organization which transfers the amount only if the aggregate amount transferred during the year by such covered organization to that same covered organization is equal to or greater than $50,000.

''(B) DETERMINATION OF AMOUNT OF CERTAIN PAYMENTS AMONG AFFILIATES.—In determining the amount of a transfer between affiliates for purposes of subparagraph (A), to the extent that the transfer consists of funds attributable to dues, fees, or assessments which are paid by individuals on a regular, periodic basis in accordance with a per-individual calculation which is made on a regular basis, the transfer shall be attributed to the individuals paying the dues, fees, or assessments and shall not be attributed to the covered organization.

''(C) DESCRIPTION OF TRANSFERS BETWEEN AFFILIATES.—A transfer of amounts from one covered organization to another covered organization shall be treated as a transfer between affiliates if—

''(i) one of the organizations is an affiliate of the other organization; or

''(ii) each of the organizations is an affiliate of the same organization,

except that the transfer shall not be treated as a transfer between affiliates if one of the organizations is established for the purpose of making campaign-related disbursements.

''(D) DETERMINATION OF AFFILIATE STATUS.—For purposes of subparagraph (C), a covered organization is an affiliate of another covered organization if—

''(i) the governing instrument of the organization requires it to be bound by decisions of the other organization;

''(ii) the governing board of the organization includes persons who are specifically designated representatives of the other organization or are members of the governing board, officers, or paid executive staff members of the other organization, or whose service on the governing board is contingent upon the approval of the other organization; or

''(iii) the organization is chartered by the other organization.

''(E) COVERAGE OF TRANSFERS TO AFFILIATED SECTION 501(c)(3) ORGANIZATIONS.—This paragraph shall apply with respect to an amount transferred by a covered organization to an organization described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code in the same manner as this paragraph applies to an amount transferred by a covered organization to another covered organization.

''(g) NO EFFECT ON OTHER REPORTING REQUIREMENTS.—Except as provided in subsection (b)(1), nothing in this section shall be construed to waive or otherwise affect any other requirement of this Act which relates to the reporting of campaign-related disbursements.''.

(b) CONFORMING AMENDMENT.—Section 304(f)(6) of such Act (52 U.S.C. 30104) is amended by striking ''Any requirement'' and inserting ''Except as provided in section 324(b), any requirement''.

(c) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations relating the application of the exemption under section 324(a)(3)(C) of the Federal Election Campaign Act of 1971 (as added by paragraph (1)). Such regulations—

(1) shall require that the legal burden of establishing eligibility for such exemption is upon the organization required to make the report required under section 324(a)(1) of such Act (as added by paragraph (1)), and

(2) shall be consistent with the principles applied in Citizens United v. Federal Election Commission, 558 U.S. 310 (2010).

SEC. 6012. REPORTING OF FEDERAL JUDICIAL NOMINATION DISBURSEMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) A fair and impartial judiciary is critical for our democracy and crucial to maintain the faith of the people of the United States in the justice system. As the Supreme Court held in Caperton v. Massey, ''there is a serious risk of actual bias—based on objective and reasonable perceptions—when a person with a personal stake in a particular case had a significant and disproportionate influence in placing the judge on the case.'' (Caperton v. A. T. Massey Coal Co., 556 U.S. 868, 884 (2009)).

(2) Public trust in government is at a historic low. According to polling, most Americans believe that corporations have too much power and influence in politics and the courts.

(3) The prevalence and pervasiveness of dark money drives public concern about corruption in politics and the courts. Dark money is funding for organizations and political activities that cannot be traced to actual donors. It is made

possible by loopholes in our tax laws and regulations, weak oversight by the Internal Revenue Service, and donor-friendly court decisions.

(4) Under current law, ''social welfare'' organizations and business leagues can use funds to influence elections so long as political activity is not their ''primary'' activity. Super PACs can accept and spend unlimited contributions from any non-foreign source. These groups can spend tens of millions of dollars on political activities. Such dark money groups spent an estimated $1,050,000,000 in the 2020 election cycle.

(5) Dark money is used to shape judicial decision-making. This can take many forms, akin to agency capture: influencing judicial selection by controlling who gets nominated and funding candidate advertisements; creating public relations campaigns aimed at mobilizing the judiciary around particular issues; and drafting law review articles, amicus briefs, and other products which tell judges how to decide a given case and provide ready-made arguments for willing judges to adopt.

(6) Over the past decade, nonprofit organizations that do not disclose their donors have spent hundreds of millions of dollars to influence the nomination and confirmation process for Federal judges. One organization alone has spent nearly $40,000,000 on advertisements supporting or opposing Supreme Court nominees since 2016.

(7) Anonymous money spent on judicial nominations is not subject to any disclosure requirements. Federal election laws only regulate contributions and expenditures relating to electoral politics; thus, expenditures, contributions, and advocacy efforts for Federal judgeships are not covered under the Federal Election Campaign Act of 1971. Without more disclosure, the public has no way of knowing whether the people spending money supporting or opposing judicial nominations have business before the courts.

(8) Congress and the American people have a compelling interest in knowing who is funding these campaigns to select and confirm judges to lifetime appointments on the Federal bench.

(b) REPORTING.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126), as amended by section 6011, is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) APPLICATION TO FEDERAL JUDICIAL NOMINATIONS.—

''(1) IN GENERAL.—For purposes of this section—

''(A) a disbursement by a covered organization for a Federal judicial nomination communication shall be treated as a campaign-related disbursement; and

''(B) in the case of campaign-related disbursements which are for Federal judicial nomination communications—

''(i) the dollar amounts in paragraphs (1) and (2) of subsection (a) shall be applied separately with respect to such disbursements and other campaign-related disbursements;

''(ii) the election reporting cycle shall be the calendar year in which the disbursement for the Federal judicial nomination communication is made;

''(iii) references to a candidate in subsections (a)(2)(C), (a)(2)(D), and (a)(3)(C) shall be treated as references to a nominee for a Federal judge or justice;

''(iv) the reference to an election in subsection (a)(2)(C) shall be treated as a reference to the nomination of such nominee.

''(2) FEDERAL JUDICIAL NOMINATION COMMUNICATION.—

''(A) IN GENERAL.—The term 'Federal judicial nomination communication' means any communication—

''(i) that is by means of any broadcast, cable, or satellite, paid internet, or paid digital communication, paid promotion, newspaper, magazine, outdoor advertising facility, mass mailing, telephone bank, telephone messaging effort of more than 500 substantially similar calls or electronic messages within a 30-day period, or any other form of general public political advertising; and

''(ii) which promotes, supports, attacks, or opposes the nomination or Senate confirmation of an individual as a Federal judge or justice.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(C) INTENT NOT REQUIRED.—A disbursement for an item described in subparagraph (A) shall be treated as a disbursement for a Federal judicial nomination communication regardless of the intent of the person making the disbursement.''.

SEC. 6013. COORDINATION WITH FINCEN.

(a) IN GENERAL.—The Director of the Financial Crimes Enforcement Network of the Department of the Treasury shall provide the Federal Election Commission with such information as necessary to assist in administering and enforcing section 324 of the Federal Election Campaign Act of 1971, as amended by this part.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Federal Election Commission, in consultation with the Director of the Financial Crimes Enforcement Network of the Department of the Treasury, shall submit to Congress a report with recommendations for providing further legislative authority to assist in the administration and enforcement of such section 324.

SEC. 6014. APPLICATION OF FOREIGN MONEY BAN TO DISBURSEMENTS FOR CAMPAIGN-RELATED DISBURSEMENTS CONSISTING OF COVERED TRANSFERS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)), as amended by section 6003, is amended—

(1) by striking ''includes any disbursement'' and inserting ''includes—

''(A) any disbursement'';

(2) by striking the period at the end and inserting ''; and'', and

(3) by adding at the end the following new subparagraph:

''(B) any disbursement, other than a disbursement described in section 324(a)(3)(A), to another person who made a campaign-related disbursement consisting of a covered transfer (as described in section 324) during the 2-year period ending on the date of the disbursement.''.

SEC. 6015. EFFECTIVE DATE.

The amendments made by this part shall apply with respect to disbursements made on or after January 1, 2022, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

PART 3—OTHER ADMINISTRATIVE REFORMS

SEC. 6021. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 6022. JUDICIAL REVIEW OF ACTIONS RELATED TO CAMPAIGN FINANCE LAWS.

(a) IN GENERAL.—Title IV of the Federal Election Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is amended by inserting after section 406 the following new section:

''SEC. 407. JUDICIAL REVIEW.

''(a) IN GENERAL.—If any action is brought for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality or lawfulness of any provision of this Act, including title V, or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the following rules shall apply:

''(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit.

''(2) In the case of an action relating to declaratory or injunctive relief to challenge the constitutionality of a provision, the party filing the action shall concurrently deliver a copy of the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

''(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

''(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

''(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a) relating to declaratory or injunctive relief to challenge the constitutionality of a provision, any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

''(d) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 9011 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9011. JUDICIAL REVIEW.

''For provisions relating to judicial review of certifications, determinations, and actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(2) Section 9041 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9041. JUDICIAL REVIEW.

''For provisions relating to judicial review of actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(3) Section 310 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30110) is repealed.

(4) Section 403 of the Bipartisan Campaign Reform Act of 2002 (52 U.S.C. 30110 note) is repealed.

SEC. 6023. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect and apply on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations to carry out this subtitle and the amendments made by this subtitle.

Subtitle B—Honest Ads

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the ''Honest Ads Act''.

SEC. 6102. PURPOSE.

The purpose of this subtitle is to enhance the integrity of American democracy and national security by improving disclosure requirements for online political advertisements in order to uphold the Supreme Court's well-established standard that the electorate bears the right to be fully informed.

SEC. 6103. FINDINGS.

Congress makes the following findings:

(1) In 2002, the Bipartisan Campaign Reform Act of 2002 (Public Law 107–155) became law, establishing disclosure requirements for political advertisements distributed from a television or radio broadcast station or provider of cable or satellite television. In 2003, the Supreme Court upheld regulations on electioneering communications established under the Act, noting that such requirements ''provide the electorate with information and insure that the voters are fully informed about the person or group who is speaking.'' The Court reaffirmed this conclusion in 2010 by an 8–1 vote.

(2) In its 2006 rulemaking, the Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process, noted that 18 percent of all Americans cited the internet as their leading source of news about the 2004 Presidential election. By contrast, Gallup and the Knight Foundation found in 2020 that the majority of Americans, 58 percent, got most of their news about elections online.

(3) According to a study from Borrell Associates, in 2016, $1,415,000,000 was spent on online advertising, more than quadruple the amount in 2012.

(4) Effective and complete transparency for voters must include information about the true and original source of money given, transferred, and spent on political advertisements made online.

(5) Requiring the disclosure of this information is a necessary and narrowly tailored means to inform the voting public of who is behind digital advertising disseminated to influence their votes and to enable the Federal Election Commission and the Department of Justice to detect and prosecute illegal foreign spending on local, State, and Federal elections and other campaign finance violations.

(6) Paid advertising on large online platforms is different from advertising placed on other common media in terms of the comparatively low cost of reaching large numbers of people, the availability of sophisticated microtargeting, and the ease with which online advertisers, particularly those located outside the United States, can evade disclosure requirements. Requiring large online platforms to maintain public files of information about the online political ads they disseminate is the best and least restrictive means to ensure the voting public has complete information about who is trying to influence their votes and to aid enforcement of other laws, including the prohibition on foreign money in domestic campaigns.

(7) The reach of a few large internet platforms—larger than any broadcast, satellite, or cable provider—has greatly facilitated the scope and effectiveness of disinformation campaigns. For instance, the largest platform has over 210,000,000 American users—over 160,000,000 of them on a daily basis. By contrast, the largest cable television provider has 22,430,000 subscribers, while the largest satellite television provider has 21,000,000 subscribers. And the most-watched television broadcast in United States history had 118,000,000 viewers.

(8) The public nature of broadcast television, radio, and satellite ensures a level of publicity for any political advertisement. These communications are accessible to the press, fact-checkers, and political opponents. This creates strong disincentives for a candidate to disseminate materially false, inflammatory, or contradictory messages to the public. Social media platforms, in contrast, can target portions of the electorate with direct, ephemeral advertisements often on the basis of private information the platform has on individuals, enabling political advertisements that are contradictory, racially or socially inflammatory, or materially false.

(9) According to comscore, 2 companies own 8 of the 10 most popular smart phone applications as of June 2017, including the most popular social media and email services which deliver information and news to users without requiring proactivity by the user. Those same 2 companies accounted for 99 percent of revenue growth from digital advertising in 2016, including 77 percent of gross spending. 79 percent of online Americans—representing 68 percent of all Americans—use the single largest social network, while 66 percent of these users are most likely to get their news from that site.

(10) Large social media platforms are the only entities in possession of certain key data related to paid online ads, including the exact audience targeted by those ads and their number of impressions. Such information, which cannot be reliably disclosed by the purchasers of ads, is extremely useful for informing the electorate, guarding against corruption, and aiding in the enforcement of existing campaign finance regulations.

(11) Paid advertisements on social media platforms have served as critical tools for foreign online influence campaigns—even those that rely on large amounts of unpaid content—because such ads allow foreign actors to test the effectiveness of different messages, expose their messages to audiences who have not sought out such content, and recruit audiences for future campaigns and posts.

(12) In testimony before the Senate Select Committee on Intelligence titled, ''Disinformation: A Primer in Russian Active Measures and Influence Campaigns'', multiple expert witnesses testified that while the disinformation tactics of foreign adversaries have not necessarily changed, social media services now provide ''platform[s] practically purpose-built for active measures[.]'' Similarly, as Gen. Keith B. Alexander (RET.), the former Director of the National Security Agency, testified, during the Cold War ''if the Soviet Union sought to manipulate information flow, it would have to do so principally through its own propaganda outlets or through active measures that would generate specific news: planting of leaflets, inciting of violence, creation of other false materials and narratives. But the news itself was hard to manipulate because it would have required actual control of the organs of media, which took long-term efforts to penetrate. Today, however, because the clear majority of the information on social media sites is uncurated and there is a rapid proliferation of information sources and other sites that can reinforce information, there is an increasing likelihood that the information available to average consumers may be inaccurate (whether intentionally or otherwise) and may be more easily manipulable than in prior eras.''.

*(13) On November 24, 2016, The Washington Post reported findings from 2 teams of independent researchers that concluded Russians ''exploited American-made technology platforms to attack U.S. democracy at a particularly vulnerable moment *** as part of a broadly effective strategy of sowing distrust in U.S. democracy and its leaders.''.*

*(14) On January 6, 2017, the Office of the Director of National Intelligence published a report titled ''Assessing Russian Activities and Intentions in Recent U.S. Elections'', noting that ''Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election * * *''. Moscow's influence campaign followed a Russian messaging strategy that blends covert intelligence operation—such as cyber activity—with overt efforts by Russian Government agencies, state-funded media, third-party intermediaries, and paid social media users or ''trolls''.*

*(15) On September 6, 2017, the nation's largest social media platform disclosed that between June 2015 and May 2017, Russian entities purchased $100,000 in political advertisements, publishing roughly 3,000 ads linked to fake accounts associated with the Internet Research Agency, a pro-Kremlin organization. According to the company, the ads purchased focused ''on amplifying divisive social and political messages ***''.*

(16) Findings from a 2017 study on the manipulation of public opinion through social media conducted by the Computational Propaganda Research Project at the Oxford Internet Institute found that the Kremlin is using pro-Russian bots to manipulate public discourse to a highly targeted audience. With a sample of nearly 1,300,000 tweets, researchers found that in the 2016 election's 3 decisive States, propaganda constituted 40 percent of the sampled election-related tweets that went to Pennsylvanians, 34 percent to Michigan voters, and 30 percent to those in Wisconsin. In other swing States, the figure reached 42 percent in Missouri, 41 percent in Florida, 40 percent in North Carolina, 38 percent in Colorado, and 35 percent in Ohio.

(17) 2018 reporting by the Washington Post estimated that paid Russian ads received more than 37,000,000 impressions in 2016 and 2017.

(18) A 2019 Senate Select Committee on Intelligence's Report on Russian Active Measures Campaigns and Interference in the 2016 U.S. Election Volume 2: Russia's Use of Social Media with Additional Views, the Committee recommended ''that Congress examine legislative approaches to ensuring Americans know the sources of online political advertisements. The Federal Election Campaign Act of 1971 requires political advertisements on television, radio and satellite to disclose the sponsor of the advertisement. The same requirements should apply online. This will also help to ensure that the IRA or any similarly situated actors cannot use paid advertisements for purposes of foreign interference.''.

(19) A 2020 study by researchers at New York University found undisclosed political advertisement purchases on a large social media platform by a Chinese state media company in violation of that platform's supposed prohibitions on foreign spending on ads of social, national, or electoral importance.

(20) The same study also found that ''there are persistent issues with advertisers failing to disclose political ads'' and that in one social media platform's political ad archive, 68,879 pages (54.6 percent of pages with political ads included in the archive) never provided a disclosure. Overall, there were 357,099 ads run on that platforms without a disclosure, accounting for at least $37,000,000 in spending on political ads.

(21) A 2020 report by the bipartisan and bicameral U.S. Cyberspace Solarium Commission found that ''Although foreign nationals are banned from contributing to U.S. political campaigns, they are still allowed to purchase U.S. political advertisements online, making the internet a fertile environment for conducting a malign influence campaign to undermine American elections.'' The Commission concluded that Russian interference in the 2016 election was and still is possible, ''because the FECA, which establishes rules for transparency in television, radio, and print media political advertising, has not been amended to extend the same political advertising requirements to internet platforms,'' and that ''[a]pplying these standards across all media of communication would, among other things, increase transparency of funding for political advertisements, which would in turn strengthen regulators' ability to reduce improper foreign influence in our elections.''

(22) On March 16, 2021, the Office of the Director of National Intelligence released the declassified Intelligence Community assessment of foreign threats to the 2020 U.S. Federal elections. The declassified report found: ''Throughout the election cycle, Russia's online influence actors sought to affect U.S. public perceptions of the candidates, as well as advance Moscow's longstanding goals of undermining confidence in US election processes and increasing sociopolitical divisions among the American people.'' The report also determined that Iran sought to influence the election by ''creating and amplifying social media content that criticized [candidates].''

(23) According to a Wall Street Journal report in April 2021, voluntary ad libraries operated by major platforms rely on foreign governments to self-report political ad purchases. These adbuys, including those diminishing major human rights violations like the Uighur genocide, are under-reported by foreign government purchasers, with no substantial oversight or repercussions from the platforms.

(24) Multiple reports have indicated that online ads have become a key vector for strategic influence by the People's Republic of China. An April 2021 Wall Street Journal report noted that the Chinese government and Chinese stateowned enterprises are major purchasers of ads on the U.S.'s largest social media platform, including to advance Chinese propaganda.

(25) Large online platforms have made changes to their policies intended to make it harder for foreign actors to purchase political ads. However, these private actions have not been taken by all platforms, have not been reliably enforced, and are subject to immediate change at the discretion of the platforms.

(26) The Federal Election Commission has failed to take action to address online political advertisements and current regulations on political advertisements do not provide sufficient transparency to uphold the public's right to be fully informed about political advertisements made online.

SEC. 6104. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the dramatic increase in digital political advertisements, and the growing centrality of online platforms in the lives of Americans, requires the Congress and the Federal Election Commission to take meaningful action to ensure that laws and regulations provide the accountability and transparency that is fundamental to our democracy;

(2) free and fair elections require both transparency and accountability which give the public a right to know the true sources of funding for political advertisements, be they foreign or domestic, in order to make informed political choices and hold elected officials accountable; and

(3) transparency of funding for political advertisements is essential to enforce other campaign finance laws, including the prohibition on campaign spending by foreign nationals.

SEC. 6105. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) IN GENERAL.—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking ''or satellite communication'' and inserting ''satellite, paid internet, or paid digital communication''.

(b) TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)(v), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''; and

(2) in paragraph (9)(B)—

(A) by amending clause (i) to read as follows:

''(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''; and

(B) in clause (iv), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''.

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking ''financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''financing any public communication''; and

(2) by striking ''solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''solicits any contribution through any public communication''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this part and the amendments made by this part by the deadline set forth in subsection (e).

(e) REGULATION.—Not later than 1 year after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations on what constitutes a paid internet or paid digital communication for purposes of paragraph (22) of section 301 of the Federal Election Campaign Act of 1971(52 U.S.C. 30101(22)), as amended by subsection (a), except that such regulation shall not define a paid internet or paid digital communication to include communications for which the only payment consists of internal resources, such as employee compensation, of the entity paying for the communication.

SEC. 6106. EXPANSION OF DEFINITION OF ELECTIONEERING COMMUNICATION.

(a) EXPANSION TO ONLINE COMMUNICATIONS.—

(1) APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—

(A) IN GENERAL.—Subparagraph (A) of section 304(f)(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking ''or satellite communication'' each place it appears in clauses (i) and (ii) and inserting ''satellite, or qualified internet or digital communication''.

(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

''(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term 'qualified internet or digital communication' means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (k)(3)).''.

(2) NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting ''any broadcast, cable, or satellite'' before ''communication''.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2022 and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 6107. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking ''shall clearly state'' each place it appears in paragraphs (1), (2), and (3) and inserting ''shall state in a clear and conspicuous manner''; and

(2) by adding at the end the following flush sentence: ''For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.''.

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

''(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

''(A) state the name of the person who paid for the communication; and

''(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

''(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

''(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

''(i) appears in letters at least as large as the majority of the text in the communication; and

''(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

''(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

''(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

''(i) is included at either the beginning or the end of the communication; and

''(ii) is made both in—

''(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

''(II) an audible format that meets the requirements of subparagraph (B).

''(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).''.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971).

(c) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''which is transmitted through radio'' and inserting ''which is in an audio format''; and

(B) by striking ''BY RADIO'' in the heading and inserting ''AUDIO FORMAT'';

(2) in paragraph (1)(B)—

(A) by striking ''which is transmitted through television'' and inserting ''which is in video format''; and

(B) by striking ''BY TELEVISION'' in the heading and inserting ''VIDEO FORMAT''; and

(3) in paragraph (2)—

(A) by striking ''transmitted through radio or television'' and inserting ''made in audio or video format''; and

(B) by striking ''through television'' in the second sentence and inserting ''in video format''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 6108. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 3802, is amended by adding at the end the following new subsection:

''(k) DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.—

''(1) IN GENERAL.—

''(A) REQUIREMENTS FOR ONLINE PLATFORMS.—

''(i) IN GENERAL.—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds $500.

''(ii) REQUIREMENT RELATING TO POLITICAL ADS SOLD BY THIRD PARTY ADVERTISING VENDORS.—An online platform that displays a qualified political advertisement sold by a third party advertising vendor as defined in (3)(C), shall include on its own platform an easily accessible and identifiable link to the records maintained by the third-party advertising vendor under clause (i) regarding such qualified political advertisement.

''(B) REQUIREMENTS FOR ADVERTISERS.—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1)(A) shall contain—

''(A) a digital copy of the qualified political advertisement;

''(B) a description of the audience targeted by the advertisement, the number of views generated from the advertisement, and the date and time that the advertisement is first displayed and last displayed; and

''(C) information regarding—

''(i) the total cost of the advertisement;

''(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

''(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name and address of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

''(3) ONLINE PLATFORM.—

''(A) IN GENERAL.—For purposes of this subsection, subject to subparagraph (B), the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

''(i)(I) sells qualified political advertisements; and

''(II) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months; or

''(ii) is a third-party advertising vendor that has 50,000,000 or more unique monthly United States visitors in the aggregate on any advertisement space that it has sold or bought for a majority of months during the preceding 12 months, as measured by an independent digital ratings service accredited by the Media Ratings Council (or its successor).

''(B) EXEMPTION.—Such term shall not include any online platform that is a distribution facility of any broadcasting station or newspaper, magazine, blog, publication, or periodical.

''(C) THIRD-PARTY ADVERTISING VENDOR DEFINED.—For purposes of this subsection, the term 'third-party advertising vendor' includes, but is not limited to, any third-party advertising vendor network, advertising agency, advertiser, or third-party advertisement serving company that buys and sells advertisement space on behalf of unaffiliated third-party websites, search engines, digital applications, or social media sites.

''(4) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term 'qualified political advertisement' means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

''(A) is made by or on behalf of a candidate; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

''(6) SPECIAL RULE.—For purposes of this subsection, multiple versions of an advertisement that contain no material differences (such as versions that differ only because they contain a recipient's name, or differ only in size, color, font, or layout) may be treated as a single qualified political advertisement.

''(7) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this part and the amendments made by this part by the deadline set forth in subsection (c).

(c) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) requiring common data formats for the record required to be maintained under section 304(k) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format; and

(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date.

(d) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(k) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

SEC. 6109. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

''(c) RESPONSIBILITIES OF BROADCAST STATIONS, PROVIDERS OF CABLE AND SATELLITE TELEVISION, AND ONLINE PLATFORMS.—

''(1) IN GENERAL.—Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(k)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly.

''(2) REGULATIONS.— Not later than 1 year after the date of the enactment of this subsection, the Commission shall promulgate regulations on what constitutes reasonable efforts under paragraph (1).''.

SEC. 6110. REQUIRING ONLINE PLATFORMS TO DISPLAY NOTICES IDENTIFYING SPONSORS OF POLITICAL ADVERTISEMENTS AND TO ENSURE NOTICES CONTINUE TO BE PRESENT WHEN ADVERTISEMENTS ARE SHARED.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 3802 and section 6108(a), is amended by adding at the end the following new subsection:

''(l) ENSURING DISPLAY AND SHARING OF SPONSOR IDENTIFICATION IN ONLINE POLITICAL ADVERTISEMENTS.—

''(1) REQUIREMENT.—An online platform displaying a qualified political advertisement shall—

''(A) display with the advertisement a visible notice identifying the sponsor of the advertisement (or, if it is not practical for the platform to display such a notice, a notice that the advertisement is sponsored by a person other than the platform); and

''(B) ensure that the notice will continue to be displayed if a viewer of the advertisement shares the advertisement with others on that platform.

''(2) DEFINITIONS.—In this subsection—

''(A) the term 'online platform' has the meaning given such term in subsection (k)(3); and

''(B) the term ''qualified political advertisement' has the meaning given such term in subsection (k)(4).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to advertisements displayed on or after the 120–day period which begins on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle C—Spotlight Act

SEC. 6201. SHORT TITLE.

This subtitle may be cited as the ''Spotlight Act''.

SEC. 6202. INCLUSION OF CONTRIBUTOR INFORMATION ON ANNUAL RETURNS OF CERTAIN ORGANIZATIONS.

(a) REPEAL OF REGULATIONS.—The final regulations of the Department of the Treasury relating to guidance under section 6033 regarding the reporting requirements of exempt organizations (published at 85 Fed. Reg. 31959 (May 28, 2020)) shall have no force and effect.

(b) INCLUSION OF CONTRIBUTOR INFORMATION.—

(1) SOCIAL WELFARE ORGANIZATIONS.—Section 6033(f)(1) of the Internal Revenue Code of 1986 is amended by inserting ''(5),'' after ''paragraphs''.

(2) LABOR ORGANIZATIONS AND BUSINESS LEAGUES.—Section 6033 of such Code is amended by redesignating subsection (o) as subsection (p) and by inserting after subsection (n) the following new subsection:

''(o) ADDITIONAL REQUIREMENTS FOR ORGANIZATIONS DESCRIBED IN SUBSECTIONS (c)(5) AND (c)(6) OF SECTION 501.—Every organization which is described in paragraph (5) or (6) of section 501(c) and which is subject to the requirements of subsection (a) shall include on the return required under subsection (a) the information referred to in subsection (b)(5).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns required to be filed for taxable years ending after the date of the enactment of this Act.

(c) MODIFICATION TO DISCRETIONARY EXCEPTIONS.—Section 6033(a)(3)(B) of the Internal Revenue Code of 1986 is amended to read as follows:

''(B) DISCRETIONARY EXCEPTIONS.—

''(i) IN GENERAL.—Paragraph (1) shall not apply to any organization if the Secretary made a determination under this subparagraph before July 16, 2018, that such filing is not necessary to the efficient administration of the internal revenue laws.

''(ii) RECOMMENDATIONS FOR OTHER EXCEPTIONS.—The Secretary may recommend to Congress that Congress relieve any organization required under paragraph (1) to file an information return from filing such a return if the Secretary determines that such filing does not advance a national security, law enforcement, or tax administration purpose.''.

TITLE VII—CAMPAIGN FINANCE OVERSIGHT

Subtitle A—Stopping Super PAC–Candidate Coordination

SEC. 7001. SHORT TITLE.

This subtitle may be cited as the ''Stop Super PAC–Candidate Coordination Act''.

SEC. 7002. CLARIFICATION OF TREATMENT OF COORDINATED EXPENDITURES AS CONTRIBUTIONS TO CANDIDATES.

(a) TREATMENT AS CONTRIBUTION TO CANDIDATE.—Section 301(8)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(8)(A)) is amended—

(1) by striking ''or'' at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(iii) any payment made by any person (other than a candidate, an authorized committee of a candidate, or a political committee of a political party) for a coordinated expenditure (as such term is defined in section 325) which is not otherwise treated as a contribution under clause (i) or clause (ii).''.

(b) DEFINITIONS.—Title III of such Act (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

''SEC. 325. PAYMENTS FOR COORDINATED EXPENDITURES.

''(a) COORDINATED EXPENDITURES.—

''(1) IN GENERAL.—For purposes of section 301(8)(A)(iii), the term 'coordinated expenditure' means—

''(A) any expenditure, or any payment for a covered communication described in subsection (d), which is made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee, as defined in subsection (b); or

''(B) any payment for any communication which republishes, disseminates, or distributes, in whole or in part, any video or broadcast or any written, graphic, or other form of campaign material prepared by the candidate or committee or by agents of the candidate or committee (including any excerpt or use of any video from any such broadcast or written, graphic, or other form of campaign material).

''(2) EXCEPTION FOR PAYMENTS FOR CERTAIN COMMUNICATIONS.—A payment for a communication (including a covered communication described in subsection (e)) shall not be treated as a coordinated expenditure under this subsection if—

''(A) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(B) the communication constitutes a candidate debate or forum conducted pursuant to regulations adopted by the Commission pursuant to section 304(f)(3)(B)(iii), or which solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum.

''(b) COORDINATION DESCRIBED.—

''(1) IN GENERAL.—For purposes of this section, a payment is made 'in cooperation, consultation, or concert with, or at the request or suggestion of,' a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee, if the payment, or any communication for which the payment is made, is not made entirely independently of the candidate, committee, or agents. For purposes of the previous sentence, a payment or communication not made entirely independently of the candidate or committee includes any payment or communication made pursuant to any general or particular understanding with, or pursuant to any communication with, the candidate, committee, or agents about the payment or communication.

''(2) NO FINDING OF COORDINATION BASED SOLELY ON SHARING OF INFORMATION REGARDING LEGISLATIVE OR POLICY POSITION.—For purposes of this section, a payment shall not be considered to be made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee, solely on the grounds that the person or the person's agent engaged in discussions with the candidate or committee, or with any agent of the candidate or committee, regarding that person's position on a legislative or policy matter (including urging the candidate or committee to adopt that person's position), so long as there is no communication between the person and the candidate or committee, or any agent of the candidate or committee, regarding the candidate's or committee's campaign advertising, message, strategy, policy, polling, allocation of resources, fundraising, or other campaign activities.

''(3) NO EFFECT ON PARTY COORDINATION STANDARD.—Nothing in this section shall be construed to affect the determination of coordination between a candidate and a political committee of a political party for purposes of section 315(d).

''(c) PAYMENTS BY COORDINATED SPENDERS FOR COVERED COMMUNICATIONS.—

''(1) PAYMENTS MADE IN COOPERATION, CONSULTATION, OR CONCERT WITH CANDIDATES.—For purposes of subsection (a)(1)(A), if the person who makes a payment for a covered communication, as defined in subsection (e), is a coordinated spender under paragraph (2) with respect to the candidate as described in paragraph (2), the payment for the covered communication is made in cooperation, consultation, or concert with the candidate.

''(2) COORDINATED SPENDER DEFINED.—For purposes of this subsection, the term 'coordinated spender' means, with respect to a candidate or an authorized committee of a candidate, a person (other than a political committee of a political party) for which any of the following applies:

''(A) During the 4-year period ending on the date on which the person makes the payment, the person was directly or indirectly formed or established by or at the request or suggestion of, or with the encouragement of, the candidate (including an individual who later becomes a candidate) or committee or agents of the candidate or committee, including with the approval of the candidate or committee or agents of the candidate or committee.

''(B) The candidate or committee or any agent of the candidate or committee solicits funds, appears at a fundraising event, or engages in other fundraising activity on the person's behalf during the election cycle involved, including by providing the person with names of potential donors or other lists to be used by the person in engaging in fundraising activity, regardless of whether the person pays fair market value for the names or lists provided. For purposes of this subparagraph, the term 'election cycle' means, with respect to an election for Federal office, the period beginning on the day after the date of the most recent general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election) and ending on the date of the next general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election).

''(C) The person is established, directed, or managed by the candidate or committee or by any person who, during the 4-year period ending on the date on which the person makes the payment, has been employed or retained as a political, campaign media, or fundraising adviser or consultant for the candidate or committee or for any other entity directly or indirectly controlled by the candidate or committee, or has held a formal position with the candidate or committee (including a position as an employee of the office of the candidate at any time the candidate held any Federal, State, or local public office during the 4-year period).

''(D) The person has retained the professional services of any person who, during the 2-year period ending on the date on which the person makes the payment, has provided or is providing professional services relating to the campaign to the candidate or committee, unless the person providing the professional services used a firewall or similar procedure in accordance with subsection (d). For purposes of this subparagraph, the term 'professional services' includes any services in support of the candidate's or committee's campaign activities, including advertising, message, strategy, policy, polling, allocation of resources, fundraising, and campaign operations, but does not include accounting or legal services.

''(E) The person is established, directed, or managed by a member of the immediate family of the candidate, or the person or any officer or agent of the person has had more than incidental discussions about the candidate's campaign with a member of the immediate family of the candidate. For purposes of this subparagraph, the term 'immediate family' has the meaning given such term in section 9004(e) of the Internal Revenue Code of 1986.

''(d) USE OF FIREWALL AS SAFE HARBOR.—

''(1) NO COORDINATION IF FIREWALL APPLIES.—A person shall not be determined to have made

a payment in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee in accordance with this section if the person established and used a firewall or similar procedure to restrict the sharing of information between individuals who are employed by or who are serving as agents for the person making the payment, but only if the firewall or similar procedures meet the requirements of paragraph (2).

''(2) REQUIREMENTS DESCRIBED.—The requirements described in this paragraph with respect to a firewall or similar procedure are as follows:

''(A) The firewall or procedure is designed and implemented to prohibit the flow of information between employees and consultants providing services for the person paying for the communication and those employees or consultants providing, or who previously provided, services to a candidate who is clearly identified in the communication or an authorized committee of the candidate, the candidate's opponent or an authorized committee of the candidate's opponent, or a committee of a political party.

''(B) The firewall or procedure must be described in a written policy that is distributed, signed, and dated by all relevant employees, consultants, and clients subject to the policy.

''(C) The policy must be preserved and retained by the person for at least 5 years following any termination or cessation of representation by employees, consultants, and clients who are subject to the policy.

''(D) The policy must prohibit any employees, consultants, and clients who are subject to the policy from attending meetings, trainings, or other discussions where nonpublic plans, projects, activities, or needs of candidates for election for Federal office or political committees are discussed.

''(E) The policy must prohibit each owner of an organization, and each executive, manager, and supervisor within an organization, from simultaneously overseeing the work of employees and consultants who are subject to the firewall or procedure.

''(F) The policy must place restrictions on internal and external communications, including by establishing separate emailing lists, for employees, consultants, and clients who are subject to the firewall or procedure and those who are not subject to the firewall or procedure.

''(G) The policy must require the person to establish separate files, including electronic file folders—

''(i) for employees, consultants, and clients who are subject to the firewall or procedure and to prohibit access to such files by employees, consultants, and clients who are not subject to the firewall or procedure; and

''(ii) for employees, consultants, and clients who are not subject to the firewall or procedure and to prohibit access to such files by employees, consultants, and clients who are subject to the firewall or procedure.

''(H) The person must conduct a training on the applicable requirements and obligations of this Act and the policy for all employees, consultants, and clients.

''(3) EXCEPTION IF INFORMATION IS SHARED REGARDLESS OF FIREWALL.—A person who established and used a firewall or similar procedure which meets the requirements of paragraph (2) shall be determined to have made a payment in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee in accordance with this section if specific information indicates that, notwithstanding the establishment and use of the firewall or similar procedure, information about the candidate's or committee's campaign plans, projects, activities, or needs that is material to the creation, production, or distribution of the covered communication was used or conveyed to the person paying for the communication.

''(4) USE AS DEFENSE TO ENFORCEMENT ACTION.—If, in a procedure or action brought by the Commission under section 309, a person who is alleged to have committed a violation of this Act which involves the making of a contribution which consists of a payment for a coordinated expenditure raises the use of a firewall or similar procedure as a defense, the person shall provide the Commission with—

''(A) a copy of the signed and dated firewall or procedure policy which applied to the person's employees, consultants, or clients whose conduct is at issue in the procedure or action; and

''(B) a sworn, written affidavit of the employees, consultants, or clients who were subject to the policy that the terms, conditions, and requirements of the policy were met.

''(e) COVERED COMMUNICATION DEFINED.—

''(1) IN GENERAL.—For purposes of this section, the term 'covered communication' means, with respect to a candidate or an authorized committee of a candidate, a public communication (as defined in section 301(22)) which—

''(A) expressly advocates the election of the candidate or the defeat of an opponent of the candidate (or contains the functional equivalent of express advocacy);

''(B) promotes or supports the election of the candidate, or attacks or opposes the election of an opponent of the candidate (regardless of whether the communication expressly advocates the election or defeat of a candidate or contains the functional equivalent of express advocacy); or

''(C) refers to the candidate or an opponent of the candidate but is not described in subparagraph (A) or subparagraph (B), but only if the communication is disseminated during the applicable election period.

''(2) APPLICABLE ELECTION PERIOD.—In paragraph (1)(C), the 'applicable election period' with respect to a communication means—

''(A) in the case of a communication which refers to a candidate in a general, special, or runoff election, the 120-day period which ends on the date of the election; or

''(B) in the case of a communication which refers to a candidate in a primary or preference election, or convention or caucus of a political party that has authority to nominate a candidate, the 60-day period which ends on the date of the election or convention or caucus.

''(3) SPECIAL RULES FOR COMMUNICATIONS INVOLVING CONGRESSIONAL CANDIDATES.—For purposes of this subsection, a public communication shall not be considered to be a covered communication with respect to a candidate for election for an office other than the office of President or Vice President unless it is publicly disseminated or distributed in the jurisdiction of the office the candidate is seeking.

''(f) PENALTY.—

''(1) DETERMINATION OF AMOUNT.—Any person who knowingly and willfully commits a violation of this Act which involves the making of a contribution which consists of a payment for a coordinated expenditure shall be fined an amount equal to the greater of—

''(A) in the case of a person who makes a contribution which consists of a payment for a coordinated expenditure in an amount exceeding the applicable contribution limit under this Act, 300 percent of the amount by which the amount of the payment made by the person exceeds such applicable contribution limit; or

''(B) in the case of a person who is prohibited under this Act from making a contribution in any amount, 300 percent of the amount of the payment made by the person for the coordinated expenditure.

''(2) JOINT AND SEVERAL LIABILITY.—Any director, manager, or officer of a person who is subject to a penalty under paragraph (1) shall be jointly and severally liable for any amount of such penalty that is not paid by the person prior to the expiration of the 1-year period which begins on the date the Commission imposes the penalty or the 1-year period which begins on the date of the final judgment following any judicial review of the Commission's action, whichever is later.''.

(c) EFFECTIVE DATE.—

(1) REPEAL OF EXISTING REGULATIONS ON COORDINATION.—Effective upon the expiration of the 90-day period which begins on the date of the enactment of this Act—

(A) the regulations on coordinated communications adopted by the Federal Election Commission which are in effect on the date of the enactment of this Act (as set forth under the heading ''Coordination'' in subpart C of part 109 of title 11, Code of Federal Regulations) are repealed; and

(B) the Federal Election Commission shall promulgate new regulations on coordinated communications which reflect the amendments made by this Act.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to payments made on or after the expiration of the 120-day period which begins on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations in accordance with paragraph (1)(B) as of the expiration of such period.

Subtitle B—Restoring Integrity to America's Elections

SEC. 7101. SHORT TITLE.

This subtitle may be cited as the ''Restoring Integrity to America's Elections Act''.

SEC. 7102. REVISION TO ENFORCEMENT PROCESS.

(a) STANDARD FOR INITIATING INVESTIGATIONS AND DETERMINING WHETHER VIOLATIONS HAVE OCCURRED.—

(1) REVISION OF STANDARDS.—Section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2)(A) The general counsel, upon receiving a complaint filed with the Commission under paragraph (1) or upon the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, shall make a determination as to whether or not there is reason to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, and as to whether or not the Commission should either initiate an investigation of the matter or that the complaint should be dismissed. The general counsel shall promptly provide notification to the Commission of such determination and the reasons therefore, together with any written response submitted under paragraph (1) by the person alleged to have committed the violation. Upon the expiration of the 30-day period which begins on the date the general counsel provides such notification, the general counsel's determination shall take effect, unless during such 30-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, overrules the general counsel's determination. If the determination by the general counsel that the Commission should investigate the matter takes effect, or if the determination by the general counsel that the complaint should be dismissed is overruled as provided under the previous sentence, the general counsel shall initiate an investigation of the matter on behalf of the Commission.

''(B) If the Commission initiates an investigation pursuant to subparagraph (A), the Commission, through the Chair, shall notify the subject of the investigation of the alleged violation. Such notification shall set forth the factual basis for such alleged violation. The Commission shall make an investigation of such alleged violation, which may include a field investigation or audit, in accordance with the provisions of this section. The general counsel shall provide notification to the Commission of any intent to issue a subpoena or conduct any other form of discovery pursuant to the investigation. Upon the expiration of the 15-day period which begins on the date the general counsel provides such notification, the general counsel may issue the subpoena or conduct the discovery, unless during such 15-day period the Commission, by vote

of a majority of the members of the Commission who are serving at the time, prohibits the general counsel from issuing the subpoena or conducting the discovery.

''(3)(A) Upon completion of an investigation under paragraph (2), the general counsel shall make a determination as to whether or not there is probable cause to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, and shall promptly submit such determination to the Commission, and shall include with the determination a brief stating the position of the general counsel on the legal and factual issues of the case.

''(B) At the time the general counsel submits to the Commission the determination under subparagraph (A), the general counsel shall simultaneously notify the respondent of such determination and the reasons therefore, shall provide the respondent with an opportunity to submit a brief within 30 days stating the position of the respondent on the legal and factual issues of the case and replying to the brief of the general counsel. The general counsel shall promptly submit such brief to the Commission upon receipt.

''(C) Upon the expiration of the 30-day period which begins on the date the general counsel submits the determination to the Commission under subparagraph (A) (or, if the respondent submits a brief under subparagraph (B), upon the expiration of the 30-day period which begins on the date the general counsel submits the respondent's brief to the Commission under such subparagraph), the general counsel's determination shall take effect, unless during such 30-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, overrules the general counsel's determination. If the determination by the general counsel that there is probable cause to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, or if the determination by the general counsel that there is not probable cause that a person has committed or is about to commit such a violation is overruled as provided under the previous sentence, for purposes of this subsection, the Commission shall be deemed to have determined that there is probable cause that the person has committed or is about to commit such a violation.''.

(2) CONFORMING AMENDMENT RELATING TO INITIAL RESPONSE TO FILING OF COMPLAINT.—Section 309(a)(1) of such Act (52 U.S.C. 30109(a)(1)) is amended—

(A) in the third sentence, by striking ''the Commission'' and inserting ''the general counsel''; and

(B) by amending the fourth sentence to read as follows: ''Not later than 15 days after receiving notice from the general counsel under the previous sentence, the person may provide the general counsel with a written response that no action should be taken against such person on the basis of the complaint.''.

(b) REVISION OF STANDARD FOR REVIEW OF DISMISSAL OF COMPLAINTS.—

(1) IN GENERAL.—Section 309(a)(8) of such Act (52 U.S.C. 30109(a)(8)) is amended to read as follows:

''(8)(A)(i) Any party aggrieved by an order of the Commission dismissing a complaint filed by such party may file a petition with the United States District Court for the District of Columbia. Any petition under this subparagraph shall be filed within 60 days after the date on which the party received notice of the dismissal of the complaint.

''(ii) In any proceeding under this subparagraph, the court shall determine by de novo review whether the agency's dismissal of the complaint is contrary to law. In any matter in which the penalty for the alleged violation is greater than $50,000, the court should disregard any claim or defense by the Commission of prosecutorial discretion as a basis for dismissing the complaint.

''(B)(i) Any party who has filed a complaint with the Commission and who is aggrieved by a failure of the Commission, within one year after the filing of the complaint, to act on such complaint, may file a petition with the United States District Court for the District of Columbia.

''(ii) In any proceeding under this subparagraph, the court shall determine by de novo review whether the agency's failure to act on the complaint is contrary to law.

''(C) In any proceeding under this paragraph the court may declare that the dismissal of the complaint or the failure to act is contrary to law, and may direct the Commission to conform with such declaration within 30 days, failing which the complainant may bring, in the name of such complainant, a civil action to remedy the violation involved in the original complaint.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply—

(A) in the case of complaints which are dismissed by the Federal Election Commission, with respect to complaints which are dismissed on or after the date of the enactment of this Act; and

(B) in the case of complaints upon which the Federal Election Commission failed to act, with respect to complaints which were filed on or after the date of the enactment of this Act.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Election Commission shall promulgate new regulations on the enforcement process under section 309 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109) to take into account the amendments made by this section.

SEC. 7103. OFFICIAL EXERCISING THE RESPONSIBILITIES OF THE GENERAL COUNSEL.

Section 306(f)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(f)(1)) is amended by adding at the end the following new sentence: ''In the event of a vacancy in the position of the General Counsel, the most senior attorney employed within the Office of the General Counsel at the time the vacancy arises shall exercise all the responsibilities of the General Counsel until the vacancy is filled.''.

SEC. 7104. PERMITTING APPEARANCE AT HEARINGS ON REQUESTS FOR ADVISORY OPINIONS BY PERSONS OPPOSING THE REQUESTS.

(a) IN GENERAL.—Section 308 of such Act (52 U.S.C. 30108) is amended by adding at the end the following new subsection:

''(e) To the extent that the Commission provides an opportunity for a person requesting an advisory opinion under this section (or counsel for such person) to appear before the Commission to present testimony in support of the request, and the person (or counsel) accepts such opportunity, the Commission shall provide a reasonable opportunity for an interested party who submitted written comments under subsection (d) in response to the request (or counsel for such interested party) to appear before the Commission to present testimony in response to the request.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to requests for advisory opinions under section 308 of the Federal Election Campaign Act of 1971 which are made on or after the date of the enactment of this Act.

SEC. 7105. PERMANENT EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY.

Section 309(a)(4)(C)(v) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)) is amended by striking '', and that end on or before December 31, 2023''.

SEC. 7106. RESTRICTIONS ON EX PARTE COMMUNICATIONS.

Section 306(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(e)) is amended—

(1) by striking ''(e) The Commission'' and inserting ''(e)(1) The Commission''; and

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

''(2) Members and employees of the Commission shall be subject to limitations on ex parte communications, as provided in the regulations promulgated by the Commission regarding such communications which are in effect on the date of the enactment of this paragraph.''.

SEC. 7107. CLARIFYING AUTHORITY OF FEC ATTORNEYS TO REPRESENT FEC IN SUPREME COURT.

(a) CLARIFYING AUTHORITY.—Section 306(f)(4) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(f)(4)) is amended by striking ''any action instituted under this Act, either (A) by attorneys'' and inserting ''any action instituted under this Act, including an action before the Supreme Court of the United States, either (A) by the General Counsel of the Commission and other attorneys''.

(b) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to actions instituted before, on, or after the date of the enactment of this Act.

SEC. 7108. REQUIRING FORMS TO PERMIT USE OF ACCENT MARKS.

(a) REQUIREMENT.—Section 311(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30111(a)(1)) is amended by striking the semicolon at the end and inserting the following: '', and shall ensure that all such forms (including forms in an electronic format) permit the person using the form to include an accent mark as part of the person's identification;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the expiration of the 90-day period which begins on the date of the enactment of this Act.

SEC. 7109. EXTENSION OF THE STATUTES OF LIMITATIONS FOR OFFENSES UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) CIVIL OFFENSES.—Section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) No person shall be subject to a civil penalty under this subsection with respect to a violation of this Act unless a complaint is filed with the Commission with respect to the violation under paragraph (1), or the Commission responds to information with respect to the violation which is ascertained in the normal course of carrying out its supervisory responsibilities under paragraph (2), not later than 10 years after the date on which the violation occurred.''.

(b) CRIMINAL OFFENSES.—Section 406(a) of such Act (52 U.S.C. 30145(a)) is amended by striking ''5 years'' and inserting ''10 years''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of enactment of this Act.

SEC. 7110. EFFECTIVE DATE; TRANSITION.

(a) IN GENERAL.—Except as otherwise provided, this subtitle and the amendments made by this subtitle shall take effect and apply on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations to carry out this subtitle and the amendments made by this subtitle.

(b) TRANSITION.—

(1) NO EFFECT ON EXISTING CASES OR PROCEEDINGS.—Nothing in this subtitle or in any amendment made by this subtitle shall affect any of the powers exercised by the Federal Election Commission prior to the date of the enactment of this Act, including any investigation initiated by the Commission prior to such date or any proceeding (including any enforcement action) pending as of such date.

(2) TREATMENT OF CERTAIN COMPLAINTS.—If, as of the date of the enactment of this Act, the

General Counsel of the Federal Election Commission has not made any recommendation to the Commission under section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109) with respect to a complaint filed prior to the date of the enactment of this Act, this subtitle and the amendments made by this subtitle shall apply with respect to the complaint in the same manner as this subtitle and the amendments made by this subtitle apply with respect to a complaint filed on or after the date of the enactment of this Act.

Subtitle C—Imposition of Fee for Reports Filed by Paper

SEC. 7201. IMPOSITION OF FEE FOR REPORTS FILED BY PAPER.

Section 304(a)(11)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(a)(11)(A)) is amended—

(1) by striking ''and'' at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting ''; and''; and

(3) by adding at the end the following new clause:

''(iii) shall be assessed a $20.00 filing fee for any designation, statement, or report under this Act filed by paper, with the fees received by the Commission under this clause deposited into the general fund of the Treasury for the purposes of deficit reduction.''.

TITLE VIII—CITIZEN EMPOWERMENT

Subtitle A—Funding to Promote Democracy

PART 1—PAYMENTS AND ALLOCATIONS TO STATES

SEC. 8001. DEMOCRACY ADVANCEMENT AND INNOVATION PROGRAM.

(a) ESTABLISHMENT.—There is established a program to be known as the ''Democracy Advancement and Innovation Program'' under which the Director of the Office of Democracy Advancement and Innovation shall make allocations to each State for each fiscal year to carry out democracy promotion activities described in subsection (b).

(b) DEMOCRACY PROMOTION ACTIVITIES DESCRIBED.—The democracy promotion activities described in this subsection are as follows:

(1) Activities to promote innovation to improve efficiency and smooth functioning in the administration of elections for Federal office and to secure the infrastructure used in the administration of such elections, including making upgrades to voting equipment and voter registration systems, securing voting locations, expanding polling places and the availability of early and mail voting, recruiting and training nonpartisan election officials, and promoting cybersecurity.

(2) Activities to ensure equitable access to democracy, including the following:

(A) Enabling candidates who seek office in the State to receive payments as participating candidates under title V of the Federal Election Campaign Act of 1971 (as added by subtitle B), but only if the State will enable candidates to receive such payments during an entire election cycle.

(B) Operating a Democracy Credit Program under part 1 of subtitle B, but only if the State will operate the program during an entire election cycle.

(C) Other activities to ensure equitable access to democracy, including administering a ranked-choice voting system and carrying out Congressional redistricting through independent commissions.

(3) Activities to increase access to voting in elections for Federal office by underserved communities, individuals with disabilities, racial and language minority groups, individuals entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act, and voters residing in Indian lands.

(c) PERMITTING STATES TO RETAIN AND RESERVE ALLOCATIONS FOR FUTURE USE.—A State may retain and reserve an allocation received for a fiscal year to carry out democracy promotion activities in any subsequent fiscal year.

(d) REQUIRING SUBMISSION AND APPROVAL OF STATE PLAN.—

(1) IN GENERAL.—A State shall receive an allocation under the Program for a fiscal year if—

(A) not later than 90 days before the first day of the fiscal year, the chief State election official of the State submits to the Director the State plan described in section 8002; and

(B) not later than 45 days before the first day of the fiscal year, the Director, in consultation with the Election Assistance Commission and the Federal Election Commission as described in paragraph (3), determines that the State plan will enable the State to carry out democracy promotion activities and approves the plan.

(2) SUBMISSION AND APPROVAL OF REVISED PLAN.—If the Director does not approve the State plan as submitted by the State under paragraph (1) with respect to a fiscal year, the State shall receive a payment under the Program for the fiscal year if, at any time prior to the end of the fiscal year—

(A) the chief State election official of the State submits a revised version of the State plan; and

(B) the Director, in consultation with the Election Assistance Commission and the Federal Election Commission as described in paragraph (3), determines that the revised version of the State plan will enable the State to carry out democracy promotion activities and approves the plan.

(3) ELECTION ASSISTANCE COMMISSION AND FEDERAL ELECTION COMMISSION CONSULTATION.—With respect to a State plan submitted under paragraph (1) or a revised plan submitted under paragraph (2)—

(A) the Director shall, prior to making a determination on approval of the plan, consult with the Election Assistance Commission with respect to the proposed State activities described in subsection (b)(1) and with the Federal Election Commission with respect to the proposed State activities described in subsection (b)(2)(A) and (b)(2)(B); and

(B) the Election Assistance Commission and the Federal Election Commission shall submit to the Director a written assessment with respect to whether the proposed activities of the plan satisfy the requirements of this Act.

(4) CONSULTATION WITH LEGISLATURE.—The chief State election official of the State shall develop the State plan submitted under paragraph (1) and the revised plan submitted under paragraph (2) in consultation with the majority party and minority party leaders of each house of the State legislature.

(e) STATE REPORT ON USE OF ALLOCATIONS.—Not later than 90 days after the last day of a fiscal year for which an allocation was made to the State under the Program, the chief State election official of the State shall submit a report to the Director describing how the State used the allocation, including a description of the democracy promotion activities the State carried out with the allocation.

(f) PUBLIC AVAILABILITY OF INFORMATION.—

(1) PUBLICLY AVAILABLE WEBSITE.—The Director shall make available on a publicly accessible website the following:

(A) State plans submitted under paragraph (1) of subsection (d) and revised plans submitted under paragraph (2) of subsection (d).

(B) The Director's notifications of determinations with respect to such plans under subsection (d).

(C) Reports submitted by States under subsection (e).

(2) REDACTION.— The Director may redact information required to be made available under paragraph (1) if the information would be properly withheld from disclosure under section 552 of title 5, United States Code, or if the public disclosure of the information is otherwise prohibited by law.

(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2023 and each succeeding fiscal year.

SEC. 8002. STATE PLAN.

(a) CONTENTS.—A State plan under this section with respect to a State is a plan containing each of the following:

(1) A description of the democracy promotion activities the State will carry out with the payment made under the Program.

(2) A statement of whether or not the State intends to retain and reserve the payment for future democracy promotion activities.

(3) A description of how the State intends to allocate funds to carry out the proposed activities, which shall include the amount the State intends to allocate to each such activity, including (if applicable) a specific allocation for—

(A) activities described in subsection 8001(b)(1) (relating to election administration);

(B) activities described in section 8001(b)(2)(A) (relating to payments to participating candidates in the State under title V of the Federal Election Campaign Act of 1971), together with the information required under subsection (c);

(C) activities described in section 8001(b)(2)(B) (relating to the operation of a Democracy Credit Program under part 1 of subtitle B);

(D) activities described in section 8001(b)(2)(C) (relating to other activities to ensure equitable access to democracy; and

(E) activities described in section 8001(b)(3) (relating to activities to increase access to voting in elections for Federal office by certain communities).

(4) A description of how the State will establish the fund described in subsection (b) for purposes of administering the democracy promotion activities which the State will carry out with the payment, including information on fund management.

(5) A description of the State-based administrative complaint procedures established for purposes of section 8003(b).

(6) A statement regarding whether the proposed activities to be funded are permitted under State law, or whether the official intends to seek legal authorization for such activities.

(b) REQUIREMENTS FOR FUND.—

(1) FUND DESCRIBED.—For purposes of subsection (a)(4), a fund described in this subsection with respect to a State is a fund which is established in the treasury of the State government, which is used in accordance with paragraph (2), and which consists of the following amounts:

(A) Amounts appropriated or otherwise made available by the State for carrying out the democracy promotion activities for which the payment is made to the State under the Program.

(B) The payment made to the State under the Program.

(C) Such other amounts as may be appropriated under law.

(D) Interest earned on deposits of the fund.

(2) USE OF FUND.—Amounts in the fund shall be used by the State exclusively to carry out democracy promotion activities for which the payment is made to the State under the Program.

(3) TREATMENT OF STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to establish the fund described in this subsection, the Director shall defer disbursement of the payment to such State under the Program until such time as legislation establishing the fund is enacted.

(c) SPECIFIC INFORMATION ON USE OF FUNDS TO ENABLE CANDIDATES TO PARTICIPATE IN MATCHING FUNDS PROGRAM.—If the State plan under this section includes an allocation for activities described in section 8001(b)(2)(A) (relating to payments to participating candidates in the State under title V of the Federal Election Campaign Act of 1971), the State shall include in the plan specific information on how the amount of the allocation will enable the State to provide for the viable participation of candidates in the State under such title, including the assumptions made by the State in determining the amount of the allocation.

SEC. 8003. PROHIBITING REDUCTION IN ACCESS TO PARTICIPATION IN ELECTIONS.

(a) PROHIBITING USE OF PAYMENTS.—A State may not use a payment made under the Program to carry out any activity which has the purpose or effect of diminishing the ability of any citizen of the United States to participate in the electoral process.

(b) STATE-BASED ADMINISTRATIVE COMPLAINT PROCEDURES.—

(1) ESTABLISHMENT.—A State receiving a payment under the Program shall establish uniform and nondiscriminatory State-based administrative complaint procedures under which any person who believes that a violation of subsection (a) has occurred, is occurring, or is about to occur may file a complaint.

(2) NOTIFICATION TO DIRECTOR.—The State shall transmit to the Director a description of each complaint filed under the procedures, together with—

(A) if the State provides a remedy with respect to the complaint, a description of the remedy; or

(B) if the State dismisses the complaint, a statement of the reasons for the dismissal.

(3) REVIEW BY DIRECTOR.—

(A) REQUEST FOR REVIEW.—Any person who is dissatisfied with the final decision under a State-based administrative complaint procedure under this subsection may, not later than 60 days after the decision is made, file a request with the Director to review the decision.

(B) ACTION BY DIRECTOR.—Upon receiving a request under subparagraph (A), the Director shall review the decision and, in accordance with such procedures as the Director may establish, including procedures to provide notice and an opportunity for a hearing, may uphold the decision or reverse the decision and provide an appropriate remedy.

(C) PUBLIC AVAILABILITY OF MATERIAL.—The Director shall make available on a publicly accessible website all material relating to a request for review and determination by the Director under this paragraph, shall be made available on a publicly accessible website, except that the Director may redact material required to be made available under this subparagraph if the material would be properly withheld from disclosure under section 552 of title 5, United States Code, or if the public disclosure of the material is otherwise prohibited by law.

(4) RIGHT TO PETITION FOR REVIEW.—

(A) IN GENERAL.—Any person aggrieved by an action of the Director under subparagraph (B) of paragraph (3) may file a petition with the United States District Court for the District of Columbia.

(B) DEADLINE TO FILE PETITION.—Any petition under this subparagraph shall be filed not later than 60 days after the date of the action taken by the Director under subparagraph (B) of paragraph (3).

(C) STANDARD OF REVIEW.—In any proceeding under this paragraph, the court shall determine whether the action of the Director was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law under section 706 of title 5, United States Code, and may direct the Office to conform with any such determination within 30 days.

(c) ACTION BY ATTORNEY GENERAL FOR DECLARATORY AND INJUNCTIVE RELIEF.—The Attorney General may bring a civil action against any State in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, a permanent or temporary injunction, or other order) as may be necessary to enforce subsection (a).

SEC. 8004. AMOUNT OF STATE ALLOCATION.

(a) STATE-SPECIFIC AMOUNT.—The amount of the allocation made to a State under the Program for a fiscal year shall be equal to the product of—

(1) the Congressional district allocation amount (determined under subsection (b)); and

(2) the number of Congressional districts in the State for the next regularly scheduled general election for Federal office held in the State.

(b) CONGRESSIONAL DISTRICT ALLOCATION AMOUNT.—For purposes of subsection (a), the ''Congressional district allocation amount'' with respect to a fiscal year is equal to the quotient of—

(1) the aggregate amount available for allocations to States under the Program for the fiscal year, as determined by the Director under subsection (c); divided by

(2) the total number of Congressional districts in all States.

(c) DETERMINATION OF AGGREGATE AMOUNT AVAILABLE FOR ALLOCATIONS; NOTIFICATION TO STATES.—Not later than 120 days before the first day of each fiscal year, the Director—

(1) shall, in accordance with section 8012, determine and establish the aggregate amount available for allocations to States under the Program for the fiscal year; and

(2) shall notify each State of the amount of the State's allocation under the Program for the fiscal year.

(d) SOURCE OF PAYMENTS.—The amounts used to make allocations and payments under the Program shall be derived solely from the Trust Fund.

SEC. 8005. PROCEDURES FOR DISBURSEMENTS OF PAYMENTS AND ALLOCATIONS.

(a) DIRECT PAYMENTS TO STATES FOR CERTAIN ACTIVITIES UNDER STATE PLAN.—

(1) DIRECT PAYMENT.—If the approved State plan of a State includes activities for which allocations are not made under subsections (b), (c), or (d), upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to disburse amounts from the Trust Fund for payment to the State in the aggregate amount provided under the plan for such activities.

(2) TIMING.—As soon as practicable after the Director directs the Secretary of the Treasury to disburse amounts for payment to a State under paragraph (1), the Secretary of the Treasury shall make the payment to the State under such paragraph.

(3) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment made to a State under this subsection shall be available without fiscal year limitation.

(b) ALLOCATION TO ELECTION ASSISTANCE COMMISSION FOR PAYMENTS TO STATES FOR CERTAIN ELECTION ADMINISTRATION ACTIVITIES.—

(1) ALLOCATION.—If the approved State plan of a State includes activities described in section 8001(b)(1), upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to allocate to the Election Assistance Commission the amount provided for such activities under the plan.

(2) PAYMENT TO STATE.—As soon as practicable after receiving an allocation under paragraph (1) with respect to a State, the Election Assistance Commission shall make a payment to the State in the amount of the State's allocation.

(3) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment made to a State by the Election Assistance Commission under this subsection shall be available without fiscal year limitation.

(c) ALLOCATION TO FEDERAL ELECTION COMMISSION FOR PAYMENTS TO PARTICIPATING CANDIDATES FROM STATE.—If the approved State plan of a State includes activities described in section 8001(b)(2)(A), relating to payments to participating candidates in the State under title V of the Federal Election Campaign Act of 1971, upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to allocate to the Federal Election Commission the amount provided for such activities under the plan.

(d) ALLOCATION TO FEDERAL ELECTION COMMISSION FOR PAYMENTS FOR DEMOCRACY CREDIT PROGRAM.—If the approved State plan of a State includes activities described in section 8001(b)(2)(B), relating to payments to the State for the operation of a Democracy Credit Program under part 1 of subtitle B, upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to allocate to the Federal Election Commission the amount provided for such activities under the plan.

(e) CERTAIN PAYMENTS MADE DIRECTLY TO LOCAL ELECTION ADMINISTRATORS.—Under rules established by the Director not later than 270 days after the date of the enactment of this Act, portions of amounts disbursed to States by the Secretary of the Treasury under subsection (a) and payments made to States by the Election Assistance Commission under subsection (b) may be provided directly to local election administrators carrying out activities in the State plan which may be carried out with such amounts and payments.

SEC. 8006. OFFICE OF DEMOCRACY ADVANCEMENT AND INNOVATION.

(a) ESTABLISHMENT.—There is established as an independent establishment in the executive branch the Office of Democracy Advancement and Innovation.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall be headed by a Director, who shall be appointed by the President with the advice and consent of the Senate.

(2) TERM OF SERVICE.—The Director shall serve for a term of 6 years and may be reappointed to an additional term, and may continue serving as Director until a replacement is appointed. A vacancy in the position of Director shall be filled in the same manner as the original appointment.

(3) COMPENSATION.—The Director shall be paid at an annual rate of pay equal to the annual rate in effect for level II of the Executive Schedule.

(4) REMOVAL.—The Director may be removed from office by the President. If the President removes the Director, the President shall communicate in writing the reasons for the removal to both Houses of Congress not later than 30 days beforehand. Nothing in this paragraph shall be construed to prohibit a personnel action otherwise authorized by law.

(c) GENERAL COUNSEL AND OTHER STAFF.—

(1) GENERAL COUNSEL.—The Director shall appoint a general counsel who shall be paid at an annual rate of pay equal to the annual rate in effect for level III of the Executive Schedule. In the event of a vacancy in the position of the Director, the General Counsel shall exercise all the responsibilities of the Director until such vacancy is filled.

(2) SENIOR STAFF.—The Director may appoint and fix the pay of staff designated as Senior staff, such as a Deputy Director, who may be paid at an annual rate of pay equal to the annual rate in effect for level IV of the Executive Schedule.

(3) OTHER STAFF.—In addition to the General Counsel and Senior staff, the Director may appoint and fix the pay of such other staff as the Director considers necessary to carry out the duties of the Office, except that no such staff may be compensated at an annual rate exceeding the daily equivalent of the annual rate of basic pay in effect for grade GS-15 of the General Schedule.

(d) DUTIES.—The duties of the Office are as follows:

(1) ADMINISTRATION OF PROGRAM.—The Director shall administer the Program, in consultation with the Election Assistance Commission and the Federal Election Commission, including by holding quarterly meetings of representatives from such Commissions.

(2) OVERSIGHT OF TRUST FUND.—The Director shall oversee the operation of the Trust Fund and monitor its balances, in consultation with the Secretary of the Treasury. The Director may hold funds in reserve to cover the expenses of

the Office and to preserve the solvency of the Trust Fund.

(3) REPORTS.—Not later than 180 days after the date of the regularly scheduled general election for Federal office held in 2024 and each succeeding regularly scheduled general election for Federal office thereafter, the Director shall submit to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate a report on the activities carried out under the Program and the amounts deposited into and paid from the Trust Fund during the two most recent fiscal years.

(e) COVERAGE UNDER INSPECTOR GENERAL ACT OF 1978 FOR CONDUCTING AUDITS AND INVESTIGATIONS.—

(1) IN GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting ''the Office of Democracy Advancement and Innovation,'' after ''Election Assistance Commission,''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect 180 days after the appointment of the Director.

(f) COVERAGE UNDER HATCH ACT.—Clause (i) of section 7323(b)(2)(B) of title 5, United States Code, is amended—

(1) by striking ''or'' at the end of subclause (XIII); and

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

''(XV) the Office of Democracy Advancement and Innovation; or''.

(g) REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 270 days after the date of enactment of this Act, the Director shall promulgate such rules and regulations as the Director considers necessary and appropriate to carry out the duties of the Office under this Act and the amendments made by this Act.

(2) STATE PLAN SUBMISSION AND APPROVAL AND DISTRIBUTION OF FUNDS.—Not later than 90 days after the date of the enactment of this Act, the Director shall promulgate such rules and regulations as the Director considers necessary and appropriate to carry out the requirements of this part and the amendments made by this part.

(3) COMMENTS BY THE ELECTION ASSISTANCE COMMISSION AND THE FEDERAL ELECTION COMMISSION.—The Election Assistance Commission and the Federal Election Assistance shall timely submit comments with respect to any proposed regulations promulgated by the Director under this subsection.

(h) INTERIM AUTHORITY PENDING APPOINTMENT AND CONFIRMATION OF DIRECTOR.—

(1) AUTHORITY OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET.—Notwithstanding subsection (b), during the transition period, the Director of the Office of Management and Budget is authorized to perform the functions of the Office under this title, and shall act for all purposes as, and with the full powers of, the Director.

(2) INTERIM ADMINISTRATIVE SERVICES.—

(A) AUTHORITY OF OFFICE OF MANAGEMENT AND BUDGET.—During the transition period, the Director of the Office of Management and Budget may provide administrative services necessary to support the Office.

(B) TERMINATION OF AUTHORITY; PERMITTING EXTENSION.—The Director of the Office of Management and Budget shall cease providing interim administrative services under this paragraph upon the expiration of the transition period, except that the Director of the Office of Management and Budget may continue to provide such services after the expiration of the transition period if the Director and the Director of the Office of Management and Budget jointly transmit to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate—

(i) a written determination that an orderly implementation of this title is not feasible by the expiration of the transition period;

(ii) an explanation of why an extension is necessary for the orderly implementation of this title;

(iii) a description of the period during which the Director of the Office of Management and Budget shall continue providing services under the authority of this subparagraph; and

(iv) a description of the steps that will be taken to ensure an orderly and timely implementation of this title during the period described in clause (iii).

(3) TRANSITION PERIOD DEFINED.—In this subsection, the ''transition period'' is the period which begins on the effective date of this Act and ends on the date on which the Director is appointed and confirmed.

(4) LIMIT ON LENGTH OF PERIOD OF INTERIM AUTHORITIES.—Notwithstanding any other provision of this subsection, the Director of the Office of Management and Budget may not exercise any authority under this subsection after the expiration of the 24-month period which begins on the effective date of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Trust Fund such sums as may be necessary to carry out the activities of the Office for fiscal year 2023 and each succeeding fiscal year.

PART 2—STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND

SEC. 8011. STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the ''State Election Assistance and Innovation Trust Fund''.

(b) CONTENTS.—The Trust Fund shall consist solely of—

(1) amounts transferred under section 3015 of title 18, United States Code, section 9706 of title 31, United States Code, and section 6761 of the Internal Revenue Code of 1986 (as added by section 8013); and

(2) gifts or bequests deposited pursuant to subsection (d).

(c) USE OF FUNDS.—Amounts in the Trust Fund shall be used to make payments and allocations under the Program (as described in section 8012(a)) and to carry out the activities of the Office.

(d) ACCEPTANCE OF GIFTS.—The Office may accept gifts or bequests for deposit into the Trust Fund.

(e) NO TAXPAYER FUNDS PERMITTED.—No taxpayer funds may be deposited into the Trust Fund. For purposes of this subsection, the term ''taxpayer funds'' means revenues received by the Internal Revenue Service from tax liabilities.

(f) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this subtitle.

SEC. 8012. USES OF FUND.

(a) PAYMENTS AND ALLOCATIONS DESCRIBED.—For each fiscal year, amounts in the Fund shall be used as follows:

(1) Payments to States under the Program, as described in section 8005(a).

(2) Allocations to the Election Assistance Commission, to be used for payments for certain election administration activities, as described in section 8005(b).

(3) Allocations to the Federal Election Commission, to be used for payments to participating candidates under title V of the Federal Election Campaign Act of 1971, as described in section 8005(c).

(4) Allocations to the Federal Election Commission, to be used for payments to States operating a Democracy Credit Program under part 1 of subtitle B, as described in section 8005(d).

(b) DETERMINATION OF AGGREGATE AMOUNT OF STATE ALLOCATIONS.—The Director shall determine and establish the aggregate amount of State allocations for each fiscal year, taking into account the anticipated balances of the Trust Fund. In carrying out this subsection, the Director shall consult with the Federal Election Commission and the Election Assistance Commission, but shall be solely responsible for making the final determinations under this subsection.

SEC. 8013. ASSESSMENTS AGAINST FINES AND PENALTIES.

(a) ASSESSMENTS RELATING TO CRIMINAL OFFENSES.—

(1) IN GENERAL.—Chapter 201 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 3015. Special assessments for State Election Assistance and Innovation Trust Fund

''(a) ASSESSMENTS.—

''(1) CONVICTIONS OF CRIMES.—In addition to any assessment imposed under this chapter, the court shall assess on any organizational defendant or any defendant who is a corporate officer or person with equivalent authority in any other organization who is convicted of a criminal offense under Federal law an amount equal to 4.75 percent of any fine imposed on that defendant in the sentence imposed for that conviction.

''(2) SETTLEMENTS.—The court shall assess on any organizational defendant or defendant who is a corporate officer or person with equivalent authority in any other organization who has entered into a settlement agreement or consent decree with the United States in satisfaction of any allegation that the defendant committed a criminal offense under Federal law an amount equal to 4.75 percent of the amount of the settlement.

''(b) MANNER OF COLLECTION.—An amount assessed under subsection (a) shall be collected in the manner in which fines are collected in criminal cases.

''(c) TRANSFERS.—In a manner consistent with section 3302(b) of title 31, there shall be transferred from the General Fund of the Treasury to the State Election Assistance and Innovation Trust Fund under section 8011 of the Freedom to Vote: John R. Lewis Act an amount equal to the amount of the assessments collected under this section.''.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 201 of title 18, United States Code, is amended by adding at the end the following:

''3015. Special assessments for State Election Assistance and Innovation Trust Fund.''.

(b) ASSESSMENTS RELATING TO CIVIL PENALTIES.—

(1) IN GENERAL.—Chapter 97 of title 31, United States Code, is amended by adding at the end the following new section:

''§ 9706. Special assessments for State Election Assistance and Innovation Trust Fund

''(a) ASSESSMENTS.—

''(1) CIVIL PENALTIES.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to impose a civil penalty shall assess on each person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, on whom such a penalty is imposed an amount equal to 4.75 percent of the amount of the penalty.

''(2) ADMINISTRATIVE PENALTIES.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to impose an administrative penalty shall assess on each person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, on whom such a penalty is imposed an amount equal to 4.75 percent of the amount of the penalty.

''(3) SETTLEMENTS.—Any entity of the Federal Government which is authorized under any law, rule, or regulation to enter into a settlement agreement or consent decree with any person, other than a natural person who is not a corporate officer or person with equivalent authority in any other organization, in satisfaction of any allegation of an action or omission by the

person which would be subject to a civil penalty or administrative penalty shall assess on such person an amount equal to 4.75 percent of the amount of the settlement.

''(b) MANNER OF COLLECTION.—An amount assessed under subsection (a) shall be collected—

''(1) in the case of an amount assessed under paragraph (1) of such subsection, in the manner in which civil penalties are collected by the entity of the Federal Government involved;

''(2) in the case of an amount assessed under paragraph (2) of such subsection, in the manner in which administrative penalties are collected by the entity of the Federal Government involved; and

''(3) in the case of an amount assessed under paragraph (3) of such subsection, in the manner in which amounts are collected pursuant to settlement agreements or consent decrees entered into by the entity of the Federal Government involved.

''(c) TRANSFERS.—In a manner consistent with section 3302(b) of this title, there shall be transferred from the General Fund of the Treasury to the State Election Assistance and Innovation Trust Fund under section 8011 of the Freedom to Vote: John R. Lewis Act an amount equal to the amount of the assessments collected under this section.

''(d) EXCEPTION FOR PENALTIES AND SETTLEMENTS UNDER AUTHORITY OF THE INTERNAL REVENUE CODE OF 1986.—

''(1) IN GENERAL.—No assessment shall be made under subsection (a) with respect to any civil or administrative penalty imposed, or any settlement agreement or consent decree entered into, under the authority of the Internal Revenue Code of 1986.

''(2) CROSS REFERENCE.—For application of special assessments for the State Election Assistance and Innovation Trust Fund with respect to certain penalties under the Internal Revenue Code of 1986, see section 6761 of the Internal Revenue Code of 1986.''.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 97 of title 31, United States Code, is amended by adding at the end the following:

''9706. Special assessments for State Election Assistance and Innovation Trust Fund.''.

(c) ASSESSMENTS RELATING TO CERTAIN PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Chapter 68 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

''Subchapter D—Special Assessments for State Election Assistance and Innovation Trust Fund

''SEC. 6761. SPECIAL ASSESSMENTS FOR STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND.

''(a) IN GENERAL.—Each person required to pay a covered penalty shall pay an additional amount equal to 4.75 percent of the amount of such penalty.

''(b) COVERED PENALTY.—For purposes of this section, the term 'covered penalty' means any addition to tax, additional amount, penalty, or other liability provided under subchapter A or B.

''(c) EXCEPTION FOR CERTAIN INDIVIDUALS.—

''(1) IN GENERAL.—In the case of a taxpayer who is an individual, subsection (a) shall not apply to any covered penalty if such taxpayer is an exempt taxpayer for the taxable year for which such covered penalty is assessed.

''(2) EXEMPT TAXPAYER.—For purposes of this subsection, a taxpayer is an exempt taxpayer for any taxable year if the taxable income of such taxpayer for such taxable year does not exceed the dollar amount at which begins the highest rate bracket in effect under section 1 with respect to such taxpayer for such taxable year.

''(d) APPLICATION OF CERTAIN RULES.—Except as provided in subsection (e), the additional amount determined under subsection (a) shall be treated for purposes of this title in the same manner as the covered penalty to which such additional amount relates.

''(e) TRANSFER TO STATE ELECTION ADMINISTRATION AND INNOVATION TRUST FUND.—The Secretary shall deposit any additional amount under subsection (a) in the General Fund of the Treasury and shall transfer from such General Fund to the State Election Assistance and Innovation Trust Fund under section 8011 of the Freedom to Vote: John R. Lewis Act an amount equal to the amounts so deposited (and, notwithstanding subsection (d), such additional amount shall not be the basis for any deposit, transfer, credit, appropriation, or any other payment, to any other trust fund or account). Rules similar to the rules of section 9601 shall apply for purposes of this subsection.''.

(2) CLERICAL AMENDMENT.—The table of subchapters for chapter 68 of such Code is amended by adding at the end the following new item:

''SUBCHAPTER D—SPECIAL ASSESSMENTS FOR STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to convictions, agreements, and penalties which occur on or after the date of the enactment of this Act.

(2) ASSESSMENTS RELATING TO CERTAIN PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.—The amendments made by subsection (c) shall apply to covered penalties assessed after the date of the enactment of this Act.

PART 3—GENERAL PROVISIONS

SEC. 8021. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) The term ''chief State election official'' has the meaning given such term in section 253(e) of the Help America Vote Act of 2002 (52 U.S.C. 21003(e)).

(2) The term ''Director'' means the Director of the Office.

(3) The term ''election cycle'' means the period beginning on the day after the date of the most recent regularly scheduled general election for Federal office and ending on the date of the next regularly scheduled general election for Federal office.

(4) The term ''Indian lands'' includes—

(A) Indian country, as defined under section 1151 of title 18, United States Code;

(B) any land in Alaska owned, pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), by an Indian Tribe that is a Native village (as defined in section 3 of that Act (43 U.S.C. 1602)) or by a Village Corporation that is associated with an Indian Tribe (as defined in section 3 of that Act (43 U.S.C. 1602));

(C) any land on which the seat of the Tribal government is located; and

(D) any land that is part or all of a Tribal designated statistical area associated with an Indian Tribe, or is part or all of an Alaska Native village statistical area associated with an Indian Tribe, as defined by the Census Bureau for the purposes of the most recent decennial census.

(5) The term ''Office'' means the Office of Democracy Advancement and Innovation established under section 8005.

(6) The term ''Program'' means the Democracy Advancement and Innovation Program established under section 8001.

(7) The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(8) The term ''Trust Fund'' means the State Election Assistance and Innovation Trust Fund established under section 8011.

SEC. 8022. RULE OF CONSTRUCTION REGARDING CALCULATION OF DEADLINES.

(a) IN GENERAL.—With respect to the calculation of any period of time for the purposes of a deadline in this subtitle, the last day of the period shall be included in such calculation, unless such day is a Saturday, a Sunday, or a legal public holiday, in which case the period of such deadline shall be extended until the end of the next day which is not a Saturday, a Sunday, a legal public holiday.

(b) LEGAL PUBLIC HOLIDAY DEFINED.—For the purposes of this section, the term ''legal public holiday'' means a day described in section 6103(a) of title 5, United States Code.

Subtitle B—Elections for House of Representatives

SEC. 8101. SHORT TITLE.

This subtitle may be cited as the ''Government By the People Act of 2021''.

PART 1—OPTIONAL DEMOCRACY CREDIT PROGRAM

SEC. 8102. ESTABLISHMENT OF PROGRAM.

(a) ESTABLISHMENT.—The Federal Election Commission (hereafter in this part referred to as the ''Commission'') shall establish a program under which the Commission shall make payments to States to operate a credit program which is described in section 8103 during an election cycle.

(b) REQUIREMENTS FOR PROGRAM.—A State is eligible to operate a credit program under this part with respect to an election cycle if, not later than 120 days before the cycle begins, the State submits to the Commission a statement containing—

(1) information and assurances that the State will operate a credit program which contains the elements described in section 8103(a);

(2) information and assurances that the State will establish fraud prevention mechanisms described in section 8103(b);

(3) information and assurances that the State will establish a commission to oversee and implement the program as described in section 8103(c);

(4) information and assurances that the State will carry out a public information campaign as described in section 8103(d);

(5) information and assurances that the State will submit reports as required under section 8104;

(6) information and assurances that, not later than 60 days before the beginning of the cycle, the State will complete any actions necessary to operate the program during the cycle; and

(7) such other information and assurances as the Commission may require.

(c) REIMBURSEMENT OF COSTS.—

(1) REIMBURSEMENT.—Upon receiving the report submitted by a State under section 8104(a) with respect to an election cycle, the Commission shall transmit a payment to the State in an amount equal to the reasonable costs incurred by the State in operating the credit program under this part during the cycle.

(2) SOURCE OF FUNDS.—Payments to a State under the program shall be made using amounts allocated to the Commission for purposes of making payments under this part with respect to the State from the State Election Assistance and Innovation Trust Fund (hereafter referred to as the ''Fund'') under section 8012, in the amount allocated with respect to the State under section 8005(d).

(3) CAP ON AMOUNT OF PAYMENT.—The aggregate amount of payments made to any State with respect to two consecutive election cycles period may not exceed $10,000,000. If the State determines that the maximum payment amount under this paragraph with respect to such cycles is not, or may not be, sufficient to cover the reasonable costs incurred by the State in operating the program under this part for such cycles, the State shall reduce the amount of the credit provided to each qualified individual by such pro rata amount as may be necessary to ensure that the reasonable costs incurred by the State in operating the program will not exceed the amount paid to the State with respect to such cycles.

(d) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment made to a State under this part shall be available without fiscal year limitation.

SEC. 8103. CREDIT PROGRAM DESCRIBED.

(a) GENERAL ELEMENTS OF PROGRAM.—

(1) ELEMENTS DESCRIBED.—The elements of a credit program operated by a State under this part are as follows:

(A) The State shall provide each qualified individual upon the individual's request with a credit worth $25 to be known as a ''Democracy Credit'' during the election cycle which will be assigned a routing number and which at the option of the individual will be provided in either paper or electronic form.

(B) Using the routing number assigned to the Democracy Credit, the individual may submit the Democracy Credit in either electronic or paper form to qualified candidates for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress and allocate such portion of the value of the Democracy Credit in increments of $5 as the individual may select to any such candidate.

(C) If the candidate transmits the Democracy Credit to the Commission, the Commission shall pay the candidate the portion of the value of the Democracy Credit that the individual allocated to the candidate, which shall be considered a contribution by the individual to the candidate for purposes of the Federal Election Campaign Act of 1971.

(2) DESIGNATION OF QUALIFIED INDIVIDUALS.—For purposes of paragraph (1)(A), a ''qualified individual'' with respect to a State means an individual—

(A) who is a resident of the State;

(B) who will be of voting age as of the date of the election for the candidate to whom the individual submits a Democracy Credit; and

(C) who is not prohibited under Federal law from making contributions to candidates for election for Federal office.

(3) TREATMENT AS CONTRIBUTION TO CANDIDATE.—For purposes of the Federal Election Campaign Act of 1971, the submission of a Democracy Credit to a candidate by an individual shall be treated as a contribution to the candidate by the individual in the amount of the portion of the value of the Credit that the individual allocated to the candidate.

(b) FRAUD PREVENTION MECHANISM.—In addition to the elements described in subsection (a), a State operating a credit program under this part shall permit an individual to revoke a Democracy Credit not later than 2 days after submitting the Democracy Credit to a candidate.

(c) OVERSIGHT COMMISSION.—In addition to the elements described in subsection (a), a State operating a credit program under this part shall establish a commission or designate an existing entity to oversee and implement the program in the State, except that no such commission or entity may be comprised of elected officials.

(d) PUBLIC INFORMATION CAMPAIGN.—In addition to the elements described in subsection (a), a State operating a credit program under this part shall carry out a public information campaign to disseminate awareness of the program among qualified individuals.

(e) NO TAXPAYER FUNDS PERMITTED TO CARRY OUT PROGRAM.—No taxpayer funds shall be used to carry out the credit program under this part. For purposes of this subsection, the term ''taxpayer funds'' means revenues received by the Internal Revenue Service from tax liabilities.

SEC. 8104. REPORTS.

(a) STATE REPORTS.—Not later than 6 months after each first election cycle during which the State operates a program under this part, the State shall submit a report to the Commission and the Office of Democracy Advancement and Innovation analyzing the operation and effectiveness of the program during the cycle and including such other information as the Commission may require.

(b) STUDY AND REPORT ON IMPACT AND EFFECTIVENESS OF CREDIT PROGRAMS.—

(1) STUDY.—The Commission shall conduct a study on the efficacy of political credit programs, including the program under this part and other similar programs, in expanding and diversifying the pool of individuals who participate in the electoral process, including those who participate as donors and those who participate as candidates.

(2) REPORT.—Not later than 1 year after the first election cycle for which States operate the program under this part, the Commission shall publish and submit to Congress a report on the study conducted under paragraph (1).

SEC. 8105. ELECTION CYCLE DEFINED.

In this part, the term ''election cycle'' means the period beginning on the day after the date of the most recent regularly scheduled general election for Federal office and ending on the date of the next regularly scheduled general election for Federal office.

PART 2—OPTIONAL SMALL DOLLAR FINANCING OF ELECTIONS FOR HOUSE OF REPRESENTATIVES

SEC. 8111. BENEFITS AND ELIGIBILITY REQUIREMENTS FOR CANDIDATES.

The Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following:

''TITLE V—SMALL DOLLAR FINANCING OF ELECTIONS FOR HOUSE OF REPRESENTATIVES

''Subtitle A—Benefits

''SEC. 501. BENEFITS FOR PARTICIPATING CANDIDATES.

''(a) IN GENERAL.—If a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress is certified as a participating candidate under this title with respect to an election for such office, the candidate shall be entitled to payments as provided under this title.

''(b) AMOUNT OF PAYMENT.—The amount of a payment made under this title shall be equal to 600 percent of the amount of qualified small dollar contributions received by the candidate since the most recent payment made to the candidate under this title during the election cycle, without regard to whether or not the candidate received any of the contributions before, during, or after the Small Dollar Democracy qualifying period applicable to the candidate under section 511(c).

''(c) LIMIT ON AGGREGATE AMOUNT OF PAYMENTS.—The aggregate amount of payments made to a participating candidate with respect to an election cycle under this title may not exceed 50 percent of the average of the 20 greatest amounts of disbursements made by the authorized committees of any winning candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress during the most recent election cycle, rounded to the nearest $100,000.

''(d) NO TAXPAYER FUNDS PERMITTED.—No taxpayer funds shall be used to make payments under this title. For purposes of this subsection, the term 'taxpayer funds' means revenues received by the Internal Revenue Service from tax liabilities.

''SEC. 502. PROCEDURES FOR MAKING PAYMENTS.

''(a) IN GENERAL.—The Division Director shall make a payment under section 501 to a candidate who is certified as a participating candidate upon receipt from the candidate of a request for a payment which includes—

''(1) a statement of the number and amount of qualified small dollar contributions received by the candidate since the most recent payment made to the candidate under this title during the election cycle;

''(2) a statement of the amount of the payment the candidate anticipates receiving with respect to the request;

''(3) a statement of the total amount of payments the candidate has received under this title as of the date of the statement; and

''(4) such other information and assurances as the Division Director may require.

''(b) RESTRICTIONS ON SUBMISSION OF REQUESTS.—A candidate may not submit a request under subsection (a) unless each of the following applies:

''(1) The amount of the qualified small dollar contributions in the statement referred to in subsection (a)(1) is equal to or greater than $5,000, unless the request is submitted during the 30-day period which ends on the date of a general election.

''(2) The candidate did not receive a payment under this title during the 7-day period which ends on the date the candidate submits the request.

''(c) TIME OF PAYMENT.—The Division Director shall, in coordination with the Secretary of the Treasury, take such steps as may be necessary to ensure that the Secretary is able to make payments under this section from the Treasury not later than 2 business days after the receipt of a request submitted under subsection (a).

''SEC. 503. USE OF FUNDS.

''(a) USE OF FUNDS FOR AUTHORIZED CAMPAIGN EXPENDITURES.—A candidate shall use payments made under this title, including payments provided with respect to a previous election cycle which are withheld from remittance to the Commission in accordance with section 524(a)(2), only for making direct payments for the receipt of goods and services which constitute authorized expenditures (as determined in accordance with title III) in connection with the election cycle involved.

''(b) PROHIBITING USE OF FUNDS FOR LEGAL EXPENSES, FINES, OR PENALTIES.—Notwithstanding title III, a candidate may not use payments made under this title for the payment of expenses incurred in connection with any action, claim, or other matter before the Commission or before any court, hearing officer, arbitrator, or other dispute resolution entity, or for the payment of any fine or civil monetary penalty.

''SEC. 504. QUALIFIED SMALL DOLLAR CONTRIBUTIONS DESCRIBED.

''(a) IN GENERAL.—In this title, the term 'qualified small dollar contribution' means, with respect to a candidate and the authorized committees of a candidate, a contribution that meets the following requirements:

''(1) The contribution is in an amount that is—

''(A) not less than $1; and

''(B) not more than $200.

''(2)(A) The contribution is made directly by an individual to the candidate or an authorized committee of the candidate and is not—

''(i) forwarded from the individual making the contribution to the candidate or committee by another person; or

''(ii) received by the candidate or committee with the knowledge that the contribution was made at the request, suggestion, or recommendation of another person.

''(B) In this paragraph—

''(i) the term 'person' does not include an individual (other than an individual described in section 304(i)(7) of the Federal Election Campaign Act of 1971), a political committee of a political party, or any political committee which is not a separate segregated fund described in section 316(b) of the Federal Election Campaign Act of 1971 and which does not make contributions or independent expenditures, does not engage in lobbying activity under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), and is not established by, controlled by, or affiliated with a registered lobbyist under such Act, an agent of a registered lobbyist under such Act, or an organization which retains or employs a registered lobbyist under such Act; and

''(ii) a contribution is not 'made at the request, suggestion, or recommendation of another person' solely on the grounds that the contribution is made in response to information provided

to the individual making the contribution by any person, so long as the candidate or authorized committee does not know the identity of the person who provided the information to such individual.

''(3) The individual who makes the contribution does not make contributions to the candidate or the authorized committees of the candidate with respect to the election involved in an aggregate amount that exceeds the amount described in paragraph (1)(B), or any contribution to the candidate or the authorized committees of the candidate with respect to the election involved that otherwise is not a qualified small dollar contribution.

''(b) TREATMENT OF DEMOCRACY CREDITS.—Any payment received by a candidate and the authorized committees of a candidate which consists of a Democracy Credit under the Freedom to Vote: John R. Lewis Act shall be considered a qualified small dollar contribution for purposes of this title, so long as the individual making the payment meets the requirements of paragraphs (2) and (3) of subsection (a).

''(c) RESTRICTION ON SUBSEQUENT CONTRIBUTIONS.—

''(1) PROHIBITING DONOR FROM MAKING SUBSEQUENT NONQUALIFIED CONTRIBUTIONS DURING ELECTION CYCLE.—

''(A) IN GENERAL.—An individual who makes a qualified small dollar contribution to a candidate or the authorized committees of a candidate with respect to an election may not make any subsequent contribution to such candidate or the authorized committees of such candidate with respect to the election cycle which is not a qualified small dollar contribution.

''(B) EXCEPTION FOR CONTRIBUTIONS TO CANDIDATES WHO VOLUNTARILY WITHDRAW FROM PARTICIPATION DURING QUALIFYING PERIOD.—Subparagraph (A) does not apply with respect to a contribution made to a candidate who, during the Small Dollar Democracy qualifying period described in section 511(c), submits a statement to the Commission under section 513(c) to voluntarily withdraw from participating in the program under this title.

''(2) TREATMENT OF SUBSEQUENT NONQUALIFIED CONTRIBUTIONS.—If, notwithstanding the prohibition described in paragraph (1), an individual who makes a qualified small dollar contribution to a candidate or the authorized committees of a candidate with respect to an election makes a subsequent contribution to such candidate or the authorized committees of such candidate with respect to the election which is prohibited under paragraph (1) because it is not a qualified small dollar contribution, the candidate may take one of the following actions:

''(A) Not later than 2 weeks after receiving the contribution, the candidate may return the subsequent contribution to the individual. In the case of a subsequent contribution which is not a qualified small dollar contribution because the contribution fails to meet the requirements of paragraph (3) of subsection (a) (relating to the aggregate amount of contributions made to the candidate or the authorized committees of the candidate by the individual making the contribution), the candidate may return an amount equal to the difference between the amount of the subsequent contribution and the amount described in paragraph (1)(B) of subsection (a).

''(B) The candidate may retain the subsequent contribution, so long as not later than 2 weeks after receiving the subsequent contribution, the candidate remits to the Commission an amount equal to any payments received by the candidate under this title which are attributable to the qualified small dollar contribution made by the individual involved. Such amount shall be used to supplement the allocation made to the Commission with respect to candidates from the State in which the candidate seeks office, as described in section 541(a).

''(3) NO EFFECT ON ABILITY TO MAKE MULTIPLE CONTRIBUTIONS.—Nothing in this section may be construed to prohibit an individual from making multiple qualified small dollar contributions to any candidate or any number of candidates, so long as each contribution meets each of the requirements of paragraphs (1), (2), and (3) of subsection (a).

''(d) NOTIFICATION REQUIREMENTS FOR CANDIDATES.—

''(1) NOTIFICATION.—Each authorized committee of a candidate who seeks to be a participating candidate under this title shall provide the following information in any materials for the solicitation of contributions, including any internet site through which individuals may make contributions to the committee:

''(A) A statement that if the candidate is certified as a participating candidate under this title, the candidate will receive matching payments in an amount which is based on the total amount of qualified small dollar contributions received.

''(B) A statement that a contribution which meets the requirements set forth in subsection (a) shall be treated as a qualified small dollar contribution under this title.

''(C) A statement that if a contribution is treated as qualified small dollar contribution under this title, the individual who makes the contribution may not make any contribution to the candidate or the authorized committees of the candidate during the election cycle which is not a qualified small dollar contribution.

''(2) ALTERNATIVE METHODS OF MEETING REQUIREMENTS.—An authorized committee may meet the requirements of paragraph (1)—

''(A) by including the information described in paragraph (1) in the receipt provided under section 512(b)(3) to a person making a qualified small dollar contribution; or

''(B) by modifying the information it provides to persons making contributions which is otherwise required under title III (including information it provides through the internet).

''Subtitle B—Eligibility and Certification

''SEC. 511. ELIGIBILITY.

''(a) IN GENERAL.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress is eligible to be certified as a participating candidate under this title with respect to an election if the candidate meets the following requirements:

''(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate.

''(2) The candidate meets the qualifying requirements of section 512.

''(3) The candidate files with the Commission a statement certifying that the authorized committees of the candidate meet the requirements of section 504(d).

''(4) Not later than the last day of the Small Dollar Democracy qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

''(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 521;

''(B) if certified, will run only as a participating candidate for all elections for the office that such candidate is seeking during that election cycle; and

''(C) has either qualified or will take steps to qualify under State law to be on the ballot.

''(5) The candidate files with the Commission a certification that the candidate will not use any allocation from the Fund to directly or indirectly pay salaries, fees, consulting expenses, or any other compensation for services rendered to themselves, family members (including spouses as well as children, parents, siblings, or any of their spouses), or any entity or organization in which they have an ownership interest.

''(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to be certified as a participating candidate under this title for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate is otherwise qualified to be on the ballot under State law.

''(c) SMALL DOLLAR DEMOCRACY QUALIFYING PERIOD DEFINED.—The term 'Small Dollar Democracy qualifying period' means, with respect to any candidate for an office, the 180-day period (during the election cycle for such office) which begins on the date on which the candidate files a statement of intent under section 511(a)(1), except that such period may not continue after the date that is 30 days before the date of the general election for the office.

''SEC. 512. QUALIFYING REQUIREMENTS.

''(a) RECEIPT OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress meets the requirement of this section if, during the Small Dollar Democracy qualifying period described in section 511(c), each of the following occurs:

''(1) Not fewer than 1,000 individuals make a qualified small dollar contribution to the candidate.

''(2) The candidate obtains a total dollar amount of qualified small dollar contributions which is equal to or greater than $50,000.

''(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFIED SMALL DOLLAR CONTRIBUTION.—Each qualified small dollar contribution—

''(1) may be made by means of a personal check, money order, debit card, credit card, electronic payment account, or any other method deemed appropriate by the Division Director;

''(2) shall be accompanied by a signed statement (or, in the case of a contribution made online or through other electronic means, an electronic equivalent) containing the contributor's name and address; and

''(3) shall be acknowledged by a receipt that is sent to the contributor with a copy (in paper or electronic form) kept by the candidate for the Commission.

''(c) VERIFICATION OF CONTRIBUTIONS.—

''(1) PROCEDURES.—The Division Director shall establish procedures for the auditing and verification of the contributions received and expenditures made by participating candidates under this title, including procedures for random audits, to ensure that such contributions and expenditures meet the requirements of this title.

''(2) AUTHORITY OF COMMISSION TO REVISE PROCEDURES.—The Commission, by a vote of not fewer than four of its members, may revise the procedures established by the Division Director under this subsection.

''SEC. 513. CERTIFICATION.

''(a) DEADLINE AND NOTIFICATION.—

''(1) IN GENERAL.—Not later than 5 business days after a candidate files an affidavit under section 511(a)(4), the Division Director shall—

''(A) determine whether or not the candidate meets the requirements for certification as a participating candidate;

''(B) if the Division Director determines that the candidate meets such requirements, certify the candidate as a participating candidate; and

''(C) notify the candidate of the Division Director's determination.

''(2) DEEMED CERTIFICATION FOR ALL ELECTIONS IN ELECTION CYCLE.—If the Division Director certifies a candidate as a participating candidate with respect to the first election of the election cycle involved, the Division Director shall be deemed to have certified the candidate as a participating candidate with respect to all subsequent elections of the election cycle.

''(3) AUTHORITY OF COMMISSION TO REVERSE DETERMINATION BY DIVISION DIRECTOR.—During the 10-day period which begins on the date the Division Director makes a determination under this subsection, the Commission, by a vote of not fewer than four of its members, may review and

reverse the determination. If the Commission reverses the determination, the Commission shall promptly notify the candidate involved.

''(b) REVOCATION OF CERTIFICATION.—

''(1) IN GENERAL.—The Division Director shall revoke a certification under subsection (a) if—

''(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification (other than a candidate certified as a participating candidate with respect to a primary election who fails to qualify to appear on the ballot for a subsequent election in that election cycle);

''(B) a candidate ceases to be a candidate for the office involved, as determined on the basis of an official announcement by an authorized committee of the candidate or on the basis of a reasonable determination by the Commission; or

''(C) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

''(2) EXISTENCE OF CRIMINAL SANCTION.—The Division Director shall revoke a certification under subsection (a) if a penalty is assessed against the candidate under section 309(d) with respect to the election.

''(3) EFFECT OF REVOCATION.—If a candidate's certification is revoked under this subsection—

''(A) the candidate may not receive payments under this title during the remainder of the election cycle involved; and

''(B) in the case of a candidate whose certification is revoked pursuant to subparagraph (A) or subparagraph (C) of paragraph (1)—

''(i) the candidate shall repay to the Commission an amount equal to the payments received under this title with respect to the election cycle involved plus interest (at a rate determined by the Commission on the basis of an appropriate annual percentage rate for the month involved) on any such amount received, which shall be used by the Commission to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a); and

''(ii) the candidate may not be certified as a participating candidate under this title with respect to the next election cycle.

''(4) PROHIBITING PARTICIPATION IN FUTURE ELECTIONS FOR CANDIDATES WITH MULTIPLE REVOCATIONS.—If the Division Director revokes the certification of an individual as a participating candidate under this title pursuant to subparagraph (A) or subparagraph (C) of paragraph (1) a total of 3 times, the individual may not be certified as a participating candidate under this title with respect to any subsequent election.

''(5) AUTHORITY OF COMMISSION TO REVERSE REVOCATION BY DIVISION DIRECTOR.—During the 10-day period which begins on the date the Division Director makes a determination under this subsection, the Commission, by a vote of not fewer than four of its members, may review and reverse the determination. If the Commission reverses the determination, the Commission shall promptly notify the candidate involved.

''(c) VOLUNTARY WITHDRAWAL FROM PARTICIPATING DURING QUALIFYING PERIOD.—At any time during the Small Dollar Democracy qualifying period described in section 511(c), a candidate may withdraw from participation in the program under this title by submitting to the Commission a statement of withdrawal (without regard to whether or not the Commission has certified the candidate as a participating candidate under this title as of the time the candidate submits such statement), so long as the candidate has not submitted a request for payment under section 502.

''(d) PARTICIPATING CANDIDATE DEFINED.—In this title, a 'participating candidate' means a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress who is certified under this section as eligible to receive benefits under this title.

''Subtitle C—Requirements for Candidates Certified as Participating Candidates

''SEC. 521. CONTRIBUTION AND EXPENDITURE REQUIREMENTS.

''(a) PERMITTED SOURCES OF CONTRIBUTIONS AND EXPENDITURES.—Except as provided in subsection (c), a participating candidate with respect to an election shall, with respect to all elections occurring during the election cycle for the office involved, accept no contributions from any source and make no expenditures from any amounts, other than the following:

''(1) Qualified small dollar contributions.

''(2) Payments under this title.

''(3) Contributions from political committees established and maintained by a national or State political party, subject to the applicable limitations of section 315.

''(4) Subject to subsection (b), personal funds of the candidate or of any immediate family member of the candidate (other than funds received through qualified small dollar contributions).

''(5) Contributions from individuals who are otherwise permitted to make contributions under this Act, subject to the applicable limitations of section 315, except that the aggregate amount of contributions a participating candidate may accept from any individual with respect to any election during the election cycle may not exceed $1,000.

''(6) Contributions from multicandidate political committees, subject to the applicable limitations of section 315.

''(b) SPECIAL RULES FOR PERSONAL FUNDS.—

''(1) LIMIT ON AMOUNT.—A candidate who is certified as a participating candidate may use personal funds (including personal funds of any immediate family member of the candidate) so long as—

''(A) the aggregate amount used with respect to the election cycle (including any period of the cycle occurring prior to the candidate's certification as a participating candidate) does not exceed $50,000; and

''(B) the funds are used only for making direct payments for the receipt of goods and services which constitute authorized expenditures in connection with the election cycle involved.

''(2) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term 'immediate family member' means, with respect to a candidate—

''(A) the candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(c) EXCEPTIONS.—

''(1) EXCEPTION FOR CONTRIBUTIONS RECEIVED PRIOR TO FILING OF STATEMENT OF INTENT.—A candidate who has accepted contributions that are not described in subsection (a) is not in violation of subsection (a), but only if all such contributions are—

''(A) returned to the contributor;

''(B) submitted to the Commission, to be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a); or

''(C) spent in accordance with paragraph (2).

''(2) EXCEPTION FOR EXPENDITURES MADE PRIOR TO FILING OF STATEMENT OF INTENT.—If a candidate has made expenditures prior to the date the candidate files a statement of intent under section 511(a)(1) that the candidate is prohibited from making under subsection (a) or subsection (b), the candidate is not in violation of such subsection if the aggregate amount of the prohibited expenditures is less than the amount referred to in section 512(a)(2) (relating to the total dollar amount of qualified small dollar contributions which the candidate is required to obtain) which is applicable to the candidate.

''(3) EXCEPTION FOR CAMPAIGN SURPLUSES FROM A PREVIOUS ELECTION.—Notwithstanding paragraph (1), unexpended contributions received by the candidate or an authorized committee of the candidate with respect to a previous election may be retained, but only if the candidate places the funds in escrow and refrains from raising additional funds for or spending funds from that account during the election cycle in which a candidate is a participating candidate.

''(4) EXCEPTION FOR CONTRIBUTIONS RECEIVED BEFORE THE EFFECTIVE DATE OF THIS TITLE.—Contributions received and expenditures made by the candidate or an authorized committee of the candidate prior to the effective date of this title shall not constitute a violation of subsection (a) or (b). Unexpended contributions shall be treated the same as campaign surpluses under paragraph (3), and expenditures made shall count against the limit in paragraph (2).

''(d) SPECIAL RULE FOR COORDINATED PARTY EXPENDITURES.—For purposes of this section, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

''(e) PROHIBITION ON JOINT FUNDRAISING COMMITTEES.—

''(1) PROHIBITION.—An authorized committee of a candidate who is certified as a participating candidate under this title with respect to an election may not establish a joint fundraising committee with a political committee other than another authorized committee of the candidate.

''(2) STATUS OF EXISTING COMMITTEES FOR PRIOR ELECTIONS.—If a candidate established a joint fundraising committee described in paragraph (1) with respect to a prior election for which the candidate was not certified as a participating candidate under this title and the candidate does not terminate the committee, the candidate shall not be considered to be in violation of paragraph (1) so long as that joint fundraising committee does not receive any contributions or make any disbursements during the election cycle for which the candidate is certified as a participating candidate under this title.

''(f) PROHIBITION ON LEADERSHIP PACS.—

''(1) PROHIBITION.—A candidate who is certified as a participating candidate under this title with respect to an election may not associate with, establish, finance, maintain, or control a leadership PAC.

''(2) STATUS OF EXISTING LEADERSHIP PACS.—If a candidate established, financed, maintained, or controlled a leadership PAC prior to being certified as a participating candidate under this title and the candidate does not terminate the leadership PAC, the candidate shall not be considered to be in violation of paragraph (1) so long as the leadership PAC does not receive any contributions or make any disbursements during the election cycle for which the candidate is certified as a participating candidate under this title.

''(3) LEADERSHIP PAC DEFINED.—In this subsection, the term 'leadership PAC' has the meaning given such term in section 304(i)(8)(B).

''SEC. 522. ADMINISTRATION OF CAMPAIGN.

''(a) SEPARATE ACCOUNTING FOR VARIOUS PERMITTED CONTRIBUTIONS.—Each authorized committee of a candidate certified as a participating candidate under this title—

''(1) shall provide for separate accounting of each type of contribution described in section 521(a) which is received by the committee; and

''(2) shall provide for separate accounting for the payments received under this title.

''(b) ENHANCED DISCLOSURE OF INFORMATION ON DONORS.—

''(1) MANDATORY IDENTIFICATION OF INDIVIDUALS MAKING QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Each authorized committee of a participating candidate under this title shall, in accordance with section 304(b)(3)(A), include in the reports the committee submits under section

304 the identification of each person who makes a qualified small dollar contribution to the committee.

''(2) MANDATORY DISCLOSURE THROUGH INTERNET.—Each authorized committee of a participating candidate under this title shall ensure that all information reported to the Commission under this Act with respect to contributions and expenditures of the committee is available to the public on the internet (whether through a site established for purposes of this subsection, a hyperlink on another public site of the committee, or a hyperlink on a report filed electronically with the Commission) in a searchable, sortable, and downloadable manner.

''SEC. 523. PREVENTING UNNECESSARY SPENDING OF MATCHING FUNDS.

''(a) MANDATORY SPENDING OF AVAILABLE PRIVATE FUNDS.—An authorized committee of a candidate certified as a participating candidate under this title may not make any expenditure of any payments received under this title in any amount unless the committee has made an expenditure in an equivalent amount of funds received by the committee which are described in paragraphs (1), (3), (4), (5), and (6) of section 521(a).

''(b) LIMITATION.—Subsection (a) applies to an authorized committee only to the extent that the funds referred to in such subsection are available to the committee at the time the committee makes an expenditure of a payment received under this title.

''SEC. 524. REMITTING UNSPENT FUNDS AFTER ELECTION.

''(a) REMITTANCE REQUIRED.—Not later than the date that is 180 days after the last election for which a candidate certified as a participating candidate qualifies to be on the ballot during the election cycle involved, such participating candidate shall remit to the Commission an amount equal to the balance of the payments received under this title by the authorized committees of the candidate which remain unexpended as of such date, which shall be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a).

''(b) PERMITTING CANDIDATES PARTICIPATING IN NEXT ELECTION CYCLE TO RETAIN PORTION OF UNSPENT FUNDS.—Notwithstanding subsection (a), a participating candidate may withhold not more than $100,000 from the amount required to be remitted under subsection (a) if the candidate files a signed affidavit with the Commission that the candidate will seek certification as a participating candidate with respect to the next election cycle, except that the candidate may not use any portion of the amount withheld until the candidate is certified as a participating candidate with respect to that next election cycle. If the candidate fails to seek certification as a participating candidate prior to the last day of the Small Dollar Democracy qualifying period for the next election cycle (as described in section 511), or if the Commission notifies the candidate of the Commission's determination does not meet the requirements for certification as a participating candidate with respect to such cycle, the candidate shall immediately remit to the Commission the amount withheld.

''Subtitle D—Enhanced Match Support

''SEC. 531. ENHANCED SUPPORT FOR GENERAL ELECTION.

''(a) AVAILABILITY OF ENHANCED SUPPORT.—In addition to the payments made under subtitle A, the Division Director shall make an additional payment to an eligible candidate under this subtitle.

''(b) USE OF FUNDS.—A candidate shall use the additional payment under this subtitle only for authorized expenditures in connection with the election involved.

''SEC. 532. ELIGIBILITY.

''(a) IN GENERAL.—A candidate is eligible to receive an additional payment under this subtitle if the candidate meets each of the following requirements:

''(1) The candidate is on the ballot for the general election for the office the candidate seeks.

''(2) The candidate is certified as a participating candidate under this title with respect to the election.

''(3) During the enhanced support qualifying period, the candidate receives qualified small dollar contributions in a total amount of not less than $50,000.

''(4) During the enhanced support qualifying period, the candidate submits to the Division Director a request for the payment which includes—

''(A) a statement of the number and amount of qualified small dollar contributions received by the candidate during the enhanced support qualifying period;

''(B) a statement of the amount of the payment the candidate anticipates receiving with respect to the request; and

''(C) such other information and assurances as the Division Director may require.

''(5) After submitting a request for the additional payment under paragraph (4), the candidate does not submit any other application for an additional payment under this subtitle.

''(b) ENHANCED SUPPORT QUALIFYING PERIOD DESCRIBED.—In this subtitle, the term 'enhanced support qualifying period' means, with respect to a general election, the period which begins 60 days before the date of the election and ends 14 days before the date of the election.

''SEC. 533. AMOUNT.

''(a) IN GENERAL.—Subject to subsection (b), the amount of the additional payment made to an eligible candidate under this subtitle shall be an amount equal to 50 percent of—

''(1) the amount of the payment made to the candidate under section 501(b) with respect to the qualified small dollar contributions which are received by the candidate during the enhanced support qualifying period (as included in the request submitted by the candidate under section 532(a)(4)); or

''(2) in the case of a candidate who is not eligible to receive a payment under section 501(b) with respect to such qualified small dollar contributions because the candidate has reached the limit on the aggregate amount of payments under subtitle A for the election cycle under section 501(c), the amount of the payment which would have been made to the candidate under section 501(b) with respect to such qualified small dollar contributions if the candidate had not reached such limit.

''(b) LIMIT.—The amount of the additional payment determined under subsection (a) with respect to a candidate may not exceed $500,000.

''(c) NO EFFECT ON AGGREGATE LIMIT.—The amount of the additional payment made to a candidate under this subtitle shall not be included in determining the aggregate amount of payments made to a participating candidate with respect to an election cycle under section 501(c).

''SEC. 534. WAIVER OF AUTHORITY TO RETAIN PORTION OF UNSPENT FUNDS AFTER ELECTION.

''Notwithstanding section 524(a)(2), a candidate who receives an additional payment under this subtitle with respect to an election is not permitted to withhold any portion from the amount of unspent funds the candidate is required to remit to the Commission under section 524(a)(1).

''Subtitle E—Administrative Provisions

''SEC. 541. SOURCE OF PAYMENTS.

''(a) ALLOCATIONS FROM STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND.—The amounts used to make payments to participating candidates under this title who seek office in a State shall be derived from the allocations made to the Commission with respect to the State from the State Election Assistance and Innovation Trust Fund (hereafter referred to as the 'Fund') under section 8012 of the Freedom to Vote: John R. Lewis Act, as provided under section 8005(c) of such Act.

''(b) USE OF ALLOCATIONS TO MAKE PAYMENTS TO PARTICIPATING CANDIDATES.—

''(1) PAYMENTS TO PARTICIPATING CANDIDATES.—The allocations made to the Commission as described in subsection (a) shall be available without further appropriation or fiscal year limitation to make payments to participating candidates as provided in this title.

''(2) ONGOING REVIEW TO DETERMINE SUFFICIENCY OF STATE ALLOCATIONS.—

''(A) ONGOING REVIEW.—Not later than 90 days before the first day of each election cycle (beginning with the first election cycle that begins after the date of the enactment of this title), and on an ongoing basis until the end of the election cycle, the Division Director, in consultation with the Director of the Office of Democracy Advancement and Innovation, shall determine whether the amount of the allocation made to the Commission with respect to candidates who seek office in a State as described in subsection (a) will be sufficient to make payments to participating candidates in the State in the amounts provided in this title during such election cycle.

''(B) OPPORTUNITY FOR STATE TO INCREASE ALLOCATION.—If, at any time the Division Director determines under subparagraph (A) that the amount anticipated to be available in the Fund for payments to participating candidates in a State with respect to the election cycle involved is not, or may not be, sufficient to satisfy the full entitlements of participating candidates in the State to payments under this title for such election cycle—

''(i) the Division Director shall notify the State and Congress; and

''(ii) the State may direct the Director of the Office of Democracy Advancement and Innovation to direct the Secretary of the Treasury to use the funds described in subparagraph (C), in such amounts as the State may direct, as an additional allocation to the Commission with respect to the State for purposes of subsection (a), in accordance with section 8012 of the Freedom to Vote: John R. Lewis Act.

''(C) FUNDS DESCRIBED.—The funds described in this subparagraph are funds which were allocated to the State under the Democracy Advancement and Innovation Program under subtitle A of title VIII of the Freedom to Vote: John R. Lewis Act which, under the State plan under section 8002 of such Act, were to be used for democracy promotion activities described in paragraph (1), (2)(B), (2)(C), or (3) of section 8001(b) of such Act but which remain unobligated.

''(3) ELIMINATION OF LIMIT OF AMOUNT OF QUALIFIED SMALL DONOR CONTRIBUTIONS.—

''(A) ELIMINATION OF LIMIT.—If, after notifying the State under subparagraph (B)(i) and (if the State so elects) the State directs an additional allocation to the Commission as provided under such subparagraph, the Division Director determines that the amount anticipated to be available in the Fund for payments to participating candidates in the State with respect to the election cycle involved is still not, or may still not be, sufficient to satisfy the full entitlements of participating candidates in the State to payments under this title for such election cycle, the limit on the amount of a qualified small donor contribution under section 504(a)(1)(B) shall not apply with respect to a participating candidate in the State under this title. Nothing in this subparagraph may be construed to waive the limit on the aggregate amount of contributions a participating candidate may accept from any individual under section 521(a)(5).

''(B) DETERMINATION OF AMOUNT OF PAYMENT TO CANDIDATE.—In determining under section 501(b) the amount of the payment made to a participating candidate for whom the limit on the amount of a qualified small donor contribution does not apply pursuant to subparagraph

(A), there shall be excluded any qualified small donor contribution to the extent that the amount contributed by the individual involved exceeds the limit on the amount of such a contribution under section 504(a)(1)(B).

''(C) NO USE OF AMOUNTS FROM OTHER SOURCES.—In any case in which the Division Director determines that the allocation made to the Commission with respect to candidates in a State as described in subsection (a) is insufficient to make payments to participating candidates in the State under this title (taking into account any increase in the allocation under paragraph (2)), moneys shall not be made available from any other source for the purpose of making such payments.

''(c) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this title, without regard to whether or not regulations have been promulgated to carry out this section.

''SEC. 542. ADMINISTRATION THROUGH DEDICATED DIVISION WITHIN COMMISSION.

''(a) ADMINISTRATION THROUGH DEDICATED DIVISION.—

''(1) ESTABLISHMENT.—The Commission shall establish a separate division within the Commission which is dedicated to issuing regulations to carry out this title and to otherwise carrying out the operation of this title.

''(2) APPOINTMENT OF DIRECTOR AND STAFF.—

''(A) APPOINTMENT.—Not later than June 1, 2022, the Commission shall appoint a director to head the division established under this section (to be known as the 'Division Director') and such other staff as the Commission considers appropriate to enable the division to carry out its duties.

''(B) ROLE OF GENERAL COUNSEL.—If, at any time after the date referred to in subparagraph (A), there is a vacancy in the position of the Division Director, the General Counsel of the Commission shall serve as the acting Division Director until the Commission appoints a Division Director under this paragraph.

''(3) PRIVATE RIGHT OF ACTION.—Any person aggrieved by the failure of the Commission to meet the requirements of this subsection may file an action in an appropriate district court of the United States for such relief, including declaratory and injunctive relief, as may be appropriate.

''(b) REGULATIONS.—Not later than the deadline set forth in section 8114 of the Freedom to Vote: John R. Lewis Act, the Commission, acting through the dedicated division established under this section, shall prescribe regulations to carry out the purposes of this title, including regulations—

''(1) to establish procedures for verifying the amount of qualified small dollar contributions with respect to a candidate;

''(2) to establish procedures for effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

''(3) to establish procedures for effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates;

''(4) to establish procedures for monitoring the use of payments made from the allocation made to the Commission as described in section 541(a) and matching contributions under this title through audits of not fewer than 1/10 (or, in the case of the first 3 election cycles during which the program under this title is in effect, not fewer than 1/3) of all participating candidates or other mechanisms;

''(5) to establish procedures for carrying out audits under section 541(b) and permitting States to make additional allocations as provided under section 541(b)(2)(B); and

''(6) to establish rules for preventing fraud in the operation of this title which supplement similar rules which apply under this Act.

''SEC. 543. VIOLATIONS AND PENALTIES.

''(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate accepts a contribution or makes an expenditure that is prohibited under section 521, the Commission may assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a).

''(b) REPAYMENT FOR IMPROPER USE OF PAYMENTS.—

''(1) IN GENERAL.—If the Commission determines that any payment made to a participating candidate was not used as provided for in this title or that a participating candidate has violated any of the dates for remission of funds contained in this title, the Commission shall so notify the candidate and the candidate shall pay to the Commission an amount which shall be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a) and which shall be equal to—

''(A) the amount of payments so used or not remitted, as appropriate; and

''(B) interest on any such amounts (at a rate determined by the Commission).

''(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.

''(c) PROHIBITING CERTAIN CANDIDATES FROM QUALIFYING AS PARTICIPATING CANDIDATES.—

''(1) CANDIDATES WITH MULTIPLE CIVIL PENALTIES.—If the Commission assesses 3 or more civil penalties under subsection (a) against a candidate (with respect to either a single election or multiple elections), the Commission may refuse to certify the candidate as a participating candidate under this title with respect to any subsequent election, except that if each of the penalties were assessed as the result of a knowing and willful violation of any provision of this Act, the candidate is not eligible to be certified as a participating candidate under this title with respect to any subsequent election.

''(2) CANDIDATES SUBJECT TO CRIMINAL PENALTY.—A candidate is not eligible to be certified as a participating candidate under this title with respect to an election if a penalty has been assessed against the candidate under section 309(d) with respect to any previous election.

''(d) IMPOSITION OF CRIMINAL PENALTIES.—For criminal penalties for the failure of a participating candidate to comply with the requirements of this title, see section 309(d).

''SEC. 544. INDEXING OF AMOUNTS.

''(a) INDEXING.—In any calendar year after 2026, section 315(c)(1)(B) shall apply to each amount described in subsection (b) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be 2026.

''(b) AMOUNTS DESCRIBED.—The amounts described in this subsection are as follows:

''(1) The amount referred to in section 502(b)(1) (relating to the minimum amount of qualified small dollar contributions included in a request for payment).

''(2) The amounts referred to in section 504(a)(1) (relating to the amount of a qualified small dollar contribution).

''(3) The amount referred to in section 512(a)(2) (relating to the total dollar amount of qualified small dollar contributions).

''(4) The amount referred to in section 521(a)(5) (relating to the aggregate amount of contributions a participating candidate may accept from any individual with respect to an election).

''(5) The amount referred to in section 521(b)(1)(A) (relating to the amount of personal funds that may be used by a candidate who is certified as a participating candidate).

''(6) The amounts referred to in section 524(a)(2) (relating to the amount of unspent funds a candidate may retain for use in the next election cycle).

''(7) The amount referred to in section 532(a)(3) (relating to the total dollar amount of qualified small dollar contributions for a candidate seeking an additional payment under subtitle D).

''(8) The amount referred to in section 533(b) (relating to the limit on the amount of an additional payment made to a candidate under subtitle D).

''SEC. 545. ELECTION CYCLE DEFINED.

''In this title, the term 'election cycle' means, with respect to an election for an office, the period beginning on the day after the date of the most recent general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election) and ending on the date of the next general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election).

''SEC. 546. DIVISION DIRECTOR DEFINED.

''In this title, the term 'Division Director' means the individual serving as the director of the division established under section 542.''.

SEC. 8112. CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE AND POLITICAL PARTY COMMITTEES ON BEHALF OF PARTICIPATING CANDIDATES.

(a) AUTHORIZING CONTRIBUTIONS ONLY FROM SEPARATE ACCOUNTS CONSISTING OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Section 315(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended by adding at the end the following new paragraph:

''(10) In the case of a multicandidate political committee or any political committee of a political party, the committee may make a contribution to a candidate who is a participating candidate under title V with respect to an election only if the contribution is paid from a separate, segregated account of the committee which consists solely of contributions which meet the following requirements:

''(A) Each such contribution is in an amount which meets the requirements for the amount of a qualified small dollar contribution under section 504(a)(1) with respect to the election involved.

''(B) Each such contribution is made by an individual who is not otherwise prohibited from making a contribution under this Act.

''(C) The individual who makes the contribution does not make contributions to the committee during the year in an aggregate amount that exceeds the limit described in section 504(a)(1).''.

(b) PERMITTING UNLIMITED COORDINATED EXPENDITURES FROM SMALL DOLLAR SOURCES BY POLITICAL PARTIES.—Section 315(d) of such Act (52 U.S.C. 30116(d)) is amended—

(1) in paragraph (3), by striking ''The national committee'' and inserting ''Except as provided in paragraph (6), the national committee''; and

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

''(6) The limits described in paragraph (3) do not apply in the case of expenditures in connection with the general election campaign of a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress who is a participating candidate under title V with respect to the election, but only if—

''(A) the expenditures are paid from a separate, segregated account of the committee which is described in subsection (a)(10); and

''(B) the expenditures are the sole source of funding provided by the committee to the candidate.''.

SEC. 8113. PROHIBITING USE OF CONTRIBUTIONS BY PARTICIPATING CANDIDATES FOR PURPOSES OTHER THAN CAMPAIGN FOR ELECTION.

Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended by adding at the end the following new subsection:

''(d) RESTRICTIONS ON PERMITTED USES OF FUNDS BY CANDIDATES RECEIVING SMALL DOLLAR FINANCING.—Notwithstanding paragraph (2), (3), or (4) of subsection (a), if a candidate for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress is certified as a participating candidate under title V with respect to the election, any contribution which the candidate is permitted to accept under such title may be used only for authorized expenditures in connection with the candidate's campaign for such office, subject to section 503(b).''.

SEC. 8114. DEADLINE FOR REGULATIONS.

Not later than October 1, 2022, the Federal Election Commission shall promulgate such regulations as may be necessary to carry out this part and the amendments made by this part. This part and the amendments made by this part shall take effect on such date without regard to whether the Commission has promulgated the regulations required under the previous sentence by such date.

Subtitle C—Personal Use Services as Authorized Campaign Expenditures

SEC. 8201. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Help America Run Act''.

(b) FINDINGS.—Congress finds the following:

(1) Everyday Americans experience barriers to entry before they can consider running for office to serve their communities.

(2) Current law states that campaign funds cannot be spent on everyday expenses that would exist whether or not a candidate were running for office, like childcare and food. While the law seems neutral, its actual effect is to privilege the independently wealthy who want to run, because given the demands of running for office, candidates who must work to pay for childcare or to afford health insurance are effectively being left out of the process, even if they have sufficient support to mount a viable campaign.

(3) Thus current practice favors those prospective candidates who do not need to rely on a regular paycheck to make ends meet. The consequence is that everyday Americans who have firsthand knowledge of the importance of stable childcare, a safety net, or great public schools are less likely to get a seat at the table. This governance by the few is antithetical to the democratic experiment, but most importantly, when lawmakers do not share the concerns of everyday Americans, their policies reflect that.

(4) These circumstances have contributed to a Congress that does not always reflect everyday Americans. The New York Times reported in 2019 that fewer than 5 percent of representatives cite blue-collar or service jobs in their biographies. A 2015 survey by the Center for Responsive Politics showed that the median net worth of lawmakers was just over $1 million in 2013, or 18 times the wealth of the typical American household.

(5) These circumstances have also contributed to a governing body that does not reflect the nation it serves. For instance, women are 51 percent of the American population. Yet even with a record number of women serving in the One Hundred Sixteenth Congress, the Pew Research Center notes that more than three out of four Members of this Congress are male. The Center for American Women And Politics found that one third of women legislators surveyed had been actively discouraged from running for office, often by political professionals. This type of discouragement, combined with the prohibitions on using campaign funds for domestic needs like childcare, burdens that still fall disproportionately on American women, particularly disadvantages working mothers. These barriers may explain why only 10 women in history have given birth while serving in Congress, in spite of the prevalence of working parents in other professions. Yet working mothers and fathers are best positioned to create policy that reflects the lived experience of most Americans.

(6) Working mothers, those caring for their elderly parents, and young professionals who rely on their jobs for health insurance should have the freedom to run to serve the people of the United States. Their networks and net worth are simply not the best indicators of their strength as prospective public servants. In fact, helping ordinary Americans to run may create better policy for all Americans.

(c) PURPOSE.—It is the purpose of this subtitle to ensure that all Americans who are otherwise qualified to serve this Nation are able to run for office, regardless of their economic status. By expanding permissible uses of campaign funds and providing modest assurance that testing a run for office will not cost one's livelihood, the Help America Run Act will facilitate the candidacy of representatives who more accurately reflect the experiences, challenges, and ideals of everyday Americans.

SEC. 8202. TREATMENT OF PAYMENTS FOR CHILD CARE AND OTHER PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.

(a) PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114), as amended by section 8113, is amended by adding at the end the following new subsection:

''(e) TREATMENT OF PAYMENTS FOR CHILD CARE AND OTHER PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.—

''(1) AUTHORIZED EXPENDITURES.—For purposes of subsection (a), the payment by an authorized committee of a candidate for any of the personal use services described in paragraph (3) shall be treated as an authorized expenditure if the services are necessary to enable the participation of the candidate in campaign-connected activities.

''(2) LIMITATIONS.—

''(A) LIMIT ON TOTAL AMOUNT OF PAYMENTS.—The total amount of payments made by an authorized committee of a candidate for personal use services described in paragraph (3) may not exceed the limit which is applicable under any law, rule, or regulation on the amount of payments which may be made by the committee for the salary of the candidate (without regard to whether or not the committee makes payments to the candidate for that purpose).

''(B) CORRESPONDING REDUCTION IN AMOUNT OF SALARY PAID TO CANDIDATE.—To the extent that an authorized committee of a candidate makes payments for the salary of the candidate, any limit on the amount of such payments which is applicable under any law, rule, or regulation shall be reduced by the amount of any payments made to or on behalf of the candidate for personal use services described in paragraph (3), other than personal use services described in subparagraph (D) of such paragraph.

''(C) EXCLUSION OF CANDIDATES WHO ARE OFFICEHOLDERS.—Paragraph (1) does not apply with respect to an authorized committee of a candidate who is a holder of Federal office.

''(3) PERSONAL USE SERVICES DESCRIBED.—The personal use services described in this paragraph are as follows:

''(A) Child care services.

''(B) Elder care services.

''(C) Services similar to the services described in subparagraph (A) or subparagraph (B) which are provided on behalf of any dependent who is a qualifying relative under section 152 of the Internal Revenue Code of 1986.

''(D) Health insurance premiums.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle D—Empowering Small Dollar Donations

SEC. 8301. PERMITTING POLITICAL PARTY COMMITTEES TO PROVIDE ENHANCED SUPPORT FOR HOUSE CANDIDATES THROUGH USE OF SEPARATE SMALL DOLLAR ACCOUNTS.

(a) INCREASE IN LIMIT ON CONTRIBUTIONS TO CANDIDATES.—Section 315(a)(2)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(2)(A)) is amended by striking ''exceed $5,000'' and inserting ''exceed $5,000 or, in the case of a contribution made by a national committee of a political party from an account described in paragraph (11), exceed $10,000''.

(b) ELIMINATION OF LIMIT ON COORDINATED EXPENDITURES.—Section 315(d)(5) of such Act (52 U.S.C. 30116(d)(5)) is amended by striking ''subsection (a)(9)'' and inserting ''subsection (a)(9) or subsection (a)(11)''.

(c) ACCOUNTS DESCRIBED.—Section 315(a) of such Act (52 U.S.C. 30116(a)), as amended by section 8112(a), is amended by adding at the end the following new paragraph:

''(11) An account described in this paragraph is a separate, segregated account of a national congressional campaign committee of a political party which—

''(A) supports only candidates for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress; and

''(B) consists exclusively of contributions made during a calendar year by individuals whose aggregate contributions to the committee during the year do not exceed $200.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections held on or after the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle E—Severability

SEC. 8401. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

DIVISION D—VOTING RIGHTS

TITLE IX—VOTING RIGHTS

SEC. 9000. SHORT TITLE.

This division may be cited as the ''John R. Lewis Voting Rights Advancement Act of 2021''.

Subtitle A—Amendments to the Voting Rights Act

SEC. 9001. VOTE DILUTION, DENIAL, AND ABRIDGMENT CLAIMS.

(a) IN GENERAL.—Section 2(a) of the Voting Rights Act of 1965 (52 U.S.C. 10301(a)) is amended—

(1) by inserting after ''applied by any State or political subdivision'' the following: ''for the purpose of, or''; and

(2) by striking ''as provided in subsection (b)'' and inserting ''as provided in subsection (b), (c), (d), or (e)''.

(b) VOTE DILUTION.—Section 2 of such Act (52 U.S.C. 10301), as amended by subsection (a), is further amended by striking subsection (b) and inserting the following:

''(b) A violation of subsection (a) for vote dilution is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally

open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: Provided, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population. The legal standard articulated in Thornburg v. Gingles, 478 U.S. 30 (1986), governs claims under this subsection. For purposes of this subsection a class of citizens protected by subsection (a) may include a cohesive coalition of members of different racial or language minority groups.''.

(c) VOTE DENIAL OR ABRIDGEMENT.—Section 2 of such Act (52 U.S.C. 10301), as amended by subsections (a) and (b), is further amended by adding at the end the following:

''(c)(1) A violation of subsection (a) for vote denial or abridgment is established if the challenged qualification, prerequisite, standard, practice, or procedure imposes a discriminatory burden on members of a class of citizens protected by subsection (a), meaning that—

''(A) members of the protected class face disproportionate costs or burdens in complying with the qualification, prerequisite, standard, practice, or procedure, considering the totality of the circumstances; and

''(B) such disproportionate costs or burdens are, at least in part, caused by or linked to social and historical conditions that have produced or currently produce discrimination against members of the protected class.

''(2) The challenged qualification, prerequisite, standard, practice, or procedure need only be a but-for cause of the discriminatory burden or perpetuate a pre-existing discriminatory burden.

''(3)(A) The totality of the circumstances for consideration relative to a violation of subsection (a) for vote denial or abridgment shall include the following factors, which, individually and collectively, show how a voting qualification, prerequisite, standard, practice, or procedure can function to amplify the effects of past or present racial discrimination:

''(i) The history of official voting-related discrimination in the State or political subdivision.

''(ii) The extent to which voting in the elections of the State or political subdivision is racially polarized.

''(iii) The extent to which members of the protected class bear the effects of discrimination in areas such as education, employment, and health, which hinder the ability of those members to participate effectively in the political process.

''(iv) The use of overt or subtle racial appeals either in political campaigns or surrounding the adoption or maintenance of the challenged qualification, prerequisite, standard, practice, or procedure.

''(v) The extent to which members of the protected class have been elected to public office in the jurisdiction, except that the fact that the protected class is too small to elect candidates of its choice shall not defeat a claim of vote denial or abridgment under this section.

''(vi) Whether there is a significant lack of responsiveness on the part of elected officials to the particularized needs of members of the protected class.

''(vii) Whether the policy underlying the State or political subdivision's use of the challenged qualification, prerequisite, standard, practice, or procedure has a tenuous connection to that qualification, prerequisite, standard, practice, or procedure. In making a determination under this clause, a court shall consider whether the qualification, prerequisite, standard, practice, or procedure in question was designed to advance and materially advances a valid and substantiated State interest.

''(B) A particular combination or number of factors under subparagraph (A) shall not be required to establish a violation of subsection (a) for vote denial or abridgment. Additionally, a litigant can show a variety of factors to establish a violation of subsection (a), and is not limited to those factors listed under subparagraph (A).

''(C) In evaluating the totality of the circumstances for consideration relative to a violation of subsection (a) for vote denial or abridgment, the following factors shall not weigh against a finding of a violation:

''(i) The total number or share of members of a protected class on whom a challenged qualification, prerequisite, standard, practice, or procedure does not impose a material burden.

''(ii) The degree to which the challenged qualification, prerequisite, standard, practice, or procedure has a long pedigree or was in widespread use at some earlier date.

''(iii) The use of an identical or similar qualification, prerequisite, standard, practice, or procedure in other States or political subdivisions.

''(iv) The availability of other forms of voting unimpacted by the challenged qualification, prerequisite, standard, practice, or procedure to all members of the electorate, including members of the protected class, unless the State or political subdivision is simultaneously expanding those other qualifications, prerequisites, standards, practices, or procedures to eliminate any disproportionate burden imposed by the challenged qualification, prerequisite, standard, practice, or procedure.

''(v) A prophylactic impact on potential criminal activity by individual voters, if such crimes have not occurred in the State or political subdivision in substantial numbers.

''(vi) Mere invocation of interests in voter confidence or prevention of fraud.''.

(d) INTENDED VOTE DILUTION OR VOTE DENIAL OR ABRIDGMENT.—Section 2 of such Act (52 U.S.C. 10301), as amended by subsections (a), (b), and (c) is further amended by adding at the end the following:

''(d)(1) A violation of subsection (a) is also established if a challenged qualification, prerequisite, standard, practice, or procedure is intended, at least in part, to dilute the voting strength of a protected class or to deny or abridge the right of any citizen of the United States to vote on account of race, color, or in contravention of the guarantees set forth in section 4(f)(2).

''(2) Discrimination on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2), need only be one purpose of a qualification, prerequisite, standard, practice, or procedure in order to establish a violation of subsection (a), as described in this subsection. A qualification, prerequisite, standard, practice, or procedure intended to dilute the voting strength of a protected class or to make it more difficult for members of a protected class to cast a ballot that will be counted constitutes a violation of subsection (a), as described in this subsection, even if an additional purpose of the qualification, prerequisite, standard, practice, or procedure is to benefit a particular political party or group.

''(3) Recent context, including actions by official decisionmakers in prior years or in other contexts preceding the decision responsible for the challenged qualification, prerequisite, standard, practice, or procedure, and including actions by predecessor government actors or individual members of a decisionmaking body, may be relevant to making a determination about a violation of subsection (a), as described under this subsection.

''(4) A claim that a violation of subsection (a) has occurred, as described under this subsection, shall require proof of a discriminatory impact but shall not require proof of violation of subsection (b) or (c).''.

SEC. 9002. RETROGRESSION.

Section 2 of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), as amended by section 9001 of this Act, is further amended by adding at the end the following:

''(e) A violation of subsection (a) is established when a State or political subdivision enacts or seeks to administer any qualification or prerequisite to voting or standard, practice, or procedure with respect to voting in any election that has the purpose of or will have the effect of diminishing the ability of any citizens of the United States on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2), to participate in the electoral process or elect their preferred candidates of choice. This subsection applies to any action taken on or after January 1, 2021, by a State or political subdivision to enact or seek to administer any such qualification or prerequisite to voting or standard, practice or procedure.

''(f) Notwithstanding the provisions of subsection (e), final decisions of the United States District Court of the District of Columbia on applications or petitions by States or political subdivisions for preclearance under section 5 of any changes in voting prerequisites, standards, practices, or procedures, supersede the provisions of subsection (e).''.

SEC. 9003. VIOLATIONS TRIGGERING AUTHORITY OF COURT TO RETAIN JURISDICTION.

(a) TYPES OF VIOLATIONS.—Section 3(c) of the Voting Rights Act of 1965 (52 U.S.C. 10302(c)) is amended by striking ''violations of the fourteenth or fifteenth amendment'' and inserting ''violations of the 14th or 15th Amendment, violations of this Act, or violations of any Federal law that prohibits discrimination in voting on the basis of race, color, or membership in a language minority group,''.

(b) CONFORMING AMENDMENT.—Section 3(a) of such Act (52 U.S.C. 10302(a)) is amended by striking ''violations of the fourteenth or fifteenth amendment'' and inserting ''violations of the 14th or 15th Amendment, violations of this Act, or violations of any Federal law that prohibits discrimination in voting on the basis of race, color, or membership in a language minority group,''.

SEC. 9004. CRITERIA FOR COVERAGE OF STATES AND POLITICAL SUBDIVISIONS.

(a) DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO SECTION 4(a).—

(1) IN GENERAL.—Section 4(b) of the Voting Rights Act of 1965 (52 U.S.C. 10303(b)) is amended to read as follows:

''(b) DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO REQUIREMENTS.—

''(1) EXISTENCE OF VOTING RIGHTS VIOLATIONS DURING PREVIOUS 25 YEARS.—

''(A) STATEWIDE APPLICATION.—Subsection (a) applies with respect to a State and all political subdivisions within the State during a calendar year if—

''(i) fifteen or more voting rights violations occurred in the State during the previous 25 calendar years; or

''(ii) ten or more voting rights violations occurred in the State during the previous 25 calendar years, at least one of which was committed by the State itself (as opposed to a political subdivision within the State).

''(B) APPLICATION TO SPECIFIC POLITICAL SUBDIVISIONS.—Subsection (a) applies with respect to a political subdivision as a separate unit during a calendar year if three or more voting rights violations occurred in the subdivision during the previous 25 calendar years.

''(2) PERIOD OF APPLICATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if, pursuant to paragraph (1), subsection (a) applies with respect to a State or political subdivision during a calendar year, subsection (a) shall apply with respect to such State or political subdivision for the period—

''(i) that begins on January 1 of the year in which subsection (a) applies; and

''(ii) that ends on the date which is 10 years after the date described in clause (i).

''(B) NO FURTHER APPLICATION AFTER DECLARATORY JUDGMENT.—

''(i) STATES.—If a State obtains a declaratory judgment under subsection (a), and the judgment remains in effect, subsection (a) shall no longer apply to such State and all political subdivisions in the State pursuant to paragraph (1)(A) unless, after the issuance of the declaratory judgment, paragraph (1)(A) applies to the State solely on the basis of voting rights violations occurring after the issuance of the declaratory judgment, or paragraph (1)(B) applies to the political subdivision solely on the basis of voting rights violations occurring after the issuance of the declaratory judgment.

''(ii) POLITICAL SUBDIVISIONS.—If a political subdivision obtains a declaratory judgment under subsection (a), and the judgment remains in effect, subsection (a) shall no longer apply to such political subdivision pursuant to paragraph (1), including pursuant to paragraph (1)(A) (relating to the statewide application of subsection (a)), unless, after the issuance of the declaratory judgment, paragraph (1)(B) applies to the political subdivision solely on the basis of voting rights violations occurring after the issuance of the declaratory judgment.

''(3) DETERMINATION OF VOTING RIGHTS VIOLATION.—For purposes of paragraph (1), a voting rights violation occurred in a State or political subdivision if any of the following applies:

''(A) JUDICIAL RELIEF; VIOLATION OF THE 14TH OR 15TH AMENDMENT.—Any final judgment (that has not been reversed on appeal) occurred, in which the plaintiff prevailed and in which any court of the United States determined that a denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group occurred, that a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting created an undue burden on the right to vote in connection with a claim that the law unduly burdened voters of a particular race, color, or language minority group, or that race was the predominant factor motivating the decision to place a significant number of voters within or outside of a particular district, unless narrowly tailored in service of a compelling interest or in response to an objection interposed by the Department of Justice, in violation of the 14th or 15th Amendment to the Constitution of the United States, anywhere within the State or subdivision.

''(B) JUDICIAL RELIEF; VIOLATIONS OF THIS ACT.—Any final judgment (that has not been reversed on appeal) occurred in which the plaintiff prevailed and in which any court of the United States determined that a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting was imposed or applied or would have been imposed or applied anywhere within the State or subdivision in a manner that resulted or would have resulted in a denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group, in violation of subsection (e) or (f) or section 2, 201, or 203, or any final judgment (that has not been reversed on appeal) occurred in which a court of the United States found a State or political subdivision failed to comply with section 5(a): Provided, That if the voting qualifications or prerequisites to voting or standards, practices, or procedures that the court finds required compliance with section 5(a) subsequently go into effect (without alteration or amendment) in accordance with the procedures in section 5(a), then such finding shall not count as a violation.

''(C) FINAL JUDGMENT; DENIAL OF DECLARATORY JUDGMENT.—In a final judgment (that has not been reversed on appeal), any court of the United States has denied the request of the State or subdivision for a declaratory judgment under section 3(c) or section 5, and thereby prevented a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting from being enforced anywhere within the State or subdivision.

''(D) OBJECTION BY THE ATTORNEY GENERAL.—The Attorney General has interposed an objection under section 3(c) or section 5, and thereby prevented a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting from being enforced anywhere within the State or subdivision. A violation under this subparagraph has not occurred where an objection has been withdrawn by the Attorney General, unless the withdrawal was in response to a change in the law or practice that served as the basis of the objection. A violation under this subparagraph has not occurred where the objection is based solely on a State or political subdivision's failure to comply with a procedural process that would not otherwise count as an independent violation of this Act.

''(E) CONSENT DECREE, SETTLEMENT, OR OTHER AGREEMENT.—

''(i) AGREEMENT.—A consent decree, settlement, or other agreement was adopted or entered by a court of the United States that contains an admission of liability by the defendants, which resulted in the alteration or abandonment of a voting practice anywhere in the territory of such State or subdivision that was challenged on the ground that the practice denied or abridged the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group in violation of subsection (e) or (f) or section 2, 201, or 203, or the 14th or 15th Amendment.

''(ii) INDEPENDENT VIOLATIONS.—A voluntary extension or continuation of a consent decree, settlement, or agreement described in clause (i) shall not count as an independent violation under this subparagraph. Any other extension or modification of such a consent decree, settlement, or agreement, if the consent decree, settlement, or agreement has been in place for ten years or longer, shall count as an independent violation under this subparagraph. If a court of the United States finds that a consent decree, settlement, or agreement described in clause (i) itself denied or abridged the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group, violated subsection (e) or (f) or section 2, 201, or 203, or created an undue burden on the right to vote in connection with a claim that the consent decree, settlement, or other agreement unduly burdened voters of a particular race, color, or language minority group, that finding shall count as an independent violation under this subparagraph.

''(F) MULTIPLE VIOLATIONS.—Each instance in which a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting, including each redistricting plan, is found to be a violation by a court of the United States pursuant to subparagraph (A) or (B), or prevented from being enforced pursuant to subparagraph (C) or (D), or altered or abandoned pursuant to subparagraph (E) shall count as an independent violation under this paragraph. Within a redistricting plan, each violation under this paragraph found to violate the rights of any group of voters within an individual district based on race, color, or language minority group shall count as an independent violation under this paragraph.

''(4) TIMING OF DETERMINATIONS.—

''(A) DETERMINATIONS OF VOTING RIGHTS VIOLATIONS.—As early as practicable during each calendar year, the Attorney General shall make the determinations required by this subsection, including updating the list of voting rights violations occurring in each State and political subdivision for the previous calendar year.

''(B) EFFECTIVE UPON PUBLICATION IN FEDERAL REGISTER.—A determination or certification of the Attorney General under this section or under section 8 or 13 shall be effective upon publication in the Federal Register.''.

(2) CONFORMING AMENDMENTS.—Section 4(a) of such Act (52 U.S.C. 10303(a)) is amended—

(A) in paragraph (1), in the first sentence of the matter preceding subparagraph (A), by striking ''any State with respect to which'' and all that follows through ''unless'' and inserting ''any State to which this subsection applies during a calendar year pursuant to determinations made under subsection (b), or in any political subdivision of such State (as such subdivision existed on the date such determinations were made with respect to such State), though such determinations were not made with respect to such subdivision as a separate unit, or in any political subdivision with respect to which this subsection applies during a calendar year pursuant to determinations made with respect to such subdivision as a separate unit under subsection (b), unless'';

(B) in paragraph (1), in the matter preceding subparagraph (A), by striking the second sentence;

(C) in paragraph (1)(A), by striking ''(in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'';

(D) in paragraph (1)(B), by striking ''(in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'';

(E) in paragraph (3), by striking ''(in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'';

(F) in paragraph (5), by striking ''(in the case of a State or subdivision which sought a declaratory judgment under the second sentence of this subsection)'';

(G) by striking paragraphs (7) and (8); and

(H) by redesignating paragraph (9) as paragraph (7).

(b) CLARIFICATION OF TREATMENT OF MEMBERS OF LANGUAGE MINORITY GROUPS.—Section 4(a)(1) of such Act (52 U.S.C. 10303(a)(1)), as amended by subsection (a), is further amended, in the first sentence, by striking ''race or color,'' and inserting ''race or color, or in contravention of the guarantees of subsection (f)(2),''.

(c) FACILITATING BAILOUT.—Section 4(a) of the Voting Rights Act of 1965 (52 U.S.C. 10303(a)), as amended by subsection (a), is further amended—

(1) by striking paragraph (1)(C);

(2) by inserting at the beginning of paragraph (7), as redesignated by subsection (a)(2)(H), the following: ''Any plaintiff seeking a declaratory judgment under this subsection on the grounds that the plaintiff meets the requirements of paragraph (1) may request that the Attorney General consent to entry of judgment.''; and

(3) by adding at the end the following:

''(8) If a political subdivision is subject to the application of this subsection, due to the applicability of subsection (b)(1)(A), the political subdivision may seek a declaratory judgment under this section if the subdivision demonstrates that the subdivision meets the criteria established by the subparagraphs of paragraph (1), for the 10 years preceding the date on which subsection (a) applied to the political subdivision under subsection (b)(1)(A).

''(9) If a political subdivision was not subject to the application of this subsection by reason of a declaratory judgment entered prior to the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2021, and is not, subsequent to that date of enactment, subject to the application of this subsection under subsection (b)(1)(B), then that political subdivision shall not be subject to the requirements of this subsection.''.

SEC. 9005. DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO PRECLEARANCE FOR COVERED PRACTICES.

The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) is further amended by inserting after section 4 the following:

''SEC. 4A. DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO PRECLEARANCE FOR COVERED PRACTICES.

''(a) PRACTICE-BASED PRECLEARANCE.—

''(1) IN GENERAL.—Each State and each political subdivision shall—

''(A) identify any change to a law, regulation, or policy that includes a voting qualification or prerequisite to voting, or a standard, practice, or procedure with respect to voting, that is a covered practice described in subsection (b); and

''(B) ensure that no such covered practice is implemented unless or until the State or political subdivision, as the case may be, complies with subsection (c).

''(2) DETERMINATIONS OF CHARACTERISTICS OF VOTING-AGE POPULATION.—

''(A) IN GENERAL.—As early as practicable during each calendar year, the Attorney General, in consultation with the Director of the Bureau of the Census and the heads of other relevant offices of the government, shall make the determinations required by this section regarding voting-age populations and the characteristics of such populations, and shall publish a list of the States and political subdivisions to which a voting-age population characteristic described in subsection (b) applies.

''(B) PUBLICATION IN THE FEDERAL REGISTER.—A determination (including a certification) of the Attorney General under this paragraph shall be effective upon publication in the Federal Register.

''(b) COVERED PRACTICES.—To assure that the right of citizens of the United States to vote is not denied or abridged on account of race, color, or membership in a language minority group as a result of the implementation of certain qualifications or prerequisites to voting, or standards, practices, or procedures with respect to voting in a State or political subdivision, the following shall be covered practices subject to the requirements described in subsection (a):

''(1) CHANGES TO METHOD OF ELECTION.—Any change to the method of election—

''(A) to add seats elected at-large in a State or political subdivision where—

''(i) two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population in the State or political subdivision, respectively; or

''(ii) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the State or political subdivision; or

''(B) to convert one or more seats elected from a single-member district to one or more at-large seats or seats from a multi-member district in a State or political subdivision where—

''(i) two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population in the State or political subdivision, respectively; or

''(ii) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the State or political subdivision.

''(2) CHANGES TO POLITICAL SUBDIVISION BOUNDARIES.—Any change or series of changes within a year to the boundaries of a political subdivision that reduces by 3 or more percentage points the percentage of the political subdivision's voting-age population that is comprised of members of a single racial group or language minority group in the political subdivision where—

''(A) two or more racial groups or language minority groups each represent 20 percent or more of the political subdivision's voting-age population; or

''(B) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the political subdivision.

''(3) CHANGES THROUGH REDISTRICTING.—Any change to the apportionment or boundaries of districts for Federal, State, or local elections in a State or political subdivision where any racial group or language minority group that is not the largest racial group or language minority group in the jurisdiction and that represents 15 percent or more of the State or political subdivision's voting-age population experiences a population increase of at least 20 percent of its voting-age population, over the preceding decade (as calculated by the Bureau of the Census under the most recent decennial census), in the jurisdiction.

''(4) CHANGES IN DOCUMENTATION OR QUALIFICATIONS TO VOTE.—Any change to requirements for documentation or proof of identity to vote or register to vote in elections for Federal, State, or local offices that will exceed or be more stringent than such requirements under State law on the day before the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2021.

''(5) CHANGES TO MULTILINGUAL VOTING MATERIALS.—Any change that reduces multilingual voting materials or alters the manner in which such materials are provided or distributed, where no similar reduction or alteration occurs in materials provided in English for such election.

''(6) CHANGES THAT REDUCE, CONSOLIDATE, OR RELOCATE VOTING LOCATIONS, OR REDUCE VOTING OPPORTUNITIES.—Any change that reduces, consolidates, or relocates voting locations in elections for Federal, State, or local office, including early, absentee, and election-day voting locations, or reduces days or hours of in-person voting on any Sunday during a period occurring prior to the date of an election for Federal, State, or local office during which voters may cast ballots in such election, if the location change, or reduction in days or hours, applies—

''(A) in one or more census tracts in which two or more language minority groups or racial groups each represent 20 percent or more of the voting-age population; or

''(B) on Indian lands in which at least 20 percent of the voting-age population belongs to a single language minority group.

''(7) NEW LIST MAINTENANCE PROCESS.—Any change to the maintenance process for voter registration lists that adds a new basis for removal from the list of active voters registered to vote in elections for Federal, State, or local office, or that incorporates new sources of information in determining a voter's eligibility to vote in elections for Federal, State, or local office, if such a change would have a statistically significant disparate impact, concerning the removal from voter rolls, on members of racial groups or language minority groups that constitute greater than 5 percent of the voting-age population—

''(A) in the case of a political subdivision imposing such change if—

''(i) two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population of the political subdivision; or

''(ii) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the political subdivision; or

''(B) in the case of a State imposing such change, if two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population of—

''(i) the State; or

''(ii) a political subdivision in the State, except that the requirements under subsections (a) and (c) shall apply only with respect to each such political subdivision individually.

''(c) PRECLEARANCE.—

''(1) IN GENERAL.—

''(A) ACTION .—Whenever a State or political subdivision with respect to which the requirements set forth in subsection (a) are in effect shall enact, adopt, or seek to implement any covered practice described under subsection (b), such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such covered practice neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group, and unless and until the court enters such judgment such covered practice shall not be implemented.

''(B) SUBMISSION TO ATTORNEY GENERAL.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), such covered practice may be implemented without such proceeding if the covered practice has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within 60 days after such submission, or upon good cause shown, to facilitate an expedited approval within 60 days after such submission, the Attorney General has affirmatively indicated that such objection will not be made. An exigency, including a natural disaster, inclement weather, or other unforeseeable event, requiring a changed qualification, prerequisite, standard, practice, or procedure within 30 days of a Federal, State, or local election shall constitute good cause requiring the Attorney General to expedite consideration of the submission. To the extent feasible, expedited consideration shall consider the views of individuals affected by the changed qualification, prerequisite, standard, practice, or procedure.

''(ii) EFFECT OF INDICATION.—Neither an affirmative indication by the Attorney General that no objection will be made, nor the Attorney General's failure to object, nor a declaratory judgment entered under this subsection shall bar a subsequent action to enjoin implementation of such covered practice. In the event the Attorney General affirmatively indicates that no objection will be made within the 60-day period following receipt of a submission, the Attorney General may reserve the right to reexamine the submission if additional information comes to the Attorney General's attention during the remainder of the 60-day period which would otherwise require objection in accordance with this subsection.

''(C) COURT.—Any action under this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28, United States Code, and any appeal shall lie to the Supreme Court.

''(2) DENYING OR ABRIDGING THE RIGHT TO VOTE.—Any covered practice described in subsection (b) that has the purpose of or will have the effect of diminishing the ability of any citizens of the United States on account of race, color, or membership in a language minority group, to elect their preferred candidates of choice denies or abridges the right to vote within the meaning of paragraph (1).

''(3) PURPOSE DEFINED.—The term 'purpose' in paragraphs (1) and (2) shall include any discriminatory purpose.

''(4) PURPOSE OF PARAGRAPH (2).—The purpose of paragraph (2) is to protect the ability of such citizens to elect their preferred candidates of choice.

''(d) ENFORCEMENT.—The Attorney General or any aggrieved citizen may file an action in a district court of the United States to compel any State or political subdivision to satisfy the obligations set forth in this section. Such an action shall be heard and determined by a court of three judges under section 2284 of title 28, United States Code. In any such action, the court shall provide as a remedy that implementation of any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting, that is the subject of the action under this subsection be enjoined unless the court determines that—

''(1) the voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting, is not a covered practice described in subsection (b); or

''(2) the State or political subdivision has complied with subsection (c) with respect to the covered practice at issue.

''(e) COUNTING OF RACIAL GROUPS AND LANGUAGE MINORITY GROUPS.—For purposes of this section, the calculation of the population of a racial group or a language minority group shall be carried out using the methodology in the

guidance of the Department of Justice entitled 'Guidance Concerning Redistricting Under Section 5 of the Voting Rights Act; Notice' (76 Fed. Reg. 7470 (February 9, 2011)).

''(f) SPECIAL RULE.—For purposes of determinations under this section, any data provided by the Bureau of the Census, whether based on estimation from a sample or actual enumeration, shall not be subject to challenge or review in any court.

''(g) MULTILINGUAL VOTING MATERIALS.—In this section, the term 'multilingual voting materials' means registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, provided in the language or languages of one or more language minority groups.''.

SEC. 9006. PROMOTING TRANSPARENCY TO ENFORCE THE VOTING RIGHTS ACT.

(a) TRANSPARENCY.—The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) is amended by inserting after section 5 the following:

''SEC. 6. TRANSPARENCY REGARDING CHANGES TO PROTECT VOTING RIGHTS.

''(a) NOTICE OF ENACTED CHANGES.—

''(1) NOTICE OF CHANGES.—If a State or political subdivision makes any change in any qualification or prerequisite to voting or standard, practice, or procedure with respect to voting in any election for Federal office that will result in the qualification or prerequisite, standard, practice, or procedure being different from that which was in effect as of 180 days before the date of the election for Federal office, the State or political subdivision shall provide reasonable public notice in such State or political subdivision and on the website of the State or political subdivision, of a concise description of the change, including the difference between the changed qualification or prerequisite, standard, practice, or procedure and the qualification, prerequisite, standard, practice, or procedure which was previously in effect. The public notice described in this paragraph, in such State or political subdivision and on the website of a State or political subdivision, shall be in a format that is reasonably convenient and accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(2) DEADLINE FOR NOTICE.—A State or political subdivision shall provide the public notice required under paragraph (1) not later than 48 hours after making the change involved.

''(b) TRANSPARENCY REGARDING POLLING PLACE RESOURCES.—

''(1) IN GENERAL.—In order to identify any changes that may impact the right to vote of any person, prior to the 30th day before the date of an election for Federal office, each State or political subdivision with responsibility for allocating registered voters, voting machines, and official poll workers to particular precincts and polling places shall provide reasonable public notice in such State or political subdivision and on the website of a State or political subdivision, of the information described in paragraph (2) for precincts and polling places within such State or political subdivision. The public notice described in this paragraph, in such State or political subdivision and on the website of a State or political subdivision, shall be in a format that is reasonably convenient and accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph with respect to a precinct or polling place is each of the following:

''(A) The name or number.

''(B) In the case of a polling place, the location, including the street address, and whether such polling place is accessible to persons with disabilities.

''(C) The voting-age population of the area served by the precinct or polling place, broken down by demographic group if such breakdown is reasonably available to such State or political subdivision.

''(D) The number of registered voters assigned to the precinct or polling place, broken down by demographic group if such breakdown is reasonably available to such State or political subdivision.

''(E) The number of voting machines assigned, including the number of voting machines accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(F) The number of official paid poll workers assigned.

''(G) The number of official volunteer poll workers assigned.

''(H) In the case of a polling place, the dates and hours of operation.

''(3) UPDATES IN INFORMATION REPORTED.—If a State or political subdivision makes any change in any of the information described in paragraph (2), the State or political subdivision shall provide reasonable public notice in such State or political subdivision and on the website of a State or political subdivision, of the change in the information not later than 48 hours after the change occurs or, if the change occurs fewer than 48 hours before the date of the election for Federal office, as soon as practicable after the change occurs. The public notice described in this paragraph and published on the website of a State or political subdivision shall be in a format that is reasonably convenient and accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(c) TRANSPARENCY OF CHANGES RELATING TO DEMOGRAPHICS AND ELECTORAL DISTRICTS.—

''(1) REQUIRING PUBLIC NOTICE OF CHANGES.—Not later than 10 days after making any change in the constituency that will participate in an election for Federal, State, or local office or the boundaries of a voting unit or electoral district in an election for Federal, State, or local office (including through redistricting, reapportionment, changing from at-large elections to district-based elections, or changing from district-based elections to at-large elections), a State or political subdivision shall provide reasonable public notice in such State or political subdivision and on the website of a State or political subdivision, of the demographic and electoral data described in paragraph (3) for each of the geographic areas described in paragraph (2).

''(2) GEOGRAPHIC AREAS DESCRIBED.—The geographic areas described in this paragraph are as follows:

''(A) The State as a whole, if the change applies statewide, or the political subdivision as a whole, if the change applies across the entire political subdivision.

''(B) If the change includes a plan to replace or eliminate voting units or electoral districts, each voting unit or electoral district that will be replaced or eliminated.

''(C) If the change includes a plan to establish new voting units or electoral districts, each such new voting unit or electoral district.

''(3) DEMOGRAPHIC AND ELECTORAL DATA.—The demographic and electoral data described in this paragraph with respect to a geographic area described in paragraph (2) are each of the following:

''(A) The voting-age population, broken down by demographic group.

''(B) The number of registered voters, broken down by demographic group if such breakdown is reasonably available to the State or political subdivision involved.

''(C)(i) If the change applies to a State, the actual number of votes, or (if it is not reasonably practicable for the State to ascertain the actual number of votes) the estimated number of votes received by each candidate in each statewide election held during the 5-year period which ends on the date the change involved is made; and

''(ii) if the change applies to only one political subdivision, the actual number of votes, or (if it is not reasonably practicable for the political subdivision to ascertain the actual number of votes) the estimated number of votes in each subdivision-wide election held during the 5-year period which ends on the date the change involved is made.

''(4) VOLUNTARY COMPLIANCE BY SMALLER JURISDICTIONS.—Compliance with this subsection shall be voluntary for a political subdivision of a State unless the subdivision is one of the following:

''(A) A county or parish.

''(B) A municipality with a population greater than 10,000, as determined by the Bureau of the Census under the most recent decennial census.

''(C) A school district with a population greater than 10,000, as determined by the Bureau of the Census under the most recent decennial census. For purposes of this subparagraph, the term 'school district' means the geographic area under the jurisdiction of a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965).

''(d) RULES REGARDING FORMAT OF INFORMATION.—The Attorney General may issue rules specifying a reasonably convenient and accessible format that States and political subdivisions shall use to provide public notice of information under this section.

''(e) NO DENIAL OF RIGHT TO VOTE.—The right to vote of any person shall not be denied or abridged because the person failed to comply with any change made by a State or political subdivision to a voting qualification, prerequisite, standard, practice, or procedure if the State or political subdivision involved did not meet the applicable requirements of this section with respect to the change.

''(f) DEFINITIONS.—In this section—

''(1) the term 'demographic group' means each group which section 2 protects from the denial or abridgement of the right to vote on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2);

''(2) the term 'election for Federal office' means any general, special, primary, or runoff election held solely or in part for the purpose of electing any candidate for the office of President, Vice President, Presidential elector, Senator, Member of the House of Representatives, or Delegate or Resident Commissioner to the Congress; and

''(3) the term 'persons with disabilities', means individuals with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall apply with respect to changes which are made on or after the expiration of the 60-day period which begins on the date of the enactment of this Act.

SEC. 9007. AUTHORITY TO ASSIGN OBSERVERS.

(a) CLARIFICATION OF AUTHORITY IN POLITICAL SUBDIVISIONS SUBJECT TO PRECLEARANCE.—Section 8(a)(2)(B) of the Voting Rights Act of 1965 (52 U.S.C. 10305(a)(2)(B)) is amended to read as follows:

''(B) in the Attorney General's judgment, the assignment of observers is otherwise necessary to enforce the guarantees of the 14th or 15th Amendment or any provision of this Act or any other Federal law protecting the right of citizens of the United States to vote; or''.

(b) ASSIGNMENT OF OBSERVERS TO ENFORCE BILINGUAL ELECTION REQUIREMENTS.—Section 8(a) of such Act (52 U.S.C. 10305(a)) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by inserting after paragraph (2) the following:

''(3) the Attorney General certifies with respect to a political subdivision that—

''(A) the Attorney General has received written meritorious complaints from residents, elected officials, or civic participation organizations

that efforts to violate section 203 are likely to occur; or

''(B) in the Attorney General's judgment, the assignment of observers is necessary to enforce the guarantees of section 203;''; and

(3) by moving the margin for the continuation text following paragraph (3), as added by paragraph (2) of this subsection, 2 ems to the left.

(c) TRANSFERRAL OF AUTHORITY OVER OBSERVERS TO THE ATTORNEY GENERAL.—

(1) ENFORCEMENT PROCEEDINGS.—Section 3(a) of the Voting Rights Act of 1965 (52 U.S.C. 10302(a)) is amended by striking ''United States Civil Service Commission in accordance with section 6'' and inserting ''Attorney General in accordance with section 8''.

(2) OBSERVERS; APPOINTMENT AND COMPENSATION.—Section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) is amended—

(A) in subsection (a), in the flush matter at the end, by striking ''Director of the Office of Personnel Management shall assign as many observers for such subdivision as the Director'' and inserting ''Attorney General shall assign as many observers for such subdivision as the Attorney General'';

(B) in subsection (c), by striking ''Director of the Office of Personnel Management'' and inserting ''Attorney General''; and

(C) in subsection (c), by adding at the end the following: ''The Director of the Office of Personnel Management may, with the consent of the Attorney General, assist in the selection, recruitment, hiring, training, or deployment of these or other individuals authorized by the Attorney General for the purpose of observing whether persons who are entitled to vote are being permitted to vote and whether those votes are being properly tabulated.''.

(3) TERMINATION OF CERTAIN APPOINTMENTS OF OBSERVERS.—Section 13(a)(1) of the Voting Rights Act of 1965 (52 U.S.C. 10309(a)(1)) is amended by striking ''notifies the Director of the Office of Personnel Management,'' and inserting ''determines,''.

SEC. 9008. CLARIFICATION OF AUTHORITY TO SEEK RELIEF.

(a) POLL TAX.—Section 10(b) of the Voting Rights Act of 1965 (52 U.S.C. 10306(b)) is amended by striking ''the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions,'' and inserting ''an aggrieved person or (in the name of the United States) the Attorney General may institute such actions''.

(b) CAUSE OF ACTION.—Section 12(d) of the Voting Rights Act of 1965 (52 U.S.C. 10308(d)) is amended to read as follows:

''(d) Whenever there are reasonable grounds to believe that any person has engaged in, or is about to engage in, any act or practice that would (1) deny any citizen the right to register, to cast a ballot, or to have that ballot counted properly and included in the appropriate totals of votes cast in violation of the 14th, 15th, 19th, 24th, or 26th Amendments to the Constitution of the United States, (2) violate subsection (a) or (b) of section 11, or (3) violate any other provision of this Act or any other Federal voting rights law that prohibits discrimination on the basis of race, color, or membership in a language minority group, an aggrieved person or (in the name of the United States) the Attorney General may institute an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other appropriate order. Nothing in this subsection shall be construed to create a cause of action for civil enforcement of criminal provisions of this or any other Act.''.

(c) JUDICIAL RELIEF.—Section 204 of the Voting Rights Act of 1965 (52 U.S.C. 10504) is amended by striking the first sentence and inserting the following: ''Whenever there are reasonable grounds to believe that a State or political subdivision has engaged or is about to engage in any act or practice prohibited by a provision of this title, an aggrieved person or (in the name of the United States) the Attorney General may institute an action in a district court of the United States, for a restraining order, a preliminary or permanent injunction, or such other order as may be appropriate.''.

(d) ENFORCEMENT OF TWENTY-SIXTH AMENDMENT.—Section 301(a)(1) of the Voting Rights Act of 1965 (52 U.S.C. 10701(a)(1)) is amended to read as follows:

''(a)(1) An aggrieved person or (in the name of the United States) the Attorney General may institute an action in a district court of the United States, for a restraining order, a preliminary or permanent injunction, or such other order as may be appropriate to implement the 26th Amendment to the Constitution of the United States.''.

SEC. 9009. PREVENTIVE RELIEF.

Section 12(d) of the Voting Rights Act of 1965 (52 U.S.C. 10308(d)), as amended by section 108, is further amended by adding at the end the following:

''(2)(A) In considering any motion for preliminary relief in any action for preventive relief described in this subsection, the court shall grant the relief if the court determines that the complainant has raised a serious question as to whether the challenged voting qualification or prerequisite to voting or standard, practice, or procedure violates any of the provisions listed in section 111(a)(1) of the John R. Lewis Voting Rights Advancement Act and, on balance, the hardship imposed on the defendant by the grant of the relief will be less than the hardship which would be imposed on the plaintiff if the relief were not granted.

''(B) In making its determination under this paragraph with respect to a change in any voting qualification, prerequisite to voting, or standard, practice, or procedure with respect to voting, the court shall consider all relevant factors and give due weight to the following factors, if they are present:

''(i) Whether the qualification, prerequisite, standard, practice, or procedure in effect prior to the change was adopted as a remedy for a Federal court judgment, consent decree, or admission regarding—

''(I) discrimination on the basis of race or color in violation of the 14th or 15th Amendment to the Constitution of the United States;

''(II) a violation of the 19th, 24th, or 26th Amendments to the Constitution of the United States;

''(III) a violation of this Act; or

''(IV) voting discrimination on the basis of race, color, or membership in a language minority group in violation of any other Federal or State law.

''(ii) Whether the qualification, prerequisite, standard, practice, or procedure in effect prior to the change served as a ground for the dismissal or settlement of a claim alleging—

''(I) discrimination on the basis of race or color in violation of the 14th or 15th Amendment to the Constitution of the United States;

''(II) a violation of the 19th, 24th, or 26th Amendment to the Constitution of the United States;

''(III) a violation of this Act; or

''(IV) voting discrimination on the basis of race, color, or membership in a language minority group in violation of any other Federal or State law.

''(iii) Whether the change was adopted fewer than 180 days before the date of the election with respect to which the change is to take or takes effect.

''(iv) Whether the defendant has failed to provide timely or complete notice of the adoption of the change as required by applicable Federal or State law.

''(3) A jurisdiction's inability to enforce its voting or election laws, regulations, policies, or redistricting plans, standing alone, shall not be deemed to constitute irreparable harm to the public interest or to the interests of a defendant in an action arising under the Constitution or any Federal law that prohibits discrimination on the basis of race, color, or membership in a language minority group in the voting process, for the purposes of determining whether a stay of a court's order or an interlocutory appeal under section 1253 of title 28, United States Code, is warranted.''.

SEC. 9010. BILINGUAL ELECTION REQUIREMENTS.

Section 203(b)(1) of the Voting Rights Act of 1965 (52 U.S.C. 10503(b)(1)) is amended by striking ''2032'' and inserting ''2037''.

SEC. 9011. RELIEF FOR VIOLATIONS OF VOTING RIGHTS LAWS.

(a) IN GENERAL.—

(1) RELIEF FOR VIOLATIONS OF VOTING RIGHTS LAWS.—In this section, the term ''prohibited act or practice'' means—

(A) any act or practice—

(i) that creates an undue burden on the fundamental right to vote in violation of the 14th Amendment to the Constitution of the United States or violates the Equal Protection Clause of the 14th Amendment to the Constitution of the United States; or

(ii) that is prohibited by the 15th, 19th, 24th, or 26th Amendment to the Constitution of the United States, section 2004 of the Revised Statutes (52 U.S.C. 10101), the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.), the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.), or section 2003 of the Revised Statutes (52 U.S.C. 10102); and

(B) any act or practice in violation of any Federal law that prohibits discrimination with respect to voting, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to diminish the authority or scope of authority of any person to bring an action under any Federal law.

(3) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting ''a provision described in section 111(a)(1) of the John R. Lewis Voting Rights Advancement Act of 2021,'' after ''title VI of the Civil Rights Act of 1964,''.

(b) GROUNDS FOR EQUITABLE RELIEF.—In any action for equitable relief pursuant to a law listed under subsection (a), proximity of the action to an election shall not be a valid reason to deny such relief, or stay the operation of or vacate the issuance of such relief, unless the party opposing the issuance or continued operation of relief meets the burden of proving by clear and convincing evidence that the issuance of the relief would be so close in time to the election as to cause irreparable harm to the public interest or that compliance with such relief would impose serious burdens on the party opposing relief.

(1) IN GENERAL.—In considering whether to grant, deny, stay, or vacate any order of equitable relief, the court shall give substantial weight to the public's interest in expanding access to the right to vote. A State's generalized interest in enforcing its enacted laws shall not be a relevant consideration in determining whether equitable relief is warranted.

(2) PRESUMPTIVE SAFE HARBOR.—Where equitable relief is sought either within 30 days of the adoption or reasonable public notice of the challenged policy or practice, or more than 60 days before the date of an election to which the relief being sought will apply, proximity to the election will be presumed not to constitute a harm to the public interest or a burden on the party opposing relief.

(c) GROUNDS FOR STAY OR VACATUR IN FEDERAL CLAIMS INVOLVING VOTING RIGHTS.—

(1) PROSPECTIVE EFFECT.—In reviewing an application for a stay or vacatur of equitable relief

granted pursuant to a law listed in subsection (a), a court shall give substantial weight to the reliance interests of citizens who acted pursuant to such order under review. In fashioning a stay or vacatur, a reviewing court shall not order relief that has the effect of denying or abridging the right to vote of any citizen who has acted in reliance on the order.

(2) WRITTEN EXPLANATION.—No stay or vacatur under this subsection shall issue unless the reviewing court makes specific findings that the public interest, including the public's interest in expanding access to the ballot, will be harmed by the continuing operation of the equitable relief or that compliance with such relief will impose serious burdens on the party seeking such a stay or vacatur such that those burdens substantially outweigh the benefits to the public interest. In reviewing an application for a stay or vacatur of equitable relief, findings of fact made in issuing the order under review shall not be set aside unless clearly erroneous.

SEC. 9012. PROTECTION OF TABULATED VOTES.

The Voting Rights Act of 1965 (52 U.S.C. 10307) is amended—

(1) in section 11—

(A) by amending subsection (a) to read as follows:

''(a) No person acting under color of law shall—

''(1) fail or refuse to permit any person to vote who is entitled to vote under Federal law or is otherwise qualified to vote;

''(2) willfully fail or refuse to tabulate, count, and report such person's vote; or

''(3) willfully fail or refuse to certify the aggregate tabulations of such persons' votes or certify the election of the candidates receiving sufficient such votes to be elected to office.''; and

(B) in subsection (b), by inserting ''subsection (a) or'' after ''duties under''; and

(2) in section 12—

(A) in subsection (b)—

(i) by striking ''a year following an election in a political subdivision in which an observer has been assigned'' and inserting ''22 months following an election for Federal office''; and

(ii) by adding at the end the following: ''Whenever the Attorney General has reasonable grounds to believe that any person has engaged in or is about to engage in an act in violation of this subsection, the Attorney General may institute (in the name of the United States) a civil action in Federal district court seeking appropriate relief.'';

(B) in subsection (c), by inserting ''or solicits a violation of'' after ''conspires to violate''; and

(C) in subsection (e), by striking the first and second sentences and inserting the following: ''If, after the closing of the polls in an election for Federal office, persons allege that notwithstanding (1) their registration by an appropriate election official and (2) their eligibility to vote in the political subdivision, their ballots have not been counted in such election, and if upon prompt receipt of notifications of these allegations, the Attorney General finds such allegations to be well founded, the Attorney General may forthwith file with the district court an application for an order providing for the counting and certification of the ballots of such persons and requiring the inclusion of their votes in the total vote for all applicable offices before the results of such election shall be deemed final and any force or effect given thereto.''.

SEC. 9013. ENFORCEMENT OF VOTING RIGHTS BY ATTORNEY GENERAL.

Section 12 of the Voting Rights Act of 1965 (52 U.S.C. 10308), as amended by this Act, is further amended by adding at the end the following:

''(g) VOTING RIGHTS ENFORCEMENT BY ATTORNEY GENERAL.—

''(1) IN GENERAL.—In order to fulfill the Attorney General's responsibility to enforce this Act and other Federal laws that protect the right to vote, the Attorney General (or upon designation by the Attorney General, the Assistant Attorney General for Civil Rights) is authorized, before commencing a civil action, to issue a demand for inspection and information in writing to any State or political subdivision, or other governmental representative or agent, with respect to any relevant documentary material that the Attorney General has reason to believe is within their possession, custody, or control. A demand by the Attorney General under this subsection may require—

''(A) the production of such documentary material for inspection and copying;

''(B) answers in writing to written questions with respect to such documentary material; or

''(C) both the production described under subparagraph (A) and the answers described under subparagraph (B).

''(2) CONTENTS OF AN ATTORNEY GENERAL DEMAND.—

''(A) IN GENERAL.—Any demand issued under paragraph (1), shall include a sworn certificate to identify the voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting, or other voting related matter or issue, whose lawfulness the Attorney General is investigating and to identify the Federal law that protects the right to vote under which the investigation is being conducted. The demand shall be reasonably calculated to lead to the discovery of documentary material and information relevant to such investigation. Documentary material includes any material upon which relevant information is recorded, and includes written or printed materials, photographs, tapes, or materials upon which information is electronically or magnetically recorded. Such demands shall be aimed at the Attorney General having the ability to inspect and obtain copies of relevant materials (as well as obtain information) related to voting and are not aimed at the Attorney General taking possession of original records, particularly those that are required to be retained by State and local election officials under Federal or State law.

''(B) NO REQUIREMENT FOR PRODUCTION.—Any demand issued under paragraph (1) may not require the production of any documentary material or the submission of any answers in writing to written questions if such material or answers would be protected from disclosure under the standards applicable to discovery requests under the Federal Rules of Civil Procedure in an action in which the Attorney General or the United States is a party.

''(C) DOCUMENTARY MATERIAL.—If the demand issued under paragraph (1) requires the production of documentary material, it shall—

''(i) identify the class of documentary material to be produced with such definiteness and certainty as to permit such material to be fairly identified; and

''(ii) prescribe a return date for production of the documentary material at least 20 days after issuance of the demand to give the State or political subdivision, or other governmental representative or agent, a reasonable period of time for assembling the documentary material and making it available for inspection and copying.

''(D) ANSWERS TO WRITTEN QUESTIONS.—If the demand issued under paragraph (1) requires answers in writing to written questions, it shall—

''(i) set forth with specificity the written question to be answered; and

''(ii) prescribe a date at least 20 days after the issuance of the demand for submitting answers in writing to the written questions.

''(E) SERVICE.—A demand issued under paragraph (1) may be served by a United States marshal or a deputy marshal, or by certified mail, at any place within the territorial jurisdiction of any court of the United States.

''(3) RESPONSES TO AN ATTORNEY GENERAL DEMAND.—A State or political subdivision, or other governmental representative or agent, shall, with respect to any documentary material or any answer in writing produced under this subsection, provide a sworn certificate, in such form as the demand issued under paragraph (1) designates, by a person having knowledge of the facts and circumstances relating to such production or written answer, authorized to act on behalf of the State or political subdivision, or other governmental representative or agent, upon which the demand was served. The certificate—

''(A) shall state that—

''(i) all of the documentary material required by the demand and in the possession, custody, or control of the State or political subdivision, or other governmental representative or agent, has been produced;

''(ii) with respect to every answer in writing to a written question, all information required by the question and in the possession, custody, control, or knowledge of the State or political subdivision, or other governmental representative or agent, has been submitted; or

''(iii) the requirements described in both clause (i) and clause (ii) have been met; or

''(B) provide the basis for any objection to producing the documentary material or answering the written question.

To the extent that any information is not furnished, the information shall be identified and reasons set forth with particularity regarding the reasons why the information was not furnished.

''(4) JUDICIAL PROCEEDINGS.—

''(A) PETITION FOR ENFORCEMENT.—Whenever any State or political subdivision, or other governmental representative or agent, fails to comply with demand issued by the Attorney General under paragraph (1), the Attorney General may file, in a district court of the United States in which the State or political subdivision, or other governmental representative or agent, is located, a petition for a judicial order enforcing the Attorney General demand issued under paragraph (1).

''(B) PETITION TO MODIFY.—

''(i) IN GENERAL.—Any State or political subdivision, or other governmental representative or agent, that is served with a demand issued by the Attorney General under paragraph (1) may file in the United States District Court for the District of Columbia a petition for an order of the court to modify or set aside the demand of the Attorney General.

''(ii) PETITION TO MODIFY.—Any petition to modify or set aside a demand of the Attorney General issued under paragraph (1) must be filed within 20 days after the date of service of the Attorney General's demand or at any time before the return date specified in the Attorney General's demand, whichever date is earlier.

''(iii) CONTENTS OF PETITION.—The petition shall specify each ground upon which the petitioner relies in seeking relief under clause (i), and may be based upon any failure of the Attorney General's demand to comply with the provisions of this section or upon any constitutional or other legal right or privilege of the State or political subdivision, or other governmental representative or agent. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the Attorney General's demand, in whole or in part, except that the State or political subdivision, or other governmental representative or agent, filing the petition shall comply with any portions of the Attorney General's demand not sought to be modified or set aside.''.

SEC. 9014. DEFINITIONS.

Title I of the Voting Rights Act of 1965 (52 U.S.C. 10301) is amended by adding at the end the following:

''SEC. 21. DEFINITIONS.

''In this Act:

''(1) INDIAN.—The term 'Indian' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(2) INDIAN LANDS.—The term 'Indian lands' means—

''(A) any Indian country of an Indian tribe, as such term is defined in section 1151 of title 18, United States Code;

''(B) any land in Alaska that is owned, pursuant to the Alaska Native Claims Settlement Act, by an Indian tribe that is a Native village (as such term is defined in section 3 of such Act), or by a Village Corporation that is associated with the Indian tribe (as such term is defined in section 3 of such Act);

''(C) any land on which the seat of government of the Indian tribe is located; and

''(D) any land that is part or all of a tribal designated statistical area associated with the Indian tribe, or is part or all of an Alaska Native village statistical area associated with the tribe, as defined by the Bureau of the Census for the purposes of the most recent decennial census.

''(3) INDIAN TRIBE.—The term 'Indian Tribe' means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

''(4) TRIBAL GOVERNMENT.—The term 'Tribal Government' means the recognized governing body of an Indian Tribe.

''(5) VOTING-AGE POPULATION.—The term 'voting-age population' means the numerical size of the population within a State, within a political subdivision, or within a political subdivision that contains Indian lands, as the case may be, that consists of persons age 18 or older, as calculated by the Bureau of the Census under the most recent decennial census.''.

SEC. 9015. ATTORNEYS' FEES.

Section 14(c) of the Voting Rights Act of 1965 (52 U.S.C. 10310(c)) is amended by adding at the end the following:

''(4) The term 'prevailing party' means a party to an action that receives at least some of the benefit sought by such action, states a colorable claim, and can establish that the action was a significant cause of a change to the status quo.''.

SEC. 9016. OTHER TECHNICAL AND CONFORMING AMENDMENTS.

(a) ACTIONS COVERED UNDER SECTION 3.—Section 3(c) of the Voting Rights Act of 1965 (52 U.S.C. 10302(c)) is amended—

(1) by striking ''any proceeding instituted by the Attorney General or an aggrieved person under any statute to enforce'' and inserting ''any action under any statute in which a party (including the Attorney General) seeks to enforce''; and

(2) by striking ''at the time the proceeding was commenced'' and inserting ''at the time the action was commenced''.

(b) CLARIFICATION OF TREATMENT OF MEMBERS OF LANGUAGE MINORITY GROUPS.—Section 4(f) of such Act (52 U.S.C. 10303(f)) is amended—

(1) in paragraph (1), by striking the second sentence; and

(2) by striking paragraphs (3) and (4).

(c) PERIOD DURING WHICH CHANGES IN VOTING PRACTICES ARE SUBJECT TO PRECLEARANCE UNDER SECTION 5.—Section 5 of such Act (52 U.S.C. 10304) is amended—

(1) in subsection (a), by striking ''based upon determinations made under the first sentence of section 4(b) are in effect'' and inserting ''are in effect during a calendar year'';

(2) in subsection (a), by striking ''November 1, 1964'' and all that follows through ''November 1, 1972'' and inserting ''the applicable date of coverage''; and

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

''(e) The term 'applicable date of coverage' means, with respect to a State or political subdivision—

''(1) January 1, 2021, if the most recent determination for such State or subdivision under section 4(b) was made during the first calendar year in which determinations are made following the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2021; or

''(2) the date on which the most recent determination for such State or subdivision under section 4(b) was made following the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2021, if the most recent determination for such State or subdivision under section 4(b) was made after the first calendar year in which determinations are made following the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2021.''.

(d) REVIEW OF PRECLEARANCE SUBMISSION UNDER SECTION 5 DUE TO EXIGENCY.—Section 5 of such Act (52 U.S.C. 10304) is amended, in subsection (a), by inserting ''An exigency, including a natural disaster, inclement weather, or other unforeseeable event, requiring such different qualification, prerequisite, standard, practice, or procedure within 30 days of a Federal, State, or local election shall constitute good cause requiring the Attorney General to expedite consideration of the submission. To the extent feasible, expedited consideration shall consider the views of individuals affected by the different qualification, prerequisite, standard, practice, or procedure.'' after ''will not be made.''.

SEC. 9017. SEVERABILITY.

If any provision of the John R. Lewis Voting Rights Advancement Act of 2021 or any amendment made by this title, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional or is otherwise enjoined or unenforceable, the remainder of this title and amendments made by this title, and the application of the provisions and amendments to any other person or circumstance, and any remaining provision of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), shall not be affected by the holding. In addition, if any provision of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), or any amendment to the Voting Rights Act of 1965, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional or is otherwise enjoined or unenforceable, the application of the provision and amendment to any other person or circumstance, and any remaining provisions of the Voting Rights Act of 1965, shall not be affected by the holding.

SEC. 9018. GRANTS TO ASSIST WITH NOTICE REQUIREMENTS UNDER THE VOTING RIGHTS ACT OF 1965.

(a) IN GENERAL.—The Attorney General shall make grants each fiscal year to small jurisdictions who submit applications under subsection (b) for purposes of assisting such small jurisdictions with compliance with the requirements of the Voting Rights Act of 1965 to submit or publish notice of any change to a qualification, prerequisite, standard, practice or procedure affecting voting.

(b) APPLICATION.—To be eligible for a grant under this section, a small jurisdiction shall submit an application to the Attorney General in such form and containing such information as the Attorney General may require regarding the compliance of such small jurisdiction with the provisions of the Voting Rights Act of 1965.

(c) SMALL JURISDICTION DEFINED.—For purposes of this section, the term ''small jurisdiction'' means any political subdivision of a State with a population of 10,000 or less.

Subtitle B—Election Worker and Polling Place Protection

SEC. 9101. SHORT TITLE.

This title may be cited as the ''Election Worker and Polling Place Protection Act''.

SEC. 9102. ELECTION WORKER AND POLLING PLACE PROTECTION.

Section 11 of the Voting Rights Act of 1965 (52 U.S.C. 10307) is amended by adding at the end the following:

''(f)(1) Whoever, whether or not acting under color of law, by force or threat of force, or violence, or threat of harm to any person or property, willfully intimidates or interferes with, or attempts to intimidate or interfere with, the ability of any person or any class of persons to vote or qualify to vote, or to qualify or act as a poll watcher, or any legally authorized election official, in any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election, shall be fined not more than $5,000, or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this paragraph or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

''(2) Whoever, whether or not acting under color of law, willfully physically damages or threatens to physically damage any physical property being used as a polling place or tabulation center or other election infrastructure, with the intent to interfere with the administration of an election or the tabulation or certification of votes, shall be fined not more than $5,000, or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this paragraph or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

''(3) For purposes of this subsection, de minimus damage or threats of de minimus damage to physical property shall not be considered a violation of this subsection.

''(4) For purposes of this subsection, the term 'election infrastructure' means any office of an election official, staff, worker, or volunteer or any physical, mechanical, or electrical device, structure, or tangible item used in the process of creating, distributing, voting, returning, counting, tabulating, auditing, storing, or other handling of voter registration or ballot information.

''(g) No prosecution of any offense described in this subsection may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

''(1) the State does not have jurisdiction;

''(2) the State has requested that the Federal Government assume jurisdiction; or

''(3) a prosecution by the United States is in the public interest and necessary to secure substantial justice.''.

Subtitle C—Native American Voting Rights Act

SEC. 9201. SHORT TITLE.

This title may be cited as the ''Frank Harrison, Elizabeth Peratrovich, and Miguel Trujillo Native American Voting Rights Act of 2021''.

SEC. 9202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Constitution explicitly and implicitly grants Congress broad general powers to legislate on issues relating to Indian Tribes, powers consistently described as plenary and exclusive. These powers arise from the grant of authority in the Indian Commerce Clause and through legislative matters arising under the Treaty Clause.

(2) The Federal Government is responsible for upholding the obligations to which the Federal Government has agreed through treaties, legislation, and executive orders, referred to as the Federal trust responsibility toward Indian Tribes and their members.

(3) The Supreme Court has repeatedly relied on the nature of this ''government to government'' relationship between the United States and sovereign Indian Tribes for congressional authority to enact ''legislation that singles out Indians for particular and special treatment''. Morton v. Mancari, 417 U.S. 535, 554–555 (1974).

(4) Legislation removing barriers to Native American voting is vital for the fulfillment of Congress' ''unique obligation'' toward Indians, particularly ensuring that Native American voters are fully included as ''qualified members of the modern body politic''. Board of County Comm'rs v. Seber, 318 U.S. 705, 715 (1943).

(5) Under the Elections Clause of article I, section 4 of the Constitution, Congress has additional power to regulate any election conducted to select Members of Congress. Taken together, the Indian Commerce Clause and the Election Clause give Congress broad authority to enact legislation to safeguard the voting rights of Native American voters.

(6) Despite Congress' decision to grant Native Americans Federal citizenship, and with it the protections of the Fifteenth Amendment, with passage of the Act of June 2, 1924 (Chapter 233; 43 Stat. 253) (commonly known as the ''Indian Citizenship Act of 1924''), States continued to deploy distinct methods for disenfranchising Indians by enacting statutes to exclude from voter rolls Indians living on Indian lands, requiring that Indians first terminate their relationship with their Indian Tribe, restricting the right to vote on account of a Tribal member's ''guardianship'' status, and imposing literacy tests.

(7) Barriers to voter access for Native Americans persist today, and such barriers range from obstructing voter access to vote dilution and intentional malapportionment of electoral districts.

(8) The Native American Voting Rights Coalition's nine field hearings in Indian Country and four-State survey of voter discrimination revealed a number of additional obstacles that Native Americans must overcome in some States, including—

(A) a lack of accessible registration and polling sites, either due to conditions such as geography, lack of paved roads, the absence of reliable and affordable broadband connectivity, and restrictions on the time, place, and manner that eligible people can register and vote, including unequal opportunities for absentee, early, mail-in, and in-person voting;

(B) nontraditional or nonexistent addresses for residents on Indian reservations, lack of residential mail delivery and pick up, reliance on distant post offices with abbreviated operating hours for mail services, insufficient housing units, overcrowded homes, and high incidence of housing insecurity and homelessness, lack of access to vehicles, and disproportionate poverty which make voter registration, acquisition and dropping off of mail-in ballots, receipt of voting information and materials, and securing required identification difficult, if not impossible;

(C) inadequate language assistance for Tribal members, including lack of outreach and publicity, the failure to provide complete, accurate, and uniform translations of all voting materials in the relevant Native language, and an insufficient number of trained bilingual poll workers; and

(D) voter identification laws that discriminate against Native Americans.

(9) The Department of Justice and courts also recognized that some jurisdictions have been unresponsive to reasonable requests from federally recognized Indian Tribes for more accessible voter registration sites and in-person voting locations.

(10) According to the National Congress of American Indians, there is a wide gap between the voter registration and turnout rates of eligible American Indians and Alaska Natives and the voter registration and turnout rates of non-Hispanic White and other racial and ethnic groups.

(11) Despite these obstacles, the Native American vote continues to play a significant role in Federal, State, and local elections.

(12) In Alaska, New Mexico, Oklahoma, and South Dakota, Native Americans, American Indians, and Alaska Natives comprise approximately 10 percent or more of the voting population.

(13) The Native American vote also holds great potential, with over 1,000,000 voters who are eligible to vote, but are not registered to vote.

(b) PURPOSES.—The purposes of this title are—

(1) to fulfill the Federal Government's trust responsibility to protect and promote Native Americans' exercise of their constitutionally guaranteed right to vote, including the right to register to vote and the ability to access all mechanisms for voting;

(2) to establish Tribal administrative review procedures for a specific subset of State actions that have been used to restrict access to the polls on Indian lands;

(3) to expand voter registration under the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) to cover Federal facilities;

(4) to afford equal treatment to forms of identification unique to Indian Tribes and their members;

(5) to ensure American Indians and Alaska Natives experiencing homelessness, housing insecurity, or lacking residential mail pickup and delivery can pool resources to pick up and return ballots;

(6) to clarify the obligations of States and political subdivisions regarding the provision of translated voting materials for American Indians and Alaska Natives under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503);

(7) to provide Tribal leaders with a direct pathway to request Federal election observers and to allow public access to the reports of those election observers;

(8) to study the prevalence of nontraditional or nonexistent mailing addresses in Native communities and identify solutions to voter access that arise from the lack of an address; and

(9) to direct the Department of Justice to consult on an annual basis with Indian Tribes on issues related to voting.

SEC. 9203. DEFINITIONS.

In this title:

(1) ATTORNEY GENERAL.—The term ''Attorney General'' means the United States Attorney General.

(2) INDIAN; INDIAN LANDS; INDIAN TRIBE.—The terms ''Indian'', ''Indian lands'', and ''Indian Tribe'' have the meanings given those terms in section 21 of the Voting Rights Act of 1965 (as added by section 9014 of this Act).

(3) POLLING PLACE.—The term ''polling place'' means any location where a ballot is cast in elections for Federal office, and includes a voter center, poll, polling location, or polling place, depending on the State nomenclature.

SEC. 9204. ESTABLISHMENT OF A NATIVE AMERICAN VOTING TASK FORCE GRANT PROGRAM.

(a) IN GENERAL.—The United States Election Assistance Commission (referred to in this section as the ''Commission'') shall establish and administer, in coordination with the Department of the Interior, a Native American voting task force grant program, through which the Commission shall provide financial assistance to eligible applicants to enable those eligible applicants to establish and operate a Native American Voting Task Force in each State with a federally recognized Indian Tribe.

(b) PURPOSES.—The purposes of the Native American voting task force grant program are to—

(1) increase voter outreach, education, registration, and turnout in Native American communities;

(2) increase access to the ballot for Native American communities, including additional satellite, early voting, and absentee voting locations;

(3) streamline and reduce inconsistencies in the voting process for Native Americans;

(4) provide, in the community's dominant language, educational materials and classes on Indian lands about candidacy filing;

(5) train and educate State and local employees, including poll workers, about—

(A) the language assistance and voter assistance requirements under sections 203 and 208 of the Voting Rights Act of 1965 (52 U.S.C. 10503; 10508);

(B) voter identification laws as affected by section 9008 of this title; and

(C) the requirements of Tribes, States, and precincts established under this title;

(6) identify model programs and best practices for providing language assistance to Native American communities;

(7) provide nonpartisan poll watchers on election day in Native American communities;

(8) participate in and evaluate future redistricting efforts;

(9) address issues of internet connectivity as it relates to voter registration and ballot access in Native American communities;

(10) work with Indian Tribes, States, and the Federal Government to establish mailing addresses that comply with applicable State and Federal requirements for receipt of voting information and materials; and

(11) facilitate collaboration between local election officials, Native American communities, and Tribal elections offices.

(c) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means—

(1) an Indian Tribe;

(2) a Secretary of State of a State, or another official of a State entity responsible for overseeing elections;

(3) a nonprofit organization that works, in whole or in part, on voting issues; or

(4) a consortium of entities described in paragraphs (1) through (3).

(d) APPLICATION AND SELECTION PROCESS.—

(1) IN GENERAL.—The Commission, in coordination with the Department of the Interior and following consultation with Indian Tribes about the implementation of the Native American voting task force grant program, shall establish guidelines for the process by which eligible applicants will submit applications.

(2) APPLICATIONS.—Each eligible applicant desiring a grant under this section shall submit an application, according to the process established under paragraph (1), and at such time, in such manner, and containing such information as the Commission may require. Such application shall include—

(A) a certification that the applicant is an eligible applicant;

(B) a proposed work plan addressing how the eligible applicant will establish and administer a Native American Voting Task Force that achieves the purposes described in subsection (b);

(C) if the eligible applicant is a consortium as described in subsection (c)(4), a description of the proposed division of responsibilities between the participating entities;

(D) an explanation of the time period that the proposed Native American Voting Task Force will cover, which shall be a time period that is not more than 3 years; and

(E) the goals that the eligible applicant desires to achieve with the grant funds.

(e) USES OF FUNDS.—A grantee receiving funds under this section shall use such funds to carry out one or more of the activities described in subsection (b), through the grantee's Native American Voting Task Force.

(f) REPORTS.—

(1) REPORT TO THE COMMISSION.—

(A) IN GENERAL.—Not later than 1 year after the date on which an eligible applicant receives grant funds under this section, and annually

thereafter for the duration of the grant, each eligible applicant shall prepare and submit a written report to the Commission describing the eligible applicant's progress in achieving the goals outlined in the application under subsection (d)(2).

(B) RESPONSE.—Not later than 30 days after the date on which the Commission receives the report described in paragraph (1), the Commission will provide feedback, comments, and input to the eligible applicant in response to such report.

(2) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Commission shall prepare and submit a report to the Committee on Indian Affairs of the Senate and Committee on Natural Resources of the House of Representatives containing the results of the reports described under paragraph (1).

(g) RELATIONSHIP WITH OTHER LAWS.—Nothing in this section reduces State or local obligations provided for by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.), or any other Federal law or regulation related to voting or the electoral process.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2022 through 2037.

SEC. 9205. VOTER REGISTRATION SITES AT INDIAN SERVICE PROVIDERS AND ON INDIAN LANDS.

Section 7(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20506(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''and'' after the semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(C) any Federal facility or federally funded facility that is primarily engaged in providing services to an Indian Tribe; and

''(D) not less than one Federal facility or federally funded facility that is located within the Indian lands of an Indian Tribe, as applicable, (which may be the Federal facility or federally funded facility described in subparagraph (C)).''; and

(2) by adding at the end the following:

''(8) Where practicable, each Federal agency that operates a Federal facility or a federally funded facility that is a designated voter registration agency in accordance with subparagraph (C) or (D) of paragraph (2) shall designate one or more special days per year at a centralized location within the boundaries of the Indian lands of each applicable Indian Tribe for the purpose of informing members of the Indian Tribe of the timing, registration requirements, and voting procedures in elections for Federal office, at no cost to the Indian Tribe.''.

SEC. 9206. ACCESSIBLE TRIBAL DESIGNATED POLLING SITES.

(a) IN GENERAL.—

(1) DESIGNATION OF STATE OFFICER.—Each of the several States whose territory contains all or part of an Indian Tribe's Indian lands shall designate an officer within that State who will be responsible for compliance with the provisions of this section and who shall periodically consult with the Indian Tribes located wholly or partially within that State regarding compliance with the provisions of this section and coordination between the State and the Indian Tribe. The State shall provide written notice to each such Indian Tribe of the officer so designated.

(2) PROVISION OF POLLING PLACES.—For each Indian Tribe that satisfies the obligations of subsection (c), and for each election for a Federal official or State official that is held 180 days or later after the date on which the Indian Tribe initially satisfies such obligations, any State or political subdivision whose territory contains all or part of an Indian Tribe's Indian lands—

(A) shall provide a minimum of one polling place in each precinct in which there are eligible voters who reside on Indian lands, in a location selected by the Indian Tribe and at no cost to the Indian Tribe, regardless of the population or number of registered voters residing on Indian lands;

(B) shall not reduce the number of polling locations on Indian lands based on population numbers;

(C) shall provide, at no cost to the Indian Tribe, additional polling places in locations on Indian lands selected by an Indian Tribe and requested under subsection (c) if, based on the totality of circumstances described in subsection (b), it is shown that not providing those additional polling places would result in members of the Indian Tribe and living on Indian lands or other individuals residing on the Indian Tribe's Indian lands having less opportunity to vote than eligible voters in that State or political subdivision who are not members of an Indian Tribe or do not reside on Indian lands;

(D) shall, at each polling place located on Indian lands and at no cost to the Indian Tribe, make voting machines, tabulation machines, official receptacles designated for the return of completed absentee ballots, ballots, provisional ballots, and other voting materials available to the same or greater extent that such equipment and materials are made available at other polling places in the State or political subdivision that are not located on Indian lands;

(E) shall, at each polling place located on Indian lands, conduct the election using the same voting procedures that are used at other polling places in the State or political subdivision that are not located on Indian lands, or other voting procedures that provide greater access for voters;

(F) shall, at each polling place located on Indian lands and at no cost to the Indian Tribe, make voter registration available during the period the polling place is open to the maximum extent allowable under State law;

(G) shall, at each polling place located on Indian lands, provide training, compensation, and other benefits to election officials and poll workers at no cost to the Indian Tribe and, at a minimum, to the same or greater extent that such training, compensation, and benefits are provided to election officials and poll workers at other polling places in the State or political subdivision that are not located on Indian lands;

(H) shall, in all cases, provide the Indian Tribe an opportunity to designate election officials and poll workers to staff polling places within the Indian lands of the applicable Indian Tribe on every day that the polling places will be open;

(I) shall allow for any eligible voting member of the Indian Tribe or any eligible voting individual residing on Indian lands to vote early or in person at any polling place on Indian lands, regardless of that member or individual's residence or residential address, and shall not reject the ballot of any such member or individual on the grounds that the ballot was cast at the wrong polling place; and

(J) may fulfill the State's obligations under subparagraphs (A) and (C) by relocating existing polling places, by creating new polling places, or both.

(b) EQUITABLE OPPORTUNITIES TO VOTE.—

(1) IN GENERAL.—When assessing the opportunities to vote provided to members of an Indian Tribe and to other eligible voters in the State residing on Indian lands in order to determine the number of additional polling places (if any) that a State or political subdivision must provide in accordance with subsection (a)(2)(C), the State, political subdivision, or any court applying this section, shall consider the totality of circumstances of—

(A) the number of voting-age citizens assigned to each polling place;

(B) the distances that voters must travel to reach the polling places;

(C) the time that voters must spend traveling to reach the polling places, including under inclement weather conditions;

(D) the modes of transportation, if any, that are regularly and broadly available to voters to use to reach the polling places;

(E) the existence of and access to frequent and reliable public transportation to the polling places;

(F) the length of lines and time voters waited to cast a ballot in previous elections; and

(G) any other factor relevant to effectuating the aim of achieving equal voting opportunity for individuals living on Indian lands.

(2) ABSENCE OF FACTORS.—When assessing the opportunities to vote in accordance with paragraph (1), the State, political subdivision, or court shall ensure that each factor described in paragraph (1) is considered regardless of whether any one factor would lead to a determination not to provide additional polling places under subsection (a)(2)(C).

(c) FORM; PROVISION OF FORM; OBLIGATIONS OF THE INDIAN TRIBE.—

(1) FORM.—The Attorney General shall establish the form described in this subsection through which an Indian Tribe can fulfill its obligations under this subsection.

(2) PROVISION OF FORM.—Each State or political subdivision whose territory contains all or part of an Indian Tribe's Indian lands—

(A) shall provide the form established under paragraph (1) to each applicable Indian Tribe not less than 30 days prior to the deadline set by the State or political subdivision for completion of the obligations under this subsection (which deadline shall be not less than 30 days prior to a Federal election) whereby an Indian Tribe can fulfill its obligations under this subsection by providing the information described in paragraph (3) on that form and submitting the form back to the applicable State or political subdivision by such deadline;

(B) shall not edit the form established under paragraph (1) or apply any additional obligations on the Indian Tribe with respect to this section; and

(C) shall cooperate in good faith with the efforts of the Indian Tribe to satisfy the requirements of this subsection.

(3) OBLIGATIONS OF THE INDIAN TRIBE.—The requirements for a State and political subdivision under subsection (a)(2) shall apply with respect to an Indian Tribe once an Indian Tribe meets the following obligations by completing the form specified in paragraph (1):

(A) The Indian Tribe specifies the number and locations of requested polling places, early voting locations, and ballot drop boxes to be provided on the Indian lands of that Indian Tribe.

(B) The Indian Tribe certifies that curbside voting will be available for any facilities that lack accessible entrances and exits in accordance with Federal and State law.

(C) The Indian Tribe certifies that the Indian Tribe will ensure that each such requested polling place will be open and available to all eligible voters who reside in the precinct or other geographic area assigned to such polling place, regardless of whether such eligible voters are members of the Indian Tribe or of any other Indian Tribe.

(D) The Indian Tribe requests that the State or political subdivision shall designate election officials and poll workers to staff such requested polling places, or certifies that the Indian Tribe will designate election officials and poll workers to staff such polling places on every day that the polling places will be open.

(E) The Indian Tribe may request that the State or political subdivision provide absentee ballots without requiring an excuse, an absentee ballot request, or residential address to all eligible voters who reside in the precinct or other geographic area assigned to such polling place, regardless of whether such eligible voters are

members of the Indian Tribe or of any other Indian Tribe.

(4) ESTABLISHED POLLING PLACES.—Once a polling place is established under subsection (a)(2)(A) or subsection (a)(2)(C) the Tribe need not fill out the form designated under paragraph (1) again unless or until that Indian Tribe requests modifications to the requests specified in the most recent form under paragraph (1).

(5) OPT OUT.—At any time that is 60 days or more before the date of an election, an Indian Tribe that previously has satisfied the obligations of paragraph (3) may notify the State or political subdivision that the Indian Tribe intends to opt out of the standing obligation for one or more polling places that were established in accordance with subsection (a)(2)(A) or subsection (a)(2)(C) for a particular election or for all future elections. A Tribe may opt back in at any time.

(d) FEDERAL POLLING SITES.—Each State shall designate as voter polling facilities any of the facilities identified in accordance with subparagraph (C) or (D) of section 7(a)(2) of the National Voter Registration Act of 1993 (52 U.S.C. 20506(a)(2)), at no cost to the Indian Tribe, provided that the facility meets the requirements of Federal and State law as applied to other polling places within the State or political subdivision. The applicable agency of the Federal Government shall ensure that such designated facilities are made available as polling places.

(e) MAIL-IN BALLOTING.—In States or political subdivisions that permit absentee or mail-in balloting, the following shall apply with respect to an election for Federal office:

(1) An Indian Tribe may designate at least one building per precinct as a ballot pickup and collection location (referred to in this section as a ''tribally designated buildings'') at no cost to the Indian Tribe. The applicable State or political subdivision shall collect and timely deposit all ballots from each tribally designated building.

(2) At the applicable Tribe's request, the State or political subdivision shall provide mail-in and absentee ballots to each registered voter residing on Indian lands in the State or political subdivision without requiring a residential address, a mail-in or absentee ballot request, or an excuse for a mail-in or absentee ballot.

(3) The address of a tribally designated building may serve as the residential address and mailing address for voters living on Indian lands if the tribally designated building is in the same precinct as that voter.

(4) If there is no tribally designated building within the precinct of a voter residing on Indian lands (including if the tribally designated building is on Indian lands but not in the same precinct as the voter), the voter may—

(A) use another tribally designated building within the Indian lands where the voter is located; or

(B) use such tribally designated building as a mailing address and may separately designate the voter's appropriate precinct through a description of the voter's address, as specified in section 9428.4(a)(2) of title 11, Code of Federal Regulations.

(5) In the case of a State or political subdivision that is a covered State or political subdivision under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503), that State or political subdivision shall provide absentee or mail-in voting materials with respect to an election for Federal office in the language of the applicable minority group as well as in the English language, bilingual election voting assistance, and written translations of all voting materials in the language of the applicable minority group, as required by section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503), as amended by this title.

(6) A State or political division shall make reasonable efforts to contact a voter who resides within Indian lands located within its jurisdiction and offer such voter a reasonable opportunity to cure any defect in an absentee ballot issued to and completed and returned by the voter, or appearing on or pertaining to the materials provided for the purpose of returning the absentee ballot, if State law would otherwise require the absentee ballot to be rejected due to such defect and the defect does not compromise ballot secrecy or involve a lack of witness or assistant signature, where such signature is mandated by State law.

(7) In a State or political subdivision that does not permit absentee or mail-in balloting for all eligible voters in the State or political subdivision, that State or political subdivision shall nonetheless provide for absentee or mail-in balloting for voters who reside on Indian lands consistent with this section if the State, political subdivision, or any court applying this section determines that the totality of circumstances described in subsection (b) warrants establishment of absentee or mail-in balloting for voters who reside on Indian lands located within the jurisdiction of the State or political subdivision.

(f) BALLOT DROP BOXES.—Each State shall—

(1) provide not less than one ballot drop box for each precinct on Indian lands, at no cost to the Indian Tribe, at either the tribally designated building under subsection (e)(2) or an alternative site selected by the applicable Indian Tribe; and

(2) provide additional drop boxes at either the tribally designated building under subsection (e)(2) or an alternative site selected by the applicable Indian Tribe if the State or political subdivision determines that additional ballot drop boxes should be provided based on the criteria considered under the totality of circumstances enumerated under subsection (b).

(g) EARLY VOTING.—

(1) EARLY VOTING LOCATIONS.—In a State or political subdivision that permits early voting in an election for Federal office, that State or political subdivision shall provide not less than one early voting location for each precinct on Indian lands, at no cost to the Indian Tribe, at a site selected by the applicable Indian Tribe, to allow individuals living on Indian lands to vote during an early voting period in the same manner as early voting is allowed on such date in the rest of the State or precinct. Additional early voting sites shall be determined based on the criteria considered under the totality of circumstances described in subsection (b).

(2) LENGTH OF PERIOD.—In a State or political subdivision that permits early voting in an election for Federal office, that State or political subdivision shall provide an early voting period with respect to that election that shall consist of a period of consecutive days (including weekends) which begins on the 15th day before the date of the election (or, at the option of the State or political subdivision, on a day prior to the 15th day before the date of the election) and ends on the date of the election for all early voting locations on Indian lands.

(3) MINIMUM EARLY VOTING REQUIREMENTS.—Each polling place that allows voting during an early voting period under this subsection shall—

(A) allow such voting for no less than 10 hours on each day;

(B) have uniform hours each day for which such voting occurs; and

(C) allow such voting to be held for some period of time prior to 9:00 a.m. (local time) and some period of time after 5:00 p.m. (local time).

(4) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

(A) IN GENERAL.—To the greatest extent practicable, ballots cast during the early voting period in an election for Federal office at voting locations and drop boxes on Indian lands shall be processed and scanned for tabulation in advance of the close of polls on the date of the election.

(B) LIMITATION.—Nothing in this subsection shall be construed to permit a State or political subdivision to tabulate and count ballots in an election for Federal office before the closing of the polls on the date of the election.

(h) PROVISIONAL BALLOTS.—

(1) IN GENERAL.—In addition to the requirements under section 302(a) of the Help America Vote Act of 2002 (52 U.S.C. 21082(a)), for each State or political subdivision that provides voters provisional ballots, challenge ballots, or affidavit ballots under the State's applicable law governing the voting processes for those voters whose eligibility to vote is determined to be uncertain by election officials, election officials shall—

(A) provide clear written instructions indicating the reason the voter was given a provisional ballot, the information or documents the voter needs to prove eligibility, the location at which the voter must appear to submit these materials or alternative methods, including email or facsimile, that the voter may use to submit these materials, and the deadline for submitting these materials;

(B) permit any voter who votes provisionally at any polling place on Indian lands to appear at any polling place or at the central location for the election board to submit the documentation or information to prove eligibility;

(C) permit any voter who votes provisionally at any polling place to submit the required information or documentation via email or facsimile, if the voter prefers to use such methods as an alternative to appearing in person to submit the required information or documentation to prove eligibility;

(D) notify the voter on whether the voter's provisional ballot was counted or rejected by telephone, email, or postal mail, or any other available method, including notifying the voter of any online tracking website if State law provides for such a mechanism; and

(E) provide the reason for rejection if the voter's provisional ballot was rejected after the voter provided the required information or documentation on eligibility.

(2) DUTIES OF ELECTION OFFICIALS.—A State or political subdivision described in paragraph (1) shall ensure in each case in which a provisional ballot is cast, that election officials—

(A) request and collect the voter's email address, if the voter has one, and transmit any written instructions issued to the voter in person to the voter via email; and

(B) provide a verbal translation of any written instructions to the voter.

(i) ENFORCEMENT.—

(1) ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this section.

(2) PRIVATE RIGHT OF ACTION.—

(A) A person or Indian Tribe who is aggrieved by a violation of this section may provide written notice of the violation to the chief election official of the State involved.

(B) An aggrieved person or Indian Tribe may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to a violation of this section, if—

(i) that person or Indian Tribe provides the notice described in subparagraph (A); and

(ii)(I) in the case of a violation that occurs more than 120 days before the date of an election for Federal office, the violation remains and 90 days or more have passed since the date on which the chief election official of the State receives the notice under subparagraph (A); or

(II) in the case of a violation that occurs 120 days or less but more than 30 days before the date of an election for Federal office, the violation remains and 20 days or more have passed since the date on which the chief election official of the State receives the notice under subparagraph (A).

(C) In the case of a violation of this section that occurs 30 days or less before the date of an election for Federal office, an aggrieved person or Indian Tribe may bring a civil action in an

appropriate district court for declaratory or injunctive relief with respect to the violation without providing notice to the chief election official of the State under subparagraph (A).

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prevent a State or political subdivision from providing additional polling places or early voting locations on Indian lands.

SEC. 9207. PROCEDURES FOR REMOVAL OF POLLING PLACES AND VOTER REGISTRATION SITES ON INDIAN LANDS.

(a) ACTIONS REQUIRING TRIBAL ADMINISTRATIVE REVIEW.—No State or political subdivision may carry out any of the following activities in an election for Federal office unless the requirements of subsection (b) have been met:

(1) Eliminating polling places or voter registration sites on the Indian lands of an Indian Tribe.

(2) Moving or consolidating a polling place or voter registration site on the Indian lands of an Indian Tribe to a location 1 mile or further from the existing location of the polling place or voter registration site.

(3) Moving or consolidating a polling place on the Indian lands of an Indian Tribe to a location across a river, lake, mountain, or other natural boundary such that it increases travel time for a voter, regardless of distance.

(4) Eliminating in-person voting on the Indian lands of an Indian Tribe by designating an Indian reservation as a permanent absentee voting location, unless the Indian Tribe requests such a designation and has not later requested that the designation as a permanent absentee voting location be reversed.

(5) Removing an early voting location or otherwise diminishing early voting opportunities on Indian lands.

(6) Removing a ballot drop box or otherwise diminishing ballot drop boxes on Indian lands.

(7) Decreasing the number of days or hours that an in-person or early voting polling place is open on Indian lands only or changing the dates of in-person or early voting only on the Indian lands of an Indian Tribe.

(b) TRIBAL ADMINISTRATIVE REVIEW.—

(1) IN GENERAL.—The requirements of this subsection have been met if—

(A) the impacted Indian Tribe submits to the Attorney General the Indian Tribe's written consent to the proposed activity described in subsection (a);

(B) the State or political subdivision, after consultation with the impacted Indian Tribe and after attempting to have the impacted Indian Tribe give consent as described in subparagraph (A), institutes an action in the United States District Court for the District of Columbia for a declaratory judgment, and a declaratory judgment is issued based upon affirmative evidence provided by the State or political subdivision, that conclusively establishes that the specified activity described in subsection (a) proposed by the State or political subdivision neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color, membership in an Indian Tribe, or membership in a language minority group; or

(C) the chief legal officer or other appropriate official of such State or political subdivision, after consultation with the impacted Indian Tribe and after attempting to have the impacted Indian Tribe give consent as described in subparagraph (A), submits a request to carry out the specified activity described in subsection (a) to the Attorney General and the Attorney General affirmatively approves the specified activity.

(2) NO LIMITATION ON FUTURE ACTIONS.—

(A) NO BAR TO SUBSEQUENT ACTION.—Neither an affirmative indication by the Attorney General that no objection will be made, nor the Attorney General's failure to object, nor a declaratory judgment entered under this section, nor a written consent issued under paragraph (1)(A) shall bar a subsequent action to enjoin enforcement of an activity described in subsection (a).

(B) REEXAMINATION.—The Attorney General reserves the right to reexamine any submission under paragraph (1)(C) if additional relevant information comes to the Attorney General's attention.

(C) DISTRICT COURT.—Any action under this section shall be heard and determined by a district court of 3 judges in accordance with the provisions of section 2284 of title 28, United States Code, and any appeal shall lie to the Supreme Court.

SEC. 9208. TRIBAL VOTER IDENTIFICATION.

(a) TRIBAL IDENTIFICATION.—If a State or political subdivision requires an individual to present identification for the purposes of voting or registering to vote in an election for Federal office, an identification card issued by a federally recognized Indian Tribe, the Bureau of Indian Affairs, the Indian Health Service, or any other Tribal or Federal agency issuing identification cards to eligible Indian voters shall be treated as a valid form of identification for such purposes.

(b) ONLINE REGISTRATION.—If a State or political subdivision requires an identification card for an individual to register to vote online or to vote online, that State or political subdivision shall annually consult with an Indian Tribe to determine whether a tribal identification can feasibly be used to register to vote online or vote online.

(c) LIMITATION ON REQUIRING MULTIPLE FORMS OF IDENTIFICATION.—If a State or political subdivision requires an individual to present more than one form of identification for the purposes of voting or registering to vote in an election for Federal office, or for registering to vote online or to vote online, that State or political subdivision shall not require any member of an Indian Tribe to provide more than one form of identification if the member provides orally or in writing that the member does not possess more than one form of identification.

SEC. 9209. PERMITTING VOTERS TO DESIGNATE OTHER PERSON TO RETURN BALLOT.

Each State or political subdivision—

(1) shall permit any family member (including extended family member, such as a cousin, grandchild, or relation through marriage), caregiver, tribal assistance provider, or household member to return a sealed ballot of a voter that resides on Indian lands to a post office on Indian lands, a ballot drop box location in a State or political subdivision that provides ballot drop boxes, a tribally designated building under section 9206(e)(2), or an election office, so long as the person designated to return the ballot or ballots on behalf of another voter does not receive any form of compensation based on the number of ballots that the person has returned and no individual, group, or organization provides compensation on this basis;

(2) may not put any limit on how many voted and sealed absentee ballots any designated person can return to the post office, ballot drop box location, tribally designated building, or election office under paragraph (1); and

(3) shall permit, at a minimum, any family member (including extended family member, such as a cousin, grandchild, or relation through marriage), caregiver, tribal assistance provider, or household member, including the voter, to return voter registration applications, absentee ballot applications, or absentee ballots to ballot drop box locations in a State or political subdivision that provides ballot drop boxes for these purposes.

SEC. 9210. BILINGUAL ELECTION REQUIREMENTS.

Section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503) is amended—

(1) in subsection (b)(3)(C), by striking ''1990'' and inserting ''most recent''; and

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

''(c) PROVISION OF VOTING MATERIALS IN THE LANGUAGE OF A MINORITY GROUP.—

''(1) IN GENERAL.—Whenever any State or political subdivision subject to the prohibition of subsection (b), provides any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.

''(2) EXCEPTIONS.—

''(A) In the case of a minority group that is not American Indian or Alaska Native and the language of that minority group is oral or unwritten, the State or political subdivision shall only be required to furnish, in the covered language, oral instructions, assistance, translation of voting materials, or other information relating to registration and voting.

''(B) In the case of a minority group that is American Indian or Alaska Native, the State or political subdivision shall only be required to furnish in the covered language oral instructions, assistance, or other information relating to registration and voting, including all voting materials, if the Indian Tribe of that minority group has certified that the language of the applicable American Indian or Alaska Native language is presently unwritten or the Indian Tribe does not want written translations in the minority language.

''(3) WRITTEN TRANSLATIONS FOR ELECTION WORKERS.—Notwithstanding paragraph (2), the State or political division may be required to provide written translations of voting materials, with the consent of any applicable Indian Tribe, to election workers to ensure that the translations from English to the language of a minority group are complete, accurate, and uniform.''.

SEC. 9211. FEDERAL OBSERVERS TO PROTECT TRIBAL VOTING RIGHTS.

(a) AMENDMENT TO THE VOTING RIGHTS ACT OF 1965.—Section 8(a) of the Voting Rights Act of 1965 (52 U.S.C. 10305(a)) is amended—

(1) in paragraph (1), by striking ''or'' after the semicolon;

(2) in paragraph (2)(B), by adding ''or'' after the semicolon; and

(3) by inserting after paragraph (2) the following:

''(3) the Attorney General has received a written complaint from an Indian Tribe that efforts to deny or abridge the right to vote under the color of law on account of race or color, membership in an Indian Tribe, or in contravention of the guarantees set forth in section 4(f)(2), are likely to occur;''.

(b) PUBLICLY AVAILABLE REPORTS.—The Attorney General shall make publicly available the reports of a Federal election observer appointed pursuant to section (8)(a)(3) of the Voting Rights Act of 1965 (52 U.S.C. 10305(a)(3)), as added by subsection (a), not later than 6 months after the date that such reports are submitted to the Attorney General, except that any personally identifiable information relating to a voter or the substance of the voter's ballot shall not be made public.

SEC. 9212. TRIBAL JURISDICTION.

(a) IN GENERAL.—Tribal law enforcement have the right to exercise their inherent authority to detain and or remove any non-Indian, not affiliated with the State, its political subdivision, or the Federal Government, from Indian lands for intimidating, harassing, or otherwise impeding the ability of people to vote or of the State and its political subdivisions to conduct an election.

(b) CIVIL ACTION BY ATTORNEY GENERAL FOR RELIEF.—Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining

order, or other order, and including an order directed to the State and State or local election officials to require them to permit persons to vote and to count such votes.

SEC. 9213. TRIBAL VOTING CONSULTATION.

The Attorney General shall consult annually with Indian Tribes regarding issues related to voting in elections for Federal office.

SEC. 9214. ATTORNEYS' FEES, EXPERT FEES, AND LITIGATION EXPENSES.

In a civil action under this title, the court shall award the prevailing party, other than the United States, reasonable attorney fees, including litigation expenses, reasonable expert fees, and costs.

SEC. 9215. GAO STUDY AND REPORT.

The Comptroller General shall study the prevalence of nontraditional or nonexistent mailing addresses among Indians, those who are members of Indian Tribes, and those residing on Indian lands and identify alternatives to remove barriers to voter registration, receipt of voter information and materials, and receipt of ballots. The Comptroller General shall report the results of that study to Congress not later than 1 year after the date of enactment of this title.

SEC. 9216. UNITED STATES POSTAL SERVICE CONSULTATION.

The Postmaster General shall consult with Indian Tribes, on an annual basis, regarding issues relating to the United States Postal Service that present barriers to voting for eligible voters living on Indian lands.

SEC. 9217. SEVERABILITY; RELATIONSHIP TO OTHER LAWS; TRIBAL SOVEREIGN IMMUNITY.

(a) SEVERABILITY.—If any provision of this title, or the application of such a provision to any person, entity, or circumstance, is held to be invalid, the remaining provisions of this title and the application of all provisions of this title to any other person, entity, or circumstance shall not be affected by the invalidity.

(b) RELATIONSHIP TO OTHER LAWS.—Nothing in this title shall invalidate, or limit the rights, remedies, or procedures available under, or supersede, restrict, or limit the application of, the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.), or any other Federal law or regulation related to voting or the electoral process. Notwithstanding any other provision of law, the provisions of this title, and the amendments made by this title, shall be applicable within the State of Maine.

(c) TRIBAL SOVEREIGN IMMUNITY.—Nothing in this title shall be construed as—

(1) affecting, modifying, diminishing, or otherwise impairing the sovereign immunity from suit enjoyed by an Indian Tribe; or

(2) authorizing or requiring the termination of any existing trust responsibility of the United States with respect to Indian people.

SEC. 9218. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

The SPEAKER pro tempore. Pursuant to House Resolution 868, the motion shall be debatable for 1 hour equally divided by and controlled by the chair and ranking minority member of the Committee on House Administration, or their respective designees.

The gentleman from North Carolina (Mr. BUTTERFIELD) and the gentleman from Illinois (Mr. RODNEY DAVIS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the House amendment to the Senate amendment to H.R. 5746.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BUTTERFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 5746, the Freedom to Vote: John R. Lewis Act. As President Biden made clear in his speech in Atlanta on Tuesday, the time to act to protect the right to vote and the very essence of our democracy is now. The bill we are considering today meets the gravity of this moment.

H.R. 5746, Mr. Speaker, combines two pieces of legislation vital to ensuring every American has free, equitable, and secure access to the ballot: The Freedom to Vote Act and the John R. Lewis Voting Rights Advancement Act, the latter of which critically also includes the Native American Voting Rights Act.

Together, Mr. Speaker, these bills will combat the wave of voter suppression laws we saw enacted in States across the country following the Supreme Court's decision in Shelby County v. Holder, a decision that undermined the essential preclearance protections of the Voting Rights Act, which accelerated at an alarming rate following the unprecedented voter turnout in the 2020 elections.

Rather than responding to increased voter participation with welcoming arms and provoter policies, States have instead been enacting laws that roll back access and aim to erect roadblocks to the ballot box.

Despite a 2020 election that election security experts said was the most secure in American history, according to the Brennan Center For Justice, 19 States have enacted 34 restrictive voting laws in the last 12 months.

The time, Mr. Speaker, to act is now. Voter suppression and discrimination are alive and well. It is our duty and firmly within our constitutional powers as a Congress to protect the rights of the voter and ensure equal access to the franchise.

This bill, Mr. Speaker, does just that. It sets nationwide standards for access to early voting; promotes voter registration through automatic voter registration, same-day voter registration, and online voter registration; gives every voter access to no-excuse absentee voting; protects the security of our election infrastructure and our precious election workers; addresses the rising threat of election subversion; puts an end to partisan gerrymandering; curbs the torrent of dark money flooding our politics; and, yes, it restores the critical protections of the 1965 Voting Rights Act and protects the right to vote for Native American voters.

We must set an example as a democracy and encourage, rather than suppress, voter participation in our electoral process.

This legislation is critical to protecting our democracy. I encourage all of my colleagues, Democrat and Republican, to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill, which was originally about NASA and went through the Science, Space, and Technology Committee, has seen more than 700 pages of election law tacked onto it just late last night. If it were to become law, it would give up to $7.2 million of public funding to the campaigns of each one of my colleagues, all of us. This is not about voting rights. This is about power and control.

Mr. Speaker, $7.2 million is more money than most Americans can even dream of having. Yet, here we are considering another Democrat bill that takes public funding and, instead of giving it to the American people, puts it in the campaign coffers of Members of Congress. Members who vote for this bill are voting to line their own campaign coffers, all while falsely telling the American people that we have a voting rights crisis in this country and that we must pass this bill because the era of Jim Crow 2.0 is upon us.

It is the definition of corruption.

Thankfully, the American people don't seem to be buying the Democrats' rhetoric. According to polling, more Americans, including Independents, believe voting laws are too lax and insecure than those who believe voting laws are too restrictive.

No matter how many times the President and other Democrats get up in front of the American people and try to manufacture a voting rights crisis in this country by using rhetoric like Jim Crow 2.0 or now comparing Republicans to Democrat-elected segregationist Bull Connor, as President Biden suggested this week in Georgia, there is still no evidence of widespread voter suppression.

In our hearings in the House Administration Committee over the last 3 years, no one has ever produced a single voter who was eligible to vote but wasn't able to. In fact, 2020 saw the highest voter turnout in 120 years, and, according to Pew, 94 percent of Americans say it is easy to vote.

Misrepresenting and, in some cases, flat-out lying about the laws States have passed to increase voter confidence in our elections is also part of the Democrats' playbook to manufacture a voting rights crisis. In fact, President Biden has earned four Pinocchios for his false claims about Georgia's voting laws. The laws these States are passing to bolster voter confidence make it easier to vote than ever before while protecting the integrity of our elections.

Georgia's new ''voter suppression law'' has more days of early, in-person voting than New York, and Texas' ''voter suppression law'' ends pandemic exceptions like universal drive-thru voting and 24-hour voting. Neither existed in Texas before 2020. Neither widely exists even in blue States. I think most of us can agree that nothing good can come from 24-hour, drive-thru voting.

The bill we are considering today is not about increasing voting rights for the American people, and this is not a compromise. This bill still contains the worst provisions of H.R. 1.

It still publicly funds Members' campaigns; nationalizes and centralizes our election system; makes Merrick Garland the election czar; puts unelected bureaucrats in charge of States' voting laws, instead of the American people; destroys the First Amendment; weakens States' ability to maintain accurate voter rolls; prevents States from implementing strict voter ID laws, despite the majority of Americans supporting voter ID laws; and the list goes on and on.

As terrible as those provisions are, nothing screams this bill isn't for the American people more than the fact that it gives every one of us, every Member of Congress and their own campaigns, up to $7.2 million in public funding. The old saying is: Follow the money. I think that is incredibly relevant here.

Mr. Speaker, I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. JEFFRIES), the chairman of the House Democratic Caucus.

Mr. JEFFRIES. Mr. Speaker, we are here today defending our democracy for one reason and one reason alone. It is because the radical right has decided that the only way they can consistently win elections is to engage in massive voter suppression. The right to vote is sacred. The right to vote is special. The right to vote is sacrosanct and central to the integrity of our democracy.

There are people who died, lost their lives, and shed blood to make sure that Black people and everyone in America could vote.

We are not going backward. We are only going to go forward. You had better back up off of us.

We will pass the John R. Lewis Voting Rights Advancement Act. We will pass JOE MANCHIN's Freedom to Vote Act. We will get it to Joe Biden's desk, and we will end the era of voter suppression in America once and for all.

□ 0930

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, defending democracy $7.2 million at a time.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. STEIL), a member of the House Administration Committee.

Mr. STEIL. Mr. Speaker, it may be a new year, but the Democrats are up to the same tricks, providing text of this legislation last night for a vote in the morning.

They want to gut key voter integrity provisions, and they want to bust the Senate's filibuster in the process to do it.

But I think it is important the American people understand some of the key and most egregious provisions in this bill. Let me just highlight the top four.

This bill guts voter ID laws. And the irony shouldn't be lost that these are the same Democrats that want you to show an ID and a vaccine card to be able to have dinner in cities like Washington, D.C., or New York.

This bill puts Federal dollars into politicians' reelection campaigns. I have heard a lot of complaints about elections in my time. I have never had one person tell me our elections don't have enough money.

This bill restricts States' ability to maintain their voter rolls, voter rolls that are essential so we know who is eligible to vote.

And this bill mandates that ballots can be counted 7 days after the end of the election, delaying the final results. Delaying the final results does not instill confidence in our elections.

Instead, by working to remove key voter integrity provisions in our elections, Americans will have less confidence in our elections. My priority is to make it easy to vote and hard to cheat. This bill fails that test, and I urge my colleagues to vote ''no.''

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK), our Assistant Speaker.

Ms. CLARK of Massachusetts. Mr. Speaker, the January 6 insurrection may have been quelled, but the assault on our democracy is alive.

Across 19 States, Republican legislatures have enacted 33 voter suppression laws. Here in Congress, we have witnessed unanimous Republican obstruction against commonsense, prodemocracy voter protections: early voting, vote by mail, election day as a Federal holiday.

When did protecting the right to vote become partisan? When it became about the powerful and not the people.

We can't sit on the sidelines while the most precious, sacred tool in our democracy is eroded. The question before us is simple and yet profound: Are you for the continuation of our democracy or are you not?

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 1½ minutes to the gentleman from Oklahoma (Mr. LUCAS), my good friend and the ranking member on the Science, Space, and Technology Committee.

Mr. LUCAS. Mr. Speaker, I rise in strong opposition to this Federal takeover of elections.

I am disappointed that the underlying bill has been gutted, a bill that was crafted in a bipartisan, practical way to address the surplus resources at NASA to generate resources for the agency.

I would say this to my friends in the majority: I have served in the minority and the majority several times back and forth. I ask you, why are you trying so hard to make me a chairman again?

We pass a bill today to allow another body to pontificate. They will not be able to pass anything. You will inflame your base because you can't do anything. You will inflame my base because you are trying to make dramatic changes. Why are you trying to make it so easy for me to be a chairman again?

I guess I should thank you, and I would, except for things like this missed opportunity to reauthorize this important piece of legislation for NASA.

When we have committees like Science, Space, and Technology that work together, that work in a productive way, that can persuade the majority of this body to pass their legislation, we should allow the legislative process to work.

Thank you, my friends. I look forward to the next session.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Ms. WILLIAMS), my friend.

Ms. WILLIAMS of Georgia. Mr. Speaker, today I rise to share the words of my constituent, Yolanda Renee King, that I received this morning:

''I am 13 years old and the only grandchild of Dr. Martin Luther King, Jr., and Coretta Scott King. When I was just 5 years old, in 2013, the Supreme Court undid the Voting Rights Act that my grandparents and so many in their generation fought and died for.

''When I was 12, in 2021, the Supreme Court further weakened the law until there was almost nothing left.

''States like my home State of Georgia were ready and waiting. They immediately passed laws that make it harder for people to vote, make it impossible to protect elections, and even criminalize the act of passing out food and water to people who wait in long lines.

''That means I and my peers have fewer rights today than we had the day we were born. I can only imagine what my grandparents would say about that. We must pass Federal voting rights legislation now to ensure democracy for all Americans. We cannot wait.''

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Illinois has 23 minutes remaining. The gentleman from North Carolina has 24 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Ms. TENNEY), the founder of the Election Integrity Caucus and my good friend.

Ms. TENNEY. Mr. Speaker, it is Groundhog Day again on the House floor. Yet again, our Democratic colleagues continue to gaslight the American people by claiming that despite record turnout in recent elections, Republicans are scheming to steal the sacred right to vote from our fellow citizens.

What is their solution to the problem, which they assure you is very real? It just so happens to be a partisan Federal takeover of elections that empowers unelected bureaucrats in Washington to oversee local elections and overturn popular voting protection laws. That is not democracy; that is a violation of our Constitution.

The Freedom to Vote: John R. Lewis Act, which was deceitfully added to a NASA leasing authorities bill in the dead of night, is a transparent attempt to diminish the voting power of law-abiding American citizens.

Mr. Speaker, my colleagues on the other side of the aisle are right about one thing. Democracy and the principle of ''one citizen, one vote'' are indeed being threatened. The Democrats are, in fact, cynically championing this effort in spite of the fact that the Democratic voters in New York State, a highly blue Democratic State, rejected the very provisions in the John Lewis Voting Rights Act by a substantial margin in a referendum vote just this past election.

With every attempt to allow noncitizens to vote and with each push to ban commonsense voter identification laws, Democrats in Congress and in places like New York City attack and erode election integrity.

By the way, Article I, Section 4 of the U.S. Constitution clearly states and protects the rights of our States to determine voting laws and practices. However, the legislation before us today would force upon the Nation a laundry list of damaging Federal policies, creating chaos and insecurity in our elections, making it easier to cheat, and overriding basic election integrity measures.

This assault must be stopped. I urge my colleagues to vote ''no'' on this misguided legislation.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. LAWRENCE), the second vice chair of the Congressional Black Caucus.

Mrs. LAWRENCE. Mr. Speaker, today I stand on the shoulders of my grandmother and my grandfather, who migrated to the North from the South, who took me every election day, dressed up, and educated me every step of the way to understand the power of the right to vote. She was denied the right to vote.

It is heartbreaking that this bill that has been passed time and time again is now a political ploy. We now know that the freedoms and the rights of Americans are based and bred from voting rights. I stand here today in support of passing this bill.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I include in the RECORD the Committee on House Administration Republicans' ''Elections Clause'' report.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, August 12, 2021.

Rep. RODNEY DAVIS, *Ranking Member*

REPORT—THE ELECTIONS CLAUSE: STATES' PRIMARY CONSTITUTIONAL AUTHORITY OVER ELECTIONS

EXECUTIVE SUMMARY

Republicans believe that every eligible voter who wants to vote must be able to do so, and all lawful votes must be counted according to state law. Through an examination of history, precedent, the Framers' words, debates concerning ratification, the Supreme Court, and the Constitution itself, this document explains the constitutional division of power envisioned by the Framers between the States and the federal government with respect to election administration. Article 1, Section 4 of the Constitution explains that the States have the primary authority over election administration, the ''times, places, and manner of holding elections''. Conversely, the Constitution grants the Congress a purely secondary role to alter or create election laws only in the extreme cases of invasion, legislative neglect, or obstinate refusal to pass election laws. As do other aspects of our federal system, this division of sovereignty continues to serve to protect one of Americans' most precious freedoms, the right to vote.

The Constitution reserves to the States the primary authority to set election legislation and administer elections—the ''times, places, and manner of holding of elections'' and Congress' power in this space is purely second to the States' power. Congress' power is to be employed only in the direst of circumstances. Despite Democrats' insistence that Congress' power over elections is unfettered and permits Congress to enact sweeping legislation like H.R. 1, it is simply not true. History, precedent, the Framers' words, debates concerning ratification, the Supreme Court, and the Constitution itself make this exceedingly clear.

The Framing Generation grappled with the failure of the Articles of Confederation, which provided for only a weak national government incapable of preserving the Union. Under the Articles, the States had exclusive authority over federal elections held within their territory. but, given the difficulties the national government had experienced with State cooperation (*e.g.*, the failure of Rhode Island to send delegates to the Confederation Congress); the Federalists, including Alexander Hamilton, were concerned with the possibility that the States, in an effort to destroy the federal government, simply might not hold elections or that an emergency, such as an invasion or insurrection, might prevent the operation of a State's government, leaving the Congress without Members and the federal government unable to respond. Indeed, as counsel for the Democrat Members of our Committee so keenly observed:

For the Founders, particularly during the Federal Constitutional Convention, the primary concern was informing the discussions of federal elections in Article I was the risk of uncooperative states. For example, Alexander Hamilton noted that by providing states the authority to run congressional elections, under Article I, Section 4, ''risk[ed] 'leaving the existence of the Union entirely at their mercy.''' Following the failings of the Articles of Confederation, the Founders looked for processes that would insulate Congress from recalcitrant states. Indeed, ''[t]he dominant purpose of the Elections Clause, the historical record bears out, was to empower Congress to override state election rules, not to restrict the way States enact legislation[,]'' and that ''the Clause 'was the Framers' insurance against the possibility that a State would refuse to provide for the election of representatives to the Federal Congress.' ''.

Quite plainly, Alexander Hamilton, a leading Federalist and proponent of our Constitution, understood the Elections Clause as serving only as a sort of emergency fail-safe, not as a cudgel used to nationalize our elections process. Writing as Publius to the people of New York, Hamilton further expounds on the correct understanding of the Elections Clause: ''T[he] natural order of the subject leads us to consider, in this place, that provision of the Constitution which authorizes the national legislature to regulate, in the last resort, the election of its own members.''

When questioned at the States' constitutional ratifying conventions with respect to this provision, the Federalists confirmed this understanding of a constitutionally limited, secondary congressional power under Article 1, Section 4:

Maryland:

Convention delegate James McHenry added that the risk to the federal government [without a fail-safe provision] might not arise from state malice: An insurrection or rebellion might prevent a state legislature from administering an election.

North Carolina:

An occasion may arise when the exercise of this ultimate power of Congress may be necessary . . . a state should be involved in war, and its legislature could not assemble, (as was the case of South Carolina and occasionally of some other states, during the [Revolutionary] war).

Pennsylvania:

Sir, let it be remembered that this power can only operate in a case of necessity, after the factious or listless disposition of a particular state has rendered an interference essential to the salvation of the general government.

John Jay made similar claims in New York. And, as constitutional scholar Robert Natelson, notes in his invaluable article, The Original Scope of the Congressional Power to Regulate Elections, Alexander Contee Hanson, a member of Congress whose pamphlet supporting the Constitution proved popular, stated flatly that Congress would exercise its times, places, and manner authority only in cases of invasion, legislative neglect or obstinate refusal to pass election laws [providing for the election of Members of Congress], or if a state crafted its election laws with a 'sinister purpose' or to injure the general government.''

Cementing his point, Hanson goes further to decree, ''The exercise of this power must at all times be so very invidious, that congress will not venture upon it without some very cogent and substantial reason.'' In Floor debate during the 117th Congress concerning H.R. 1, the Democrats' intended nationalization of elections, Ranking Member Davis argued, as he has many other times, that:

According to Article 1, Section 4 of the Constitution, States have the primary role in establishing ''[t]he Times, Places and Manner of holding Elections for Senators and Representatives.'' Under the Constitution, Congress has a purely secondary role in this space and must restrain itself from acting improperly and unconstitutionally. Federal election legislation should never be the

first step and must never impose burdensome, unfunded federal mandates on state and local elections officials. When Congress does speak, it must devote its efforts only to resolving highly significant and substantial deficiencies. State legislatures are the primary venues to correct most issues.

In fact, had the Democrats' view of the Elections Clause been accepted at the time of the Constitution's drafting—that is, that it offers Congress unfettered power over federal elections—it is likely that the Constitution would not have been ratified or that an amendment to this language would have been required. Indeed, at least seven of the original 13 states—over half and enough to prevent the Constitution from being ratified—expressd specific concerns with the language of the Elections Clause. However, ''[l]eading Federalists . . . assured them, . . . that, even without amendment, the [Elections] Clause should be construed as limited to emergencies.''

Three states, New York, North Carolina, and Rhode Island, specifically made their ratification contingent on this understanding being made express:

New York:

Under these impressions and declaring that the rights aforesaid cannot be abridged or violated, and the Explanations aforesaid are consistent with the said Constitution, And in confidence that the Amendments which have been proposed to the said Constitution will receive early and mature Consideration: We the said Delegates, in the Name and in [sic] behalf of the People of the State of New York Do by these presents Assent to and Ratify the said Constitution. In full Confidence . . . that the Congress will not make or alter any Regulation in this State respecting the times places and manner of holding Elections for Senators or Representatives unless the Legislature of this State shall neglect or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same, and that in those cases such power will only be exercised until the Legislature of this State shall make provision in the Premises[.]

North Carolina:

That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for senators and representatives, or either of them, except when the legislature of any state shall neglect, refuse or be disabled by invasion or rebellion, to prescribe the same.

Rhode Island:

Under these impressions, and declaring, that the rights aforesaid cannot be abridged or violated, and that the explanations aforesaid, are consistent with the said constitution, and in confidence that the amendments hereafter mentioned, will receive an early and mature consideration, and conformably to the fifth article of said constitution, speedily become a part thereof; We the said delegates, in the name, and in [sic] the behalf of the People, of the State of Rhode-Island and Providence-Plantations, do by these Presents, assent to, and ratify the said Constitution. In full confidence . . . That the Congress will not make or alter any regulation in this State, respecting the times, places and manner of holding elections for senators and representatives, unless the legislature of this state shall neglect, or refuse to make laws or regulations for the purpose, or from any circumstance be incapable of making the same; and that [i]n those cases, such power will only be exercised, until the legislature of this State shall make provision in the Premises[.]

This clearly demonstrates that the Framers designed and the ratifying States understood the Elections Clause to serve solely as a protective backstop to ensure the preservation of the Federal Government, not as a font of limitless power for Congress to wrest control of federal elections from the States.

This understanding was also reinforced by debate during the first Congress that convened under the Constitution. ''During the first session of the First Congress . . . Representative Aedanus Burke unsuccessfully proposed a constitutional amendment to limit the Times, Places and Manner Clause to emergencies. But those on both sides of the Burke amendment debate already understood the Elections Clause to limit Federal elections power to emergencies.

For example, the recorded description of opponent Representative Goodhue's comments notes that he believed the Elections Clause as written was intended to prevent ''. . . the State Governments [from] oppos[ing] and thwart[ing] the general one to such a degree as finally to overturn it. Now, to guard against this evil, he wished the Federal Government to possess every power necessary to its existence.'' With any change to the original text therefore unnecessary to achieve Burke's desired goal, Mr. Goodhue voted against the proposed amendment.

Similarly, proponent Representative Smith of South Carolina also believed the original text of the Elections Clause already limited the Federal Government's power over federal elections to emergencies and so thought there would be no harm in supporting an amendment to make that language express. So, even the records of the First Congress reflect a recognition of the emergency nature of congressional power over federal elections.

Similarly, the Supreme Court has supported this understanding. In Smiley v. Holm, the Court held that Article 1, Section 4 of the Constitution reserved to the States the primary authority to provide a complete code for congressional elections, not only as to times and places, but in relation to notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and making and publication of election returns; in short, to enact the numerous requirements as to procedure and safeguards which experience shows are necessary in order to enforce the fundamental right involved. And these requirements would be nugatory if they did not have appropriate sanctions in the definition of offenses and punishments. All this is comprised in the subject of ''times, places and manner of holding elections,'' and involves lawmaking in its essential features and most important aspect.

This holding, of course, is consistent with the understanding of the Elections Clause since the framing of the Constitution. The Smiley Court also held that while Congress maintains the authority to . . . supplement these state regulations or [to] substitute its own[]'', such authority remains merely '' 'a general supervisory power over the whole subject.' '' More recently, the Court noted in Arizona v. Inter-Tribal Council of Ariz., Inc. that ''[t]his grant of congressional power [that is, the fail-safe provision in the Elections Clause] was the Framers' insurance against the possibility that a State would refuse to provide for the election of representatives to the Federal Congress.'' The Court explained that the Elections Clause ''. . . imposes [upon the States] the duty . . . to prescribe the time, place, and manner of electing Representatives and Senators[.]'' And, while, as the Court noted, ''[t]he power of Congress over the 'Times, Places and Manner' of congressional elections 'is paramount, and may be exercised at any time, and to any extent which it deems expedient; and so far as it is exercised, and no farther, the regulations effected supersede those of the State which are inconsistent therewith[]'', the Inter-Tribal Court explained, quoting extensively from The Federalist no. 59, that it was clear that the congressional fail-safe included in the Elections Clause was intended for the sorts of governmental self-preservation discussed in this Report: ''[E]very government ought to contain in itself the means of its own preservation[.]''; ''[A]n exclusive power of regulating elections for the national government, in the hands of the State legislatures, would leave the existence of the Union entirely at their mercy. They could at any moment annihilate it by neglecting to provide for the choice of persons to administer its affairs.''

CONCLUSION

It is clear in every respect that the congressional fail-safe described in the Elections Clause vests purely secondary authority over federal elections in the federal legislative branch and that the primary authority rests with the States. Congressional authority is intended to be, and as a matter of constitutional fact is, limited to addressing the worst imaginable issues, such as invasion or other matters that might lead to a State not electing representatives to constitute the two Houses of Congress. Our authority has never extended to the day-to-day authority over the ''Times, Places and Manner of Election'' that the Constitution clearly reserves to the States. Unfortunately for Democrats, this clear restriction on congressional authority means that we do not have the power to implement the overwhelming majority—if not the entirety—of their biggest legislative priority, H.R. 1 and related legislation, which would purport to nationalize our elections and centralize their administration in Washington, D.C. Thankfully, the Framers had the foresight to write our Constitution so as to prevent those bad policies from going into effect and preserve the health of our republic.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 1½ minutes to the gentleman from Mississippi (Mr. PALAZZO), my good friend.

Mr. PALAZZO. Mr. Speaker, today I rise in opposition to H.R. 5746.

Late last night, the Democrats hijacked a bipartisan piece of legislation that I helped draft to allow NASA to lease property and help fund their own budget shortfalls. This bill would have been vital to America's space program and Mississippi's Fourth District, with Stennis Space Center in our backyard.

To no one's surprise, Democrat socialists, hell-bent on minimizing the power of American voters, have jammed through their radical agenda to include this so-called voting rights legislation.

This legislation only does one thing: It ensures that Democrats remain in power by tipping the scales by limiting your First Amendment and slashing States' rights.

Why else would the Democrats spend so much time catering to noncitizens, giving them taxpayer benefits, allowing them to stay in our country, and now giving them the ability to unconstitutionally vote in American elections?

Democrats believe that behind every illegal immigrant is a Democrat voter only waiting for a bill like this to pass.

This legislation shreds our founding documents and bastardizes the sacred rights of American citizens only to appease a group of socialists.

We all know that Democrats need every advantage to give them any hope in November after seeing their Commander in Chief's gross incompetence and tanking approval ratings. They have the slimmest House majority in history and an even split in the Senate, stalemated by a few Democrats who refuse to bow to the demands of this socialist agenda.

Democrats know the American people reject their ridiculous policies, and we cannot allow them to cheat their way back into power with this bill.

I strongly urge my colleagues to vote ''no'' on this hijacked bill.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the dean of the Florida delegation.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, let's be clear about what is happening here. We are at a crossroads. Free and fair elections are essential to keeping this fragile democracy intact.

The American people must hear this loud and clear: There are people in power who don't want you to vote, and they are using every tool in their toolbox to make it harder.

My fellow Americans, you cannot afford to sleep on this. People in power and with influence are actively trying to take away your right to vote. America must confront this harsh reality.

They are purging voter rolls, making voter registration more difficult, and cracking down on vote by mail, all while we remain in the midst of a pandemic.

Voter suppression has not been consigned to the history books. It continues today, right here, right now, and the impact continues to fall disproportionately on communities of color.

These policies are being actively pursued all over the country in places like my home State of Florida, where the Governor wants to create a voting police force to intimidate voters.

We must not allow those who seek to consolidate power and put a thumb on the scales of the democratic process to succeed.

Our friends in the Senate must stand up for democracy and restore government of, by, and for the people. I urge my colleagues to support this bill.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. TIFFANY), my good friend.

Mr. TIFFANY. Mr. Speaker, in a desperate attempt to maintain their waning grip on power, the majority is attempting to hijack a bill related to NASA in order to promote voter fraud and invalidate State voter ID laws.

But that is not all. The Democrats want to institutionalize ballot harvesting schemes, mandate the use of unverifiable mail ballots, and pour public dollars into the campaign coffers of wealthy politicians.

You heard that right, Mr. and Mrs. America. Bidenflation skyrockets while Democrats are going to raid the Treasury to pay for their political ads. But that is just the beginning.

A few days ago, New York City adopted a policy allowing noncitizens to vote, effectively legalizing foreign election interference. You can bet this will stretch to Minneapolis, Milwaukee, and Madison. In that respect, perhaps it is fitting that the majority has chosen a NASA bill to advance their cynical agenda and pave the way for alien voting.

This is one giant leap backward for American election integrity, and if the majority actually thinks this bill is the solution to what is ailing America, Houston, we have a problem.

Mr. BUTTERFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), the author of the For the People Act.

Mr. SARBANES. Mr. Speaker, out in the country, the voice of the people is diminished by voter suppression, partisan gerrymandering, and election subversion.

Here in Washington, the voice of the people is diminished by big money, the insiders, and the lobbyists, who use their influence to block progress on so many of the things that Americans care about.

But we can do something about this. The Freedom to Vote: John R. Lewis Act will ensure free and fair access to the ballot box, with expanded registration opportunities and the broad availability of early voting and vote by mail, something that voters of both political parties took advantage of in the last election.

It will ban partisan gerrymandering so that congressional districts are drawn fairly and with respect for the people.

It will prevent the arbitrary removal of local election officials from their positions, and it will protect election officials from harassment and intimidation.

It will pull dark money out of the shadows in order to combat the corrupting influence on our democracy.

It will make meaningful investments in efforts led by the States to strengthen and fortify their electoral infrastructure.

Too many Americans have become cynical about our politics, and they are angry. But there is hope in that anger because it means they still care; they still believe in American democracy; they cherish it.

In November 2020, 150 million Americans overcame tremendous obstacles to get to the ballot box, to pull our democracy back from the brink.

The question now is, will we do our part? As their elected Representatives, will we show that our love for this great Republic is equal to theirs? Will we exercise the right to vote that we have in this Chamber in order to protect the right of every American to vote in their local library or their firehouse or senior center?

The answer must be yes. And after we pass this bill in the House, we look to our Senate colleagues to do whatever they can to secure the passage in that Chamber.

The stakes are too high. Failure is not an option.

□ 0945

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I include in the RECORD a report by Common Cause that is titled: ''Maryland General Assembly Approves Gerrymandered Congressional Map.''

[From the Common Cause Maryland, Dec. 8, 2021]

MARYLAND GENERAL ASSEMBLY APPROVES GERRYMANDERED CONGRESSIONAL MAP

Today, the Maryland General Assembly passed HB 1—the congressional districting plan adopted by the Legislative Redistricting Advisory Commission (LRAC). The map is now headed to Governor Hogan's desk.

STATEMENT OF JOANNE ANTOINE, COMMON CAUSE MARYLAND EXECUTIVE DIRECTOR

When the redistricting process is led by politicians, the maps will be drawn to benefit the politicians—and that's exactly what state legislators have done today.

While we were encouraged by the General Assembly's willingness to improve transparency and access throughout the process in comparison to the 2011 redistricting cycle, they have chosen to maintain the status quo.

They had an opportunity to do what's in the best interest of Marylanders for the next decade and have chosen, yet again, to wait on a national solution. While I'm not surprised, I am disappointed.

Thank you to public for making their voices heard and Delegate Gabriel Acevero (D–Montgomery) for taking a stand against partisan gerrymandering here in Maryland and nationwide by being the lone Democratic vote against the congressional map.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, I rise today in opposition to H.R. 5746, which contains the text of H.R. 4, the so-called John R. Lewis Voting Rights Advancement Act.

With H.R. 4, Democrats are attempting to orchestrate yet another radical and unprecedented Federal power grab over State-administered elections, this time under the guise of updating the Voting Rights Act.

But the history here is so important. Upon its enactment in 1965, the VRA employed extraordinary measures to address pervasive State resistance to removing radically discriminatory barriers that did at that time prevent minorities from exercising their right to vote.

But here is what is important: After exhaustive review in 2013, the U.S. Supreme Court's Shelby County v. Holder decision recognized an obvious fact when examining the Voting Rights Act: Things have changed dramatically since 1965.

Of course, that fact should be celebrated. The Court reasoned that requiring States to preclear election law

changes today based on conduct a half century ago was an unconstitutional invasion of State sovereignty.

Republicans are thrilled the VRA worked. The truth is that more Americans from minority communities are voting now than ever before, and overall voting registration remains sky high.

In fact, voting registration disparities between minority and nonminority voters in States like Texas, Florida, North Carolina, Mississippi, and Louisiana are below the national average—and get this—lower than Democrat-run States like California, New York, and Delaware.

However, Democrats would have you think exactly the opposite. They want to bring preclearance back through H.R. 4 and have all the States seek approval from Merrick Garland's Justice Department before they can make any changes to their election laws or redistricting, regardless of whether that jurisdiction has a history of discrimination or not.

Again, this is a blatant Federal power grab. These bills are contrary to the Founders' intent, the plain text of the Constitution, and if they are fully implemented, they will further erode Americans' faith and confidence in our government institutions.

We remain hopeful that the people of our country will see this. We urge a ''no'' vote today.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. BEATTY), the distinguished and unrelenting chair of the Congressional Black Caucus.

Mrs. BEATTY. Mr. Speaker, desperate attempts? Hijacking our voting rights? That is exactly what our Republican colleagues are doing.

And why? Because when Democrats vote, Democrats win, and we provide for our children, our families, and our businesses.

I stand here today in support of the Freedom to Vote: John R. Lewis Act of 2022 because Black people representing the Congressional Black Caucus have stood in line, have been attacked by dogs, have put their lives on the line, and crossed the Edmund Pettus Bridge for us to have the right to vote.

America, watch what is happening today. Watch what Republicans are trying to do: Take away your fundamental right to vote.

Let us restore our democracy. Let's stand up for what four Republican Presidents in the past did. They reauthorized the Voting Rights Act. Republicans are scared, and they are hijacking Americans' rights.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, you can tell it must be NFL playoffs, as I yield 2 minutes to the gentleman from Utah (Mr. OWENS), my good friend and our Super Bowl champion from the Oakland Raiders.

Mr. OWENS. Mr. Speaker, late yesterday afternoon my Republican colleagues and I learned that Democrats were dropping H.R. 1 and H.R. 4 into what was supposed to be a NASA bill.

The American people join me in wondering why Democrats must resort to procedural gimmicks to ram voting rights bills to the floor.

The answer is simple: Democrats are out of touch with Americans, who repeatedly rejected the Biden administration's far-left agenda, including its latest attempt to destroy the power of States to run their own elections.

Unfortunately, we are hearing the same message today that we have heard over and over again from the Democrats: That minority Americans are not smart enough, not educated enough, and incapable of following basic rules to vote in Federal elections. And I am personally offended by this narrative.

Earlier this year, Senate Democrats held a hearing titled: ''Jim Crow 2021: The Latest Assault on the Right to Vote'' where they compared the recent voting laws in Georgia to the Jim Crow laws in the days of segregation.

As I stated in that hearing, I grew up in the Deep South during the era of actual Jim Crow laws that suppressed voting.

What does actual voter suppression look like? It looks like poll taxes, property tests, literacy tests, and violence and intimidation at the polls. It looks like the segregated schools I attended in Florida or the separate drinking fountains and restrooms that my race was forced to use.

One section of the Georgia law that brought so much outrage from the left simply requires everyone applying for an absentee ballot to include evidence of a government-issued ID on their application.

I can assure you, my friends, minorities are capable of getting a driver's license, passport, government check or any other number of acceptable IDs.

Today's misnamed For the People Act won't fool Americans who have not forgotten how far we have come since 1965 and who hold sacred their constitutional right to vote.

I ask my colleagues to join me in rejecting this latest attempt to remove power from the people and the States that best represent them.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Pennsylvania (Ms. SCANLON), who serves on the Committee on House Administration and the Committee on the Judiciary.

Ms. SCANLON. Mr. Speaker, I am proud to help bring this bill to the floor and to push for its consideration in the Senate.

Pennsylvania—and Philadelphia, which I represent—is the birthplace of our democratic Republic, but it is now ground zero in the battle for the soul of our Nation.

A decade ago, when the last redistricting occurred, the Pennsylvania legislature launched an attack on election rights, which has only escalated over the years. Voters have had to battle in court to get fair districts and to overturn discriminatory voter ID laws that threaten to disenfranchise more than half a million eligible Pennsylvania voters. And in the last 2 years we have seen these threats multiply as the former President and his far-right allies have tried over and over again to make it harder to vote and to throw out the legal votes of Pennsylvania's eligible voters.

This bill is not a takeover of State elections, it is a response to attempts by State legislatures, like Pennsylvania's, to make it harder for Americans to express their most essential freedom—voting—by exercising our duty under Article I Section 4 of the Constitution to protect that right.

I urge all of my colleagues, no matter what party, to support this legislation.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Illinois has 15 minutes remaining. The gentleman from North Carolina has 18 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio (Mr. JORDAN), the ranking member of the House Judiciary Committee and my good friend.

Mr. JORDAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the Democrats have objected to counting the Presidential electors every single time this century a Republican has been elected President.

They spent 4 years trying to overturn the 2016 election. Democrats spied on a Presidential campaign, they did impeachment in secret based on a so-called whistleblower, whose identity only Congressman SCHIFF got to know.

This Congress they have closed the Capitol, enacted proxy voting, kicked Republicans off committees, and for the first time in American history denied Republicans seats on a select committee that was chosen by the minority leader.

They are trying to make D.C. a State, end the electoral college, end the filibuster, pack the Court, destroy executive privilege, take Federal control of elections, and are currently allowing in jurisdictions illegal immigrants to vote.

And finally, the Select Committee to Investigate the January 6th Attack on the United States Capitol has altered evidence and lied to the American people about it.

But somehow, they tell us it is President Trump and Republicans who are undermining democracy? Give me a break.

Undermining democracy because we actually think you should show a photo ID when you go to vote?

In 1 year's time, while Democrats are doing all that, in 1 year's time they have given us record crime, record inflation, record illegal immigration.

And as bad as all that is, it is not the worst. The worst is how they have used the virus to attack our freedoms, how they have used the virus to attack our

First Amendment rights. And here is the irony: They used the virus to attack our liberties, even though everything they have told us about the virus has been wrong.

They told us it didn't come from a lab. They told us it wasn't gain-of-function research. They told us it was only 15 days to slow the spread. They told us masks worked. They told us we have a Federal plan. Joe Biden said that himself. They have told us there would never be a vaccine mandate. They told us people who get vaccinated can't get the virus, the vaccinated can't transmit the virus, and they told us there was no such thing as natural immunity.

Think about this: At the same time Democrats require you to put on a mask, show your papers and an ID to get a Big Mac at McDonald's, they want to allow the Federal Government to stop States from requiring a photo ID to vote.

This is ridiculous.

Vote ''no'' on this legislation.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GARCIA), my friend who serves on the Committee on the Judiciary.

Ms. GARCIA of Texas. Mr. Speaker, I rise today in strong support of the Freedom to Vote: John R. Lewis Act.

Our democracy is built on the sacred principle that every American has an equal and fair right to vote. But States like my home State of Texas are imposing laws that are already limiting that very sacred right.

Between bills like SB1 and extreme gerrymandering, the voices of many Texans are being diluted and silenced, especially Latinos. We cannot let this stand.

It is our responsibility, our duty to protect voting rights for every American, no matter what ZIP Code they live in or what language they speak. The Freedom to Vote Act will do just that for Latinos and for all Americans.

By banning partisan gerrymandering, restoring the Voting Rights Act, and creating new protections for voters, we will ensure every American makes their voice heard.

Mi voto, mi voz.

(English translation of Spanish is as follows: My vote, my voice.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Mr. Speaker, I thank my good friend Mr. DAVIS of Illinois for yielding.

Mr. Speaker, Democrats have a scheme to take over elections, and it has taken a very disturbing turn. The Federal takeover of elections bill is masquerading as what was a noncontroversial NASA bill.

The Constitution, Mr. Speaker, is clear: State legislators alone determine the time, place, and manner of elections, period.

Voter participation, Mr. Speaker, over the past 20 years has enormously increased; it is well over 70 percent at this point because States have implemented policies assuring easy access while maintaining voter integrity to the best of their ability.

Nevertheless, Democrats want a Federal takeover of all elections. This plan legalizes ballot harvesting nationwide, bans voter ID laws. Does America hear that? Prohibits the ability to ask for an ID to vote. Somehow that is in the interest of our election integrity. I don't think so.

It allows noncitizens to vote, Mr. Speaker, and imposes new mandates on all precincts, regardless of their size or resources. Perhaps most egregiously, they want to provide millions of dollars in taxpayer funding for campaigns.

Under this new taxpayer scheme, the American taxpayer would give our Speaker of the House $22 million and a whopping $44 million to Senate Majority Leader CHUCK SCHUMER for his campaign.

Americans can't get COVID tests, hospitals are being overwhelmed, businesses can't find workers, and this is the focus, to blow up the Senate filibuster and seize control of all elections to secure future Democrat majorities.

Let's vote ''no.''

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentleman from the Commonwealth of Virginia (Mr. BEYER), my friend.

Mr. BEYER. Mr. Speaker, I rise in robust support of the Freedom to Vote: John R. Lewis Act. I believe this is the most important vote any of us will ever vote upon. This is the bill that saves our democracy.

The most fundamental idea of our exceptional Nation is that people have the right to choose their leaders.

And we have made slow progress over the centuries. African Americans, Native Americans, women, 18-year-olds. This bill finally establishes the basic fundamental voting rights for all Americans.

With this act we stand against efforts to manipulate voting rules in favor of the few and take our essential democratic privilege away from all Americans.

NASA has inspired humanity for centuries, and now a small NASA bill becomes the vehicle to save our democracy.

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Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DONALDS).

Mr. DONALDS. Mr. Speaker, I think it is important as we have this debate, frankly, on a bill that was dropped last night with provisions that have gone through this Chamber before which, frankly, have gone nowhere in the Senate, it is important to understand for the context of this discussion that I actually represent a preclearance county. I have lived in one for 20 years. It is Collier County, Florida.

You see, Collier County was subject to preclearance in 1965 under the Voting Rights Act. But since I have lived there the last 20 years, there has been no evidence whatsoever that Collier County should even continue to be subject to preclearance. So much so that the Supreme Court agreed and actually decided that it was no longer needed to do preclearance in the United States because the evidence did not suggest it. But what this bill seeks to do is unleash preclearance across the entire United States with no evidence for it being needed, the evidence that did exist in 1965.

Mr. Speaker, I represent such a county today, and something tells me that in 1965, I wouldn't have represented that county then at that time. I do today. The evidence is clear. There is no reason to unleash preclearance on the United States, no need at all. The other provisions of the 1965 Voting Rights Act still exists today and will continue to exist. But the preclearance provision is no longer needed.

So what is this really about? This is really about making sure that politicians have direct control over how elections are going to be administered in the several States which, by the way, is a violation of the United States Constitution. Voting laws are supposed to be enacted by State legislatures, not here in Congress. That is the way the Constitution is written.

So I think this is a bad bill. We should not be doing this, let alone funding, doing public financing of Federal elections. Why would we ever want to do anything like that? We have more than enough money in our elections. We seem to spend billions of dollars every cycle doing this stuff. We want more? We want to take it from the taxpayer? It is outrageous. Vote ''no'' on this measure.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), my friend, the distinguished Democratic leader.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am old enough to have grown up and become cognizant of public affairs in the late 1950s and early 1960s. It is ironic that today, I am hearing the language of interposition of States' rights. There were a lot of States' rights in the 1950s and the 1940s and 1960s. And John Lewis will tell you those States' rights kept people from voting, from participating, from playing a role.

Now, we have legislation before us that will ensure, as the Voting Rights Act of 1965 assured, that people would not be shut out by States' rights by people who wanted to keep certain other people from voting and participating in their State's elections, in their county's election, in their municipal election, in their city election.

I have heard a lot about States' rights. I am old enough to have heard about what States' rights meant. They meant don't butt in to assure that

every United States citizen, one nation, under God, indivisible. But we were divisible. We were divisible by color and by other arbitrary and unjustified distinctions. So we are here today to say that is not America. That is not one nation under God, indivisible.

So, yes, all the States will be covered because we want all States to comply, and they will not have a thing to worry about under this legislation if they have not had violations within the 20-year period.

Mr. Speaker, on Monday, we will mark what would have been Dr. Martin Luther King, Jr.'s, 93rd birthday. When he was born in 1929, it had only been 9 years, just 9 years from the date of his birth that women were given the opportunity to vote in America. How sad that it took us so long. When he was born in 1929, it had only been 9 years since the 19th amendment had been passed, and it had only been 64 years since the amendments ending slavery and ostensibly guaranteeing the right to vote for African Americans.

But that constitutional amendment was not honored. And ways and means were found to prevent people from voting, from registering. And so, yes, the Supreme Court passed the decision in Shelby v. Holder, Shelby in Alabama, a county that had discriminated greatly and was discriminating at that point in time. And as soon as the Supreme Court said this is no longer necessary, we saw a cascade of new laws to restrict access to the ballot box—a cascade.

When Dr. King was born, neither African-American men or African-American women could cast ballots and participate in our democracy in many States and jurisdictions, North and South. Before he was killed, at just 39 years of age, Dr. King led a movement to correct the injustices that had come about because for so long many Americans had no recourse to participate in our democracy or pursue opportunities equally because their States felt they had the right to discriminate. That is what State rights were in my generation. And apparently, the concept still exists, but that is the right.

The right to vote is the guarantee to all others. Dr. King joined by other giants of the Civil Rights Movement, including our dear friend and brother. My, my, my, G.K. and I were just saying how sad we are that John Lewis is not on this floor, who gave blood and almost his life but lived his life to assure that every American had the right to vote and was facilitated in that right.

Dr. King, joined by other giants of the Civil Rights Movement, including our friend and brother, John Lewis, used the tools of nonviolent, peaceful protest in organizing to expose the hypocrisy of a system that called itself a democracy but did not allow all of its citizens to share in electing leaders.

Each year, on Martin Luther King, Jr.'s, birthday, Americans reflect on the lessons of his life and on the Civil Rights Movement as though they formed a chapter in America's past. Would that they mirrored simply the past. But if we look around us today, there can be no doubt that the fight for our democracy is very much a part of our present.

Now, this is a radical bill that will allow process of the United States Senate that is a failing practice. The majority will rule on debating this bill—the majority. It is not a radical proposal that the majority of the Senate that is for this bill. When people get up and say, Oh, this bill can't pass. The only reason it can't pass is because the minority will stop it, if they can. I hope they can't. I hope they change the rules. I am an opponent of the filibuster. It is undemocratic, and as Hamilton said, it poisons democracy.

The right to vote has not been so endangered since Dr. King walked among us. But there is a remedy. It is not perfect but it will go a long way toward turning back the tide of voter suppression in protecting the fundamental right to vote. One nation, under God, indivisible. All of us could vote. The legislation incorporated into this bill represents the boldest and most consequential voting rights reforms in a generation.

I was the sponsor of the Help America Vote Act. It was called then a very consequential bill. It was not nearly as consequential as this bill will be in empowering every person eligible to vote. And by the way, every citizen, from my perspective, to vote, so there is no mischaracterization of my view.

Mr. Speaker, I thank Chairman NADLER, Representative SEWELL, Representative SARBANES, Chairwoman BEATTY, and the entire Congressional Black Caucus, and literally hundreds of Members who through the years have fought to protect this sacred right.

In addition to providing for automatic online and same-day voter registration, the Freedom to Vote Act will make Election Day a Federal holiday—a holy day, if you will—in the pursuit of our secular commitment to democracy. It will guarantee at least 15 days of early voting.

Isn't that terrible? Well, it must be terrible because many States throughout the country are cutting those days down. Why? I don't know. If you vote on Tuesday as opposed to Thursday, is there more fraud involved? I don't know. It will guarantee those days and two weekends while ending requirements for difficult-to-obtain photo ID. It doesn't eliminate ID. If States have ID, it does not eliminate that.

Importantly, this legislation will restore voting rights to those who have paid their debts to society. And it will ensure that those who cast eligible ballots provisionally in the wrong precincts will still have their votes counted.

As the sponsor of the Help America Vote Act in 2002, that provision was in the Federal law. This bill would limit partisan gerrymandering and remove the corrosive influence of dark money. My mother used to tell me, consider the source. If the money is dark and you don't know who is paying the bill for the talk that is being given to you, you can't make that judgment. You can't determine who the source is. When it comes to defending the integrity of our elections and our democracy, this legislation is absolutely needed in America.

Not only will it prohibit the removal of election officials without cause, which is happening because a President calls up and says, ''Can't you find some more votes?'' That was the asking of some elected official, Secretary of State of Georgia, to commit a crime. Talk about fraud in elections.

This will enable the EAC to provide State and local boards of election with grants to upgrade outdated voting equipment and protect against hackers and cyber threats. It wasn't until 2003 that the Federal Government paid part of the election costs incurred in electing Federal officials, also restoring the full force of the 1965 Voting Rights Act, which was undermined by Shelby v. Holder, applying it to every State—not discrimination.

If you break the law in any State, if you preclude people from legitimate voting in any State, you are covered under this legislation. We don't pick out any actor. Every State is included. We apply it to every State. And updating it for the 21st century, the Freedom to Vote Act has the power to restore trust that our elections are fair and that every eligible voter will be able to participate.

House Democrats have passed voting rights measures multiple times, this Congress sending both H.R. 1 and H.R. 4 to the Senate. The majority is for it, but the filibuster stops it. The minority controls the majority.

□ 1015

Madison said that was not democracy. Now, the Senate must act.

Mr. Speaker, I urge Senators to come together on Monday and approve this historic voting rights legislation for our time. We have the opportunity.

I share G. K. BUTTERFIELD's sadness that John Lewis is not on this floor to cast his vote. Very frankly, I would have yielded all the time I have taken to John Lewis to talk to us about how important this legislation is and how many people gave their lives and their blood and their time and their talent to accomplish an America where no person would be shut out of the ballot box.

In future years, I hope Americans will be able to celebrate Martin Luther King Jr. Day by reflecting not only on how our country overcame Jim Crow in the 20th century but how we prevented its return in 2022.

I know we have heard, ''Oh, this is not Jim Crow.'' No matter how subtle the discrimination may be, it is discrimination.

I ask Members to cast your vote for this bill today, so our citizens can cast their votes without hindrance and share equally in the making of our laws and in the shaping of our future. Vote ''yes.''

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

In the lengthy oration of the 1 minute from the majority leader, I agreed with one word, that this is a radical bill. And the majority leader's argument is a ''throwing the baby out with the bathwater'' argument.

The States in this country remain a bulwark of democracy. The rhetoric from Democrats is that democracy itself won't survive without their elections bill. Well, nothing speaks of preserving our democracy like a late-night gut and replace in the Rules Committee. A bill about NASA gets 700-plus pages added and a floor vote within 18 hours.

Nothing speaks of preserving our democracy like giving Washington control of voter ID laws when 35 elected State legislatures have adopted them and 74 percent of the people favor them. People in my State voted to put it in our State constitution. Most believe elections should be made more secure.

Nothing speaks more of preserving our democracy than shifting the power to set election law from 50 decentralized States, where legislatures controlled by different parties have predominantly held and exercised that power for all 233 years of our experience under the Constitution, and centralizing that power in a single agency, the Department of Justice, at any time controlled by one party.

Nothing speaks of preserving our democracy like abandoning historic parliamentary norms to accomplish this radical transformation with bare majorities in both Houses of Congress without one vote from the minority party.

Democrats may continue gerrymandering in Illinois and Maryland with abandon, but they assure you that if you just put all control of elections into their hands in Washington, they will save democracy for you. It calls to mind the iconic Vietnam-era phrase: ''We had to burn the village to save it.''

America, that is Democrats' message to you. They will burn your democracy to the ground in order to save it. And they can't let anything stop them from getting it done before they face your verdict this November.

Mr. BUTTERFIELD. Mr. Speaker, I would ask my friend from North Carolina to refer to the bill section that refers to voter ID. It simply says this bill sets uniform national standards for States that choose to require identification to vote.

Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), the Speaker of the House of Representatives.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his leadership.

Mr. Speaker, today our Nation faces the most dangerous assault on the vote since Jim Crow. Last year alone, more than 440 draconian voter restrictions have been introduced across 49 States, with at least 19 States enacting 34 measures into law. This legislation seeks not only to suppress access to the ballot but empowers States to nullify election results entirely. That is the legislation that I referenced across the country.

This sinister campaign has particularly targeted communities of color. As the Committee on House Administration proved in last summer's report, partisan forces are accelerating a sinister campaign to silence the voices of color in particular.

There are four things, just four things, I want people to know about the Freedom to Vote: John R. Lewis Act, four things to remember, and one observation, the four reasons why every Member should vote for this bill today.

First, it ends shameful voter suppression and election subversion, which lets local officials simply choose winners and losers based on their own political interests. Nullification of elections, vote ''no'' on that.

Secondly, it ends partisan gerrymandering so that the redistricting process will meet the standards of the Constitution, of the Voting Rights Act, and keep communities of interests together.

One, stopping voter suppression and election nullification; two, ending partisan gerrymandering.

Third, it stops big, dark, special interest money, which is suffocating the airwaves with misrepresentations, which does suppress the voices of the American people. Get rid of big, dark money. People can still give their big, dark, special interest money, but they have to disclose it so that the public knows.

Fourth, this legislation empowers the grassroots by rewarding their participation in our democracy and amplifying a voice and, yes, the power of matching their small-dollar contributions.

Hear this: There are no taxpayer dollars involved in that, no matter what you might hear them misrepresent. No taxpayer dollars.

Four things: end voter suppression and election nullification; end political gerrymandering; end big, dark, special interest money crushing the political system; and reward the grassroots. That is in the Freedom to Vote Act.

In the John R. Lewis Act, which is part of what we are voting on today, I just want to be clear: The Voting Rights Act has been strongly bipartisan. Indeed, Republican Presidents Nixon, Ford, Reagan, George Herbert Walker Bush, and George W. Bush, who signed the most recent Voting Rights Act, which received like 390 votes in the House, unanimous in the Senate—it was signed by George W. Bush. It was bipartisan.

Four times the Congress has reauthorized the Voting Rights Act in a bipartisan way. This is the first time we have the assault that we have on that.

I am very, very proud of the House of Representatives, Mr. Speaker, because we have twice passed the For the People Act, which is to protect our vote, and the John R. Lewis Voting Rights Advancement Act. Even before he passed and had this named in his honor, we passed it once.

The House has made it clear: We stand with the people in the fight for voting rights.

Mr. Speaker, in closing, I want to commend Mr. BUTTERFIELD for his leadership on all of this, going around the country; JOHN SARBANES, the author of the For the People Act; TERRI SEWELL, the author of the Voting Rights Act; ZOE LOFGREN, the chair of the House Administration Committee; and Mr. NADLER, the chair of the Judiciary Committee. I also want to acknowledge the work of JIM MCGOVERN, the chair of the Rules Committee, who has brought these bills to the floor time and time again.

This is a day when Democrats will once again take a strong step to defend our democracy as we send the Freedom to Vote: John R. Lewis Act to the Senate for urgent consideration. Nothing less is at stake than our democracy.

Mr. Speaker, I urge a strong, bipartisan ''aye'' vote on this legislation.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. FITZGERALD).

Mr. FITZGERALD. Mr. Speaker, today I rise in objection to H.R. 5746, which is the latest attempt by my colleagues on the other side of the aisle to ignore the 10th Amendment and dump on the State legislatures of this Nation, basically telling them, ''You are incompetent,'' not to mention the clerks.

Democrats first tried to barge through the front door of election administration with H.R. 1. After that failed, they tried an overhaul on the backdoor functions. And this bill represents a full-blown takeover.

The supposedly slimmed-down bill would still override State laws by creating a Federal right to no-excuse mail-in voting and requires States to accept late-arriving ballots as long as they have timely postmarks. It is kind of a joke.

It would automatically give felons the right to vote. Great.

It would also override State voter ID requirements. Only a few months ago, Mr. Speaker, many of my colleagues on the other side of the aisle argued that voter ID laws suppressed voter turnout, only to flip-flop once they saw that the public overwhelmingly supports proof of identity before casting a ballot—80 percent in some States.

Mr. Speaker, I am proud to have implemented strong voter ID laws during my time in the Wisconsin legislature. Unfortunately, leading up to the 2020 election, I saw these protections steamrolled under the guise of the pandemic.

Let's talk about the Supreme Court. In 2013, a decision recognized that we are no longer living in the Jim Crow era. The original Voting Rights Act worked, and extreme policies like preclearance are no longer required.

Allegations that election integrity measures that have been adopted by States, such as Texas and Georgia, amount to anything close to Jim Crow-era restrictions is a slap in the face to those who endured real discrimination.

There is no voting rights crisis. This is not about ensuring access to the polls. This is about taking power from the State legislatures and concentrating our election systems in the hands of Federal bureaucrats.

Mr. BUTTERFIELD. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. CLYBURN), the Democratic whip, who has led the way in this House and the South for generations.

Mr. CLYBURN. Mr. Speaker, I thank the gentleman from North Carolina for yielding me this time.

Mr. Speaker, I rise to urge passage of this legislation carrying the Freedom to Vote Act and the John R. Lewis Voting Rights Advancement Act to the Senate for immediate consideration to safeguard our most fundamental constitutional right, the right to vote.

We took an oath to protect this country from all threats, foreign and domestic. Today, we face a domestic threat from those seeking to gain and hold power by suppressing votes and nullifying election results. Congress must combat this threat by ensuring equal and unencumbered access to the ballot box and ensuring an accurate vote count.

It is time to choose. Will we uphold our oath and protect this fragile democracy, or will we subvert the Constitution and fetter the franchise?

I want to remind the previous speaker that we did not have Jim Crow before there was Jim Crow, and we had it until 1954. I used to teach this stuff called history, and I will say to my colleagues: Anything that has happened before can happen again.

It was the lack of the vote that had 95 years between George Washington Murray, who was the last African American to represent South Carolina here in this body, until I came along in 1992—95 years.

Why?

Because the right to vote was taken away and election results were nullified. We are not going back.

Mr. RODNEY DAVIS of Illinois. I reserve the balance of my time, Mr. Speaker.

□ 1030

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. RASKIN), who is a member of the coveted House Committee on House Administration.

Mr. RASKIN. Mr. Speaker, our colleagues object to guaranteeing the peoples' right to vote through the vehicle of a NASA bill of all things. A quarter of a century ago Republicans changed Texas State law to permit astronauts to vote absentee from space. They want to make it easier to vote from space, and they want to make it harder to vote on Earth.

In the last election, tens of thousands of citizens in Texas waited in line for 6 hours to vote and an astronaut on the International Space Station could have orbited planet Earth four times in the 6 hours that Texas forced some of its citizens to wait in line to vote.

Across the country it is voter suppression, GOP gerrymandering of our districts, rightwing Supreme Court packing and judicial activism to destroy the voting rights in cases like Shelby County v. Holder and Brnovich and deployment of the filibuster to block voting rights legislation—the whole matrix of GOP democracy suppression today.

It is time to protect the right to vote here on Earth. If it takes a NASA bill to do it, then I invite my GOP colleagues to boldly go where none of them have ever gone before—to planet Earth on a mission to defend the voting rights of the people.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I rise today obviously in strong opposition to this latest attempt by my colleagues on the other side to enact a Federal takeover of elections and continue their tactics that they have used consistently in this Congress and the last Congress to hide the intent of what they are doing.

Make no mistake, this legislation is an attempt to circumvent State legislatures' constitutional authority to set election laws, laws like the one recently passed in Georgia that maximizes—maximizes—voter access and protects the integrity of every legal ballot.

One-size-fits-all government has never worked in a diverse and free society like we have here in the United States of America. One size fits all is synonymous with dictatorial regimes, Socialist societies, and Communist countries—governments that keep control over the people by stripping the authority from the hands of local officials that were elected by the people to represent them.

This is what this bill does. To be clear, the goal of strong central governments and strong federal governments is to have a homogeneous society that is easily controlled. Our society is diverse: diversity of thought, diversity of action, and diversity of speech. But the actions of my colleagues on the other side is to have a homogeneous society to where right and wrong is no longer determined by personal conviction or faith but what the Federal Government has determined is right and wrong.

You don't have to look any further, Mr. Speaker, of how the right to determine your own healthcare has been stripped away by my colleagues on the other side where people can no longer determine what they will and will not put into their body.

The Constitution protects the ideas of individual liberty and federalism to where government is strongest at the local level. This bill disregards State voter IDs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield the gentleman from Georgia an additional 15 seconds.

Mr. LOUDERMILK. One thing I want to bring up that is homogeneous when it comes to campaign elections, Mr. Speaker, we live in an independent, diverse society where local governments are the greatest authority over the people. This is a takeover by the Federal Government to create a homogeneous society where everyone acts, thinks, and works according to the Federal Government.

Oppose this legislation.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. AGUILAR), who is the distinguished vice-chair of the Democratic Caucus and, I might say, a member of the Elections Subcommittee of which I have the honor to chair.

Mr. AGUILAR. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise in support of the Freedom to Vote: John R. Lewis Act, legislation that would protect the right to vote and strengthen our democracy.

This week we heard President Biden, traveling to the home of our late colleague, John Lewis, rally the Nation around the need to protect and expand the right to vote.

Today, we will pass this legislation in honor of John's name. But in order to honor our colleague, we must make good on our commitment. We must pass this legislation in both Chambers without delay. We must also make clear, as President Biden did this week, that there is nothing more important—no rules or procedures—than the health of our democracy. There is far too much at stake to let tradition get in the way of real progress.

I know from my work on the committee and the Select Committee to Investigate the January 6th Attack on the U.S. Capitol that the concerns about the future of the American system—the consent of the governed—are well-founded.

Mr. Speaker, every Member of this body has a choice today, and the world will remember where we stood. I am proud to stand on the side of democracy, on the side of making it easier to

vote—not more difficult—and on the side of the people because the American people are with us. This is not a Democrat or Republican issue.

Mr. Speaker, I urge my colleagues to support this bill and pass this legislation.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Speaker, I yield 1 minute to the gentlewoman from Selma, Alabama (Ms. SEWELL), who is my dear friend and a sponsor of the John R. Lewis Voting Rights Advancement Act.

Ms. SEWELL. Mr. Speaker, as you know, voting rights are personal to me. It was in my hometown in 1965 on a bridge in Selma, Alabama, where John Lewis and the foot soldiers shed blood for the equal right of all Americans to vote. Fifty-six years later old battles have become new again as State legislatures erect direct barriers to the ballot box—400 bills introduced and 34 passed in 19 States.

Once again, our Nation is at an inflection point. Today, the House of Representatives will, once again, send voting rights over to the Senate, and it must pass, Mr. Speaker.

I implore our Senators: Do what is right. You have changed your rules 150 times, most recently to raise the debt ceiling. If you can protect the full faith and credit of the United States, then surely you can protect the democracy.

The time is now. What we need is courage.

As we prepare to observe the birthday of Dr. Martin Luther King, let us remember that justice delayed can be justice denied.

Senators, we need your leadership. We need it now.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I appreciate that reminder.

Mr. Speaker, I yield 1 minute to the gentlewoman from the State of Arizona (Mrs. LESKO).

Mrs. LESKO. Mr. Speaker, Republicans are trying to protect everyone's right to vote and the integrity of the election.

It boggles my mind that in some cities in the United States noncitizens are allowed to vote and here in Washington, D.C., and other cities when we go to a restaurant, we need to show our vaccination database passport saying that we are fully vaccinated before we are allowed to enter, but yet my Democrat colleagues don't seem to want voter ID.

In the State of Arizona, we have a law in place that requires a voter ID to vote. We also have a law in place that was held up by the courts that prohibits ballot harvesting. Yet it continues to boggle my mind that our Democrat colleagues want to undo what the States have done and undo States' rights.

I am opposed to this bill.

Mr. BUTTERFIELD. Madam Speaker, I want to remind my friend from Arizona who just spoke that this bill sets uniform national standards for States that choose to require identification to vote. The bill gives States the flexibility—flexibility—to choose whether to require voter IDs. It is not a mandatory voter ID law.

Madam Speaker, I yield 1 minute to the gentleman from New York (Mr. JONES), who is a thoughtful leader on the Committee on the Judiciary.

Mr. JONES. Madam Speaker, my colleagues across the aisle have asked why we are voting today to protect our democracy.

The answer is as clear to me as it is unimaginable to them: for the people. This one is for the people who made today possible, for the young people who cast their first votes in 2020 and for the seniors who cast their first votes in 1966 after the passage of the original Voting Rights Act.

It is for the people who, like John Lewis, put their lives on the line on Bloody Sunday and for the people who risked their lives to overcome racist voter suppression at the height of this pandemic.

It is for people like my mentor and professor, the late Lani Guinier, mother of the 1982 amendments to the Voting Rights Act.

It is for the people who don't have a vote but who do have a voice.

Voting rights are preservative of all other rights. But time is running out. We can still have a democracy, Madam Speaker, but only if we pass this legislation.

Mr. RODNEY DAVIS of Illinois. I reserve the balance of my time, Madam Speaker.

Mr. BUTTERFIELD. Madam Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO), who is my friend and chair of the Appropriations Committee who stays in perpetual motion.

Ms. DELAURO. Madam Speaker, ensuring all Americans can freely participate in the electoral process is a bedrock of our democratic society. Today in this country we are witnessing an attack on that sacred right to vote, restricting voting access. We must act to restore Federal oversight. What we do will determine the course of our democracy for generations to come.

Our late colleague, John Lewis, shed blood for the right of all Americans to vote. Let us honor the legacy of those who fought to protect voting rights and pass this critical legislation.

President Biden made our choice today clear:

''Will we choose democracy over autocracy, light over shadows, justice over injustice?''

Like the President, I know where I stand.

Madam Speaker, I urge my colleagues to join me in voting for the Freedom to Vote: John R. Lewis Act.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, may I inquire about how much time each side has remaining.

The SPEAKER pro tempore (Ms. CLARK of Massachusetts). The gentleman from North Carolina has 6½ minutes remaining. The gentleman from Illinois has 2¼ minutes remaining.

Mr. BUTTERFIELD. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), my friend who is another Member who stays in perpetual motion and who is a senior member on the Judiciary Committee.

Ms. JACKSON LEE. Madam Speaker, I am grateful for the distinguished leader of this debate, Mr. BUTTERFIELD, and his service to this Nation.

Madam Speaker, this is a somber, sacred moment in our lives on this floor. I stand here in the name of the blood shed by those foot soldiers, Dr. Martin Luther King and John Robert Lewis, who shed his blood on the Edmund Pettus Bridge.

My friends who vote ''no'' today will disregard and ignore that bloodshed. I refuse to ignore the blood that was shed for the right to vote.

As a member of the House Judiciary Committee, this committee built over the course of 13 hearings in two Congresses led by JERRY NADLER and STEVE COHEN the record for the John Robert Lewis bill, and for that I am grateful, for I stand as a victim of the lack of preclearance.

The bills that we have will eliminate a legislature, as a Texas bill states, to overturn duly voters' choice. It will prevent the purging of voters which happens all the time. It will protect you at the polls, Madam Speaker, and it will disallow people from interfering with your vote. It is now a sacred honor and charge. We must vote now in the name of Martin King and John Robert Lewis. We cannot do any less. The Senate must do its job.

Madam Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, and the Congressional Black Caucus, I am pleased to co-anchor this Congressional Black Caucus Special Order with my colleague, the distinguished gentleman from New York, Congressman RITCHIE TORRES.

I thank the Chair of the CBC, Congresswoman BEATTY of Ohio, for organizing this Special Order to discuss the reasons why the CBC strong supports H.R. 4, the John Lewis Voting Rights Advancement Act, which for nearly 50 years protected the most precious of all rights of a citizen in a democracy—the right to vote—until it was seriously undermined by the right-wing conservative majority of the United States Supreme Court, starting with the outrageously wrong decision in Shelby County v. Holder, 570 U.S. 193 (2013), and exacerbated by Brnovich v. DNC, 594 U.S. ____, No. 19–1257 and 19–1258 (July 1, 2021).

Over the next hour, several of our colleagues will share their perspectives on why it is essential that it is urgent and essential to correct these miscarriages of justice by passing H.R. 4, H.R. 4, the John Lewis Voting Rights Advancement Act.

Madam Speaker, as a senior member of the Judiciary Committee and an original cosponsor, let me say plainly at the outset that H.R. 4, the John Lewis Voting Rights Advancement Act, corrects the damage done in recent years to the Voting Rights Act of 1965 and commits the national government to protecting the right of all Americans to vote free from discrimination and without injustices that previously prevented them from exercising this most fundamental right of citizenship.

I thank my CBC colleague, Congresswoman TERRI SEWELL of Alabama for introducing this legislation, to Speaker PELOSI, Chairman NADLER, and the Democratic leadership, and to the many colleagues and countless number of ordinary Americans who never stopped agitating and working to protect the precious right to vote.

Madam Speaker, in response to the Supreme Court's invitation in Shelby County v. Holder, 570 U.S. 193 (2013), H.R. 4 provides a new coverage formula based on ''current conditions'' and creates a new coverage formula that hinges on a finding of repeated voting rights violations in the preceding 25 years.

It is significant that this 25-year period is measured on a rolling basis to keep up with ''current conditions,'' so only states and political subdivisions that have a recent record of racial discrimination in voting are covered.

States and political subdivisions that qualify for preclearance will be covered for a period of 10 years, but if they have a clean record during that time period, they can be extracted from coverage.

H.R. 4 also establishes ''practice-based preclearance,'' which would focus administrative or judicial review narrowly on suspect practices that are most likely to be tainted by discriminatory intent or to have discriminatory effects, as demonstrated by a broad historical record.

Under the bill, this process of reviewing changes in voting is limited to a set of specific practices, including such things as:

1. Changes to the methods of elections (to or from at-large elections) in areas that are racially, ethnically, or linguistically diverse.

2. Redistricting in areas that are racially, ethnically, or linguistically diverse.

3. Reducing, consolidating, or relocating polling in areas that are racially, ethnically, or linguistically diverse; and

4. Changes in documentation or requirements to vote or to register.

It is useful, Madam Speaker, to recount how we arrived at this day.

Madam Speaker, fifty-six years ago, in Selma, Alabama, hundreds of heroic souls risked their lives for freedom and to secure the right to vote for all Americans by their participation in marches for voting rights on ''Bloody Sunday,'' ''Turnaround Tuesday,'' or the final, completed march from Selma to Montgomery.

Those ''foot soldiers'' of Selma, brave and determined men and women, boys and girls, persons of all races and creeds, loved their country so much that they were willing to risk their lives to make it better, to bring it even closer to its founding ideals.

The foot soldiers marched because they believed that all persons have dignity and the right to equal treatment under the law, and in the making of the laws, which is the fundamental essence of the right to vote.

On that day, Sunday, March 7, 1965, more than 600 civil rights demonstrators, including our beloved colleague, Congressman John Lewis of Georgia for whom this important legislation is named, were brutally attacked by state and local police at the Edmund Pettus Bridge as they marched from Selma to Montgomery in support of the right to vote.

''Bloody Sunday'' was a defining moment in American history because it crystallized for the nation the necessity of enacting a strong and effective federal law to protect the right to vote of every American.

No one who witnessed the violence and brutally suffered by the foot soldiers for justice who gathered at the Edmund Pettus Bridge will ever forget it; the images are deeply seared in the American memory and experience.

On August 6, 1965, in the Rotunda of the Capitol President Johnson addressed the nation before signing the Voting Rights Act:

''The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.''

The Voting Rights Act of 1965 was critical to preventing brazen voter discrimination violations that historically left millions of African Americans disenfranchised.

In 1940, for example, there were less than 30,000 African Americans registered to vote in Texas and only about 3 percent of African Americans living in the South were registered to vote.

Poll taxes, literacy tests, and threats of violence were the major causes of these racially discriminatory results.

After passage of the Voting Rights Act in 1965, which prohibited these discriminatory practices, registration and electoral participation steadily increased to the point that by 2012, more than 1.2 million African Americans living in Texas were registered to vote.

In 1964, the year before the Voting Rights Act became law, there were approximately 300 African-Americans in public office, including just three in Congress.

Few, if any, African Americans held elective office anywhere in the South.

Because of the Voting Rights Act, in 2007 there were more than 9,100 black elected officials, including 46 members of Congress, the largest number ever.

Madam Speaker, the Voting Rights Act opened the political process for many of the approximately 6,000 Hispanic public officials that have been elected and appointed nationwide, including more than 275 at the state or federal level, 32 of whom serve in Congress.

Native Americans, Asians, and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

The crown jewel of the Voting Rights Act of 1965 is Section 5, which requires that states and localities with a chronic record of discrimination in voting practices secure federal approval before making any changes to voting processes.

The preclearance requirement of Section 5 protects minority voting rights where voter discrimination has historically been the worst.

Between 1982 and 2006, Section 5 stopped more than 1,000 discriminatory voting changes in their tracks, including 107 discriminatory changes right here in Texas.

Passed in 1965 with the extraordinary leadership of President Lyndon Johnson, the greatest legislative genius of our lifetime, the Voting Rights Act of 1965 was bringing dramatic change in many states across the South.

But in 1972, change was not coming fast enough or in many places in Texas.

In fact, Texas, which had never elected a woman to Congress or an African American to the Texas State Senate, was not covered by Section 5 of the 1965 Voting Rights Act and the language minorities living in South Texas were not protected at all.

But thanks to the Voting Rights Act of 1965, Barbara Jordan was elected to Congress, giving meaning to the promise of the Voting Rights Act that all citizens would at long last have the right to cast a vote for person of their community, from their community, for their community.

Madam Speaker, it is a source of eternal pride to all of us in Houston that in pursuit of extending the full measure of citizenship to all Americans, in 1975 Congresswoman Barbara Jordan, who also represented this historic 18th Congressional District of Texas, introduced, and the Congress adopted, what are now Sections 4(f)(3) and 4(f)(4) of the Voting Rights Act, which extended the protections of Section 4(a) and Section 5 to language minorities.

We must remain ever vigilant and oppose all schemes that will abridge or dilute the precious right to vote.

Madam Speaker, I am here today to remind the nation that need to pass this legislation is urgent because the right to vote—that ''powerful instrument that can break down the walls of injustice''—faces grave threats.

The threat stems from the decision issued in June 2013 by the Supreme Court in Shelby County v. Holder, 570 U.S. 193 (2013), which invalidated Section 4(b) of the VRA, and paralyzed the application of the VRA's Section 5 preclearance requirements.

Not to be content with the monument to disgrace that is the Shelby County decision, the activist right-wing conservative majority on the Roberts Court, on July 1, 2021, issued its evil twin, the decision in Brnovich v. DNC, 594 U.S.___, No. 19–1257 and 19–1258 (July 1, 2021), which engrafts on Section 2 of the Voting Rights onerous burdens that Congress never intended and explicitly legislated against

Madam Speaker, were it not for the 24th Amendment, I venture to say that this conservative majority on the Court would subject poll taxes and literacy tests to the review standard enunciated in Brnovich v. DNC.

According to the Supreme Court majority, the reason for striking down Section 4(b) of the Voting Rights Act was that ''times change.''

Now, the Court was right; times have changed.

But what the Court did not fully appreciate is that the positive changes it cited are due almost entirely to the existence and vigorous enforcement of the Voting Rights Act.

And that is why the Voting Rights Act is still needed and that is why we must pass H.R. 4, the John Lewis Voting Rights Advancement Act.

Let me put it this way: in the same way that the vaccine invented by Dr. Jonas Salk in 1953 eradicated the crippling effects but did not eliminate the cause of polio, the Voting Rights Act succeeded in stymieing the practices that resulted in the wholesale disenfranchisement of African Americans and language minorities but did eliminate them entirely.

The Voting Rights Act is needed as much today to prevent another epidemic of voting disenfranchisement as Dr. Salk's vaccine is still needed to prevent another polio epidemic.

As Justice Ruth Bader Ginsburg stated in Shelby County v. Holder, ''[t]hrowing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.''

Madam Speaker, in many ways my home state of Texas is ground-zero for testing and perfecting schemes to deprive communities of color and language minorities of the right to vote and to have their votes counted.

Consider what has transpired in Texas in recent past, let alone the noxious voter suppression bill, SB7, it is currently trying to ramrod through the legislature.

Only 68 percent of eligible voters are registered in Texas and state restrictions on third party registration, such as the Volunteer Deputy Registrar program, exacerbate the systemic disenfranchisement of minority communities.

These types of programs are often aimed at minority and underserved communities that, for many, many other reasons (like demonization by the president, for example) or mistrust of law enforcement are afraid to live as openly as they should.

In Harris County, we had a system where voters were getting purged from the rolls, effectively requiring people to keep active their registrations and hundreds of polling locations closed in Texas, significantly more in number and percentage than any other state.

In addition, the Texas Election Code only requires a 72-hour notice of polling location changes.

Next, take what happened here in Texas in 2019 when the Texas Secretary of State claimed that his office had identified 95,000 possible noncitizens on the voter rolls and gave the list to the Texas State Attorney General for possible prosecution—leading to a claim from President Trump about widespread voter fraud and outrage from Democrats and activist groups.

The only problem was that list was not accurate.

At least 20,000 names turned out to be there by mistake, leading to chaos, confusion, and concern that people's eligibility vote was being questioned based on flawed data.

The list was made through state records going back to 1996 that show which Texas residents were not citizens when they got a driver's license or other state ID.

But many of the person who may have had green cards or work visas at the time they got a Texas ID are on the secretary of state's office's list, and many have become citizens since then since nearly 50,000 people become naturalized U.S. citizens in Texas annually.

Latinos made up a big portion of the 95,000-person list.

Texas Republicans adopted racial and partisan gerrymandered congressional, State legislative redistricting plans that federal courts have ruled violate the Voting Rights Act and were drawn with discriminatory intent.

Even after changes were demanded by the courts, much of the damage done was already done.

Reversing the position by the Obama administration, the Trump Department of [in]Justice represented to a federal court that it no longer believed past discrimination by Texas officials should require the state to get outside approval for redistricting maps that will be drawn in 2021.

In addition to affirmative ways to making it harder to vote, we also now face other odious impediments in Texas.

Those of us who cherish the right to vote justifiably are skeptical of Voter ID laws because we understand how these laws, like poll taxes and literacy tests, can be used to impede or negate the ability of seniors, racial and language minorities, and young people to cast their votes.

This is the harm that can be done without preclearance, so on a federal level, there is an impetus to act.

Those of us who cherish the right to vote justifiably are skeptical of Voter ID laws because we understand how these laws, like poll taxes and literacy tests, can be used to impede or negate the ability of seniors, racial and language minorities, and young people to cast their votes.

Consider the demographic groups who lack a government issued ID:

1. African Americans: 25 percent
2. Asian Americans: 20% percent
3. Hispanic Americans: 19 percent
4. Young people, aged 18–24: 18 percent
5. Persons with incomes less than $35,000: 15 percent

And there are other ways abridging or suppressing the right to vote, including:

1. Curtailing or eliminating early voting;
2. Ending same-day registration;
3. Not counting provisional ballots cast in the wrong precinct on Election Day will not count;
4. Eliminating adolescent pre-registration;
5. Shortening poll hours; and
6. Lessening the standards governing voter challenges thus allowing self-proclaimed ''ballot security vigilantes'' like the King Street Patriots to cause trouble at the polls.

The malevolent practice of voter purging is not limited to Texas; we saw it in 2018 in Georgia, where then Secretary of State and now Governor Brian Kemp purged more than 53,000 persons from the voter, nearly the exact margin of his narrow win over his opponent, Stacy Abrams in the 2018 gubernatorial election.

Voter purging is a sinister and malevolent practice visited on voters, who are disproportionately members of communities of color, by state and local election officials.

This practice, which would have not passed muster under section 5 of the Voting Rights Act, has proliferated in the years since the Supreme Court neutralized the preclearance provision, or as Justice Ginsburg observed in Shelby County v. Holder, ''threw out the umbrella'' of protection.

Madam Speaker, citizens in my congressional district and elsewhere know and have experienced the pain and heartbreak of receiving a letter from state or local election officials that they have been removed from the election rolls, or worse, learn this fact on Election Day.

That is why I am very pleased that H.R. 4 includes language that I worked hard to include in the Manager's Amendment to the Voting Rights Advancement Act of 2019 that strengthens the bill's ''practice-based preclearance'' provisions by adding specifically to the preclearance provision, voting practices that add a new basis or process for removing a name from the list of active registered voters and the practice of reducing the days or hours of in-person voting on Sundays during an early voting period.

For millions of Americans, the right to vote protected by the Voting Rights Act of 1965 is sacred treasure, earned by the sweat and toil and tears and blood of ordinary Americans who showed the world it was possible to accomplish extraordinary things.

Madam Speaker, it is the responsibility and sacred duty of all members of Congress who revere democracy to preserve, protect, and expand the precious right to vote of all Americans by passing H.R. 4, the John Lewis Voting Rights Advancement Act.

Madam Speaker, free and fair elections, along with open, ethical, and honest government, provide the foundation of our democracy. But these principles have been threatened in recent years by an unyielding strategy of voter suppression and outright attacks on historical statutes which were designed to protect voting rights.

On Tuesday, the President traveled to Atlanta to make the case for the legislation that we bring to the floor today. My Judiciary Committee colleagues and I have labored for the last two congresses, holding more than a dozen hearings to build a record to demonstrate the critical need for a revitalized Voting Rights Act after the erosion of the Shelby County and Brnovich decisions.

We must continue to confront the anti-democratic intent of those behind these discriminatory schemes—attempting to stop any practice proven to bring more people to the polls—to cling to power in an increasing multicultural America. Make no mistake, we vote at a critical juncture in our Nation's history.

I urge all Members to join me in honoring the legacy of our beloved colleague, the late John Lewis—who shed his blood to secure passage of the Voting Rights Act—by supporting this vital legislation.

Madam Speaker, I rise in support of the House Amendment to the Senate Amendment to H.R. 5746—the Freedom to Vote: John R. Lewis Act. This measure would, among other things, revitalize and strengthen the Voting Rights Act of 1965 to confront the onslaught of discriminatory voting laws and practices that has emerged in recent years across the country.

Significant portions of this measure—in particular, the bulk of Division D—rests on a substantial record that the House Judiciary Committee built over the course of 13 hearings in two Congresses, led by Judiciary Committee Chairman JERROLD NADLER and Constitution Subcommittee Chairman STEVE COHEN. This record documents the myriad ways that the right to vote—the most fundamental right in a democracy—remains under threat for too many Americans.

I also applaud Congresswoman TERRI SEWELL for introducing H.R. 4, the John R. Lewis Voting Rights Advancement Act, which was ultimately incorporated into this measure. I urge all Members to join me in honoring the legacy of our beloved colleague, the late John Lewis—who shed his blood to secure passage of the Voting Rights Act—by supporting this vital legislation.

Make no mistake, we are at a critical juncture in our Nation's history. The House faces a stark choice with this vote—protect democracy or let it die.

Madam Speaker, as Chair of the Judiciary Subcommittee on Crime, Homeland Security, and Terrorism, and a senior member of the Homeland Security, and Budget Committees, I rise in strong support of the rule governing debate for the Senate Amendment to H.R. 5746, the ''Freedom to Vote: John R. Lewis Act.''

We are here tonight because we must act.

On August 6, 1965, in the Rotunda of the Capitol President Johnson addressed the Nation before signing the Voting Rights Act—considered the most effective civil rights statute ever enacted by Congress:

''The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.''

This bill is the result of tireless work and compromise by my colleagues in the House and my colleagues in the Senate.

The signing of the Voting Rights Act came after, in that same year, in Selma, Alabama, hundreds of heroic souls risked their lives for freedom and to secure the right to vote for all Americans by their participation in marches for voting rights on ''Bloody Sunday,'' ''Turnaround Tuesday,'' or the final, completed march from Selma to Montgomery.

Those ''foot soldiers'' of Selma, brave and determined men and women, boys and girls, persons of all races and creeds, loved their country so much that they were willing to risk their lives to make it better, to bring it even closer to its founding ideals.

The foot soldiers marched because they believed that all persons have dignity and the right to equal treatment under the law, and in the making of the laws, which is the fundamental essence of the right to vote.

On that day, Sunday, March 7, 1965, more than 600 civil rights demonstrators, including our beloved former colleague, the late Congressman John Lewis of Georgia, were brutally attacked by state and local police at the Edmund Pettus Bridge as they marched from Selma to Montgomery in support of the right to vote.

''Bloody Sunday'' was a defining moment in American history because it crystallized for the nation the necessity of enacting a strong and effective federal law to protect the right to vote of every American.

However, since the enactment of the Voting Rights Act of 1965, the right to vote has been under constant assault.

The Voting Rights Act was enacted at a time when many African Americans in southern states had been denied the right to vote, and when attempting to register, organize or even assist others in their attempt to register to vote meant risking their jobs, homes, and racial violence.

Prior to the enactment of the VRA, litigation initiated under the Civil Rights Acts of 1957 and 1960 failed to eliminate discrimination in voting because jurisdictions simply shifted to different tactics in order to disenfranchise African Americans.

Nearly fifty-seven years later, we face another turning point in the life of the Nation and for the dignity of men and women and the destiny of democracy.

Although the Supreme Court has described the right to vote as the one right that is preservative of all others, this ''powerful instrument that canbreak down the walls of injustice''—faces grave threats.

The threat stems from the decision issued in June 2013 by the Supreme Court in *Shelby County* v. *Holder*, 570 U.S. 193 (2013), which invalidated Section 4(b) of the VRA, and paralyzed the application of the VRA's Section 5 preclearance requirements.

According to the Supreme Court majority, the reason for striking down Section 4(b) was that ''times change.''

Now, the Court was right; times have changed.

But what the Court did not fully appreciate is that the positive changes it cited are due almost entirely to the existence and vigorous enforcement of the Voting Rights Act, and that is why the Voting Rights Act is still needed.

As Justice Ruth Bader Ginsburg stated in Shelby County v. Holder, ''[t]hrowing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.''

The current Supreme Court majority has simply never understood, or refuses to accept, the fundamental importance of the right to vote, free of discriminatory hurdles and obstacles.

In fact, were it not for the 24th Amendment, I venture to say that this conservative majority on the Court would subject poll taxes and literacy tests to the review standard enunciated in Brnovich v. DNC.

Protecting voting rights and combating voter suppression schemes are two of the critical challenges facing our great democracy.

Without safeguards to ensure that all citizens have equal access to the polls, more injustices are likely to occur and the voices of millions silenced.

And this is exactly what we have seen over this past year.

The polarization of Americans is ever increasing, as seen during the 2020 election through tactics meant to impede the right of certain Americans to vote, such as the removal of mailboxes and the closing of postal stations in order to impede mail-in voting.

After the former president was soundly defeated at the ballot box in what experts unanimously proclaim was the most secure election in history, still the former president and his cronies propagated the Big Lie that the election was illegitimate because it was rife with fraud.

The former president persisted in this specious claim even though, despite ample opportunities to do so, they produced not a scintilla of evidence to persuade any of the 61 state and federal courts that entertained the claims.

But to this has been added reactionary state laws passed or introduced to suppress, abridge, restrict, or deny the right to vote of millions of eligible Americans, particularly persons of color, young persons and persons with disabilities, and working parents, precisely the constellation of persons whose votes determined the outcome of the 2020 presidential election.

In the aftermath of the 2020 election, according to the Brennan Center For Justice, between January 1 and July 14, 2021, at least 18 states enacted 30 laws that restrict access to the vote, some making mail voting and early voting more difficult, others imposing harsher voter ID requirements, and making faulty voter purges more likely.

In total, more than 400 bills with provisions that restrict voting access have been introduced in 49 states in the 2021 legislative sessions.

My home state of Texas is ground zero for this desperate effort to hold back an American future led by the ascendant coalition of young, racially diverse and all other tolerant, imaginative, and innovative voters who became energized and inspired by Barack Obama in 2008 and the belief in a new and just America.

To combat not their ideas but instead their increasing numbers, the Republican legislature and Governor of Texas passed and signed into law SB1, which: bans drive-thru voting, 24–hour voting, and the distribution of mail-in ballot applications; imposes new and extraneous ID requirements for voting by mail; authorizing ''free movement'' to partisan poll watchers, effectively turning them into vote suppression vigilantes; requires monthly checks of voting rolls to facilitate purging unwanted voters; and imposes onerous new rules for voter assistance.

All of this is more than enough to sound the warning bell that we are now engaged, as President Lincoln observed at Gettysburg, in a great contest testing the proposition that this Nation, or any nation conceived in liberty and dedicated to the proposition that all men and women are created equal, can long endure.

This is the present crisis in which we find ourselves and it indeed is soul trying.

But as Thomas Paine wrote on Christmas Eve in 1776:

''The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country; but he that stands by it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we esteem too lightly: it is dearness only that gives everything its value.''

The work for civil rights and voting rights involved tens of thousands of individuals who fought to correct the course of the Nation by setting it on a path of equal rights and justice for all.

The efforts of Dr. Martin Luther King, Ralph Abernathy, Andrew Young, Hosea Williams, Coretta Scott King, and John Robert Lewis, among others, as well as the thousands of foot soldiers in the civil rights movement succeeded in waking the Nation to the idea that change was needed.

The result of their work was the establishment of protections that allowed voters of every race, creed, color, and political belief to cast ballots free of interference or threat.

The blood spilled during these difficult times is not forgotten by the communities that saw and experienced these battles, which is why laws like Texas SB1 cannot go unanswered by the United States House of Representatives and Senate.

To meet the challenge we have been called upon to face and overcome, what is needed is for men and women of courage, conscience, and conviction to step forward and come to the aid of their country by passing the Freedom to Vote: John R. Lewis Act to strengthen the foundation of our democracy upon which all else depends, including the important necessary investments to Build Back Better and mitigate the effects of Climate Change.

I urge all of my colleagues to vote in favor of this rule governing debate of Freedom to Vote: John R. Lewis Act.

□ 1045

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I reserve the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN), my friend and classmate from Houston, Harris County.

Mr. GREEN of Texas. Madam Speaker, and still I rise. Our country has a history of discriminating against people of color and women when it comes to the right to vote.

But that all changed in 1965, when President Lyndon Johnson signed the 1965 Voting Rights Act because, you see, prior to his signing that act, in 1965, there were four Asian Members of Congress. In 2021, there were 21 Members.

There were four Latino Members of Congress. In 2021, 54.

There were six Black Members of Congress. In 2021, 60.

And there were 18 women in Congress in 1965, and in 2021, there were 147.

We must restore the Voting Rights Act and protect democracy.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I continue to reserve the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, at this time in the interest of time, I yield 30 seconds to the gentleman from Texas (Mr. ALLRED), my friend from Dallas, who represents the 32nd Congressional District.

Mr. ALLRED. I thank the gentleman for yielding.

Madam Speaker, this should be a bipartisan vote. The right to vote has been reauthorized, and the Voting Rights Act has been reauthorized overwhelmingly by bipartisan majorities in this House, and unanimously in the Senate.

My constituent, George W. Bush, signed the reauthorization of the Voting Rights Act. But now it is time for us to not just restore the Voting Rights Act, but to make sure that we expand voting rights across the country, to give us a sword and a shield; the shield of the Voting Rights Act to protect the right to vote, to protect changes; and the sword of the Freedom to Vote Act and the expansions that it will provide, to vote by mail, voter registration, and allow every single American to make their voice heard in our elections.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I continue to reserve the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, again, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from North Carolina has 4 minutes remaining.

Mr. BUTTERFIELD. Madam Speaker, I say to the gentleman that I am prepared to close.

Mr. DAVIS is my friend, and I want the world to know that.

I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. The gentleman is also my friend. I appreciate it. I enjoyed the debate and, Madam Speaker, I am prepared to close, if I may.

Madam Speaker, I yield myself the balance of my time.

It is friendships like this with Mr. BUTTERFIELD, that I look around this Chamber and I think we, as Americans, should be celebrating what America is doing right. Look at the diversity of who serves here in the U.S. House of Representatives.

The Voting Rights Act of 1965 was necessary to stop discrimination, and it has worked.

But make no mistake, today's bill is not a voting rights bill. Today's bill, unfortunately, is a bill that leads to lining your own campaign coffers with public funds.

Now, Speaker PELOSI, the Speaker of the House, was here on the floor today. And no matter how many times she says it, that there are no taxpayer funds, it doesn't make it true.

Let me go through it. What happened is, the original H.R. 1 when proposed last Congress did have taxpayer funding of political campaigns, our own campaigns. But now they take the first ever corporate money, through corporate fines. They put it into the Department of the Treasury's laundering machine, and it comes out as part of the Department of the Treasury. Those are not public funds.

Does that mean when you send your check to pay your taxes and it goes to the Department of the Treasury, that those aren't public funds?

Every single person who votes ''yes'' for this bill that is not a voting rights bill is voting to line their own campaign pockets. That is not what the American people want.

Ninety-four percent of Americans said it is easy to vote. We have asked, time and time again, give me one person to show up at a hearing that said that they wanted to vote in the last election and couldn't, not one person has walked through that door. Not one person has showed up on a Zoom call, not one person.

Why in the world do we continue to try to gaslight the American people into thinking that this is about voting rights? This is not about voting rights. This about lining your own campaign coffers.

This is about breaking a tradition in the Senate. This is about taking over and winning elections for one side over the other.

Vote ''no'' on this bill.

I yield back the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, I yield myself as much time as I may consume in order to close.

First of all, Madam Speaker, let me thank the gentleman from Illinois (Mr. RODNEY DAVIS) for his kind words.

When Members of Congress say to each other, ''you are my friend,'' I just want the world to know that we mean that sincerely. Mr. DAVIS and I are genuinely friends. I am the chairman of the subcommittee. He is the ranking member of our full committee, and we have a whole relationship. We respect each other. I thank Mr. DAVIS so much.

And I thank our chair of the full Committee on House Administration, Congresswoman ZOE LOFGREN, who allowed me to manage the floor today. And I want to thank her for her leadership, not only on this committee, but also on the Committee on the Judiciary.

Madam Speaker, this has been a healthy debate. This is the way Congress should work. This is a healthy debate, and I look forward to debate in the Senate. I hope it will start forthwith and conclude on Monday. I look forward to passage in the United States Senate.

Madam Speaker, the choice before the House today is clear. We must protect our democracy.

It is past time for this Congress to act. Historically, we have come together to protect the right to vote. From the Voting Rights Act of 1965, that I remember so well, its subsequent reauthorizations, and various election administration bills, we have protected and expanded the right to vote. And Madam Speaker, we must do that again.

The Voting Rights Act works. Along with Lani Guinier, and Julius Chambers, and Leslie Winner, and Jack Greenberg, of the NAACP Legal Defense Fund, I joined with them in the 1980s and successfully litigated Voting Rights Act cases in North Carolina. The Voting Rights Act works.

Throughout my career, I have witnessed this body come together to ensure all Americans have a voice in this democracy. We must do that again now.

One of our most sacred rights in this country is the right to vote. Indeed, as the Supreme Court observed in Wesberry v. Sanders: ''Other rights, even the most basic''—the most basic—''are illusory if the right to vote is undermined.''

As a Congress, as a Nation, we cannot, we must not tolerate any voter suppression, any voter discrimination of any kind in any State in America.

And so, I respectfully urge all of my colleagues, Democrat and Republican, all 435 of us, I urge all of us to support this bill. Vote ''yes.''

Madam Speaker, I yield back the balance of my time for a vote.

Ms. LOFGREN. Madam Speaker, Throughout our history, we have fought to advance justice and extend the right to vote, to ensure every American can freely and equally participate in our democracy. Chief Justice Earl Warren, in the Supreme Court's Reynolds v. Sims (1964) opinion, wrote that ''[t]he right to vote freely for the candidate of one's choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.''

Even though top experts have repeatedly affirmed that the 2020 election was

the safest and most secure in our Nation's history, Republican lawmakers across the country unleashed a wave of anti-voter and election sabotage laws, which experts predict will only intensify this year, seizing on a defeated president's Big Lie about widespread voter fraud. According to the Brennan Center for Justice, between January 1 and December 7, 2021, at least 19 states passed 34 laws restricting access to voting.

The Freedom to Vote: John R. Lewis Act responds to this assault on our democracy. It includes two pieces of legislation vital to ensuring every American has free, equitable, and secure access to the ballot—the Freedom to Vote Act and the John R. Lewis Voting Rights Advancement Act, versions of which have previously passed the House last year. The John R. Lewis Voting Rights Advancement Act also contains the Native American Voting Rights Act, a bill critical to ensuring the United States upholds its trust obligations and protects the voting rights of Native Americans.

Under this legislation, every voter would be able to vote early or by mail, and would have the option of registering to vote electronically or in-person on any day of early voting or on Election Day. This provides voters with a variety of options that better fit the lives Americans lead in the 21st Century.

The legislation would also unrig the political system by ending partisan gerrymandering. Gerrymandering may be the single biggest contributing factor to the bitter polarization we see today—ending it would be a monumental achievement.

In most states, redistricting is done behind closed doors allowing the majority party to swing the outcome of upcoming elections, preserve the status quo, and ensure years of noncompetitive elections.

The result is a troubling reality in which politicians choose their voters instead of voters picking their elected officials. Sadly, we are seeing this take place now in much of the country during this redistricting cycle, which is giving new opportunities to many of last decade's extreme gerrymanders.

This is not what our Founding Fathers intended. Furthermore, it is counterproductive to a well-functioning democracy.

The Redistricting Reform Act, a bill I wrote and introduced for several Congresses sought to address these unfair redistricting practices. It was included as a component of the For the People Act, which the House passed in this and last Congress, and it is included again, in part, in this landmark piece of voting and elections legislation, the Freedom to Vote: John R. Lewis Act.

The redistricting reforms in the Freedom to Vote: John R. Lewis Act require that the congressional redistricting plans enacted during this redistricting cycle, and going forward, are drawn using specific criteria that, among other things, allow for coalition districts, expanded Section two Voting Rights Act protections, and protection of communities of interest.

The bill also sets out judicial remedies where states fail to comply with the requirements of the bill, including a private right of action.

Importantly, the bill prohibits partisan gerrymandering, and in response to the U.S. Supreme Court decision, Rucho v. Common Cause, includes a clear standard for courts to apply in such cases.

Under section 5003(c)(3), plaintiffs may ask a federal court to determine whether a state's plan has triggered a rebuttable presumption that it materially favors or disfavors a political party. A court's determination on whether to apply the presumption is intended to be quick and straightforward. The bill includes a formula directing courts to assess the partisan makeup of the new redistricting plan by referring to a specific set of previous statewide elections.

Using the results of the partisanship assessment, a court must then apply one or more standard quantitative measures of partisan fairness. Currently, the only available measure that meets the description provided in the text is the simplified efficiency gap, a well-known measure in the field of political science. As confirmed by political scientists, other existing quantitative measures do not qualify because none of them calculate a benchmark share of seats based on a party's share of the statewide vote and measure the difference between that benchmark and actual expected seat share.

However, the study of how best to measure partisan gerrymandering is evolving and the bill accounts for that: if a new measure that meets the definition in the bill is created and becomes ''standard'' in the field of political science, courts would be permitted to rely on that measure when applying the rebuttable presumption test. Of course, any non-standard measure that has been prepared principally for litigation may not be used.

The rebuttable presumption test provides states with some leeway, and it will not lead to invalidation of every state plan with a partisan lean. A plan will be enjoined under section 5003(c)(3) only if, in 2 or more of the 4 historical elections assessed, it results in partisan advantage or disadvantage in excess of 7 percent or one congressional district, whichever is greater.

The simplified efficiency gap may be measured using seat share or percentage, which is why a plan may be measured by both the 7 percent and 1 congressional district limit. To convert ''one congressional district'' into a percentage applicable to a given state, a court must simply divide the number 1 by the total number of congressional districts in a state. Thus, in a state with 9 congressional districts, the efficiency gap limit would be 1/9, or 11.11 percent. The 11.11 percent limit would apply because 11.11 percent is greater than 7 percent. However, in a state with fifteen congressional districts, the partisan advantage limit set by the law would be 7 percent, because 1 district equals 6.66 percent of the state's 15 districts, and 7 percent is greater than 6.66 percent.

Notably, the prohibition on partisan advantage ''in excess of' one congressional district should not be read to exempt plans with a partisan advantage falling between 1 and 2 congressional districts. Looking at a state with 12 districts, a plan with a simplified efficiency gap of 9 percent would trigger the rebuttable presumption because 9 percent of twelve districts equals 1.08 districts.

These redistricting reform provisions in the Freedom to Vote: John R. Lewis Act would have a significant impact both in mitigating this decade's gerrymandering and in helping to ensure the racial fairness of maps by eliminating partisanship as a defense for skewed maps.

Ms. JOHNSON of Texas. Madam Speaker, right now, our Nation is at a crossroads.

As we speak, the sacred right to vote—the fundamental pillar on which our Nation was built on—is under attack.

That's why I rise today in strong support of H.R. 5746, the Freedom to Vote: John R. Lewis Act. This bill—itself a result of prolonged and spirited deliberation between the House and the Senate—will if enacted serve as a safeguard for our democracy for generations to come.

Let me be clear: every American must have the opportunity to make their voices heard and their votes counted. This is an issue with no middle ground—when the voice or the vote of one is suppressed, so be it for us all.

We have seen no better example of the attack on voting rights than in my home state of Texas. Initiatives like SB. I have sought to undermine the right to vote freely, fairly, and safely for people across the state—especially those in minority and underserved communities. We have and must continue to fight these archaic and discriminatory laws, and today is a step in the right direction.

I would also be remiss if I didn't point out that we are using a bill from the Science, Space, and Technology Committee, which I chair, to advance this legislation. Our Committee has traditionally focused on the issues of the future—items such as scientific research, space exploration, and technological innovations. That is why it is fitting that the House Leadership chose one of our bills to guarantee that the United States Senate would debate the future of our democracy.

Madam Speaker, simply put, we can no longer afford the cost of inaction on this issue. I urge my colleagues in both the House and Senate to support this legislation so that we can meet the urgency of the moment.

Mr. AGUILAR. Madam Speaker, I include in the RECORD the following letters of support for the Senate Amendment to H.R. 5746.

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL–CIO,
January 13, 2022.

DEAR REPRESENTATIVE: On behalf of the American Federation of Government Employees, AFL–CIO (AFGE) which represents

over 700,000 federal and District of Columbia employees I write to urge you to pass the Freedom to Vote: John R. Lewis Act which combines key provisions of the Freedom to Vote Act and the John R. Lewis Voting Rights Advancement Act.

It is crucial for Congress to restore key provisions of the 1965 Voting Rights Act that were wrongly invalidated by the 2013 U.S. Supreme Court decision Shelby County v. Holder. These provisions are critical to prevent state and local governments from passing laws discriminating against voters due to their race, ethnicity, or similar factors. Shelby County v. Holder struck the preclearance provision of the 1965 Voting Rights Act, allowing states to implement voting restrictions such as onerous identification requirements, purged voter rolls, elimination of same day voting registration, and limitations of early voting.

The fundamental right of all citizens to vote and participate in the elections process is key to our functioning democracy. Public servants defend and advance this right every day through their work protecting our environment, caring for veterans, and safeguarding our country. Voting rights restrictions have a direct impact on federal workers. A 2010 article in the Social Sciences Quarterly stated that public sector voting turnout was two to three percent higher than private sector union households. Voters who favor a strong federal government and recognize the contributions of the federal workforce are more likely to show that support when they cast a ballot.

AFGE is a full and active partner in the traditional alliance between the civil rights and workers' rights movement. As such we are actively engaged in efforts to protect the right to vote and to have all votes counted, in protection against discrimination in the workplace, and enforcement of justice everywhere.

The preclearance section of the Voting Rights Act blocked discriminatory voting changes before implementation. Fifty-three percent of the states covered by the preclearance requirements imposed because of past discrimination had passed or implemented voting restrictions that disenfranchised tens of thousands of voters. Immediately following the Supreme Court's decision in Shelby County v. Holder, striking the preclearance provision of the Voting Rights Act, states previously subject to preclearance (Texas, Alabama, and North Carolina) implemented restrictive identification requirements, purged voter rolls, eliminated same day voting registration and limited early voting. AFGE opposes denying the ballot to any eligible voter.

Voting rights restrictions have a direct impact on federal workers. Statistics from the American National Election Studies indicate that union household turnout is 5.7 percent higher than that of nonunion households, and as noted above, public employees vote in greater numbers. Voters who favor a strong federal government and recognize the contributions of the federal workforce are more likely to show that support when they cast a ballot. Allowing new voting restrictions by states trying to limit legitimate voters from exercising their rights affect federal employees. These new limitations cloaked in unsubstantiated claims of ''ballot protection'' include limiting polling places and locations for casting early ballots, banning provision of drinking water to voters waiting in line and imposing onerous restrictions on absentee voting. Federal workers report for duty 24 hours a day, seven days a week. They count on utilizing voting options to exercise their patriotic right to vote.

AFGE calls on the House to pass the Freedom to Vote: John R. Lewis Act. For questions, please contact Fiona Kohrman.

Sincerely,

EVERETT B. KELLEY,
National President.

JANUARY 13, 2022.

DEAR REPRESENTATIVE: On behalf of the members and officers of the Communications Workers of America (CWA), I am writing in strong support of the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote and John R. Lewis Voting Rights Advancement Act, which will ensure that voters can safely and freely cast their ballots, protect against election sabotage, stop partisan gerrymandering, and limit the influence of dark money in politics so that billionaires can't buy elections.

Nineteen states enacted 34 new laws that restrict access to the ballot box in 2021 alone and more are under consideration today. States are passing racially-gerrymandered maps that dilute the power of Black and Brown voters. This legislation would fight back against all these attacks, ensure the ability for every American to participate in safe, accessible, and transparent elections and restore political power to America's working families.

These pieces of legislation are major step forward and our democracy cannot afford to wait any longer for these crucial changes. I strongly urge a majority vote in favor of these historic pieces of legislation and oppose any amendments that would undermine the bill's protections. CWA will include votes related to consideration of this bill in our Congressional Scorecard.

Thank you for your consideration.

Sincerely,

DAN MAUER,
Director of Government Affairs, Communications Workers of America (CWA).

AFT,
January 13, 2022.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.7 million members of the American Federation of Teachers, and the millions of American children and families we serve, I write in strong support of the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act. This bill will ensure that voters can safely and freely cast their ballots, protect against election sabotage, stop partisan gerrymandering, and limit the influence of dark money in politics.

The need to prevent voter subversion while re-establishing and strengthening the protections of the Voting Rights Act of 1965 is more pressing than ever before. The country also has a right to see where all its representatives stand on the fundamental right of the people to decide who represents us in the halls of power.

H.R. 5746 combines provisions from the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act. The Freedom to Vote Act would enable the most comprehensive voting reform in decades. It would establish rules for federal elections; require automatic registration of any eligible voter, making voting easier and more accessible; prohibit harassment and intimidation of election workers; ban partisan gerrymandering; strengthen election cybersecurity; better defend elections from foreign interference; and provide vital funding for elections. The John Lewis Voting Rights Advancement Act would restore long-established federal voting rights protections and prevent new state voter suppression measures from being enacted.

In 2021 alone, 19 states enacted 34 new laws that restrict access to the ballot box, and more are under consideration today. Candidates are running for top election offices peddling Donald Trump's ''big lie.'' States are passing racially gerrymandered maps that dilute the power of Black and Latino voters. This legislation would fight back against all these attacks and ensure the ability of every American to participate in safe, accessible and transparent elections. If we care about our democracy and our way of life, we can no longer sit idly by. H.R. 5746 will ensure the right to vote is protected for all Americans.

The late Rep. John Lewis once said, ''The vote is precious. It is almost sacred. It is the most powerful nonviolent tool we have in our democracy.'' Protecting our democratic principles is patriotic, not partisan. Our responsibility as citizens is not just to vote, it is to stand up so that everyone who is eligible can vote and every vote is counted. The bedrock of American democracy is participation at the ballot box for all, no matter their religion, their race, their income, their gender, their age, where they come from, what state they reside in or their ZIP code. The procedures of a democratic institution should help preserve, not undermine, the principles of our democracy.

I urge you to take the steps needed to pass H.R. 5746 without any delay. Thank you for considering our views on this important matter.

Sincerely,

RANDI WEINGARTEN,
President, American Federation of Teachers.

Mr. BUTTERFIELD. Madam Speaker, I include in the RECORD the following letters of support for the Senate Amendment to H.R. 5746.

NATIONAL URBAN LEAGUE,
New York, NY, January 13, 2022.

DEAR REPRESENTATIVE: As President and CEO of the National Urban League, and on behalf of its 91 affiliates in 37 states and the District of Columbia, I am writing to express our strong support for the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act, as it is considered in the House and Senate in the coming days. As a historic civil rights organization dedicated to ensuring that all people are able to exercise their fundamental right to vote, we stand with our fellow civil rights organizations in supporting this bill.

The Freedom to Vote: John R. Lewis Act will ensure that voters can safely and freely cast their ballots, protect against election sabotage, stop partisan gerrymandering, and limit the influence of dark money in politics. In 2021 alone, 19 states have enacted 34 new laws that suppress the right to vote for all Americans and more are under consideration today. In addition, states are pursuing manipulative redistricting effoits which discriminate against and dilute the representation of Black and Brown voters. This legislation would fight back against these attacks and ensure the ability for every American to participate in safe, accessible, and transparent elections.

Our organization fully endorses this bill, which responds to the current needs of this nation in the fight for voting rights, and urges you to support this legislation. For more information, please contact Yvette Badu-Nimako, Senior Director for Judiciary, Civil Rights and Social Justice.

Sincerely,

MARC H. MORIA,
President and Chief Executive Officer, National Urban League.

FAIR FIGHT ACTION,
January 13, 2022.

DEAR REPRESENTATIVE: We write in strong support of the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act, which will ensure that voters can safely and freely cast their ballots, protect against election sabotage, and stop partisan gerrymandering. This bill is critical to mitigating the harmful effects of extreme anti-voter bill SB 202, which passed in the Georgia legislature in 2021 and will severely restrict voting access for countless eligible Georgia voters.

Georgia is just one of 19 states that enacted 34 new laws that restrict access to the ballot box in 2021 alone. Just four days into Georgia's 2022 session, anti-voter legislators are already attempting to prohibit drop boxes entirely. In Georgia and in states across the country, carryover bills from 2021—including bills that would ban no-excuse vote by mail and end automatic voter registration—are still active. What's more, candidates are running for top election offices peddling the Big Lie. We must stem the tide on this insidious erosion of our democracy. Black and brown voters in Georgia and across the country are looking to Senators to stand on the right side of history by voting yes on the Freedom to Vote: John R. Lewis Act. This legislation would fight back against these attacks and ensure the ability for every American to participate in safe, accessible, and transparent elections.

Our organization fully endorses this bill and urges you to support this legislation.

Sincerely,

FAIR FIGHT ACTION.

THE LEADERSHIP CONFERENCE,
Washington, DC, January 13, 2022.

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we write in strong support of the Freedom to Vote: John R. Lewis Act.

This legislation fills a distinct and critical role in combatting barriers to voting and protecting our democracy. Every American should be able to rely on a baseline level of voting access, free from obstacles to the voting booth or attempts to dilute or nullify their votes. Only passage of the Freedom to Vote: John R. Lewis Act can make this aspiration a reality. We urge you to move swiftly and pass this legislation.

For far too long, our elections have been undermined by practices and tactics intended to undercut the power and representation of African Americans, Latinos, Asian Americans and Pacific Islanders, Native Americans, people with disabilities, and other communities historically excluded from our political process. The Freedom to Vote: John R. Lewis Act is a comprehensive package that would address these barriers, including by establishing uniform national standards for elections and restoring essential provisions of the Voting Rights Act of 1965.

The Freedom to Vote: John R. Lewis Act would set a basic federal foundation for voting access for all Americans. It would require states to modernize voter registration by instituting automatic and same-day registration, protecting against discriminatory purges, allowing all voters to request mail ballots, and ensuring voters have access to early voting. The legislation would also permit voters who lack photo identification to use a variety of documents to establish their identity, restore voting rights to citizens with past convictions once they complete any term of incarceration, and prevent state election subversion.

Moreover, the bill would also ban partisan gerrymandering and ensure protections in the redistricting process for communities of color and people who speak a primary language other than English. These reforms will make it easier for everyone to vote—and virtually all of them address barriers that disproportionately affect Black, Latino, Asian, and Native American voters and voters with disabilities and are modeled after reforms that have been successfully implemented in multiple states.

The Freedom to Vote: John R. Lewis Act would stop most of the worst anti-voter measures that some lawmakers are proposing and passing in states across the country. For instance, the bill would eliminate efforts to roll back early voting by ensuring states offer at least two weeks of early voting, including on nights and weekends. Furthermore, the legislation would require that provisional ballots are counted within a county and create a minimum standard for secure drop boxes, as well as establish Election Day as a federal holiday. By providing a baseline set of national voting rules that every American can rely on, the bill protects all Americans, including voters of color, against efforts to manipulate those rules. In addition, it includes much-needed protections for groups including students, voters with disabilities, and military and overseas voters.

The legislation would also restore the essential provision of the Voting Rights Act that prevents the adoption of discriminatory voting practices before they go into effect by establishing a transparent process for protecting the right to vote. In addition, it will restore and strengthen other provisions of the Voting Rights Act to help bring down the barriers erected to silence Black, Brown, and Native people; young voters; people with disabilities; and new Americans and ensure everyone has a voice in the decisions impacting our lives. Finally, the bill includes the Native American Voting Rights Act, which protects voting rights for Indigenous communities who face myriad unique challenges to fully participating in our democracy.

The Voting Rights Act was passed with leadership from both the Republican and Democratic parties, and the reauthorizations of its enforcement provisions were signed into law each time by Republican presidents: President Richard Nixon in 1970, President Gerald Ford in 1975, President Ronald Reagan in 1982, and President George W. Bush in 2006. For more than half a century, protecting citizens from racial discrimination in voting has been bipartisan work.

CONCLUSION

In 1965, Congress passed the Voting Rights Act to outlaw racial discrimination in voting, and it became our nation's most successful and consequential civil rights law. Previously, many states barred Black voters from participating in the political system through literacy tests, poll taxes, voter intimidation, and violence. By outlawing the tests and devices that prevented people of color from voting, the Voting Rights Act and its prophylactic preclearance formula put teeth into the 15th Amendment's guarantee that no citizen can be denied the right to vote because of the color of their skin.

For decades, Congressman John Lewis implored his colleagues in Congress to realize the promise of equal opportunity for all in our democratic process. When President Lyndon Johnson signed the Voting Rights Act, he declared the law a triumph and said, ''Today we strike away the last major shackle of . . . fierce and ancient bonds.'' But 56 years later, the shackles of white supremacy still restrict the full exercise of our rights and freedom to vote. Before his death, Congressman Lewis wrote: ''Time is of the essence to preserve the integrity and promises of our democracy.'' It is long past time for Congress to realize the promise of democracy for all and support the Freedom to Vote: John R. Lewis Act. If you have any questions or need additional information, please contact Jesselyn McCurdy.

Sincerely,

WADE HENDERSON,
Interim President and CEO.
JESSELYN MCCURDY,
Executive Vice President for Government Affairs.

Mrs. LAWRENCE. Madam Speaker, on the cusp of celebrating Dr. Martin Luther King, Jr.'s birthday, this Congress has an important decision to make. Will we stand to protect voting rights or will we hide behind voter suppression laws? Will we protect the fundamental right to vote or will we undermine it? This is an easy decision to make, and I know where I stand—to protect the right to vote. Now is the time for action. Now is the time for Congress to pass the Freedom to Vote John R. Lewis Act to the President's desk. As Dr. King said, ''The time is always right to do what is right.'' And that time is now.

Mr. SARBANES. Madam Speaker, I include in the RECORD the following letters of support for the Senate Amendment to H.R. 5746.

DECLARATION FOR
AMERICAN DEMOCRACY,
January 13, 2022.

DEAR REPRESENTATIVE: I write on behalf of the Declaration for American Democracy, a coalition of over 240 organizations, to express our strong support of the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act, which will ensure that voters can safely and freely cast their ballots, protect against election sabotage, stop partisan gerrymandering, and limit the influence of dark money in politics so that billionaires can't buy elections.

Nineteen states enacted 34 new laws that restrict access to the ballot box in 2021 alone and more are under consideration today. Candidates are running for top election offices peddling the Big Lie. States are passing racially-gerrymandered maps that dilute the power of Black and Brown voters. This legislation would fight back against all these attacks and ensure the ability of every American to participate in safe, accessible, and transparent elections.

Our organization fully endorses this bill and urges you to support this legislation.

Sincerely,

JANA MORGAN,
Director, Declaration for American Democracy.

COMMON CAUSE,
Washington, DC, January 13, 2022.

Re Common Cause Urges ''Yes'' Vote on the Freedom to Vote: John R. Lewis Act; Will ''Score'' Vote in our Next Democracy Scorecard

DEAR REPRESENTATIVE: On behalf of Common Cause's more than 1.5 million members, we write in strong support of the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act, which will ensure that voters can safely and freely cast their ballots, repair and strengthen the Voting Rights Act, protect against election sabotage, stop partisan and racial gerrymandering, and limit the influence of dark money in politics so that billionaires can't buy elections. We will score this vote in our next Democracy Scorecard, which we send to our 1.5 million members and to the press.

Last year, nineteen states enacted 34 new laws that restrict access to the ballot box, and as state legislatures begin new sessions this year, many more anti-voter bills are under consideration. States are passing gerrymandered maps that dilute the power of Black and Brown voters. And billionaires, special interests and dark-money groups continue to try to buy elections and drown out the voices of everyday Americans. This legislation would fight back against all these attacks and ensure the ability for all Americans to have their voices heard and to participate in safe, accessible, and transparent elections.

It is essential that this legislation pass as expeditiously as possible.

We strongly urge a ''yes'' vote on the Freedom to Vote: John R. Lewis Act.

Sincerely,

KAREN HOBERT FLYNN,
President, Common Cause.

PEOPLE FOR THE AMERICAN WAY,
Washington, DC, January 13, 2022.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: Throughout our nation's history, we have worked to build a more inclusive and representative democracy. This is our generation's moment. On behalf of our 1.5 million supporters nationwide, People For the American Way writes in strong support of the House amendment to the Senate amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act, which would help return power to the American people.

When the ''Conscience of Congress'' John Lewis passed away in 2020, he was still fighting to restore what the Voting Rights Act lost in Shelby County in 2013. Congressman Lewis supported the restorative Voting Right Advancement Act that now bears his name, and he wrote the Voter Empowerment Act to advance pro-voter measures and accountability supports. Those measures, and more, now comprise much of H.R. 5746. The bill also addresses the devastating 2010 Supreme Court decision in Citizens United that unleashed a massive uptick in outside, often secret, political spending. It is designed to advance campaign finance reform—restoring balance and transparency and guarding against foreign interference. Finally, the new H.R. 5746 language recognizes the dangers of political power grabs over election administration and the importance of ethical public service.

Our broken democracy has rendered us unable to fully address important substantive priorities for the American people. Right these wrongs by supporting the House amendment to the Senate amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act.

Sincerely,

MARGE BAKER,
Executive Vice President.

OUR MARYLAND,
January 13, 2022.

DEAR REPRESENTATIVE: Our Maryland represents more than 54,000 online followers and 14,000 subscribers promoting a just and sustainable future for all Marylanders,

We write in strong support of the House Amendment to the Senate Amendment to H.R. 5746, the Freedom to Vote: John R. Lewis Act, which will ensure that voters can safely and freely cast their ballots, protect against election sabotage, stop partisan gerrymandering, and limit the influence of dark money in politics so that billionaires can't buy elections.

Nineteen states enacted 34 new laws that restrict access to the ballot box in 2021 alone and more are under consideration today. Candidates are running for top election offices peddling the Big Lie. States are passing racially-gerrymandered maps that dilute the power of Black and Brown voters. This legislation would fight back against all these attacks and ensure the ability for every American to participate in safe, accessible, and transparent elections.

Our organization fully endorses this bill and urges you to support this legislation.

Sincerely,

LARRY OTTINGER,
President.

JANUARY 13, 2022.

DEAR REPRESENTATIVE: We write in strong support of H.R. 5746, the Freedom to Vote: John R. Lewis Act. Our democracy is at an inflection point. The right to vote, and by extension to a free and fair election, is under the gravest threat in a generation. This reality makes it all the more critical that the House pass the Freedom to Vote: John R. Lewis Act as expeditiously as possible. The Act will ensure that voters can safely and freely cast their ballots, protect against election sabotage, stop partisan gerrymandering, and limit the influence of dark money in politics so that billionaires can't buy elections.

The situation is dire. Nineteen states enacted 34 new laws that restrict access to the ballot box in 2021 alone and more are under consideration today. Candidates are running for top election offices peddling the Big Lie that the 2020 election was stolen. States are passing racially-gerrymandered maps that dilute the power of Black and Brown voters. This legislation would fight back against all these attacks and ensure the ability for every American to participate in safe, accessible, and transparent elections. It would also take crucial steps to combat the corrosive influence of money in politics.

CREW fully endorses and urges you to support this legislation.

Sincerely,

Citizens for Responsibility
AND ETHICS IN WASHINGTON.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 868, the previous question is ordered.

The question is on the motion by the gentleman from North Carolina (Mr. BUTTERFIELD).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 203, not voting 10, as follows:

[Roll No. 9]

YEAS—220

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown (MD)
Brown (OH)
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—203

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carey
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Ellzey
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)

Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Obernolte
Owens
Palazzo
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—10

Cartwright
Cline
Green (TN)
Higgins (LA)
McClintock
Palmer
Rogers (AL)
Rutherford
Webster (FL)
Williams (TX)

□ 1125

Mr. GONZALEZ of Ohio changed his vote from ''yea'' to ''nay.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GREEN of Tennesse. Madam Speaker, had I been present, I would have voted "nay" on rollcall No. 9.

Mr. CLINE. Madam Speaker, I am not recorded because I was absent due to illness. Had I been present, I would have voted "nay" on rollcall No. 9.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Ross)
Auchincloss (Clark (MA))
Barragán (Beyer)
Bass (Cicilline)
Bera (Kilmer)
Blumenauer (Beyer)
Bonamici (Kuster)
Boyle, Brendan F. (Gallego)
Brooks (Moore (AL))
Brownley (Kuster)
Bush (Bowman)
Cárdenas (Soto)
Casten (Underwood)
Castor (FL) (Soto)
Chu (Clark (MA))
Cleaver (Davids (KS))
Cohen (Beyer)
Cooper (Clark (MA))
Crawford (Stewart)
Crenshaw (Sessions)
Crist (Soto)
Cuellar (Correa)
DeFazio (Brown (MD))
DeGette (Blunt Rochester)
DelBene (Kilmer)
DeSaulnier (Beyer)
Doggett (Raskin)
Doyle, Michael F. (Connolly)
Evans (Mfume)
Frankel, Lois (Clark (MA))
Gaetz (Boebert)
Garamendi (Sherman)
Gohmert (Weber (TX))
Gomez (Gallego)
Gonzalez, Vicente (Correa)
Grijalva (García (IL))
Hagedorn (Carl)
Herrera Beutler (Moore (UT))
Hudson (McHenry)
Jacobs (NY) (Garbarino)
Jayapal (Raskin)
Johnson (TX) (Jeffries)
Kahele (Case)
Katko (Meijer)
Kim (CA) (Steel)
Kim (NJ) (Pallone)
Kind (Connolly)
Kinzinger (Meijer)
Kirkpatrick (Pallone)
Lamborn (McHenry)
Langevin (Lynch)
Lawson (FL) (Soto)
Lee (CA) (Khanna)
Leger Fernandez (Clark (MA))
Lieu (Beyer)
Lofgren (Jeffries)
Lowenthal (Beyer)
Mace (Timmons)
Maloney, Carolyn B. (Wasserman Schultz)
Maloney, Sean Patrick (Jeffries)
McCaul (Ellzey)
McEachin (Wexton)
Meng (Kuster)
Moore (WI) (Beyer)
Moulton (Beyer)
Nadler (Pallone)
Napolitano (Correa)
Nehls (Babin)
Ocasio-Cortez (Bowman)
Panetta (Kildee)
Payne (Pallone)
Pingree (Cicilline)
Pocan (Raskin)
Porter (Wexton)
Pressley (García (IL))
Price (NC) (Connolly)
Reed (McHenry)
Reschenthaler (Armstrong)
Roybal-Allard (Correa)
Ruiz (Aguilar)
Ruppersberger (Trone)
Rush (Kaptur)
Salazar (Mast)
Schrier (Spanberger)
Sires (Pallone)
Smucker (Keller)
Speier (Escobar)
Stansbury (Jacobs (CA))
Stanton (Levin (CA))
Suozzi (Raskin)
Swalwell (Gallego)
Titus (Connolly)
Tlaib (Khanna)
Torres (NY) (Cicilline)
Vargas (Correa)
Vela (Correa)
Waltz (Mast)
Waters (Takano)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Cicilline)

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 4394

Mr. CALVERT. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 4394, a bill originally introduced by Representative Nunes of California, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

□ 1130

LEGISLATIVE PROGRAM

(Mr. SCALISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCALISE. Madam Speaker, I rise for the purpose of inquiring of the majority leader the schedule for next week.

Madam Speaker, I yield to my friend, the gentleman from Maryland (Mr. HOYER), the majority leader of the House.

Mr. HOYER. Madam Speaker, I thank Mr. SCALISE for yielding.

Madam Speaker, on Tuesday the House will meet at 12 p.m. for morning hour and 2 p.m. for legislative business with votes postponed, as usual, until 6:30 p.m.

On Wednesday and Thursday, the House will meet at 10 a.m. for morning hour and 12 p.m. for legislative business.

And again, as usual, on Friday the House will meet at 9 a.m. for legislative business.

The House, Madam Speaker, will consider Senate 2959, the Supplemental Impact Aid Flexibility Act under suspension of the rules. This bill passed the Senate unanimously. It is on suspension in the House. It is coauthored by Representative JOE COURTNEY of the House.

This bipartisan legislation allows local educational agencies participating in the Impact Aid Program to use the student count or Federal property valuation data from their fiscal year 2022 program applications for their fiscal year 2023 applications.

This, Madam Speaker, will prevent schools from losing substantial funding upon which they have relied to address COVID–19 learning loss by giving them more flexibility to use prepandemic data to calculate funding needs.

The House may consider other bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business tomorrow.

The House will also consider H.R. 4673, the EVEST Act sponsored by Chairman MARK TAKANO of the Veterans' Affairs Committee, the rule for which we adopted this week.

This legislation would automatically enroll eligible veterans into the VA healthcare system so that no veterans are left behind when it comes to receiving quality, affordable healthcare.

Lastly, Madam Speaker, the House stands ready to act on the Build Back Better Act, as well as the Freedom to Vote: John R. Lewis Act should the Senate amend them and send them back to us.

Additional legislative items, of course, are possible.

Mr. SCALISE. Madam Speaker, on the school bill, I know one of the big concerns many people have been raising is trying to get schools open again.

Last week it was reported that 5,200 different schools were closed last week. And I know this Congress has sent billions of dollars to school systems across the country. The intent was that that money be used to get schools opened, and yet, there are some schools taking the money and staying closed, which goes against all the medical science out there. We know the damage this is doing to our young children, learning, depression, and so many other challenges that it creates for them.

Will there be any part of that legislation that helps require that in order to get money schools have to be open?

Madam Speaker, I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, because I don't have it in front of me, and I haven't read it as carefully as perhaps I should have, I don't know the specific answer to that question.

What I do want to say, however, is that we need to have kids in school. Everybody says that the learning experience is substantially compromised by virtual learning. It is better than nothing, and it has been pursued very vigorously and with great positive effect.

But having said that, we all think that young people ought to be back in schools. But I don't know whether this bill, which passed the Senate unanimously, deals with that particular aspect that the gentleman asked about. But let me say this: I think that every school system has adopted the premise that in school is better.

Clearly, we have been assaulted by a virus whose transmissibility is substantially more than the previous virus, the delta variant. The omicron variant, as we know, one of the problems is it is easily caught and easily transmitted.

The good news is if you have taken a vaccination and had a booster, the likelihood of you going to the hospital is much smaller, and if you go to the hospital, you are much less sick. But having said that, we continue to have a challenge to get this under control. And the administration, properly so, and the overwhelming majority of the medical community, properly so, and the overwhelming majority of scientists are recommending that we wear a mask, that we wear a KN95 or N95 mask because they are much better than the surgical masks or the cloth masks, that we continue to wash our hands regularly, and we continue to keep our distance.

But the gentleman and I agree that we need to ensure that—to the extent that it is possible and that parents will send their children to school because of being dissuaded by the transmissibility of this disease—we need to have kids in school.

Mr. SCALISE. Madam Speaker, I appreciate that. Maybe we can work on something that would ensure that as tax dollars are going to school systems that it is going to keep the schools open, not to allow them to then shut down on the kids because, as we know, the science is very clear that kids are much better off in school, safer in school than not being in school, and that the learning experience is dramatically less if they are not in school, as well as the mental conditions, the social development that is not occurring if they are not in the classroom.

Mr. HOYER. Will the gentleman yield?

Mr. SCALISE. I yield to the gentleman from Maryland.

Mr. HOYER. Madam Speaker, I think everybody is concerned about this. Certainly, every parent in my district and your district is concerned about this, and anybody who is concerned about the welfare of our children is concerned about it.

But I think it would be appropriate for me to say that the teachers of America—and my wife was a teacher, and I happen to believe that teachers are the most important people in any society because they educate the leadership and the citizens of tomorrow—have been put to an extraordinary challenge.

And I have a granddaughter who has four children, so I have four great-grandchildren, three of whom are in school and were in school in 2020 and 2021. And Judy, my granddaughter, who is named after my wife, has told me on numerous occasions what extraordinary ends her children's teachers—there were three different teachers at different levels in the school system—went to make sure that while they were home, while they were learning virtually that they had a positive, productive experience. But all of them felt, I think, it is a lot easier to have kids in school if they can do so safely. I think that bears saying.

Like medical personnel, teachers have been put through extraordinary stress, as have parents generally have been put through stress.

So I think the gentleman's concern is rightfully placed, and we need to do everything we can to make sure kids get back in school and have a learning experience like you and I had in the classroom.

Mr. SCALISE. Madam Speaker, our teachers have been true heroes through this, our frontline hospital workers, people that work at grocery stores; we have seen so many people rising up to the challenge, and even where governments failed their ability to do their job.

I know one challenge that, hopefully, we see resolved in the United States Supreme Court—it won't be today; we were expecting it maybe this week, but, hopefully, early next week we see the Supreme Court resolve these challenges where there were mandates on vaccines that required people to get fired from their job if they chose a healthcare decision on vaccinations.

I have been vaccinated. I know the gentleman from Maryland has too, but for those who haven't, whether they are frontline hospital workers or teachers, people shouldn't be forced to lose their job based on that choice they make. But the Supreme Court will, hopefully, address that and resolve that next week. It is something that is out of our hands now, but it is in the court's hands at the highest level.

Mr. HOYER. Madam Speaker, I understand the gentleman's position, which is held by a number of people.

My own view is that employers make a reasonable decision when they say to an employee—for the sake, not only of the employee but for everybody else in the workplace with whom they work—that you are required to be vaccinated because we believe that science and medical personnel tell us that is a much safer route. But I understand there is a difference on that.

But even then, I know Governors who have been against vaccines are not necessarily against the employer requiring that as an employee requirement as opposed to a governmental requirement.

Mr. SCALISE. And I would hope the government would drop that mandate, but if not, it is hopeful that the Court would make it clear that the government doesn't have the authority to require that people get fired if they don't get vaccinated, encourage people to follow the science. If they have questions or concerns, that is a conversation they should have with their doctor, not a government mandate.

But as the gentleman knows, we may have disagreement on that, but fortunately for us, it will get resolved at the Supreme Court, hopefully, early next week.

I wanted to ask the gentleman since, we are looking at the schedule for next week, I didn't notice any of the bills that we have highlighted in the past that would address some of the many crises our country is facing, whether it is inflation, whether it is high gas prices, whether it is the border crisis—all that are running out of control—the empty shelves that we are seeing at so many stores.

Will the gentleman commit to working with us to bring some of the bills to the floor to address the real crises that are hurting hardworking families like the ones I just mentioned?

Madam Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Madam Speaker, first of all, let me say inflation is a serious challenge confronting American families, particularly working families in this country.

I live alone, and because I am just one person, I buy relatively small amounts of food at the grocery store. And I go to the grocery store nowadays and whether it is the price of bacon, which is at $12 a pound for Hormel or another meat packing, it is high, and I think to myself how a family not doing as well as I am doing and with kids to feed, how tough it is on them. So this inflation is very tough.

It is a worldwide phenomenon. It is a phenomenon that is caused obviously by a pent-up demand asking for a lot of goods and chasing a lot of goods. And elementary economics, that any of us took in college, is that there are a lot of resources chasing few resources, i.e., a lot of money chasing a short supply of goods, and you have that demand so that it drives prices up.

This pandemic has had a global effect on the supply chain. The supply chain has been substantially affected. This was not the fault of, frankly, either Biden or his predecessor in terms of what happened to the supply chain. In Singapore they shut down companies, as you know, for months at a time. They just shut them down, which is one of the things that has led to this chip shortage, which has had ramifications.

So I want to assure the gentleman that the administration, our side of the aisle—I know your side of the aisle is very concerned about the inflationary pressure that is putting such a stress on America's families. This pandemic has caused extraordinary, historic things to happen. That is the bad news.

The good news is we have created more jobs in the last year and 2 months than were created—of course, net we lost jobs for the previous 4 years; over 2 million jobs net lost. So the good news is that we have a number of economic statistics that are, in fact, positive. However, having said that, we do need to be very concerned about inflation. The administration has expressed their concern.

We believe that the infrastructure bill will have a positive impact on inflation, assuming the Build Back Better Act passes, which I assume at some point it will.

□ 1145

I think that is going to have a very positive affect on inflation because it will help the supply chain, help the

health of the people, the employees, it will make people more able to get out. Childcare. It is going to help people get back to work, which will have a positive impact on the supply chain and on the availability of goods and services. So I think we are moving in the right direction.

Unemployment, as the gentleman knows, which is down 3.9 percent. So while inflation is up and unacceptably high, historically high, over the last 4 years, we need to get it down. And we see this phenomena happening all over the world. This is not the fault of the President or the Congress, it is the fault of an extraordinary, invasive, and widespread disease that has caused extraordinary disruptions within our society and economy.

But we need to get a handle on it. We need to take action. So I will talk to the gentleman about what issues he believes would be helpful in that regard.

Mr. SCALISE. Clearly, some of those bills that have been discussed and offered up in the past to address the inflationary problems but also the policies of this administration that have caused that. And as we know from the energy crisis, it is not pandemic related that gas prices are so high. This President made a decision starting on day one of his administration to shut down American energy production, to shut down pipelines in America, green lighting pipelines in other countries, begging foreign countries to make more oil, but shutting off and making it harder to make energy in America.

Clearly, that self-imposed supply shortage has created higher prices that we would love to see addressed. We might disagree philosophically on how to get there, but I don't think there is much disagreement from people who spend over $100 filling their car up that it needs to change. But if you look at the workforce challenges, and every small business owner I talk to—I would imagine all of us could share similar stories—our small business owners are telling us they can't find workers. Somebody might want to go to their favorite restaurant but they are waiting an hour and a half and wondering why a third of the tables are empty, because they can't get people to work.

And so as some might want to look at the unemployment number, clearly the number of people that are not even in the workforce that just stopped working because they can get paid, right now large amounts of money, to stay at home is a challenge that we should confront here in this Congress to help encourage people to get back into the workforce, not to be paying people not to work. And the enhanced unemployment benefits were, one, part of that problem, but there were many other parts of that problem.

But it is the idea that there are too many dollars, as the gentleman said, chasing too few goods is the driver of inflation, but the biggest driver of that is all of the money that has been spent in Washington. And if you look at about $6 trillion that has been spent on various relief packages—some of it was targeted to COVID, which we all supported, very bipartisan, some of it had nothing to do with COVID which, unfortunately, has created higher inflation—there is talk right now that the administration—and I am not sure if the Democratic leadership is having serious conversations on this—is looking at yet another bill, potentially over a trillion dollars of additional spending.

I would ask the gentleman, is that something that is anticipated to be brought to the floor? I would urge, if that is being looked at, to not do it because there is about $800 billion remaining from other relief packages that are unspent. And hopefully we stop the spending in Washington that is driving inflation and try to encourage the economy to get opened at a more rapid pace. And if people need additional help, to look to the money that is sitting there, the $800 billion that is unspent, rather than trillions more dollars that would be put into a marketplace that is already oversaturated with Federal spending that is driving this inflation.

Madam Speaker, I yield to the gentleman.

Mr. HOYER. Madam Speaker, I thank the gentleman. Of course, as you know better than probably anybody, the Speaker appointed a task force to look exactly at that issue of the $800 billion and what has been done, what has been spent to make sure that it has been properly spent, because you are the ranking member on the committee headed up by JIM CLYBURN that is looking at those issues. I know you had a hearing this past week.

Yes, we have a difference of opinion. The difference of opinion, you call it spending, I call it investment. We are investing in our children. We are investing in our families. We are investing in small businesses. We are investing in growth and opportunity. And we are investing in the ability of those folks that you talk about that are not in the workforce, the restaurant can't hire. Why can't they hire them? Because they are not paying sufficient amount to justify a mom getting childcare because childcare is so expensive. Or she is caught—or a single dad—is caught in the catch-22 situation. If I go to work, I will earn money but I will pay it all to childcare. If I am going to pay it all to childcare, it is much better for me as a parent to be with my child, if the net result is going to be pretty much a wash.

We are investing in that. We are investing in childcare in the Build Back Better Act. We are investing in early childhood education, three- and four-year-olds. We believe that is investment. And it also is very important for that small business so that that mom or dad who has that child who is then going to go and be in a preschool environment can have time to themselves so that they can, in fact, pursue employment without simply putting it from one pocket to another pocket, none of which is their pocket.

So the difference, I think, really is you look at it as spending, we look at it as investment. We think it will have big, big return for our country. And that is what Build Back Better is about. The building back better you say it was not related to the pandemic. It clearly was related to the pandemic. The pandemic hit us in the gut. It hit everybody throughout the world in the gut. We have recovered better than anybody else in the world. And that is because we invested, sometimes in a bipartisan way, and sometimes in a partisan way, but we invested in our people, in our children, in our families, in our businesses, and in our health, generally of our country and indeed trying to help other parts of the world as well because this is a global pandemic that affects us all.

But I think the real difference is, we perceive this as an investment. We think it will help grow America. I am sure you have heard me talk about, from time to time, the Make It In America agenda. Our investment in both the infrastructure bill and the Build Back Better will have a positive effect on Make It In America.

So we see it, Mr. Whip, as investment. We think it will have a positive effect. We think it is having a positive effect. And as I say, unemployment is down below 4 percent and jobs are up over 6 million over the last 11 months. So that is a good accomplishment. Is it enough? Do we still have people who aren't working for a varied number of reasons, many of which are related to COVID–19?

So we see it as an investment, and I am hopeful the Build Back Better Act will pass and I hope that will have a positive effect not only on, as the President says, the next 5 years, but on the next five generations. So we are continuing to pursue that.

But inflation, which is how we started this discussion, is a problem and we need to deal with it. I would be glad to talk to the gentleman about what he thinks will be helpful to do that. I know part of that is stop spending money. I think if we stop investing money, our country will not get to where it wants to be and where it is now with respect to the rest of the world, leading the rest of the world in terms of economic recovery from the pandemic. We are not there yet but we are going to get there

Mr. SCALISE. I thank the gentleman, and clearly we have a difference on——

Mr. HOYER. Right.

Mr. SCALISE. What the effects of spending trillions of dollars would have. And Build Back Better, as the gentleman brought up, would be about $4.5 trillion of higher taxes, additional spending, things that, by many accounts, would increase inflation even higher; but we will see where the Senate goes on that bill. I am not sure if the gentleman is anticipating bringing

other legislation, the bipartisan bills that we did, to do things like create Operation Warp Speed, which was maybe one of the most successful things government did in reaction to a pandemic in the history of the world, to come up with not one, not two, but now three proven and effective vaccines in less than a year to a virus no one even knew about. It never happened in the history of the world but something that we came together, Republicans and Democrats with President Trump, to achieve a great achievement, something we would sure urge President Biden to build on.

Because President Biden did run with a promise that he would, ''shut down the virus.'' Clearly, he has failed at that. We have asked through a number of different means to have hearings on some of the things we have heard concerns about. And I would start with testing. There was an article recently that the President was presented with a plan in October to come up with about 750 million tests that people could have for COVID at home that would be readily available by Christmas where they, in October, anticipated a resurgence of COVID by December.

It has been reported that the President rejected that plan. We have asked for a hearing into that. For whatever reason, the majority has not agreed to that. Here is a letter I sent to Mr. CLYBURN and Mrs. MALONEY through the Select Subcommittee on Coronavirus, as well as through the Committee on Oversight and Reform. Myself and Ranking Member COMER asked to have a hearing into some of these things, the testing failures that were reported. If they are true, we ought to hear about them. If they are false, the administration ought to be pointing that out. They have not, which tells me they must be true. But then why in October would the President have rejected a testing plan that could have prevented us from getting to the place we are at right now with this resurgence?

What about some of the national plans that the President said he had as a candidate that then he later told Governors recently he doesn't have a national plan on COVID. The mixed messaging coming from the administration is causing tremendous confusion across America, and we have asked that we have hearings to clarify, give the administration a chance to state their plan or the lack thereof, state whether or not they rejected a massive testing plan for the Nation in October that would have prevented what happened in December.

The lack of desire by the administration to be transparent about any of this is creating tremendous confusion across the country. This Congress could address that by holding hearings to get the facts out. I know we are going to continue to press for those kinds of hearings. I would hope we have them, but so far we have not gotten any response to the affirmative on that.

I don't know if the gentleman has anything to add. Maybe the gentleman would agree that we would have these kind of hearings to get some of these facts out or get some of these issues addressed.

Madam Speaker, I yield to the gentleman.

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding, and I would say at the outset, I believe the committee on which he serves with Mr. CLYBURN is one of the committees, among many, who ought to be looking at those facts.

But let me say this, because in stating the facts, as you just did, the appearance is that substantial progress has not been made. I don't think that premise is correct. Let me read you some statistics.

Last year, the first year the President came into office, testing in America was molecular in at-home tests per day. The beginning of last year, 1.7 million per day. Today, 11.7 million tests per day are being conducted.

So to imply that somehow there has not been substantial progress, that is a 10-fold increase in the testing available to Americans every day. And when Biden took office, zero at-home rapid tests were available to consumers—zero. Today, 300 million at-home rapid tests are on the market each month.

Enough? No. Are more coming? Yes.

Has the government used the Defense Production Act to accomplish greater production? They have. The administration started using, as I said, the Defense Production Act. The Biden administration is increasing places people can get free tests, for instance.

You talk about a plan. When Biden took office, there were only 2,500 pharmacies offering free testing. Today, there are 20,000 sites, an 8-fold increase. The administration is purchasing 500 million at-home rapid tests to be distributed for free to Americans who want them, with initial delivery starting this month.

□ 1200

The administration is distributing up to 50 million free at-home self-tests to community health centers and rural health clinics. In addition to already covering PCR tests, the administration is requiring private insurance plans to cover at-home tests starting on January 15, just a couple of days from today. A lot is happening.

Is enough happening? Enough is not happening until everybody has immediate availability. ''Immediate'' may overstate it, but easy access. The fact is that some people are having problems finding the at-home tests now, and we need to work on that.

Those statistics show you that extraordinary increases have occurred under the Biden administration, and that is their plan, to make sure that these tests are available, because we know that testing will make a difference. If you find out you are sick, you quarantine.

I suggest to the gentleman that the Biden administration has made an extraordinary difference. Is the situation where we want it to be? Absolutely, it is not.

Do we have a new variant that apparently came out of South Africa or was first identified in South Africa that spiked up?

I talked to Dr. Monahan yesterday, and apparently, just in recent days, we have had a fall-off in disease recognized. I hope that is the case. I hope it keeps going down because we are perhaps now using the KN–95 or N–95 masks and keeping our distance a little more conscientiously. Let's hope all of that works for the people, for the country, and for the globe.

Mr. SCALISE. The problem with President Biden's plan is that it has been reactionary and not visionary. When he was presented with a plan in October to make sure that every American that needed a test would have it in December, when they in October said there will probably be a real uptick in December, the President said no to that.

So if today he says let's go and order 500 million tests, that sounds fine and well, except that he said no to that in October when he could have staved off what we see, and that is hours-long lines of people to get tested. People shouldn't have to be waiting 5 hours in a line to get tested when the President in October was presented with a plan.

Again, if he wasn't, as it has been reported, he should come out publicly and say that. The report has been out for weeks now, and he hasn't done that.

We should be having hearings on this to find out what was the plan that was presented and who was involved, by the way, in rejecting that plan. Was the CDC involved? Was NIH involved? Was HHS involved in rejecting a forward-thinking plan in October that predicted what inevitably did happen this Christmas?

Who was involved in the rejection of that plan, and why did they do it? Is it that the administration doesn't want accountability? I don't know, but we have asked those questions, and we have asked for a hearing on that.

We have been told that it is not going to happen. I hope the gentleman would help push to get this to happen, to find this out so we don't play catch-up every time something happens, when there were there people saying: Let's try to stop something before it becomes a problem.

If there are people in the White House who said, no, we are not going to do it until it is a problem for families, those people ought to be removed from the White House. And they shouldn't be involved in the decisionmaking chain because their decisions caused maybe more death, surely caused a dramatic increase in ills that people are facing right now because it could have been staved off, and it wasn't. We don't

have that information from an administration who promised to be transparent.

We did have a hearing a few days ago in the select subcommittee. It was a private hearing; it wasn't open to the public. I didn't agree with that, but that was the decision made by the majority. We have to start having transparency, as was promised to the people.

People deserve transparency. They deserve to have these questions answered and, frankly, to have a more forward-thinking plan, not a reactionary plan when forward-thinking was presented and rejected.

Madam Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, this has been a calm discussion so far. Let me remind the gentleman that the previous President said in February or March of 2020 that this is going to go away in about 30 days: Don't worry about it. It will go away.

A lot of your Members said we don't need a mask; we don't need to keep distance; we don't need to wash our hands; this is going to go away. It is here today and gone tomorrow. That was the previous administration's plan.

I agree with you. The science community, the private-sector community, and government on Operation Warp Speed did a good job—extraordinary work in the private sector, extraordinary work around the world. Because of the computer age in which we live, they were able to share information instantaneously, in real time, and say that this alternative doesn't work, which accelerated greatly the ability to get, within a year, an extraordinary accomplishment, largely from our scientific and medical community but facilitated by Warp Speed. No doubt about that. Give credit where credit is due.

Very frankly, the leader—unlike President Biden, who said this is a problem; we have to be careful; we have to pursue it; we have to invest—said no problem. The gentleman conveniently forgets that.

He also ignores the statistics I just gave where we have had a tenfold, eightfold increase in the availability of testing and pharmaceutical access for literally millions of people. This is per day that we are talking about, 11.7 million people per day.

It doesn't take too long at that rate that the whole country, all 330 million people, in about a month and a few days has been taken care of. When you say we have to make progress, we have made extraordinary progress.

Our view is—and I know we differ on this—we have made investments in the American Rescue Plan Act to deal with the pandemic crisis; in the infrastructure bill to create jobs, additional manufacturing capacity, and training and apprenticeships for our people; in the Build Back Better bill to make sure that our families can keep their heads above water and can, in fact, have childcare that they can rely on and feel their children are safe so they can take a job, be productive citizens, and add to the growth of our economy.

We believe we are doing that. Are we doing it perfectly? None of us do it perfectly. Perhaps we need to do more, as the gentleman implies, and have hearings.

The gentleman says he was in a hearing. Private or public, I presume the gentleman had an opportunity to ask questions. I don't know who the witnesses were, so I don't know what expertise they have.

I can't believe that if you requested of Mr. CLYBURN that you have relevant witnesses to come by and that you want to question about the progress that either has been made or you think ought to be made or further things that could be done, I can't believe that he wouldn't agree to do that.

In any event, great progress is being made, but the entire world—not the Biden world, not America—the entire world is confronting a crisis and is having a tough time getting ahold of it. We have done it better than anybody else in terms of growing our economy and keeping our people's heads above water. That is to be applauded.

Do we still have a challenge? We do. Are we still working on it? We are. Do we need to continue? Yes.

Mr. SCALISE. Madam Speaker, under President Trump, when he created Operation Warp Speed, the one thing he did say is that we are going to move red tape so we can focus the entire scientific community, both the Federal agencies but also the private sector, in working together in removing the red tape so they can focus on getting a vaccine. He didn't say three, but he said let's at least get them the ability, all of these great companies, many that are American companies, to go put their innovation to work and get bureaucracy and red tape out of the way and follow science but expedite so that we can get there quicker when many scientists, including some who still testify at committees today, said it was going to take years to get a vaccine.

In less than a year, we had three. President Biden inherited that when he walked in the door and took the oath of office. He had three proven vaccines.

I know the gentleman talks about statistics. Look at COVID deaths. During the campaign, President Biden not only said he would crush the virus, but he said that anybody who presided over that many deaths—that was months before the election—doesn't deserve to be President of the United States. I thought that was an inappropriate statement.

More people have died under President Biden's watch from COVID than under President Trump's. It was an unfair standard that President Biden put in place when he was at one of the debates. If he is going to say things like he is going to crush the virus and going to have a plan, but then he comes out and obviously didn't crush the virus and tells Governors that there is no Federal plan, I do think that is a mixed message, at the least. That dereliction in his promise, at the worst, ought to be confronted.

What is the plan, if there is a plan? If there is not a plan, admit there is not a plan. But you campaigned saying there was going to be a plan, and clearly, there is not one. Those are other facts that we can put on the table.

Clearly, when you look at how President Trump pushed the Federal Government to work and partner with the private sector to move red tape so we can expedite the research and the trials, more tests than were ever done maybe on any other attempt for a vaccine, and come up in less than a year with vaccines when many said it would take years, it was clearly a remarkable achievement that we all worked on. President Trump led the effort, and we funded it in a very bipartisan way, and it was very effective.

Obviously, this is a challenge for every country. There were other things said that ought to be put out there, and let's at least try to all be saying the same thing and focusing on the same thing.

When scientific experts say that this is what we anticipate happening—if you are going to reject that science, at least hold people accountable who were part of the discussions to reject that science, as I referred to the October rejection of a testing plan that would have been in effect for December that was rejected.

Madam Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. For a long time, the former President of the United States—apparently, he changed his view now and criticized DeSantis for not pursuing mask wearing, et cetera, et cetera. The fact of the matter is, of course, the former President discouraged wearing masks early on. He discouraged it: Oh, no, you don't need to wear a mask.

He had events that were spreader events, as we call them.

The gentleman heard me say that I think the President followed good advice and made a decision on Warp Speed that was helpful. As the gentleman noted, it was the scientists at NIH and scientists in the private sector and scientists throughout the world, but mainly our people, who did an extraordinary thing in an extraordinarily short timeframe—never been done before—to develop this kind of vaccine.

You talk about the three vaccines. The three manufacturers, it had never been done before. It was a wonderful event. Unfortunately, too many people are advising: Don't take the vaccine. You don't have to take the vaccine. Don't sweat it.

The government tells people they have to vaccinate their children to send them to school. Why? So other children don't get sick.

I told you I had those great-grandchildren, three of whom are in school. They have a child that sits in front of them, a child that sits to the right, a child that sits to the left, and a child that sits behind them. I want all of them well because I don't want my great-grandchild getting sick.

I don't think there was a very successful effort either by the former President or by many on your side of the aisle to say—you talk about science—do what the scientists tell you to do. Now, I notice most of your Members are doing so now, but still some wear it as a badge of courage and raise money off of it. I think that is harmful to our communities.

I think you sort of just set aside no plan. Well, no plan has resulted going from 1.7 million to 11.7 million tests per day. That is the plan. We invested in March, in the American Rescue Plan Act, in making sure that health services could respond properly. A lot of money went into health and testing in the American Rescue Plan.

You keep saying there is no plan. We have adopted plans, and we think they are positive plans. We think, hopefully, that we are going to get better soon.

Neither President Trump nor President Biden was responsible for this extraordinary virus. Our view is President Trump laid back for a long, long time before he really engaged heavily in this, and now he has changed his tune to a much more positive ''listen to the scientists'' kind of attitude, which we welcome.

□ 1215

I disagree with the gentleman that there is not a plan. We adopted together in 2020 five major pieces of legislation to address this challenge, and we have adopted in a partisan way, unfortunately, bills that continue to fight that fight, and I think it is fighting it, not as successfully because we have a new variant, much more transmissible, a different type. It has metastasized into a more communicable disease. That has caused us a challenge, we are addressing that, and we are accelerating the availability of resources to do so.

Mr. SCALISE. Clearly, we have some disagreements, but as we both have advocated for the vaccine, I do think one of the differences that we may have is that I strongly feel that it is a personal decision. It is a medical decision. And if government thinks that shaming people, threatening people, and firing people is going to address that challenge, they have missed the mark, and I wish they would instead move away from the shame and the firing. Hopefully the U.S. Supreme Court agrees with us and stops at least the firings of people by mandates from the government and just encourages people to have that conversation with their doctor if they have hesitation. But, ultimately, it is a decision that each individual would have to make.

We will continue this conversation I am sure, and I yield to the gentleman.

Mr. HOYER. I just want to say in terms of where we are today, the overwhelming percentage—I am talking about 90 percent—of people who are getting really sick are people who are not vaccinated. And for the government to say: You need to be vaccinated because we don't want you coming to the office, we don't want you coming with other people who are being careful, who have been vaccinated, and who have done the responsible thing and getting them sick. Because what we have seen, unfortunately, even with vaccination, is that people who are vaccinated, of our own Members on both sides of the aisle who have been vaccinated, have gotten—thankfully—mild cases of COVID.

But when we talk about the President wanting people to get vaccinated—and my friend indicates that he and I both are advocates of that, and/or requiring them to get vaccinated—the reason you require people to get vaccinated, the more people you have unvaccinated, the more hosts this virus has to metastasize and to grow into a different type of virus that can attack in different ways. That is why you do that. That is why they talk 70 percent. Now we just have about 70 percent in America now. Very frankly, if we had a higher percentage we would be better off. So let's hope that we can work together to make sure that we give encouragement to people to do what the scientists advise.

My friend talks about the reason we were so successful in that year under Warp Speed of getting those three vaccines is because the scientists knew what had to be done. They found out and they had quick discoveries and eliminated a lot of dead-ends relatively quickly because of our computer capability and transformation of information around the world and dead-ends.

If we listen to them, we would be better off. But an awful lot of people are saying: Don't listen to them. Don't do it.

When the gentleman says for health reasons, there are hundreds, probably billions, I don't know what the billions are, people who have been vaccinated with a miniscule and almost undetectable adverse reaction. So I don't know what the gentleman talks about for health reasons. I know Djokovic is saying he is doing it for health reasons. I don't know what those are. Maybe my friend does. I am not an expert enough to know what that is. But all the doctors I talk to—and certainly our own doctor here whom we consult with on a regular basis, I know both of us have done that—say get the vaccine.

So I would hope that all of us would ask our constituents to get the vaccine. It is good for you, it saves your lives, it saves your families, and it saves others. Get it.

Mr. SCALISE. To be clear, I never said it was for health reasons. I said it was a health decision. So this is a medical decision that people are making.

Again, in the past we have seen this suggested by some in the medical community inaccurately that if you get vaccinated you can't get the virus. A Supreme Court Justice said that if you get vaccinated you can't spread the virus. That turned out to be false. We know whether vaccinated or not you can get the virus. You can receive the virus, you can give it to other people, and you can die. We know in the hospitals the higher propensity of people in the hospitals are unvaccinated.

Those are the kinds of things that we should be encouraging to get the facts out and then encouraging people to go make their decision with their doctor if they have concerns and questions.

There are valid questions. There are people in the past who have raised religious exemptions to other vaccines and, by the way, been given approval for those religious exemptions that today are not getting similar religious exemptions for this.

So let's just treat it equally, let's treat it fairly, and let's just focus on the facts. This idea that if you mandate something and threaten somebody it is going to change behavior, it is just not proving itself to be correct, and it is causing more division and forcing people into corners that they shouldn't be on. So hopefully, again, we can continue this conversation and get back to a place where we are in agreement which we have been in things like Operation Warp Speed.

Madam Speaker, I yield back the balance of my time.

HAPPY FOUNDERS DAY TO DELTA SIGMA THETA SORORITY, INCORPORATED

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Madam Speaker, I rise today to commemorate 109 years of sisterhood, scholarship, and service in Delta Sigma Theta Sorority, Incorporated.

Founders Day embodies the living legacy of our predecessors. Today six members of the Congressional Black Caucus—Congresswoman YVETTE CLARKE, Congresswoman BRENDA LAWRENCE, Congresswoman VAL DEMINGS, Congresswoman LUCY MCBATH, Congresswoman STACEY PLASKETT, and I—stand proudly in our Founders' footsteps.

Happy Founders Day to the Columbus Alumnae Chapter, Delta Kappa Chapter, and to all my sisters in Delta Sigma Theta Sorority.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2201. An act to manage supply chain risk through counterintelligence training, and for other purposes.

S. 2520. An act to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, and for other purposes.

PRESIDENT BIDEN'S COVID CRISIS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to address President Biden's COVID crisis.

Sadly, COVID–19 cases and hospitalizations in the United States have reached record highs in the past week. Many Americans are having trouble finding COVID at-home tests and difficulties in scheduling a time to be tested with their healthcare provider.

What is President Biden's response?

In a recent COVID Zoom meeting with Governors, President Biden said: ''There is no Federal solution.''

Now, this mishandling of the pandemic is disappointing. Operation Warp Speed, developed under the previous administration, provided significant vaccines in record time. This initiative also established a robust distribution plan, innovative treatments, medical equipment, and ever-growing testing capacity.

Madam Speaker, in addition to this, our families are struggling to pay for everyday goods as inflation reaches a 40-year high. We are facing a self-inflicted economic crisis as this administration encourages our workforce to stay home. Our students continue to face uncertainty in their learning with last-minute school closures despite schools receiving ample COVID relief funding.

To distract from these failures, President Biden and congressional Democrats are trying to change the rules in the Senate to pass their Socialist agenda.

VOTER SUPPRESSION

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Madam Speaker, on January 6 we witnessed a violent coup attempt in our Capitol fueled by the big lie.

Our country continues to face a slow-moving coup in the form of voter suppression.

I have seen firsthand in my home State of Arizona voter suppression laws targeting people of color and a State senate that would rather waste taxpayer money on a sham audit instead of upholding our sacred democratic right to vote.

The Freedom to Vote: John R. Lewis Act is critical to protecting the vote in my State and States across the country where restrictive laws are being put into place to strip people of their right to vote. Arizona will stand strong together this weekend. Thousands will gather this Saturday in Phoenix for democracy and voting rights.

Passing this bill today answers their call by guaranteeing access to democracy for every Arizonan.

Today the House showed where it stands. We won't shrink from protecting our democracy and the voting rights of all Americans. It is past time for the U.S. Senate and Senator SINEMA to do the same.

HONORING THE LEGACY OF GRANVILLE CRANE

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Madam Speaker, I rise today to honor the memory of the late Granville Crane, surviving crew member of the USS *Indianapolis* and recipient of the Congressional Gold Medal.

Mr. Crane was born in 1925 and turned 95 years old this year. He joined the ship's crew at the age of 16, one of the youngest crew members to join at the height of World War II.

In 1945 he participated in a top-secret trip to deliver parts for the first nuclear weapon ever used in combat and was aboard the same ship when it was torpedoed and sunk that year.

Hundreds of men went down with their ship, and many more faced dehydration, shark attacks, and exposure before there was any hope of rescue. Of 1,195 men aboard, Mr. Crane was one of only 316 who survived. As Mr. Crane waited to be rescued, he clung to his faith.

Mr. Crane will be remembered as a family man, a hero, a survivor, a patriot, and a great man of God.

On behalf of the Fourth Congressional District and our great Nation, we are forever in Mr. Crane's debt. Our prayers are with Mr. Crane's family at this time. May he rest in peace.

MINIMUM WAGE

(Mr. CARTER of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Louisiana. Madam Speaker, 20 States, including Louisiana, still have the same hourly pay floor as the Federal minimum wage: $7.25.

Louisiana also has the second highest poverty rate of any State. That is because minimum wage is a poverty wage—a full-time salary is less than $16,000 a year. No one can survive on that, much less raise a family on that wage.

While the Federal minimum wage has not increased since 2009, the costs of housing, medicine, food, and childcare have all exponentially increased. We cannot simply subject millions of our constituents to endure the trials of poverty. It is not a mystery. We can, we must, and we know how to help. It is time to finally increase the Federal minimum wage and lower the costs with the Build Back Better Act.

INFLATION SURGE

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Madam Speaker, I rise today to bring attention to the latest Consumer Price Index data released by the Bureau of Labor Statistics just yesterday.

This new data shows a 7 percent annual increase in inflation—the largest 12-month increase since 1982. The last time inflation was this out of control, Michael Jackson had just released ''Thriller''. So from moonwalking to now sleepwalking with President Biden, we have continuously seen negative real wages, meaning that our pay is actually decreasing when you account for inflation.

The President's only idea is to print and spend more money. Gasoline is up 50 percent. Propane, kerosene, and firewood are up 34 percent; and beef, veal, and bacon are up 18 percent. Higher inflation is eroding the true purchasing power for all American families, and these record-breaking CPI numbers underestimate the real cost of inflation.

Americans need leadership that will prioritize getting our economy and our Nation back to its pre-pandemic performance.

□ 1230

AMERICA'S CHILDREN ARE COUNTING ON US

(Ms. SCANLON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCANLON. Madam Speaker, January 14 marks the first time in 6 months that families will not receive an expanded child tax credit payment, a program to support children and families that Congress passed last spring with the American Rescue Plan.

For the last 6 months, working and low-income families have had the relief of knowing that every month they would receive $250 per child, and $300 for kids under six.

These payments have been a lifeline for families, helping them put food on the table and provide for children as the pandemic rages. As a result, child poverty and hunger then dropped in this country by almost half.

More than 76,000 families in my district received these monthly payments, and they are worried about what will happen now that the payments have ended. Just last weekend, two constituents, a dad and a grandmother, approached me to say how important the CTC program had been.

We cannot go backwards. The Senate must move quickly to pass the Build Back Better Act and extend the child tax credit. America's children are counting on us.

HONORING THE SERVICE OF BATTALION CHIEF DAVID MAEKER

(Mr. ELLZEY asked and was given permission to address the House for 1 minute.)

Mr. ELLZEY. Madam Speaker, I am honored to recognize an outstanding constituent of Texas 6, Battalion Chief David Maeker, who has dutifully served the people of Waxahachie for the past 26 years.

David was Battalion Chief in 2018 but was leading in and out of the fire station well before that. Throughout his career, he has set the tone for what it means to be a good leader.

I am incredibly proud to announce that Chief Maeker was named Firefighter of the Year for Waxahachie in 2021, an outstanding honor for which he deserves to be recognized.

David also helps his community. He has done so by starting a nonprofit called Compassion for the Fatherless, which works with an orphanage overseas in fulfilling the needs of children by providing them with a strong foundation to be successful in life.

David, you truly lead by example. I, and the citizens of Waxahachie, thank you for your incredible service and leadership in our community and to those who need it most.

Congratulations on the well-deserved honor.

DEMOCRATS DELIVER ON INFRASTRUCTURE

(Ms. WILLIAMS of Georgia asked and was given permission to address the House for 1 minute.)

Ms. WILLIAMS of Georgia. Madam Speaker, I rise to announce it is finally infrastructure year for Georgia's Fifth Congressional District.

I have seen firsthand how the infrastructure bill will transform the entire Fifth Congressional District in Georgia. To share just a few projects: We are going to repair crumbling bridges in the city of South Fulton; extend the Peachtree Creek Greenway in Brookhaven; make Forest Park a more pedestrian-friendly city; and maintain Hartsfield-Jackson's title as the world's busiest airport. We are delivering for the people.

I am especially proud that the infrastructure bill includes the Reconnecting Neighborhoods Program, based on legislation that I wrote. This program will reconnect neighborhoods like the Sweet Auburn district that was intentionally divided by the construction of Federal interstates.

This is a matter of racial justice because far too often, it was Black neighborhoods that were divided. I have met with community leaders to hear what they need from the program, and I will continue to be their voice in Washington as they build back better.

And I almost forgot. While we are making these decades-overdue investments in infrastructure, we are going to also create millions of good-paying, union jobs. Democrats have delivered for the Fifth District and our country, and we are not done yet.

POTENTIAL TREATMENTS FOR COVID–19

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Madam Speaker, it was a very disappointing recess. I knew at least three more people who passed away because of the COVID.

For that reason, I was very disappointed in President Biden's comments earlier today on television, in that I think he could have brought up things that would have prevented some of these unnecessary deaths.

First of all, President Trump's COVID was cured by monoclonal antibodies 16 months ago. Nevertheless, in my district, we have a shortage of monoclonal antibodies. I have doctors or clinics calling me wondering where they are. It is a good question.

They were available for the President of the United States 16 months ago. But, for some reason, President Biden and his team have shortages of monoclonal antibodies in my district that I am convinced would have saved some of these lives.

The next thing I will point out is that my doctors tell me that people are better off if they are taking vitamin D, vitamin C, zinc, quercetin. All these things would save people's lives if they were taking them up front before they got the virus.

But again, President Biden gives a big speech. No comments on this; just let people die.

FIGHT FOR VOTING RIGHTS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Sometimes it is extremely difficult, Madam Speaker, to really convey in this form both the pain and the emotion of one's journey in life.

I worked for the Southern Christian Leadership Conference, the conference that Dr. Martin Luther King and Ralph David Abernathy organized and gathered foot soldiers for from around America. They were, in fact, the beloved community, and included the likes of John Robert Lewis and many others that sit in this House today.

I walked on plantations and tried to register sharecroppers. And so, I come today to recount for us the words of Dr. King: ''We shall overcome because the arc of the moral universe is long, but it bends toward justice.''

We need to enact democracy reform now more than ever because State lawmakers introduced over 440 suppression bills in 49 States.

We cannot allow the other body to stand on some sort of pro forma dignity that they cannot overturn the filibuster, when people died for the vote.

We honor Dr. King on Monday. I want that vote to be in his honor that we have voting rights.

HYPOCRISY IN PLANS FOR GREEN AND RENEWABLE ENERGY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, we have a lot of lofty goals in this country about green energy, renewable energy, and such. But we are not providing the ways in order to get there.

One of the important components is the mined products that we need to go into various equipment and vehicles, et cetera. We are not able to mine the critical minerals, the rare earths in this country.

For example, to get a permit to open a type of mine or expand a mine, it could be 15, 16, 18 years in this country while our neighbors just north of the border, a 2- or 3-year process to secure the permits to mine products that are desperately needed in this country if we are ever going to talk about meeting the goals you would have for renewable energy, electric cars, and all that in order to lower the carbon footprint.

So what is the hypocrisy here? In my home State of California, you can hardly get mining done. You can hardly even keep electricity flowing because of taking away power plants due to—those are power plants that would be zero CO_2. I don't understand the hypocrisy. So we have to get smart about this.

REMEMBERING THE LIFE OF EUROPEAN PARLIAMENT PRESIDENT DAVID SASSOLI

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Madam Speaker, I rise today to honor the life of a champion for democracy, David Sassoli, President of the European Parliament, who passed away earlier this week.

President Sassoli was a respected leader of conviction and principle; a distinguished Italian journalist-turned-public-servant dedicated to his service to helping vulnerable women, homelessness, individuals and the rights of refugees.

Sassoli was a symbol of balance and generosity to Europe. His leadership and commitment to social justice will not be forgotten. He will be remembered as a stalwart defender of the shared European and American values of human rights, the rule of law, and equality.

I send my deepest condolences, as I know Members of the House do, to the people of the European Union. And my thoughts and prayers are with his family and loved ones.

BIPARTISAN INFRASTRUCTURE PROJECTS IN SAN DIEGO

(Ms. JACOBS of California asked and was given permission to address the House for 1 minute.)

Ms. JACOBS of California. Madam Speaker, our constituents sent us here to deliver for them, and the Bipartisan Infrastructure Law is delivering for San Diego.

Recently, the Department of Transportation announced that $24 million has been allocated to the San Diego International Airport, supporting tourism for our international city and helping our economy recover.

But it is not just the airport. $4.8 billion in highway funding has been allocated to California already, the first of more than $29 billion in road and bridge funding coming to our State.

Last week, I visited sites in my district, in El Cerrito, Kensington, and Talmadge, where neighborhood roads were cracked, crumbling, and in need of repair.

I have spoken with constituents, local officials, and small business owners in La Mesa and El Cajon about the importance of transit, walkability, and broadband because this may be the largest infrastructure bill since Eisenhower, but it is also one that is focused on the needs of the 21st century.

Connecting people by roads, transit, and high-speed internet can help us cross divides and expand opportunity. And it makes our society fairer, more sustainable, and more equitable.

PROTECT THE RIGHT TO VOTE

(Ms. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Ohio. Madam Speaker, I rise today to join President Biden and my colleagues in Congress in calling for action, long-overdue action, to protect the right to vote.

President Biden delivered a powerful speech this week in Georgia, and I am hopeful that this stiffened the spines of some of those here in the Capitol. I know that I want to live in the America of John Lewis, not Bull Connor, and the America of Dr. King, not George Wallace.

Today, I was proud to vote for the vital legislation to protect the essential right to vote. Now the Senate must act, using all available means.

The filibuster is not a law and it is not in the Constitution. It is a tradition that has been misused throughout history to deny civil and voting rights, and it is being used again today. What is in the Constitution? The right to vote.

Ahead of Dr. Martin Luther King Day, it is time to honor those who came before us to secure the America that we live in today. The eyes of history are upon us. We cannot let this moment pass us by.

INFRASTRUCTURE CREATES JOBS

(Ms. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. UNDERWOOD. Madam Speaker, every American deserves the opportunities that a good-paying job makes possible.

Working with the Biden-Harris administration, Democrats in Congress have expanded those opportunities. Thanks to investments like the American Rescue Plan and the Bipartisan Infrastructure Law, job creation is at record levels. The Bipartisan Infrastructure Law will create millions more good-paying, union jobs.

Not only will it rebuild our roads and bridges, but it also invests in infrastructure that will spur economic development in our communities.

Removing lead pipes and guaranteeing clean drinking water for 10 million more Americans will improve community health and help attract new companies that will bring jobs and investments. So will expanding reliable broadband and modernizing regional airports like the DeKalb Taylor Municipal Airport in my district.

Finally, expanding our electric vehicle charging network will give Americans more options when choosing a new car, while accelerating climate action.

I am so proud to work with the Biden-Harris administration to rebuild infrastructure for Illinois families, and we are just getting started.

HONORING THE LIFE OF DR. MARGARET HILL

(Mr. AGUILAR asked and was given permission to address the House for 1 minute.)

Mr. AGUILAR. Madam Speaker, I rise today to honor the extraordinary life of Dr. Margaret Hill, who passed away peacefully last month at the age of 81. She was, for many who knew her, the heartbeat of San Bernardino.

For 50 years, she devoted herself to ensuring all children have access to high-quality education. In 1971, she began as a high school teacher, and would go on to serve as principal, assistant superintendent for San Bernardino County, an adjunct professor and, finally, the last decade, when I have known her more as a school board member for San Bernardino City Unified.

Through all her roles, Dr. Hill never wavered in her devotion to the children of our community. Her warmth, her wisdom, and her kind spirit will be missed, but her legacy lives on in the countless lives that she touched in the classroom and in the community.

It was a privilege to know her, Madam Speaker. May she rest in peace.

COMMUNICATION FROM CHAIR OF COMMITTEE ON ETHICS

The SPEAKER pro tempore (Ms. MANNING) laid before the House the following communication from the chair of the Committee on Ethics:

COMMITTEE ON ETHICS,
HOUSE OF REPRESENTATIVES,
January 10, 2022.

Hon. NANCY PELOSI,
Speaker,
Washington, DC.

DEAR SPEAKER PELOSI: On November 4, 2021, the Committee on Ethics (Committee) received notices of two fines imposed upon Representative Andrew Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule 11, clause 3(g).

On November 8, 2021, the Committee received notice of a fine imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g).

On November 9, 2021, the Committee received notice of a fine imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g).

On November 18, 2021, the Committee received notices of two fines imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g).

On November 30, 2021, the Committee received notice of a fine imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g).

On November 30, 2021, the Committee received an appeal from Representative Clyde of the above fines pursuant to House Resolution 38 and House Rule II, clause 3(g). The appeal was received after the Committee adopted its written rules.

A majority of the Committee did not agree to the appeal.

On December 3, 2021, the Committee received notices of three fines imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Clyde did not file appeals with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

Sincerely,

THEODORE E. DEUTCH,
Chairman.
JACKIE WALORSKI,
Ranking Member.

□ 1245

COMMUNICATION FROM CHAIR OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Ethics:

COMMITTEE ON ETHICS,
HOUSE OF REPRESENTATIVES,
January 10, 2022.

Hon. NANCY PELOSI,
Speaker,
Washington, DC.

DEAR SPEAKER PELOSI: On November 30, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Mariannette Miller-Meeks by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Miller-Meeks did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

Sincerely,

THEODORE E. DEUTCH,
Chairman.
JACKIE WALORSKI,
Ranking Member.

COMMUNICATION FROM CHAIR OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Ethics:

COMMITTEE ON ETHICS,
HOUSE OF REPRESENTATIVES,
January 10, 2022.

Hon. NANCY PELOSI,
Speaker, Washington, DC.

DEAR SPEAKER PELOSI: On November 30, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Lauren Boebert by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Boebert did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

Sincerely,

THEODORE E. DEUTCH,
Chairman.
JACKIE WALORSKI,
Ranking Member.

COMMUNICATION FROM CHAIR OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Ethics:

COMMITTEE ON ETHICS,
HOUSE OF REPRESENTATIVES,
January 10, 2022.

Hon. NANCY PELOSI,
Speaker, Washington, DC.

DEAR SPEAKER PELOSI: On November 30, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Marjorie Taylor Greene by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Greene did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

On December 3, 2021, the Committee received notice of a fine imposed upon Representative Greene by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Greene did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

Sincerely,

JACKIE WALORSKI,
Ranking Member.

THOSE WHO CANNOT REMEMBER HISTORY ARE CONDEMNED TO REPEAT IT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from South Carolina (Mr. CLYBURN) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. CLYBURN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. CLYBURN. Madam Speaker, I first got interested in and started studying history as an 8-year-old. I grew up in a parsonage where my brothers and I were required, every morning before breakfast, to recite a Bible verse and, every evening before retiring to bed, we had to share with our parents a current event.

We didn't have television. Therefore, in order to carry out that rule, we had to read the newspapers. It was delivered to our home every afternoon. Today, those who are living down in my hometown of Sumter, you get the Sumter Daily Item in the morning. Back then it was an afternoon paper.

It was my interest in the Presidential campaign of Harry Truman that attracted me to politics. Harry Truman ascended to the Presidency from the Vice Presidency. Of course, no one gave him a chance to get elected on his own. He did not have, according to conventional wisdom, what it took, and he was going to be up against this scion, this big-time prosecutor from New York, Thomas Dewey.

In fact, one Chicago newspaper was so assured of the outcome, they didn't bother to wait on the results to write the headlines for their newspapers the day after the election. All of us remember that headline: ''Dewey Wins.'' When the votes were counted, all the votes were counted, Truman had been elected President.

That always intrigued me, this man of limited educational background, a disability, without any of all of the trappings of what would make one a big-time leader. Of course, when Truman left office, he was not very popular with a lot of people. In fact, his popularity was pretty low.

But as we look back on history, and people continue to write about history, they keep upgrading Truman. Most places I see now, he is in the top ten. In my opinion, he is in the top five. I consider myself, to this day, a Truman Democrat.

After studying history, I went on to teach it. I became a firm believer in George Santayana's admonition that those who cannot remember history—of course, he said ''the past''—are condemned to repeat it. That is what brings me to this floor today.

It has been a long, long time since I have stayed here on what we call getaway day to address this body during what we call Special Orders.

I listened intently today as we debated the legislation that was a vehicle by which we would send two pieces of legislation: The Freedom to Vote Act, a bill that was proposed by Senator JOE MANCHIN, and the John R. Lewis Voting Rights Advancement Act, a bill that this body approved and sent over to the Senate as H.R. 4. Upon John Lewis' death, I came to this floor and asked and received unanimous consent to change the name of H.R. 4, to rename it in honor of John Lewis, and this body granted unanimous consent for that to happen.

Now, John Lewis and I first met as 19-year-old college students. I was in Orangeburg, South Carolina. He was down in Nashville, Tennessee. We met on the campus of Morehouse College, where the Vice President was on the day before yesterday, I think it was. It was also the weekend when I first met Martin Luther King, Jr.

Now, as is often the case—and we saw quite a bit of it today—a disagreement cropped up between us so-called Young Turks, those of us who were in SNCC, the Student Nonviolent Coordinating Committee—in fact, this was the second organizational meeting of SNCC—and SCLC, which was being run by Martin Luther King, Jr., Ralph Abernathy, and others.

We asked Dr. King to come and meet with us so we could try to reconcile our differences. Dr. King came and agreed to a 1-hour meeting. That meeting convened at 10 p.m. in the evening. It was not over until 4 a.m. the next morning. I always refer to that evening and that meeting as my Saul-to-Paul transformation. I came out of that meeting a changed man—well, I guess, boy. I have never been the same.

I started reading everything I could about Dr. King. I went back to my campus, and I got his book, his first book, ''Stride Toward Freedom,'' and, of course, all the way down through his last book, ''Where Do We Go from Here: Chaos or Community.''

I interacted with him several times over the years. After the 1965 Voting Rights Act, one of Dr. King's first trips was to the little town of Kingstree, South Carolina, a rural town in Williamsburg County that is currently in my district. When he came that day, he came to talk to us about all the marches we were having. I was living in Charleston at the time. My late wife and I got in our little Falcon and drove to Kingstree to be a part of that meeting.

Dr. King talked that day about marching. We had marched to integrate lunch counters. We had marched to get off the back of the bus. We had marched for a lot of social things. But he said to us on that day: It is time to march to the ballot boxes. He put a new definition on what marching was all about. I remember that day as if it were yesterday.

In fact, not long ago, the local community decided to have a 50th anniversary celebration of that event and called me and asked would I attend. I told them I would be glad to attend.

□ 1300

Of course, I later got a phone call from a reporter who asked me what I was going to say at this 50th anniversary. I told the reporter, I said: Well, I think I will reminisce a little bit about that day and the speech he gave.

And he says: Well, did you see it on television? How do you know about the speech?

I said: I was there.

The reporter didn't quite believe that I was there, and of course, he questioned me, wanting to know what I remembered most about that day.

I said to him: The thing I remember most about that day was that there was a very big storm. In fact, the storm was so bad that, on our way there, we had to stop and wait it out. When I got there, I was sure that we were not going to have a celebration, but the sun came out, and Dr. King came. But there was so much rain in that cow pasture, I told him, that we were in, it was not very conducive for the convention.

The reporter was kind of quiet, and he hung up. A few days later, the reporter called me back. The reporter had gone to the Weather Bureau to check out my story about that day and sheepishly reported to me that he had checked it out and that my description of that day was pretty accurate.

I said: Well, I lived through it. The things you live through are the kinds of things you remember most, and you remember them best.

I have lived through a lot, growing up in South Carolina. I remember the conversations I had with my parents. My mother was a beautician. As you can imagine, a lot of conversations go on in the beauty shop.

So when my mother would sit down with me, we would often have discussions about information that flowed throughout the beauty shop. In fact, I wrote about one day, coming home from school. One of the rules we had was that we had to stop by the beauty shop to report in after school every day to make sure that things had gone okay.

On this particular day, when I went into the beauty shop to make my report, there was a lady there that had grown up with my mother in the cotton field adjacent to the one that she grew up in over in Lee County, South Carolina.

When I walked in, I spoke, and this lady turned to me and says: My, my, how much you have grown since I last saw you. My goodness, she said, your voice is beginning to change.

Then she asked me a question, what it is that you want to be when you grow up. That question was asked of us very often back then. I began to tell her how proud I was of that background that I had developed since 1948 studying Harry Truman and how I had developed this interest in politics and government. I told her I wanted to grow up to be a Member of the United States Congress.

That lady looked at me and very sternly said: Son, don't you let anybody else hear you say that again.

That lady was not throwing cold water on my dreams. She just felt that a little Black boy in Sumter, South Carolina, should not have those kinds of dreams and aspirations. It was not safe for a little Black boy to have those kinds of dreams.

My mother never said anything that day, but that night, when she closed the beauty shop, she came into the house and called me to the kitchen table, and she sat me down.

She said: Now, JAMES, don't you let what that lady said to you today ruin your dreams. You stay in school, you study hard, you stay out of trouble, and you will be able to live out your dreams and your aspirations.

My mom did not live to see me get elected to Congress. She died in 1971. I didn't get here until 1992. But I think about her almost every time I come into this Chamber, how right she was.

So, today, looking back on that history, I recall from my studies that the first civil rights bill passed by this Congress was passed in 1866, giving the former slaves the right of citizenship. Of course, following that 1866 law, South Carolina held a constitutional convention in 1868. That was a very interesting constitutional convention.

I would like to share with you some of what took place in that convention. There are two things kind of interesting about the convention to me.

Number one is the majority of the attendees at that convention were Black. It is kind of interesting.

The second one is there was an attendee at that convention, Robert Smalls, who was there in 1868. Robert Smalls had been a slave until 1862. Just think about that. He was a delegate to the South Carolina Constitutional Convention and would go on to serve 10 years in the South Carolina legislature and another 10 years here in the United States Congress—a former slave.

Now, I don't know how Robert Smalls felt about slavery. He didn't like it. If he did, he would not have engineered the escape. He would not have stolen the Planter and taken his whole family and friends and delivered the Planter to the Union Army and got his freedom and $1,500 for having done so. And he turned that $1,500 into great wealth and had become a great soldier in the Union Army.

Now, back then, Robert Smalls, a former slave, had not gone to school. He didn't have a high school education, and therefore, though he wanted to be, they would not have taken him into the Navy. He was actually inducted into the Army and assigned to a Navy ship. That is why you see some ships now named for Robert Smalls.

It was my great honor to be in Baltimore, Maryland, at the Baltimore harbor to speak for the christening of the USS *Robert Smalls*.

Now, however Robert Smalls may have felt, after Robert Smalls gained wealth, he went back to Beaufort, South Carolina, where he was born and raised and where he had been a slave. He bought the house that he had been a slave in. The McKee family that owned him legally, when they got back, Mr. McKee, John McKee—I think John was his first name—had passed away, and his wife was living in poor health and no wealth.

Robert Smalls went and got her and brought her to that house that she had been the head of and he had been a slave in, and he nursed her, kept her there until her death. He forgave, but Robert Smalls never forgot.

He died in 1915, basically of a broken heart. Why? Because Robert Smalls, who had been in that 1868 convention as a delegate, was also a delegate in the 1895 South Carolina Constitutional Convention.

Now, in 1868, January 14, 1868, is when he got his State rights as a full-fledged American citizen, and then in 1895, Robert Smalls was in that convention. It was in that convention, September 10, 1895, that Robert Smalls got all of his rights taken away.

As I said earlier today on this floor, any rights given by the State, in this instance the United States, can be taken away by the States, in this instance the United States. That is why I am fearful of what is taking place, most especially in the other body.

What we did here today, sending those two bills to protect the voting rights of people of color, is being threatened by the other body with a filibuster. I have been saying for some time now that I believe very strongly that constitutional rights ought not be subjected to the filibustering whims of any one person.

We don't allow that for our budget matters. We call it reconciliation when it comes to doing the budget so that you can pass it. If everything in this bill applies to the budget, we can have a simple majority to pass it. When the full faith and credit of the United States was put at risk a couple of weeks ago, we worked around the filibuster in order to raise the debt limit so as not to ruin the full faith and credit of the United States of America. And you are telling me that the same should not apply to basic constitutional rights?

As I said here on the floor today, as a result of that 1895 convention that took all of those rights away, in 1897, George Washington Murray left the United States House of Representatives, being the last Black person. At one point, of the four Black Representatives in this House, three were from South Carolina.

□ 1315

The very first Black person ever elected to the United States Congress—I want to clean that up because a lot of times I say that and people start sending me pictures of Hiram Revels, and what's his name down there in Louisiana. Look, they were Senators, and they were sent to this Congress by their legislative bodies.

It was not until, what, 1913 when we changed the Constitution in 1913 to allow for the popular election of Senators. So the first person of color, the first Black person to be elected to the United States Congress was Joseph Rainey. We just named a room on the first floor of this Capitol in his honor. It just so happens it was on the 150th anniversary of his election, which I

think was December 12, I believe, in a special election, December 12, 1870. And it just so happened that on that day, none of us knew it, but when we got to the room that we named in his honor and we looked, guess what number was on the room? Room 150. It is now named for Joseph Rainey from Georgetown, South Carolina. He was the first one in 1870.

In 1897 George Washington Murray left this Congress. And because of the Constitutional Convention, what they did in 1895, taking all the rights of Black people away, not another Black person got elected to this Congress from South Carolina until yours truly was elected in 1992: 95 years.

And for most of that time, well, I hadn't really counted all the days and the years, but let me say this: For a major portion of that time, if not most of it, Black people were in the majority in the State of South Carolina. They were in the majority but had zero representation here in this Congress, zero representation in the legislature, and zero representation in governing bodies all over the State.

I remember the first Black in South Carolina that got elected to the county council down in Beaufort, South Carolina. All of these things happened in my lifetime.

And so what I am saying to this body today and what I am saying to this great country of ours is that what we are doing here today in allowing States to pass laws that take away voting rights and privileges, just think about this, a State, one of my neighboring States, Georgia, just passed a law that says not only are we going to suppress, throw up all these barriers to voting, we aren't just going to do that, but now if this line gets long and you are standing out here in the hot weather trying to cast a vote and someone decides to give you a bottle of water to quench your thirst, they just committed a criminal act. You can give a bottle of water to anybody walking out on the streets if they are thirsty, but if you give a bottle of water while someone is standing to vote in line, you have just committed a criminal act. I want the people of this country to think about that. I want my friends in the other body to think about that.

And then it went even further. They have put into the law a mechanism and a little entity, about I think three people, and sent them up to be referees over whether or not the voting was to their liking, the results. And if they do not like the results of the vote, they can nullify the vote. That is what they just did.

You got 19 States—and I want to hasten to add here all of them are not southern States—19 States, two of them up in the Northeast have passed 34 laws and have introduced over 400 to make it difficult for people to vote and to nullify the efforts of voters. That is Third World stuff. That is banana republic stuff. That is not the stuff of which America is made. And we are going to sit idly by and just watch this happen?

Earlier today, one of my colleagues on the other side was upset because someone has compared—I think maybe upset with the President. In fact, one of my colleagues said as a southerner he was insulted by President Biden's speech. And the basis I understand of the insult is the fact that he called what these States are doing with these new laws Jim Crow 2.0. I am not into all of this IT stuff, so I don't know what that really means, but I know this: It sounds like I agree with him. I am not insulted by that. Because Jim Crow was not Jim Crow until it became Jim Crow.

Reconstruction—one of the reasons I sort of correct some of my friends sometimes when they say it is because I don't want them to get things muddled. I hear people talk all the time about me being the first Black Congressman from South Carolina since Reconstruction. That is not true. All nine of us, the eight before me and me, we are all since Reconstruction.

Reconstruction didn't last but about 12 to 13 years based upon which date you want to use, it didn't last. Reconstruction was over in 1876, so Robert Smalls did not get elected until the 1880s. Robert Smalls got elected since Reconstruction. No.

Reconstruction ended in 1876, and at the end of Reconstruction is when all these so-called Jim Crow laws went into place. The Black Codes went into place. Those things, those laws starting with the Supreme Court decision in 1872, the Crescent decision coming out of Louisiana, which is kind of interesting.

But Plessy v. Ferguson came out of Louisiana. And I want to thank the Governor of Louisiana for having—after all these years—issued a pardon to Homer Plessy, who is a man who was arrested and fined $25 for riding in a forbidden car on the train that he had paid a first-class ticket for and he was arrested putting in place separate but equal, which was never equal.

And so I want to read to you something that was said in the 1895 convention by Robert Smalls. It is real interesting. These are the words of a former slave: ''Since Reconstruction times'' and I am quoting Robert Smalls, ''53,000 Negroes have been killed in the South.'' Since Reconstruction. Remember now, Reconstruction ended in 1876. So somewhere between 1876 and 1895 when Robert Smalls made this speech he says: '' . . . 53,000 Negroes have been killed in the South, and not more than three White men have been convicted and''—he said ''hung'' here, though I want everybody to know that I am educated enough to know that should have been hanged—''for these crimes. I want you to be mindful of the fact that the good people of the north are watching this convention upon this subject. I hope you will make a Constitution that will stand the test. I hope that we may be able to say when our work is done that we have made as good a Constitution as the one we are doing away with.''

Just think about that. They were doing away with the Constitution of 1868 that gave Robert Smalls and other Blacks the right to vote, gave citizens those rights, and in 1895 he is saying, I'm hoping that when we finish here today we will have made a new Constitution that is as good as the one that we are getting rid of. I think Robert Smalls knew very well what was in the making.

There is another gentleman in that Constitutional Convention with him who also served in the Congress, Thomas E. Miller, he had served in the Congress. And in order to get him to serve him in Congress, they made it attractive for him to be the first president of South Carolina State University where Joe Biden was a couple weeks ago and from which I graduated. Thomas Miller spoke on this issue, as well.

But here is what I want you to understand. One of the things they were putting in this Constitution was in order to get the right to vote you had to be able to interpret sections of the Constitution of the United States. You can't get the right to vote until you interpret the Constitution. And now some of the sections are a little worse than that.

In Alabama—we have all seen the stories—in order to get the right to vote you had to be able to tell whoever was standing there—somebody who probably couldn't even count, let alone understand the Constitution—how many jelly beans were in a jar. These were laws passed by States. And anybody who may think that that is silly to have to be able to count or guess how many jelly beans are in a jar in order to get the right to vote, that is no more silly than arresting somebody for giving a bottle of water to somebody standing in line in the hot sun.

That is how stupid some of these laws they are passing are. And we in this body and my friends across the other side of this building are condoning that, saying that we can't change this process to get rid of that kind of silliness. But this is serious stuff.

□ 1330

''How can you expect an ordinary man to understand and explain any section of the Constitution, to correspond to the interpretation put upon it by the manager of an election.''

And I guarantee you, some of these people—I knew some of them—who were running these elections could not read the Constitution, much less interpret it.

I want everybody to listen to this:

When by a recent decision of the Supreme Court, composed of the most learned men in the State, two of them put one construction upon a section of the Constitution and the other justice put an entirely different construction upon it.

How did we get 5–4 decisions in the United States Supreme Court? Because five people think one way; four people think the other. Which one of them would get the right to vote, interpreting the Constitution? This is the kind of silliness here.

To embody such a provision in the election law would be, to me, that every White man would interpret it all right and every Negro would interpret it wrong.

And then Robert Smalls said, I appeal to the gentleman from Edgefield to realize that he is not making the law for one set of men.

Robert Smalls said, ''Some morning, you may wake up to find that the bone and sinew of your country is gone . . . I tell you that the Negro is the bone and sinew of your country and you cannot do without him. I do not believe you want to get rid of the Negro, else why did you impose a high tax on immigration agents who might come here to get him to leave?'' That is very insightful, very insightful.

Now, Thomas Miller, who had also served in Congress, and as I just said, became the first President of South Carolina State, Thomas Miller was a free-born attorney. He was a college graduate. And as I said, he, too, had served in the Congress. As I told you earlier, in 1868, the majority of the delegates were Black. In the 1895 convention, six Blacks, only six. Thomas Miller was one of the six.

Tillman, Miller told the convention, condemned Reconstruction-era political corruption but had ''not found voice eloquent enough, nor pen exact enough to mention those imperishable gifts bestowed upon South Carolina . . . by Negro legislators.'' That is what he said.

He said that ''We were 8 years in power. We had built schoolhouses, established charitable institutions, built and maintained the penitentiary system, provided for the education of the deaf and''—that is a colloquial term that is no longer used—to the deaf and mute—you can imagine what the other word is—and ''rebuilt the jails and courthouses . . . In short,'' he says, ''we had reconstructed the State.''

Now, the reason I point this out to you is because he was a majority Black legislator in South Carolina that passed a law that provided for free public education for everybody. Little old State of South Carolina was the first State in the Union to provide for free public education for everybody. Until that time throughout the South, only the elite were provided education.

And as I said here, the school, the penitentiary system, the most modern penal system had been created in South Carolina by a majority of Black legislators; the school to educate the deaf and mute done by a majority of the Black legislators. And that is what Thomas Miller was talking about.

Now, I want to say something about what Robert Smalls had to say about waking up and finding that the law you passed that was meant for me may one day apply to you. We just saw that last year in January when Georgia elected Senator OSSOFF. Senator OSSOFF ended up defeating an incumbent Senator. Now, that incumbent Senator was David Perdue.

Now, let me tell you something interesting about that, and I think that people better start thinking. Georgia decided several years ago—I remember when it happened—that because there were so many Black people voting, they decided to set up—and you can go back, I won't go through it today, and read the debate that took place in the legislature.

When Georgia decided in order to win a general election in Georgia, you had to have 50 percent plus 1. And man who proposed it argued on the floor that he was doing that in order to dilute, to nullify the effect of the Black vote, to make sure that you get to a 1-on-1 Black versus White runoff requirement. He felt that if there were three or four people in the general election and then the Black people voted in unison, they could get a Black person elected to the Senate. And that is not what he wanted to happen.

So he wanted to make sure that if there were more than two people running and nobody gets 50 percent, then you have to have a runoff in the general election between those two. And if one was Black and the other was White, the White person was sure to win.

Well, that tells you how shortsighted he was, because that is exactly what happened in that other election between Warnock and the incumbent Senator. Now, Warnock got a smaller vote than the person he was in the runoff with, but he didn't get 50 percent so they had to have a runoff. David Perdue got 49.8 percent of the vote, but it was not 50 percent.

If they had not changed that law, David Perdue would have been reelected to the United States Senate on that day back in November. He never would have been in the runoff because he had 49.8 percent, but they put in the law that you got to get 50 percent. So now he has got to runoff. And he runs off against Ossoff and gets beat. He would have been elected if Georgia had not changed.

Just like Robert Smalls told the people of South Carolina: You are not making this law just for me. You are going to wake up one day and this law is going to apply to you. Just ask David Perdue.

Madam Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 8 minutes remaining.

Mr. CLYBURN. On the other side, the gentleman was shortsighted in his debate in the legislature simply because Warnock was in this runoff. It was Black against White. But the people of Georgia decided they would elect a Black guy. So the Georgia legislature was wrong on both fronts when they put that law in place. The law that would have reelected Perdue was taken away and they put in place a law that was supposed to ensure his election, and he lost. And they lost on both fronts.

So I say to my friends in the Senate, and I have been talking to them, and I am, quite frankly, very disappointed in my conversations and that is why I decided to come to this floor today. I want to say to them, they should be careful. They should be very, very careful because what may look like a good thing to do today, may not be such a good thing after it is operated for some time.

Madam Speaker, I will give you back a few of these minutes. I could go on for some more. I have got some other things I probably should have said and I may have already said some things that I should not have said. But I did say I would say something interesting about that first Constitutional Convention in 1895.

I just told you about free public schools, when in that Constitutional Convention, the guy that put up the resolution calling for free public schools was Robert Smalls. The penal system that they put in place, that was the envy of the world, done by the majority of Black legislators. I have talked about all that.

But there was something else that they proposed that they couldn't get done. They had proposed in 1868 at that convention, the majority of Black people tried to give the vote to women—in 1868. Something that did not happen until the 19th amendment in the 1900s—whenever that was—1920-something. Just to let you know that skin color has nothing to do with the extent of progressive ideas or, what we might call, enlightened thought.

Madam Speaker, I want to close with—I call it a poem. I used to quote it pretty often. A German theologian, Lutheran theologian named Martin—and I think I am pronouncing his last name right—Niemoller. It isn't quite spelled that way, but I am not that equipped in the German language but I think that is the way it is pronounced. And I close with his words:

First they came for the socialists, and I did not speak out because I was not a socialist.

Then they came for the trade unionists, and I did not speak out because I was not a trade unionist.

Then they came for the Jews, and I did not speak out because I was not a Jew.

Then they came for me, and there was no one left to speak for me.

Madam Speaker, I yield back the balance of my time.

□ 1345

CURING DISEASES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Arizona (Mr. SCHWEIKERT) for 30 minutes.

Mr. SCHWEIKERT. Madam Speaker, it is always impressive to hear Whip CLYBURN speak.

Madam Speaker, I am going to try something. We talked about this over our Christmas break, that the first floor speech should be one that would be a bit more positive. As we started to work through the story, we wanted to tell and show some of the good things happening in the country, I came to a conclusion that I am going to have to, on a number of these, walk through how I believe the left's policies—maybe not intentionally—but are actually really causing harm to things that are really good for America, good for the world, good for everyone here.

So one of the things I am going to do is sort of walk through some really neat technologies and things that accomplish much of the good we want, and then sort of talk through a little bit of the policies that are being adopted here or promoted here that were actually screwed up.

Just before the Christmas break, we did a floor presentation because there was an article out that there substantially had been a cure—it was only one individual—but it was a proof-of-concept cure for type 1 diabetes. They basically took a stem cell, turned it into an islet cell, reinjected the islet—islet cells produce insulin—and it worked.

Obviously, we have all had our hearts broken over the years when we think there is a medical breakthrough, but this one has been being worked on for a decade.

I found another article, another research team, which actually took blood and then, using some hormones, took those blood cells and drove them back to functionally being a T cell, and then took the T cell being an islet cell—an insulin-producing cell. Why is this important?

That first article we talked about, saying this is a miracle, we now know how to cure type 1 diabetes. The problem was that one was going to require anti-rejection drugs. This methodology doesn't. You can cure type 1 diabetes and the individual because you did it from their blood. This is wonderful.

My reason for starting with this is if you dig through the paper and some of the comments and some of the smart people that fixate on this, they start to say this is also a path for many of our brothers and sisters who suffer from type 2 diabetes.

Why do we care so much about ultimately curing type 2 diabetes? First off, this is actually a separation. I think it is more because no one has really presented this to my brothers and sisters on the left. We had the discussion in the Ways and Means Committee about how to help populations, the Tribal populations. Many Members here, they have urban minority populations that have overwhelmingly suffered with diabetes. There becomes this conversation that we are going to build more medical clinics.

When you head in that direction, what you are basically selling is that you are going to help Americans live with their misery. What I am trying to drill into this place is let's move to cures because the cure is the most honorable, loving, caring, and also the most effective thing we can do.

Remember—it is going to be in my last couple boards—in about 29 years, the CBO says we are going to have $112 trillion of borrowed money, and that was on last year's calculation, in current dollars publicly borrowed, $112 trillion of borrowing. About 75 percent of that borrowing was just the shortfall in Medicare.

We know 31 percent of Medicare spending is diabetes. Cure diabetes and type 2—it is complex. You have to be willing to actually change incentives on what we eat, what we grow, what is produced in food, how we deliver nutritional support.

Now that we actually have a way—or, it looks like we are going to have a way to help our brothers and sisters deal with their autoimmune rejection and go back to producing insulin again.

It turns out, if it is true, that that path could be one of the most effective things ever in actually U.S. sovereign debt but also ending misery. We have a small problem, and we are going to get to that.

I am going to show you as we walk through this where Democrat policies will actually stillborn many of these technologies that end this suffering and also have these amazing impacts of making people's lives better, healthier, and actually having a real effect on this crazy amount of borrowing.

My calculation from last month is we are actually borrowing about $47,000 every second. As the next decade comes, that number goes up dramatically. If you care about people's retirement security, my little girl's economic future, that should be the fixation here. You can take it on by doing good things. It is not cutting and slashing programs. It is dealing with the drivers of that debt. It turns out healthcare costs are the primary driver of that debt.

I did this slide just because, A, I thought it was cute, but it also helps us sort of think where we are technology-wise. Yes, that is a group of kittens in a Starlink dish because it was warm, and everybody likes pictures of kittens.

More to the point, today I believe there was another Falcon 9 rocket sent up to space to distribute a bunch more of these low Earth-orbiting WiFi satellites—broadband satellites. If you take a step backward and look at the budget that the Democrats promulgated for broadband and then take a realization—hey, all of North America actually has broadband. The difference is it is not a wire; it is a satellite dish. Yes, the kittens are cute.

So my Tribal communities in Arizona that may be in the middle of nowhere, you know, a chapter house up in the Navajo reservation, they have broadband. They have been waiting for that broadband for decades, and this place keeps promising that we are going to run a piece of fiber, a piece of wire out there. Forgive my language, screw that. Put up the satellite dish—the small satellite dishes that are just a little larger than some of the big dinner plates. They have broadband. It would cost a fraction of what we are spending.

That would be actually having this place read about technology, encouraging our staff to pay attention to what is happening in the scientific world instead of this place sounding like we are debating from the 1990s. How much of what goes behind these microphones is functioning decades out of date, rhetorically, technology-wise? It is just very, very frustrating.

So one of my personal fixations—and we are going to talk about things like the Democrats' H.R. 3 and their approach to healthcare. There is a revolution happening, and it is called personalized medicine. We are about to—not about to. It has happened. I beg people to sort of think about this conceptionally. Disease is about to become a software program. Stop and think about that.

What we have learned on stem cells, messenger RNA, and some of the derivatives of messenger RNA, the fact of the matter is the cancer you have, the heart disease you have, the virus you have, even now the bacteria you may have in your bloodstream, by using the new technology, we are turning cures, but cures are functionally almost a software problem. We code it; we understand the DNA; we produce a cure.

Yet, the vision of the legislation where the left says, well, we are going to control pharmaceutical prices, crushes the very innovation that is about to cure people. It turns out those cures are the thing that crashes the price of healthcare because 5 percent of our brothers and sisters who have chronic conditions, chronic diseases, chronic ailments are the majority of our healthcare spending.

What the left has proposed is great politics. It is brilliant politics. Hey, we are going to go and functionally nationalize the pricing mechanisms by referring to Europe, and that is how we are going to price drugs. Yes, the economists who do pharmaceutical research say all these new innovative drugs are going to disappear, and we basically make Big Pharma bigger.

What you have done is you have crushed the capital for the innovative cures, and you take those that are the maintenance drugs, the things that maintain our misery, and you incentivize them just to make tweaks to maybe make them a little better and extend their patents. That is actually the outcome of the left's approach on healthcare.

I don't think it is done maliciously. I think it is just one of those occasions that you are going to see multiple times on these boards. Good intentions aren't necessarily good outcome. Virtue signaling doesn't mean that it worked. It just means that the left gets

judged on good intentions, not on the outcomes.

Even in the new papers that are out in the last month or two talking about CAR-T, which is a derivative of functionally messenger RNA being used on heart disease—remember, heart disease is the number one killer as we get through this pandemic time.

What happens if that back-to-healthcare disease is substantially a software problem? We actually have a way to have an incredible impact on the number one killer in our Nation. This is a wonderful thing. This is a really good thing. This does not happen quickly under the left's H.R. 3 mechanisms. They will stillborn much of this technology, the investment in it, and the ability to bring it to market.

If the left and the right, if we actually give a darn, what we should be looking at here are the things that are disruptive that cure and what we do to get these technologies to our brothers and sisters as fast as possible. If it is true—and there now has been multiple research papers on this, and they are trying to now commercialize it, the ability for this to deal with the proteins that cause some of the heart damage, allowing the heart to heal, that it is really incredibly effective. This is wonderful because we did not have this a year ago, even conceptually, and it is here.

What happens if I come to you and say: Well, we have just learned how to do editing of small snippets of genetic code. We can end sickle cell anemia.

This is working. It is back to my constant of trying to pitch this concept of cure the disease, end the misery, don't do what is the rhetorical method around this place, saying it is great politics for me to offer more healthcare clinics because that way it looks like I just did something, and it helps my reelection. Yes, getting the actual cure to market might take a little bit longer.

Do you remember at the beginning of the pandemic when we talked about getting a vaccine and this concept where we would get a vaccine in less than a year? The debates we were having here were that, oh, that is pie in the sky, that is a fantasy, but it happened. It took a bunch of money. It took unleashing a lot of resources and freaky smart people and pushing the bureaucracy to become more efficient. But it happened.

Madam Speaker, could you imagine if we had that same type of passion to cure diseases? We know how to cure now sickle cell anemia. How do we get this to our brothers and sisters who are suffering instead of trying to come up with another way to just do the maintenance?

□ 1400

My argument behind this microphone right now is that these are wonderful things that are happening.

How do we keep the Democrats', the left's, policies from destroying this progress?

This is a little board that basically talks about the Democrats' H.R. 3—wonderful rhetoric. Every voter, right and left, Republican and Democrat, is frustrated with pharmaceutical prices. Okay, but do they understand that the mechanism being proposed by the left—basically, the economists tell us that there are dozens and dozens of cures that are real expensive.

Remember, many of these cures take billions and billions and billions of dollars of research just to get them to market, and a substantial number of them, a majority, fail. A lot of those costs are our fault. The bureaucratic mechanisms—and a couple of us have ideas on how to streamline that process and reduce that cost to get these revolutionary pharmaceuticals that cure to market. But this is really important.

There is one other thing on this board that needs to be understood. The left's pharmaceutical pricing proposal does something called reference pricing. They reach over to Europe, take a handful of countries there that actually have what they—think of it as a formula that says quality life years. So if this drug costs more than a certain amount of money for an additional quality life year, they don't buy it. There are countries over there that have pricing like I think in Great Britain was equivalent to 38,000 USD, that if the drug costs more than that, you can't get it. That will reduce drug prices. It will also kill a whole bunch of people, and it will end the resources for the cures that come in the future.

There are other ways to get there without crushing small pharma. That is basically the way that you make Big Pharma less big because you cure the very disease that the book of business over here makes money on by maintaining. This isn't hard economics. It is just math. And I accept this place is a math-free zone, but the math is the math.

There are good things happening. We just have to stop much of the Democrats' policies, which are crushing these opportunities because, look, it is great politics. The rhetoric is great politics. It is crappy economics.

I want to give you another simple example, Madam Speaker, and this one is more maybe closer to home, being from Arizona. A couple weeks ago, a big rig tractor-trailer—I believe it was on I–10 in Arizona—drove a fairly substantial distance completely autonomously. No driver at all, completely autonomously.

Well, think about that. Let's take a step.

Didn't we hear President Biden—what was it, a few weeks ago?—talk about the supply chain: We don't have enough truck drivers. We are going to fix this. We are going to make it so goods can make it to the warehouses where they can be value added, the manufacturing, the store shelves.

This was part of it because the United States, one of our greatest difficulties is our demographics. The reality is we are getting much older very fast. I mean, what is it? The mean truck driver is somewhere in the midfifties. This is part of the solution. Okay. This is wonderful.

How much of this place is really fixated on the combination of resources, but it is also the regulatory, the litigation, and the liability standards to make this happen so it helps solve the transportation of goods here in the country?

It is wonderful, except one small problem. The Democrats, in their infrastructure bill, slipped in a wonderful little section. Because, remember, this is a supply chain. So the container comes off the ship, goes to the stack, goes to the truck, the truck we just saw we now have the autonomous technology that is starting to work. So what did the Democrats slip into their infrastructure bill? Making it so you can't automate the port.

So they, once again, sold out to the union because, well, that is who writes them checks. But you can't have it both ways. You can't have a President get behind the microphone and say: I am working on this; I am going to help solve the supply chain problem, wink, wink, nod, nod. I am going to hide it in the infrastructure legislation where the vast majority of the money did not go to actually infrastructure, and then put in things in there saying: But we are going to also make sure you can't automate the ports.

This is special interest legislation because Congress has become a protection racket. You are this union. You come in. You have enough friends here. They will actually do something that protects that book of business against what was good for the entire country.

So all of this technology that is about to help us deal with our worker shortage, our supply chain shortage, actually gets stymied because the left basically says the union is more important than the rest of the country. Let's make sure you make it so we can't make our ports more efficient.

That is a classic example of good things were happening. And the technology isn't Republican or Democrat, but you have to make it so it comes together.

The left constantly selling out to their special interests basically crushes the very things that create the productivity that we desperately need for the future of this country because, remember, growth is moral. Growth makes the poor a lot less poor. And then to do these backdoor little deals that actually crush the efficiencies and the productivity that make the society wealthier, it is a wink, wink, nod, nod. It may be great politics, but it is really crappy economics.

So let's actually talk about another thing that is happening. How many speeches have we been giving about global warming here? A lot of our brothers and sisters care passionately about this. And then on the other side

of the very beginning of the Biden administration with the help of many of my Democrat colleagues here, they basically trumped down on permitting, regulations, accessibility, pipelines, those things for natural gas, even though we know over the previous decade and a half natural gas was the substantial, by far, driver of the reduction of North America's greenhouse gases because it burned so much more efficiently. Because accessibility had become so available, the price of natural gas had come down so much that facility after facility that were generating electricity had switched to natural gas away from coal.

So what did the Democrats do this last year? They made natural gas substantially more expensive. Well, what did they think was going to happen?

Congratulations to my brothers and sisters on the left, which I believe they have increased coal usage by 23 percent last year over where the Trump administration was, which was accused of being too friendly to coal by the environmental left had, because of the productivity and accessibility to natural gas, natural gas prices fell, and use of coal went down dramatically. The left comes in and starts to do all sorts of regulations, permitting, restrictions, those things for natural gas, and natural gas prices go up. Those facilities converted back to coal. Congratulations. Twenty-three percent more coal got burnt.

It is just, once again, a simple example of if you don't do basic math. It is great rhetoric: come behind the microphones, tell us about how much you care about the environment, and then screw up the economics so much that this Nation actually over the next few years, greenhouse gas-wise, is about to get dirtier.

You have seen my slides I have brought to the floor before on how much of our baseload nuclear is about to come off line. There will be more baseload nuclear about to come off line than every bit of photovoltaic that has been put into this entire Nation.

It is math. It is not hard. But we don't seem to reward facts around here. What we reward is brilliant virtue signaling, pretty words, and not the final outcome.

Having had a conversation with a couple of my friends who are good people—they are on the left. They care passionately about greenhouse gases. I asked them about this natural gas.

Why do you go so anti-natural gas even though it was responsible for the vast majority of the reduction of U.S. greenhouse gases?

Well, I don't like methane.

Okay, that is fair. May I suggest actually purchasing a scientific journal subscription or two and read because a couple of weeks ago some of these articles came out about a dramatically, dramatically less expensive way to capture methane? It is functionally clay with a slight alteration. I think it is called copper oxide, added. It is functionally kitty litter.

Do you see a theme, Madam Speaker, kitties in the Starlink satellite?

This is functionally an MIT paper saying: Hey, we found a really inexpensive way to capture the methane. So if you are worried about wellhead bleed-off or interconnection bleed-off or these things, apparently the model even works for ambient capture.

So instead of going anti-natural gas and making everyone's life more miserable and more expensive and then pushing manufacturers of ions, electric generation, back to coal, get your head right. Learn the economics and say: There is technology out there that we can capture the thing you say you are worried about very inexpensively, put your resources, put the regulatory push behind a solution.

It is a little harder to explain in front of your environmentalist townhall, but they are facts. There are wonderful things happening. There are solutions, and solutions that don't bankrupt the American people. It just requires this place stop sounding like it is the 1990s policywise.

Understand, this is one of my biggest frustrations around here. We need a moment of honesty. The policies pushed by the administration and my brothers and sisters on the left here have made America poorer. They have made the working men and women poor and the working poor poorer.

Here is the chart. The facts are the facts are the facts are the facts. Wages have gone up. They were also going up dramatically in 2018, 2019, and in the very beginning of 2020 with no inflation.

Our problem right now is the classic problem between sort of the Keynesian, stimulus, consumption side of economics and those of us who are more on the supply side where you make more product and, by doing that, you raise wages because you become more efficient. You incentivize productivity, and that productivity makes it so you can pay people more.

We did just the opposite: push cash after cash after cash in society, push up inflation, and Americans got poorer. You saw the inflation data the last couple days, Madam Speaker. So all the nice speeches around here about Republicans did this, Republicans did that, moment of clarity, honesty—and it is math—Democrat policies made the working poor poorer this last year. And it is math.

What are the two things you do most that create the most economic violence to the working poor? I really wish I had someone here who was willing to answer that. It is real simple: Open up the border so you create a flood of individuals who have similar skill sets. My drywaller or my gardener or whoever these people are, they sell their labors. They sell their willingness to work their hearts out. When you flood the market with people with similar skill sets, then you crush their wages and then, at the same time, create inflation on top of that.

From an economic standpoint, if you want to commit economic violence on the poor, do exactly what the left is doing right now: open up the borders and incentivize inflation.

A tough part with both of these is that it is not a switch you can just turn off. The labor availability for those who sell their labor, they sell it because they didn't graduate high school and didn't have some of the benefits many of us did, but their wages were going up dramatically in 2018, 2019. In the beginning of 2020, a new regime comes in, the border is opened up, we are in the middle of a pandemic, there are lots of other things going on, and there are numbers out there that are really difficult because you have to adjust for the amount of cash that was pushed into society. But when you start to try to normalize that, I think when we look back there is going to be an understanding of just how brutal the policies of opening up the border and inflation were to the very people we talk about and claim we care about.

My fear is that brutality economically looks like it is going to be with us for about a decade. It may take 10 years to squeeze out what we have done in our population dynamics and inflation.

I hope this place is willing—and when I talk to some of my Democrat colleagues and I walk them through the numbers, they just stare at me angrily and say, well, we are going to just send them more money, not understanding that just sets off the cycle even more.

□ 1415

I threw this one in because I think this is actually something, we should all just be hopeful. We now have, actually, an antiviral in the pandemic. We have the Pfizer pill. I believe Merck has one, but the Pfizer is remarkably effective.

So if you have a home COVID test and can actually take an antiviral pill at home—you've got to take a number of them—should you still have a declaration of a pandemic?

And my reason is, go back to the discussions we had when this began, when the pandemic was declared. This has been a miserable thing for everyone to go through. But it was always we are doing this because our emergency rooms are going to be full. We won't have enough ventilators. We don't have therapeutics.

Well, now we have therapeutics where you can take it at home. You can identify the virus at home.

Is it time for us to actually step in and say, this is something we are going to live with? We now have the tools to take care of it. If you happen to be in one of—where you have a compromised immune system, you have other sorts of co-morbidities—which I still hate that word—yes, there are different protocols.

For the vast majority of our Nation, this is what we had said a couple of years ago; when we get this, we don't

need to have a declaration of a pandemic because you can test at home and take a pill at home—well, a number of pills—and it is an antiviral that is incredibly effective.

Is it time we start having the conversation that the declaration of a pandemic has outlived its welcome, and we start now figuring out we have methods to help our brothers and sisters who are suffering take care of themselves and do it from home? They don't have to be in the urgent care centers. They don't have to be in our emergency rooms, our hospitals. This is hopeful, and it is here.

Now, of course, you already saw an earlier debate, I believe, between our leaders discussing about the Biden administration's failure to properly preorder and those things. I will let others who specialize in this have that debate.

But that should be considered hopeful, and it is time, and we are already starting to see some movement with our brothers and sisters on the left starting to understand that this is something that we are going to live with.

All right. This one is uncomfortable, but it is math. The University of Chicago, four Ph.D. economists were looking at parts of the Build Back Better, the social entitlement spending bill, and the childcare tax credit. And it turns out, because the left insists on de-linking the money from getting job training, from learning skills, from actually pursuing work, from taking work, economists basically say, once again, the left's great rhetoric of how they are going to help working men and women who have children, actually, the data says they are going to make them poorer.

So what we have proposed over and over and over to the left is: Okay, if you intend to do this, could we put in a component that says we need you to gain skills? We want you to be part of the economy. We want you to be part of society. We would like you to work.

And the reaction—we actually had testimony in the Joint Economic Committee from a leftist Democrat witness who basically said, why should people have to work? Even a couple of the Democrats on the dais, you know, their jaws are dropping saying, well, that is your witness.

But then the economists turn to you and say, the way you are designing your legislation you are hurting working poor people. You have already done it with opening the border. You have already done it with inflation. Now you are going to make sure it sticks.

These are just crappy economics. And they know better. It is just the politics of this craziness right now.

So let's actually go on to something else that I am hoping will make some sense. I did this board specifically for someone who will probably never see this moment of the speech. So, last week, we sent out, you know, a postcard saying it is about to become a new year. Tell us what issues you care about. And someone on the left stuck one in my mailbox, and the first thing said, rich people need to pay more.

Okay. It would have been nice if this individual had actually had the fortitude to actually give me their name or phone number so I could talk to them and walk them through the numbers. Because you hear the left's folklore all the time. Well, the tax reform, it was for rich people. No, it wasn't.

Once again, the data makes it very clear, the wealthy, after tax reform, are paying a higher percentage of the Federal income tax. Understand, one more time. The tax code got more progressive after tax reform. So the math is the truth.

How many times do you hear it?

I remember last year, I did a presentation, Speaker PELOSI came in on it, and then Speaker PELOSI talks in the mike and says, 82 percent of the benefits went to the rich people. And even the Democrats who were on Ways and Means, their jaws are dropping, and they are looking down at the floor.

But this place makes math up. It makes crap up because we are about virtue signaling, not the facts. The tax code we are under today is more progressive. The rich pay a higher percentage of the Federal income tax burden than before tax reform.

But back to the rhetoric and that postcard that was in my mailbox saying rich people need to pay more taxes. Okay. Maybe the left should stop trying to subsidize them.

In the left's Build Back Better, their social entitlement spending plan, the amount of tax cuts that are functionally designed into that, tax credits, money transfer—you do understand, two-thirds of millionaires get a tax cut under the Democrats Build Back Better.

It is, once again, the rhetoric versus the math; the virtue signaling versus owning a calculator. The analysis says the Democrats are, once again—talk a great game. The wealthy need to pay their fair share. And then they turn around and do legislation that actually subsidizes the rich.

A few months ago, we did a presentation here and said, if society, if government really needs another trillion dollars—okay, if that is the argument coming from the left, stop subsidizing the rich.

We came here with a series of boards that showed almost $1.4 trillion over 10 years—and I am talking the really rich, you know, the subsidies that are built in. And you could just hear—what is the colloquialism—crickets. Because if you actually look at the wealthiest ZIP codes in the Nation, they are actually represented by people on the left.

So just a couple more of these to sort of help walk us through.

We all know the Democrats' passion for State and local tax deductions, and it goes up and down in their negotiations. But once again—and to BERNIE SANDERS' credit, he actually told the truth on this. It is a tax cut for the really, really, really rich, when the vast majority of the money goes to people making $1 million or more.

But how many times have we read in the political press that a number of our Democrat brothers and sisters here won't let the legislation become law unless they get these tax cuts for their rich taxpayers?

Okay. Then stop sticking a postcard in my mailbox without your name on it saying tax the rich more, and being part of, obviously, a political party that wants to either subsidize the rich, hand them tax credits, or hand them money. You can't—it is just fascinating. We work in a place that the words don't match the facts.

And this was one of my favorite things. In Ways and Means, when we were grinding through the Democrats' Build Back Better bill, we actually did some simple math. Once again, we actually tried to read part of it.

So you make $800,000 a year. Your family makes $800,000 a year. Built into that legislation was $118,000 of tax credits for a family making $800,000 a year. Buy the right Tesla; buy the battery wall; buy the right solar panels.

That is their version of taxing the rich, getting the wealthy to pay their fair share? Or is it their version of, hey, we are going to subsidize the people that finance our campaigns. And, oh, by the way, these are their constituents.

So back once again, what is the greatest threat to our Republic? Besides all the craziness here and the shiny objects and the debate of the day that will change tomorrow, the sense of indignation, people will walk behind these microphones—I am going to argue it is the next two boards. This year, 77 percent of all the spending is mandatory. It is functionally a formula. It is Social Security. It is Medicare. Ten percent is defense, 13 percent is everything else.

When you and I go home, and if I am in front of a Republican audience, it is often, oh, you have got to get rid of waste and fraud. You have got to get rid of foreign aid. In front of a leftist audience, well, it is defense.

But, no, it is demographics. The vast majority of this here is functionally demographics. Demographics, getting old, is not Republican or Democrat.

But yet, even last night, you saw more legislation being pushed by the Democrats that expands these mandatory portions, and this is based on a CBO report from a year ago.

But functioning 29 years, you have $112 trillion of publicly borrowed money, so that is not borrowing from trust funds, and it is on today's dollars. This isn't inflated dollars in the future. That is like 205 percent of projected GDP. The majority of it is the shortfalls in Medicare, then Social Security. The rest of the budget is in balance.

If you have made a commitment, you are an elected official here and you made a commitment that you are going to protect Social Security; you

are going to protect Medicare; you are going to protect retirement security; start telling the truth about the math. And understand, those previous slides I showed, that there is a miracle of wonderful things that are going to cure misery, cure diseases.

Why isn't that the fixation here, that we are going to actually fix the things that create this incredible amount of debt? Instead, we have a body that doesn't do math, and is rewarded for absolutely absurd virtue signaling.

Madam Speaker, I yield back the balance of my time.

BILLS PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on December 15, 2021, she presented to the President of the United States, for his approval, the following bills:

H.R. 390. To redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee as the ''Odell Horton Federal Building''.

H.R. 4660. To designate the Federal Building and United States Courthouse located at 1125 Chapline Street in Wheeling, West Virginia, as the ''Frederick P. Stamp, Jr. Federal Building and United States Courthouse''.

Cheryl L. Johnson, Clerk of the House, further reported that on December 20, 2021, she presented to the President of the United States, for his approval, the following bills:

H.R. 5545. To extend certain expiring provisions of law relating to benefits provided under Department of Veterans Affairs educational assistance programs during COVID–19 pandemic, and for other purposes.

H.R. 6256. To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

Cheryl L. Johnson, Clerk of the House, further reported that on December 23, 2021, she presented to the President of the United States, for his approval, the following bills:

H.R. 1664. To authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 3537. To direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 11 a.m. tomorrow.

Thereupon (at 2 o'clock and 29 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, January 14, 2022, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC–3119. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-052, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3120. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-024, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3121. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-066, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3122. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-060, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3123. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-030, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3124. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-004, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3125. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-061, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3126. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-046, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3127. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-017, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3128. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-062, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3129. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-038, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3130. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-039, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3131. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-040, pursuant to Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3132. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 20-080, pursuant to Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3133. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-043, pursuant to Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3134. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 21-028, pursuant to Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC–3135. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ASI Aviation (Type Certificate Previously Held by Reims Aviation S.A.) Airplanes [Docket No.: FAA-2021-0714; Project Identifier 2019-CE-016-AD; Amendment 39-21794; AD 2021-22-21] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3136. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2021-0693; Project Identifier MCAI-2020-01666-R; Amendment 39-21788; AD 2021-22-15] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3137. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2021-0197; Project Identifier 2018-SW-107-AD; Amendment 39-21789; AD 2021-22-16] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3138. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2021-0262; Project Identifier AD-2020-00815-T; Amendment 39-21796; AD 2021-22-23] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3139. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2021-0382; Project Identifier MCAI-2021-00382-T; Amendment 39-21797; AD 2021-22-24] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3140. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2021-0545; Project Identifier MCAI-2021-00071-T; Amendment 39-21791; AD 2021-22-18] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3141. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-

2021-1009: Project Identifier MCAI-2021-01173-R; Amendment 39-21827; AD 2021-24-06] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3142. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Turbofan Engines [Docket No.: FAA-2021-0661; Project Identifier AD-2020-01349-E; Amendment 39-21792; AD 2021-22-19] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3143. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2021-0273 Project Identifier AD-2021-00050-E; Amendment 39-21765; AD 2021-21-05] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3144. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2021-1008; Project Identifier MCAI-2021-01210-T; Amendment 39-21828; AD 2021-24-07] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3145. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Textron Canada Limited Helicopters [Docket No.: FAA-2021-1011; Project Identifier MCAI-2021-00867-R; Amendment 39-21830; AD 2021-24-09] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3146. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2021-0880; Project Identifier MCAI-2021-00685-T; Amendment 39-21779; AD 2021-22-06] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3147. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0687; Project Identifier 2019-SW-029-AD; Amendment 39-21782; AD 2021-22-09] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3148. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.a. Helicopters [Docket No.: FAA-2021-0695; Project Identifier MCAI-2021-00096-R; Amendment 39-21783; AD 2021-22-10] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3149. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Austro Engine GmbH Engines [Docket No.: FAA-2021-0781; Project Identifier AD-2021-00775-E; Amendment 39-21831; AD 2021-24-10] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3150. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2021-0508 Project Identifier MCAI-2021-00070-T; Amendment 39-21747; AD 2021-20-09] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3151. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2020-1029; Project Identifier MCAI-2020-01126-T; Amendment 39-21777; AD 2021-22-04] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3152. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (Type Certificate Previously Held by Rolls-Royce plc) Turbofan Engines [Docket No.: FAA-2021-0879; Project Identifier MCAI-2020-01494-E; Amendment 39-21773; AD 2021-21-13] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC–3153. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes [Docket No.: FAA-2021-0602; Project Identifier 2019-CE-022-AD; Amendment 39-21776; AD 2021-22-03] (RIN: 2120-AA64) received January 11, 2022, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. SLOTKIN (for herself and Mr. TRONE):

H.R. 6392. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for prescription drugs; to the Committee on Ways and Means.

By Mr. ARRINGTON (for himself, Mr. PETERS, Mr. HUIZENGA, and Ms. BOURDEAUX):

H.R. 6393. A bill to amend chapter 31 of title 31 of the United States Code and title IV of the Congressional Budget Act of 1974 to automatically suspend the debt limit for the fiscal year of a budget resolution; to the Committee on Rules, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BAIRD:

H.R. 6394. A bill to prevent the theft of catalytic converters and other precious metal car parts, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS (for himself, Mr. GOOD of Virginia, Mr. CAWTHORN, Mr. TIFFANY, Mr. GAETZ, Mr. DUNCAN, Mrs. MILLER of Illinois, Mr. BISHOP of North Carolina, Mrs. MCCLAIN, Mr. GOHMERT, Mr. MASSIE, Mr. POSEY, Mr. HICE of Georgia, Mr. CLOUD, Mr. PERRY, Mr. GOSAR, Mr. SCHWEIKERT, Mr. GOODEN of Texas, Mrs. BOEBERT, Mr. NORMAN, Mr. ROY, Mrs. LESKO, Mr. ROSENDALE, and Mrs. GREENE of Georgia):

H.R. 6395. A bill to prohibit COVID-19 vaccination mandates, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Ms. BARRAGÁN, Ms. BONAMICI, Mr. BOWMAN, Mr. CASTEN, Ms. CASTOR of Florida, Mr. CLEAVER, Ms. DEGETTE, Ms. DELBENE, Mr. DESAULNIER, Mr. DOGGETT, Mr. ESPAILLAT, Mr. HUFFMAN, Ms. JAYAPAL, Mr. JONES, Ms. LEE of California, Mr. LEVIN of California, Mr. MCNERNEY, Mr. NEGUSE, Ms. NEWMAN, Ms. NORTON, Ms. OMAR, Mr. PANETTA, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Mr. SOTO, Mr. SWALWELL, Ms. TITUS, Mr. TONKO, Mrs. WATSON COLEMAN, and Mr. MAST):

H.R. 6396. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act with respect to hazard mitigation plans, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COLE (for himself, Ms. TITUS, and Mr. MULLIN):

H.R. 6397. A bill to amend the Public Health Service Act to establish a grant program to award grants to public institutions of higher education located in a covered State, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONNOLLY (for himself, Ms. NORTON, Mr. RASKIN, Mr. BROWN of Maryland, Mr. SARBANES, Mr. TRONE, Mr. RUPPERSBERGER, Mr. BEYER, and Ms. WEXTON):

H.R. 6398. A bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 5.1 percent, and for other purposes; to the Committee on Oversight and Reform.

By Mr. EMMER:

H.R. 6399. A bill to establish the United States Working Group on Inflation; to the Committee on Financial Services.

By Mr. GRAVES of Missouri (for himself and Mr. HUFFMAN):

H.R. 6400. A bill to amend titles XVIII and XIX of the Social Security Act to provide for

enhanced payments to rural health care providers under the Medicare and Medicaid programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GROTHMAN (for himself, Mr. JACKSON, Mr. BUDD, Mrs. MILLER of Illinois, Mr. WEBER of Texas, and Mr. BABIN):

H.R. 6401. A bill to amend title X of the Public Health Service Act to require recipients of assistance to inform minors receiving family planning services through such assistance about age of consent law, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOHNSON of South Dakota (for himself, Mr. O'HALLERAN, Mr. COLE, and Ms. DAVIDS of Kansas):

H.R. 6402. A bill to grant a Federal charter to the National American Indian Veterans, Incorporated; to the Committee on the Judiciary.

By Mr. KELLER (for himself, Mr. TRONE, Mr. BUCSHON, Mr. THOMPSON of Pennsylvania, Mr. STAUBER, Mr. ISSA, Mr. WEBER of Texas, Mrs. MILLER of Illinois, Mr. GOODEN of Texas, Mr. BACON, Mr. BOST, Mr. OBERNOLTE, Mr. RODNEY DAVIS of Illinois, Mr. LUCAS, Mr. VAN DREW, and Mr. MCKINLEY):

H.R. 6403. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. LAHOOD (for himself, Mr. GARCÍA of Illinois, Ms. UNDERWOOD, Mr. FOSTER, Mr. RUSH, Mr. CASTEN, Ms. KELLY of Illinois, Ms. SCHAKOWSKY, Ms. NEWMAN, Mrs. BUSTOS, Mr. QUIGLEY, Mr. DANNY K. DAVIS of Illinois, Mr. KRISHNAMOORTHI, Mr. SCHNEIDER, Mrs. MILLER of Illinois, Mr. KINZINGER, Mr. BOST, and Mr. RODNEY DAVIS of Illinois):

H.R. 6404. A bill to designate the facility of the United States Postal Service located at 114 North Mongolia Street in Elmwood, Illinois, as the ''Corporal Benjamin Desilets Post Office''; to the Committee on Oversight and Reform.

By Mr. PANETTA:

H.R. 6405. A bill to secure the rights and dignity of marriage for Disabled Adult Children, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STANTON (for himself and Mr. JOYCE of Ohio):

H.R. 6406. A bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TRAHAN:

H.R. 6407. A bill to require the Federal Trade Commission to issue a short-form terms of service summary statement, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WEXTON (for herself and Mr. NEWHOUSE):

H.R. 6408. A bill to establish, in the Department of Agriculture, an Office of Agritourism, and for other purposes; to the Committee on Agriculture.

By Ms. ADAMS (for herself, Ms. WILLIAMS of Georgia, Ms. JOHNSON of Texas, Ms. UNDERWOOD, Ms. WILSON of Florida, Ms. SEWELL, Ms. JACKSON LEE, and Mrs. WATSON COLEMAN):

H. Res. 870. A resolution honoring Alpha Kappa Alpha Sorority, Inc., on reaching the historic milestone of 114 years of serving communities; to the Committee on Education and Labor.

By Mr. GOMEZ (for himself, Mrs. KIM of California, Ms. CHU, Mr. LOWENTHAL, Mr. CONNOLLY, Mr. KHANNA, Ms. MENG, Mr. PETERS, Ms. NORTON, Mr. PASCRELL, Mr. LIEU, Mr. GRIJALVA, Mrs. NAPOLITANO, Ms. LEE of California, Ms. SCHAKOWSKY, Ms. SÁNCHEZ, Mr. TAKANO, Ms. PORTER, Mr. SAN NICOLAS, Mr. CASE, Mr. KIM of New Jersey, Mrs. LEE of Nevada, Ms. JAYAPAL, Mr. SABLAN, Mrs. TORRES of California, Mr. BEYER, Mr. MEEKS, Mr. GALLEGO, Mr. SMITH of Washington, Ms. GARCIA of Texas, Mr. COSTA, Mr. KRISHNAMOORTHI, Mr. PAYNE, Ms. JOHNSON of Texas, Mr. DOGGETT, Mr. BERA, Mr. CARSON, Ms. ROYBAL-ALLARD, Ms. WATERS, Mr. RASKIN, Mrs. STEEL, Ms. BOURDEAUX, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. STRICKLAND, Ms. BASS, Ms. SEWELL, Mr. MFUME, Mr. SOTO, Mr. GREEN of Texas, Mr. SHERMAN, Mr. LARSEN of Washington, Mr. BROWN of Maryland, Mr. FITZPATRICK, Mr. VARGAS, Mr. PANETTA, Mr. DEUTCH, Mr. SUOZZI, Ms. DELBENE, Ms. SCANLON, Ms. WILLIAMS of Georgia, Mr. CÁRDENAS, Mrs. CAROLYN B. MALONEY of New York, Mr. EVANS, Mr. SCHNEIDER, Mrs. MURPHY of Florida, Mr. WILSON of South Carolina, Mr. KAHELE, Mr. AUCHINCLOSS, Ms. ESHOO, Mr. MCNERNEY, Mr. GOTTHEIMER, Mr. ESPAILLAT, Ms. JACOBS of California, Mr. SCHIFF, Ms. JACKSON LEE, Mr. DANNY K. DAVIS of Illinois, and Mr. KILMER):

H. Res. 871. A resolution supporting the goals and ideals of Korean American Day; to the Committee on Oversight and Reform.

By Mrs. GREENE of Georgia (for herself, Mr. LOUDERMILK, Mr. AUSTIN SCOTT of Georgia, Mr. CARTER of Georgia, Mr. ALLEN, Mr. BISHOP of Georgia, Mr. HICE of Georgia, Mr. FERGUSON, Mr. JOHNSON of Georgia, Mr. CLYDE, Ms. WILLIAMS of Georgia, Ms. BOURDEAUX, Mrs. MCBATH, and Mr. DAVID SCOTT of Georgia):

H. Res. 872. A resolution congratulating the University of Georgia Bulldogs football team for winning the 2022 National Collegiate Athletic Association College Football Playoff National Championship; to the Committee on Education and Labor.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. SLOTKIN:

H.R. 6392.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ARRINGTON:

H.R. 6393.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BAIRD:

H.R. 6394.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8 of the U.S. Constitution:

''The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;'' (Commerce Clause)

''The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'' (Necessary and Proper Clause)

By Mr. BIGGS:

H.R. 6395.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. BLUMENAUER:

H.R. 6396.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution

By Mr. COLE:

H.R. 6397.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CONNOLLY:

H.R. 6398.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. EMMER:

H.R. 6399.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GRAVES of Missouri:

H.R. 6400.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I the United States Constitution.

By Mr. GROTHMAN:

H.R. 6401.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. JOHNSON of South Dakota:

H.R. 6402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. KELLER:

H.R. 6403.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the U.S. Constitution in that the legislation exercises legislative powers granted to Congress by the clause ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Office thereof.

By Mr. LAHOOD:

H.R. 6404.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 7: The Congress shall have Power to establish Post Offices and post Roads;

By Mr. PANETTA:

H.R. 6405.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Mr. STANTON:

H.R. 6406.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mrs. TRAHAN:

H.R. 6407.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

[The Congress shall have Power . . .] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WEXTON:

H.R. 6408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. MURPHY of North Carolina.
H.R. 82: Mrs. STEEL.
H.R. 194: Mr. MCKINLEY.
H.R. 285: Mr. TIFFANY.
H.R. 310: Mr. JACOBS of New York.
H.R. 336: Ms. WILD.
H.R. 682: Mr. RODNEY DAVIS of Illinois.
H.R. 746: Mr. LUETKEMEYER.
H.R. 748: Mrs. MCBATH.
H.R. 783: Mr. GREEN of Texas.
H.R. 790: Mr. DONALDS.
H.R. 869: Mr. BOWMAN.
H.R. 1012: Mr. LAHOOD.
H.R. 1179: Mr. HERN, Mr. KINZINGER, Ms. DAVIDS of Kansas, Miss GONZÁLEZ-COLÓN, Ms. BOURDEAUX, and Mr. LATURNER.
H.R. 1332: Ms. HERRELL, Mr. CARBAJAL, Ms. LEE of California, and Ms. BONAMICI.
H.R. 1384: Ms. WASSERMAN SCHULTZ and Mr. SCOTT of Virginia.
H.R. 1574: Mr. YARMUTH.
H.R. 1577: Mr. AGUILAR, Mr. MOULTON, and Mr. GIBBS.
H.R. 1593: Mr. LANGEVIN, Mr. SMITH of New Jersey, Mr. CARBAJAL, Mr. LAMALFA, and Ms. NORTON.
H.R. 1661: Mr. FITZPATRICK and Ms. BARRAGÁN.
H.R. 1694: Mr. THOMPSON of Mississippi and Mr. PALLONE.
H.R. 1916: Mr. HIGGINS of New York.
H.R. 1945: Mr. BOWMAN.
H.R. 2103: Mrs. KIM of California.
H.R. 2192: Mr. YARMUTH and Mr. EVANS.
H.R. 2222: Mr. DOGGETT.
H.R. 2252: Mr. CLEAVER, Mr. CONNOLLY, Mr. GARCÍA of Illinois, Ms. MENG, Mr. TONKO, Ms. CASTOR of Florida, and Ms. SPEIER.
H.R. 2374: Miss RICE of New York.
H.R. 2421: Mr. AUSTIN SCOTT of Georgia.
H.R. 2542: Ms. TITUS.
H.R. 2584: Ms. WILLIAMS of Georgia.
H.R. 2616: Ms. SHERRILL.
H.R. 2638: Mr. EVANS.
H.R. 2674: Mr. MCEACHIN.
H.R. 2773: Mr. SARBANES and Mr. NEAL.
H.R. 2857: Mr. CLYDE.
H.R. 2965: Mr. VARGAS.
H.R. 2972: Mr. KIM of New Jersey and Mr. GRIJALVA.
H.R. 3079: Mr. STEIL.
H.R. 3172: Mrs. LURIA.
H.R. 3250: Mr. DONALDS.
H.R. 3259: Mrs. KIM of California.
H.R. 3321: Ms. NEWMAN.
H.R. 3362: Ms. STRICKLAND.
H.R. 3460: Mr. ROSENDALE, Mr. CURTIS, and Mr. VAN DREW.
H.R. 3478: Mr. PERLMUTTER.
H.R. 3548: Mr. NEAL.
H.R. 3586: Mr. DESAULNIER and Mr. KHANNA.
H.R. 3897: Mr. WITTMAN.
H.R. 4402: Mr. LARSEN of Washington, Ms. WEXTON, and Mr. CASTRO of Texas.
H.R. 4436: Mr. KEATING.
H.R. 4479: Mr. SMITH of Nebraska.
H.R. 4590: Mr. DANNY K. DAVIS of Illinois.
H.R. 4716: Ms. BARRAGÁN.
H.R. 4785: Mr. GARBARINO.
H.R. 5216: Mr. BACON.
H.R. 5218: Ms. MATSUI.
H.R. 5255: Mr. LARSEN of Washington.
H.R. 5543: Mr. KEATING.
H.R. 5577: Mr. MOORE of Alabama, Mr. LUETKEMEYER, and Mr. ROUZER.
H.R. 5632: Mrs. HARSHBARGER and Mr. SCHNEIDER.
H.R. 5663: Ms. LETLOW.
H.R. 5706: Ms. WILLIAMS of Georgia.
H.R. 5736: Mr. LARSON of Connecticut.
H.R. 5742: Mr. BOWMAN and Mr. DESAULNIER.
H.R. 5754: Mr. KELLY of Mississippi and Mr. BURCHETT.
H.R. 5776: Ms. NEWMAN.
H.R. 5819: Mr. KELLY of Mississippi.
H.R. 5840: Mr. DUNCAN.
H.R. 5919: Mr. FITZPATRICK, Ms. STANSBURY, Mr. KILMER, Mr. LANGEVIN, Mr. GRIJALVA, and Ms. MENG.
H.R. 5981: Mrs. KIM of California.
H.R. 6000: Mr. MCGOVERN, Ms. DAVIDS of Kansas, Mr. BLUMENAUER, Mr. BUTTERFIELD, Mr. RUPPERSBERGER, and Mr. YARMUTH.
H.R. 6023: Ms. BROWNLEY.
H.R. 6050: Mr. NADLER, Ms. DELBENE, Ms. BONAMICI, and Ms. CLARK of Massachusetts.
H.R. 6109: Mr. STEIL.
H.R. 6117: Mr. ALLRED and Ms. ESCOBAR.
H.R. 6123: Mrs. KIM of California.
H.R. 6126: Ms. STEFANIK and Mr. HUDSON.
H.R. 6144: Mrs. KIM of California.
H.R. 6161: Mr. MCKINLEY, Mr. RICE of South Carolina, Mr. JACOBS of New York, Mr. LAHOOD, Mrs. MILLER-MEEKS, Mr. HUIZENGA, and Mr. SMITH of Missouri.
H.R. 6168: Mr. DESAULNIER.
H.R. 6184: Mr. PENCE.
H.R. 6185: Ms. JAYAPAL.
H.R. 6203: Mr. JACOBS of New York.
H.R. 6207: Mr. CRIST.
H.R. 6227: Mr. MCGOVERN.
H.R. 6244: Mrs. GREENE of Georgia.
H.R. 6266: Ms. WILLIAMS of Georgia.
H.R. 6267: Ms. OCASIO-CORTEZ.
H.R. 6286: Mr. FITZPATRICK.
H.R. 6288: Mr. DESJARLAIS.
H.R. 6298: Mr. PFLUGER and Mr. STAUBER.
H.R. 6320: Mr. GOLDEN.
H.R. 6376: Mr. ESPAILLAT and Mr. COSTA.
H.R. 6378: Mr. ROSENDALE.
H.R. 6380: Mr. LAMBORN.
H.R. 6383: Mr. GOSAR.
H.R. 6385: Mr. POCAN and Ms. CHU.
H.J. Res. 58: Mr. SMITH of Missouri.
H. Con. Res. 33: Mr. BENTZ.
H. Con. Res. 60: Ms. OCASIO-CORTEZ.
H. Res. 45: Ms. WILLIAMS of Georgia.
H. Res. 827: Ms. CHU.

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Senate

(Legislative day of Monday, January 10, 2022)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Mighty God, our strong fortress, we worship You, for Your mercies are new each day.

Lord, You keep us safe, protecting us with the shield of Your divine blessings. Continue to bless our lawmakers. Give them the wisdom to call for Your help and receive Your deliverance from trouble. Dispel the shadows that surround them with Your divine light.

Lord, take hold of their future, doing for them, this day and always, more than they can ask or imagine.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Vermont.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

REMEMBERING HARRY REID

Mr. SCHUMER. Madam President, before I begin my remarks, I see my dear friend, the President, sitting there—the Senator from Nevada—and I am just thinking, last night, as we watched Harry Reid leave the Senate for the final time: Harry, we miss you, but we know you are still here to guide us. Thank you.

VOTING RIGHTS

Mr. SCHUMER. Madam President, on defending democracy—something Leader Reid would have been passionate about, if he were still with us here, and he is telling us that now—over the next few days, the U.S. Senate will face a critical and unavoidable question: Are its Members going to act to protect our democracy and protect voting rights or will its Members choose the path of obstruction, inaction, and side with the Big Lie overtaking our precious experiment in self-rule?

We had two professors come to us 2 days ago, the authors of ''How Democracies Die,'' and one of the main ways that democracies die is when one political party refuses to accept the results of an election that was run freely and fairly. That is what is happening here. They showed how important this is and how there is unfortunate historical precedent in doing what we did.

And earlier this week, President Biden made that clear. He made clear to the Nation—and to all of us who serve in the Senate—that the time to answer the question about whether allowing the Big Lie, so ruinous to a democracy, to overtake our precious experiment in self-rule will prevail.

As the Senate has done many times in its history, it must soon act again to safeguard democracy from the dangers of the present day: the power of dark money, voter suppression, and efforts to subvert the democratic process from the bottom up.

I commend President Biden for offering a strong speech, and I look forward to having him join Senate Democrats later today at our caucus meeting to discuss the path forward.

Yesterday, I shared with my Democratic colleagues our plan for what the next few days are going to look like in this Chamber and how I, as majority leader, will move to finally begin, at last, a floor debate on the voting rights legislation.

Later today, the House of Representatives will pass a message that will include the language of the two bills Republicans have filibustered for months—the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

As permitted under the existing rules, we will have the ability to proceed to the legislation and debate it on a simple majority basis—something that has been denied to us four times in the last several months because Republicans didn't want to move forward. Then the Senate will finally hold a debate on the voting rights legislation for the first time in this Congress, and every Senator will be faced with a choice of whether or not to pass this legislation to protect our democracy.

There has been a lot of gas-lighting here on the floor lately from the other side about power grabs, about takeovers, but precious little in terms of substance. I have not heard them mention what Republican legislatures are

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

doing. That is not the thrust of their speech. They say: Oh, it is a power grab. Oh, it is a takeover.

Well, my friends, if there was ever a power grab, it is what is happening in the State legislatures right now, where Republican legislators are taking away people's sacred right to vote and aiming it particularly at certain groups—people of color, young people, people in urban areas, older people, disabled people.

So let me remind my colleagues what these bills actually do. The Freedom to Vote Act and the John Lewis Voting Rights Advancement Act are balanced, effective, and commonsense bills that build on the work that this Chamber has done in the past to protect democracy, and it was often done with bipartisan votes. The transformation of the Republican Party in the era of Donald Trump is apparent and nasty, and, most importantly, really dangerous to our democracy.

These laws set basic standards for all American citizens to vote safely and vote securely, while protecting elections from attempts at subversion. What is wrong with that? How is that a power grab, to allow people to vote? It is the people who should have the power, not politicians and State legislative bodies to take it away.

The bill also fights against the power of Big Money that has cascaded into our system, and so much of it is now being used to try and intimidate legislators, Senators, and Congressmen from preserving this right to vote.

And the bill ends partisan gerrymandering. We have all seen situations—the legislature of Wisconsin, the State Assembly, where 53 percent of the people voted for Democratic legislators in 2020, but only about a third of the seats are Democratic due the severe nature of this gerrymandering.

And, so importantly, these bills restore the critical preclearance provisions that were once part of the Voting Rights Act that many of my Republican colleagues supported in the past, which a conservative majority on the Supreme Court shamefully gutted roughly a decade ago.

Democrats have tried for months—months—to convince our Republican colleagues to join us on a bipartisan basis to begin debate on these bills, to no avail. We presented these reasonable, commonsense proposals, as I said, many of which had been voted on by Republicans in the past. We presented them on the floor in June, August, October, and November. Each time I promised my Republican colleagues they would have the opportunity to voice their concerns and offer germane amendments. I wouldn't limit the germane amendments that they wished to offer.

We have lobbied Republicans privately and tried to engage them in both the Senate Rules Committee and the Senate Judiciary Committee. Every step of the way—every step of the way—we have been met with near total resistance. To date, none of our efforts have produced any meaningful engagement from the other side of the aisle.

But Members of this Chamber were elected to debate and to vote, particularly on an issue as vital to the beating heart of our democracy as this.

I have said for months that just because Republicans have refused to work with us to protect voting rights does not mean Democrats would stop working to move forward on our own. The matter is simply too important. It is the wellspring of our democracy, the right by which all other rights are secured—voting.

I am reading the biography of Grant, by Chernow. The No. 1 thing the southern segregationists, who happened to be Democrats at the time, wanted to take away from the newly freed slaves was the right to vote. They knew that, if Black people didn't have the right to vote in the South, they would have no power—no power over our laws, no power of where resources go, no power to decide the directions of the country. And that was the No. 1 thing they wanted to prevent.

So it is so vital to keep people's right to vote, particularly when some of the laws—too many—are aimed at the people of color, reminding us that racism is the poison of America still.

So we will move forward. The path I have laid out sets up a process by which Senators can finally make clear to the American people where they stand on protecting our democracy. Republicans will have a chance to show where they stand on preserving the right of every eligible citizen to cast a ballot.

Republicans will have a chance to make clear where they stand on fighting efforts to empower partisan actors to subvert the election process and create more Big Lies in the future. Republicans will have a chance to make clear where they stand on fighting the power of dark money, which so many Americans oppose—Democrats and Republicans. And Republicans will have a chance to show where they stand on ending partisan gerrymandering.

Of course, to ultimately end debate and pass anything, we will also need 10 Republicans to join us, ultimately, on cloture. If they don't, we will be left with no choice but to consider changes to Senate rules so we can move forward. And changing Senate rules has been done many times before in this Chamber. This is not the first, second, or third time that this is happening.

All of us must make a choice about whether or not we will do our part to preserve our democratic Republic this day and age. We cannot be satisfied in thinking that democracy will win out in the end if we are not willing to put in the work, strength, and courage to defend it.

Last night, I read the op-ed published by President Obama that eloquently laid out what really is at stake here. I encourage my colleagues to read it if they haven't already. He reminded us that democracy is not a given. It is not self-executing. But it can indeed survive and thrive if we are prepared to follow in the footsteps of the great Americans who did their part to defend democracy before us, many of them giving their lives. We are now being called upon to do our part.

Madam President, I now ask unanimous consent to have printed in the RECORD the Obama op-ed, which I will bring to the desk shortly.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Jan. 12, 2022]

FORMER PRESIDENT OBAMA IN USA TODAY: WE NEED TO FOLLOW JOHN LEWIS' EXAMPLE AND FIGHT FOR OUR DEMOCRACY

[By Former President Barack Obama]

''The world, and future generations, will be watching,'' Obama writes as he calls on Senate to ''do the right thing'' and pass legislation to protect voting rights.

When I spoke at John Lewis' memorial service two years ago, I emphasized a truth John knew better than just about anyone. Our democracy isn't a given. It isn't self-executing. We, as citizens, have to nurture and tend it. We have to work at it. And in that task, we have to vigilantly preserve and protect our most basic tool of self-government, which is the right to vote.

At the time, various state legislators across the country had already passed a variety of laws designed to make voting harder. It was an attack on everything John Lewis fought for, and a challenge to our most fundamental democratic freedoms.

Since then, things have only gotten worse.

SLOW UNRAVELING OF BASIC DEMOCRATIC PRINCIPLES

While the American people turned out to vote at the highest rate in a century in the last presidential election, members of one of our two major political parties—spurred on by the then-sitting president—denied the results of that election and spun conspiracy theories that drove a violent mob to attack our Capitol.

PROTESTERS ATTACK THE CAPITOL ON JAN. 6

Although initially rejected by many Republicans, those claims continued to be amplified by conservative media outlets, and have since been embraced by a sizable portion of Republican voters—not to mention GOP elected officials who do, or at least should, know better. Those Republican officials and conservative thought leaders who have courageously stood their ground and rejected such anti-democratic efforts have found themselves ostracized, threatened and subjected to primary challenges.

Meanwhile, state legislators in 49 states have introduced more than 400 bills designed to suppress votes. Some of these bills we've seen before: legislation that would discourage voters, including racial minorities, low-income voters and young people from casting a ballot. Others aim to treat certain polling locations differently, creating one set of rules for voters living in cities and another set for people living in more conservative, rural areas.

We're also seeing more aggressive attempts to gerrymander congressional districts. Gerrymandering, which essentially allows politicians to choose their voters instead of the other way around, isn't new—and both parties have engaged in it.

But what we're seeing now are far more aggressive and precise efforts on the part of Republican state legislatures to tilt the playing

field in their favor. In states that have approved new congressional maps, there are now 15 fewer competitive districts than there were before. Fewer competitive districts increases partisanship, since candidates who only have to appeal to primary voters have no incentive to compromise or move to the center.

Finally and perhaps most perniciously, we've seen state legislatures try to assert power over core election processes including the ability to certify election results. These partisan attempts at voter nullification are unlike anything we've seen in modern times, and they represent a profound threat to the basic democratic principle that all votes should be counted fairly and objectively.

The good news is that the majority of American voters are resistant to this slow unraveling of basic democratic institutions and electoral mechanisms. But their elected representatives have a sacred obligation to push back as well—and now is the time to do it.

Now, there are bills in front of the Senate that would protect the right to vote, end partisan gerrymandering, and restore crucial parts of the Voting Rights Act. Bill sponsors have diligently reached out to their Republican colleagues to obtain their support. Sadly, almost every Senate Republican who expressed concern about threats to our democracy in the immediate aftermath of the Jan. 6 insurrection has since been cowed into silence or reversed their positions. When one of the bills in front of the Senate today was introduced in November, every Democrat supported it. And every Republican but one voted against moving it forward.

Protecting our democracy wasn't always a partisan issue. The Voting Rights Act was the result of Democratic and Republican efforts, and both President Reagan and President George W. Bush signed its renewal when they were in office. But even if Senate Republicans now refuse to stand up for our democracy, Democrats should be able to get the job done with a simple majority vote. There are already 50 Senators who support bills to safeguard elections. The only thing standing in the way is the filibuster—a Senate procedure that allows a minority of just 41 Senators to prevent legislation from being brought up for a vote.

The filibuster has no basis in the Constitution. Historically, the parliamentary tactic was used sparingly—most notably by Southern senators to block civil rights legislation and prop up Jim Crow. In recent years, the filibuster became a routine way for the Senate minority to block important progress on issues supported by the majority of voters. But we can't allow it to be used to block efforts to protect our democracy. That's why I fully support President Joe Biden's call to modify Senate rules as necessary to make sure pending voting rights legislation gets called for a vote. And every American who cares about the survival of our most cherished institutions should support the president's call as well.

PROTECTING OUR DEMOCRATIC INSTITUTIONS

For generations, Americans of every political stripe have taken pride in our status as the world's oldest continuous democracy. We have spilled precious blood and spent countless treasure in defense of democracy and freedom abroad. But as we learned during the Jim Crow era, our role as democracy's defender isn't credible when we violate the rights and freedoms of our own citizens. And at a time when democracy is under attack on every continent, we can't hope to set an example for the world when one of our two major parties seems intent on chipping away at the foundation of our own democracy.

No single piece of legislation can guarantee that we'll make progress on every challenge we face as a nation. But legislation that ensures the right to vote and makes sure every vote is properly counted will give us a better chance of meeting those challenges. It's how we can overcome the gridlock and cynicism that's so prevalent right now. It's how we can stop climate change, and reform our broken immigration system, and help ensure that our children enjoy an economy that works for everyone and not just the few.

Now is the time for all of us to follow John Lewis' example. Now is the time for the U.S. Senate to do the right thing. America's longstanding grand experiment in democracy is being sorely tested. Future generations are counting on us to meet that test.

Mr. SCHUMER. Finally, as we continue this important conversation about the future of our democracy, I ask my Democratic colleagues to consider the following: If the right to vote is the cornerstone of our democracy, then how can we in good conscience allow for a situation in which the Republican Party can debate and pass voter suppression laws at the State level with only a simple majority vote but not allow the United States to do the same?

Let me repeat that.

If the right to vote is the cornerstone of our democracy, then how can we in good conscience allow for a situation in which the Republican Party can debate and pass voter suppression laws at the State level with only a simple majority vote but not allow the U.S. Senate to do the same?

In the coming days, we will confront this sobering question.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

ISSUES FACING AMERICA

Mr. MCCONNELL. Madam President, a recent survey asked Americans for their view of the most important problems facing our country. Of course, we know what Washington Democrats view as their top priority. President Biden and Senate Democrats have been shouting—actually shouting—at the American people that an evil, racist, anti-voting conspiracy will destroy democracy forever unless Democrats get total one-party control of the entire government, starting next week.

But are the American people buying any of it? Is this what working families want prioritized? So let's take a look. In a recent survey, Gallup asked citizens for their priorities, what they thought we ought to be doing.

Do you know what share of Americans said election law? Less than one-half of 1 percent—one-half of 1 percent. Nobody in this country is buying the fake hysteria that democracy will die unless Democrats get total control.

Here is what people do care about: The top response at 21 percent was poor government leadership. About a year into the Biden administration, the American people's single greatest concern is bad leadership. And when you dig into the other issues, you can see why.

Some of the next largest concerns were either general economic problems or inflation and rising costs, in particular, and no wonder—no wonder. New figures, just yesterday, show our country continues to experience the worst inflation in 40 years—40 years.

Gas prices are nearly a dollar higher than a year ago; grocery prices are up 6.5 percent; and across the economy, inflation has exceeded 5 percent every month for 7 straight months. There is no working family who has not been hurt directly by this.

Another huge chunk of Americans said their chief worry is the coronavirus—certainly no surprise there. A year into the administration that promised it would shut down the virus, well, what do we have? Record-setting new cases. Shortages of testing. Shortages of important treatments, in part, because of the Biden administration's decisions.

We have reports of multiple States potentially limiting or excluding patients from lifesaving treatments on the basis, believe it or not, of their ethnicity.

And still, 2 years into this, notwithstanding abundant vaccines and a milder variant, we have Big Labor bosses in big cities being permitted to lock vulnerable kids out of the classroom.

Oh, and when kids are in the classroom, the Department of Education and the Department of Justice try to persecute concerned parents who dare ask what their kids are learning.

So these are just a few examples of real problems. These are the kinds of places where the American people need this dramatically unpopular administration to entirely refocus.

Yesterday, a new poll indicated that 33 percent of Americans approve of the President—33 percent. When he was inaugurated and pledging to govern for all Americans, to heal and unite the country, this White House enjoyed impressive approval ratings. But as the far left has been handed the reins, the support has cratered.

Now, there is a path forward for my Democratic colleagues to respond to the country they have so badly disappointed, but it isn't to try to break the Senate and rewrite election laws. It is to actually start tracking the issues that American families need tackled.

Now, there are also countless other issues which may not make national headlines but matter hugely to those who are affected. For example, next

week, I will again travel to Western Kentucky to visit some of the areas hit hardest by last month's devastating tornado outbreak. The national news cameras may have left, but families in this part of the Commonwealth are still trying to pick up the pieces of their lives after losing homes, businesses, and loved ones.

I am profoundly grateful to everyone contributing to the recovery process.

Our utility workers are taking on the herculean task of restoring public services. The Kentucky National Guard has played a crucial role in distributing supplies. Private individuals have donated food, clothing, and blood.

The Kentucky General Assembly just approved a State-funded relief package, and Kentucky's entire Federal delegation joined together to advocate directly for increased Federal aid.

This is going to be a long process. It will require consistent support on the local, State, and Federal levels. Rebuilding will take literally months and years—not days and weeks.

Well, I will be with these communities every step of the way.

Finally, beyond our shores, there remains no shortage of forces that wish to harm America and our interests. Senators will vote today on a measure to impose sanctions on Nord Stream 2. We can send a strong warning to Putin that he won't be allowed to use energy as a weapon. We can signal strong support for Eastern and Central European partners that have long opposed Putin's pipeline.

Even Democratic Senators who now oppose the sanctions they used to support acknowledge the pipeline is ''a tool of malign influence of the Russian Federation.''

Really, the Government of Germany should have shelved this project itself a long time ago. Berlin can still make the right call.

These sanctions, like the prior Nord Stream 2 sanctions that had overwhelming bipartisan support here in Congress, are not about driving a wedge in Europe. The pipeline itself is the wedge. That is the whole point. That has been Putin's goal—decoupling Ukraine from Europe and making Europe even more reliant on Russian gas.

So for Senators who seem more concerned about standing with Berlin than with Kiev, this bill includes a waiver. We expect President Biden would actually exercise the waiver.

But a clear bipartisan message would still be sent, just like when 98 Senators voted to enact CAATSA in 2017, just like when Democrats signed off on the previous bill to sanction Nord Stream 2 in the 2020 NDAA.

So I hope each of our colleagues will support Senator CRUZ's measure. The Senate must show we are focused on real-life threats to democracy, to security, and to our friends.

As we speak, Russia is literally preparing to escalate its military assault on Ukraine. It has amassed more than 100,000 troops on Ukraine's border. Deterring Russian aggression and preparing for the very real threat of a major war on the European Continent will take far more than these sanctions.

It will take urgency and seriousness from the administration. Time is of the essence. Our delays in getting emergency assistance to Ukraine approved do not inspire much confidence.

The administration cannot move at the speed of bureaucracy. That won't cut it. Humanitarian and military support to Ukraine cannot wait. Reinforcing American and NATO positions in Europe cannot wait.

We must not pull our punches out of some fear of provoking Putin. What will encourage Putin is if he senses American weakness. Ukraine and our eastern flank NATO allies deserve our support.

They are on the frontlines of a much broader war that Russia and China are conducting against the democratic international order itself. This order helps America. It benefits our national interests, and it benefits our allies, but it is not going to enforce itself. It will not defend itself. And our allies will not act if America fails to lead.

Our Nation's contest with China and Russia is the biggest challenge we face. It will entail significant risks and perhaps, God forbid, serious sacrifice.

Meeting these challenges and preventing the worst will take the kind of unity and bipartisanship that President Biden promised—not the outrageous—outrageous—and divisive partisanship he has embraced.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

PROTECTING EUROPE'S ENERGY SECURITY IMPLEMENTATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of S. 3436, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S.3436) to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes.

The PRESIDING OFFICER. The Senator from New Hampshire.

S. 3436

Mrs. SHAHEEN. Madam President, I come to the floor today to speak in opposition to S. 3436, which is the Nord Stream 2's sanctions bill sponsored by Senator CRUZ.

I certainly share the concerns that have been expressed just a few minutes ago by Senator MCCONNELL about the threat that Russia poses to Ukraine and to Eastern Europe and the role that Nord Stream 2 plays in that critical issue.

I have been a strong and longstanding opponent of Nord Stream 2. I believe now what I believed at the time that I originally cosponsored the Nord Stream 2 sanctions bill with Senator CRUZ; that the Nord Stream 2 Pipeline is a long-term threat to the energy security of Europe.

But right now we are in a different place on this, and while Senator CRUZ and I worked together on sanctions legislation to stop this pipeline, my disagreement now with Senator CRUZ is in his approach to what we need to do to address what is right now a much more serious threat to Europe, to NATO, to the transatlantic alliance, and that is Russia's threat against Ukraine.

And what Senator CRUZ's bill would do is not stop Nord Stream 2; it would undermine the current diplomatic situation that is absolutely critical if we are going to respond to the Russian threat.

His bill is a vote—supporting his bill would be a vote to compromise the transatlantic community. It is a vote that breaks the message of bipartisan support in the face of Russian aggression and, furthermore, not just bipartisan support but allied support with the United States and Germany and Western Europe against the threat that Russia poses to Ukraine and really to Eastern Germany if they take this action.

The dynamics on Nord Stream 2 have changed since Senator CRUZ and I fought for the passage of legislation to prevent the completion of that pipeline. At the time, we worked together to provide the Trump administration with critical tools to sanction this pipeline, and we did that because there were some members of the Trump administration who came to us and said: We need this legislation because the administration has not acted.

And the fact is, 95 percent of the construction of the Nord Stream 2 Pipeline was completed during the Trump years. Unfortunately, the Trump administration, even after we passed that sanctions legislation, sat on those sanctions.

They waited until literally the last day of the Trump administration to sanction just one entity, just one entity in 4 years. And so what we saw is what I just said; that 95 percent of that pipeline was completed during the Trump years.

Now, we are in a very different situation right now, unfortunately, because we are in a situation where Russia is threatening Ukraine, and we need to work closely with our European allies to present a united front against Russia.

We have strengthened our relationship with our German allies. The Biden administration has restored a diplomacy-first foreign policy, which seeks

to advance American policy interests through dialogue and not through threats.

There is a new German coalition government in place that we are now engaging with. It is a government that appears to be more skeptical about the Nord Stream 2 Pipeline. They have paused certification of the pipeline and stalled its operation until at least later this year, and the new government has indicated that this pipeline is not just an economic project.

So it is very clear that the dynamics have changed, and when the dynamics change on the ground, then our approach and our foreign policy should reflect those changes. We can't look at this legislation in isolation.

This legislation that Senator CRUZ is proposing that we are going to be voting on today is coming at a time when the administration is exhausting every single diplomatic avenue to deter Putin from further violating Ukraine's territorial integrity.

Russia has amassed over 100,000 troops on Ukraine's border, and, of course, the next month or so is really going to be critical in changing Putin's calculation that any invasion would come with a hefty price.

Nord Stream 2 right now presents a potential incentive for Putin to use against our European partners, but it is also leverage. It is leverage that the West can use at a pivotal moment as Russia is thinking about—Vladimir Putin is thinking about what he is going to do in Ukraine.

So I believe we need to stop this pipeline long term, and there may be a time in the future when another change in our approach on the pipeline may be necessary. As we know, that happens with foreign policy. We don't live in a static world; it is dynamic, and it demands that we adopt our responses.

I have joined Senator MENENDEZ and 38 Democrats in introducing the Defending Ukraine Sovereignty Act of 2022, legislation that does reflect the reality on the ground, that would impose swift and crippling sanctions on Russia's economy if Putin decides to invade. It would provide critical additional military support to our Ukrainian allies, and it would strengthen support to our Eastern European allies in the face of Putin's attempt to look backward, not forward.

We are not going to give Vladimir Putin and Russia the ability to veto who joins NATO. We saw that very clearly at the session yesterday with Russian and NATO officials. Russia didn't like it because they didn't get the answer they wanted, which was a veto over who should be able to join NATO.

We are going to continue to take a strong stand with our allies in opposition to what Russia is doing, but we can't use yesterday's solutions to help us solve today's problems. The immediate threat that we are facing right now is the threat of a Russian invasion of Ukraine, and we need to do everything possible, work as closely as possible, show no daylight with our allies in standing up to that threat. Unfortunately, what Senator CRUZ is proposing with the Nord Stream 2 sanctions legislation would do exactly that. It would drive a wedge between us and our allies, particularly between the United States and Germany, at a time that we cannot afford it.

So I intend to vote against this legislation and support Senator MENENDEZ's legislation that will give us the tools we need to continue to address potential Russian aggression.

I yield the floor and look forward to hearing Senator MURPHY's comments because I know he shares the same concerns that I am expressing.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, first and foremost, let me thank Senator SHAHEEN. She has been a leader in the Senate and in our caucus on raising alarms about the danger of Nord Stream 2 to European security and Ukrainian security. I have been so glad to work with her over these past several years, and I am here on the floor to join her in our strong opposition to the legislation that is pending on the floor as we speak.

If this bill passes, it won't make the Nord Stream Pipeline any less likely. It won't stop Russia from invading Ukraine. In fact, it will do the exact opposite. It will make the completion of Nord Stream more likely, and it will be a gift to Russia, dividing us from our European allies right at the moment when we need to be in solidarity with them in order to deter Russian aggression.

I will try not to repeat too much of what Senator SHAHEEN has said, but let me just underscore the points she has made.

First, the sanctions in this bill are, unfortunately, pretty feckless. They are feckless because they can be undone easily, within 30 to 60 days, by the Russian Government.

The reality is, if we don't convince our European partners to stop moving forward with this project, there is no amount of U.S. sanction that can be effective here. What we know is that even if you were to sanction this German-Swiss company, the German board of directors, in a matter of days, weeks, maybe a few months, the Russians could reengineer the financing and the administration of the project to keep it going.

Even more interesting to me is what Senator MCCONNELL just said. Senator MCCONNELL just came to floor and said that while he supports Senator CRUZ's proposal, he expects that the Biden administration will waive the sanctions. So then why are we engaging in this in the first place if Republicans are going to support the waiving of the sanctions? Because the sanctions would interrupt our negotiations with Germany, why pass the bill in the first place?

So, apparently, many Republicans are supporting the Cruz bill but then are going to be asking the Biden administration to not implement it. That doesn't seem to make a lot of sense.

The primary impact of this bill, as Senator SHAHEEN explained, is to divide us from Germany. Why is that? Because we know that the only way to stop Nord Stream 2 is by convincing the Germans and other Europeans to stop the project.

Now, we have, for the first time since we began talking to the Germans about this, convinced them to press pause—the first time the German Government has decided to press pause through their regulatory agencies. They have stopped the certification of the pipeline, which, by the way, is built. It was 95 percent built when President Trump left office. He let it be constructed—95 percent built. It is now 100 percent built.

But the Germans have, because of American diplomacy and because of the threat of invasion of Ukraine from Russia, pressed pause on this project. It can't start until the summer or the fall, and, frankly, that time allows us to continue to engage with the Germans and others to try to convince them that this project is not in their interest.

So think about this from the German perspective. They finally said yes to the United States, and the minute they say yes is the minute the U.S. Senate decides to sanction German citizens. That is bad diplomacy. It is just bad diplomacy. It is a moment at which we have to be in lockstep with our European partners. We need to be sending a message to Vladimir Putin that the United States and Europe are together and that we are going to deliver a crushing package of sanctions if you enter Ukraine any further.

This would be a gift to Vladimir Putin because it is a signal of division at a moment when we need to be standing together.

Senator MENENDEZ has the right approach. Senator MENENDEZ has proposed a bill which I think can draw support from 90 percent of this body that enacts a set of sanctions on Russia if Russia moves any farther into Ukraine beyond where they are already in eastern Ukraine and Crimea. That sends the right signal. That is an effective message of consequence rather than this proposal, which apparently is a set of sanctions Republicans are going to ask to be waived and divides us from our partners at a moment when we need to be together.

Lastly, I want to address one particular point that I have heard Senator CRUZ make over and over and over again in defense of his proposal.

Senator CRUZ says that the construction of the pipeline stopped when Congress passed the Nord Stream sanctions and didn't begin again until Joe Biden became President. I have seen that repeated in the press, and it just isn't true.

One company that was laying the pipeline backed out of the project when the 2019 sanctions bill was passed, but then guess what happened. Russia started retrofitting other ships to finish the job, and the minute they were permitted, construction began again—not when Joe Biden was President; when Donald Trump was President. The ships were ready in May of 2020, before Joe Biden was even nominated, and they started work a few months later, as soon as the Danish Government permitted them.

Now, Senator SHAHEEN and Senator CRUZ had passed a sanctions bill with all of our support at the end of 2019. During all of 2020, while the Russians were retrofitting these ships, while they were sending them back to Danish waters, while the permitting process was happening, Donald Trump didn't enact one sanction that was permitted by Congress.

Congress passed a law at the end of 2019. In all of 2020, Donald Trump didn't enact a single sanction. This was the critical moment. This was the time in which the meat of the pipeline was being built. President Trump did nothing, and he paid no consequence for it. Do you know why? Because in 2020, Senator CRUZ didn't hold up any of Donald Trump's State Department nominees when Trump was refusing to implement sanctions, when the Russians sent ships that started showing up to restart construction, not even when construction restarted in the fall of 2020—nope. During this time, all of Trump's State Department nominees sailed through without a single Republican objection or blockade.

On Trump's last day in office, his last day, literally as he was packing up the Oval Office, January 19, he sanctioned one ship and the company that owned the ship—essentially a signal of how little he cared. On the day he was leaving, he sanctioned one ship and the company that owned the ship, but by this time, 95 percent of the pipeline was complete. It was too late. Then he begrudgingly hands over the keys to the Oval Office to Joe Biden and leaves the incoming President with a mess—a pipeline 95 percent built that Donald Trump could have stopped if he had used the sanctions he was given.

So you can understand why some of us wonder what the motivation is behind Senator CRUZ's extraordinary tactics now when the pipeline is already built. It seems that the difference between 2020 and 2021 is essentially that now there is a Democrat in the White House.

This bill isn't going to help Ukraine. It is designed to hurt the President of the United States. Unfortunately, some—not all—not all but some of our Republican colleagues here have consistently put their desire to politically harm President Biden ahead of their desire to protect the Nation, holding up the confirmation of President Biden's nominees. It doesn't help the security of the Nation; it just increases the chances that the United States won't have the personnel on hand to deal with a crisis somewhere around the world when it develops and that that failure may hurt Joe Biden's approval rating. Unfortunately, I think that is what is going on here. Unfortunately, I think that is what is going on here, and I hope that my colleagues see it.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from New Hampshire.

Mrs. SHAHEEN. Would my colleague yield for a question?

Mr. MURPHY. I would.

Mrs. SHAHEEN. Senator MURPHY, I am really pleased—sadly pleased, but I think it is really appropriate that you brought up the issue about holding State Department nominees, because one of the things that have been unfortunate about Senator CRUZ's approach to Nord Stream 2 in recent weeks has not just been his holding up of nominees but has been his suggestion that the change in response on my part and on others' who oppose Nord Stream 2 has been partisan.

But, as you point out, during all of the Trump administration, Senator CRUZ did not hold one nominee because of Nord Stream 2. Is that your understanding?

Mr. MURPHY. That is my understanding. My understanding is that there may have been private advocacy or public speeches given but that there certainly wasn't the tactic used that had been used during 2020, which is extraordinary, the holding of all nominees.

I think I would add to that that Democratic Senators have not used that tactic. We had huge disagreements with President Trump's policy, including his failure to use sanctions that were given to him by Congress to stop the pipeline at the moment when those sanctions would have been most effective, but we didn't block all of President Trump's Ambassadors and State Department personnel because we thought that it was better to have those people on hand, working to protect U.S. interests, than it was to have those positions vacant.

That is the case we have been trying to make on this floor, that if you really care about helping Ukraine, why did Senator CRUZ spend all of 2020 blocking the Ambassadors and State Department personnel whose job it would have been to help Ukraine?

No one has been more engaged on this question and this fight than you have, Senator SHAHEEN.

Mrs. SHAHEEN. Well, I think the other important point that we both made is the fact that what stopped policies and the pipeline when the first sanctions bill was passed was the threat of sanctions; it wasn't actually implementing those sanctions. In fact, it was then Russia's ability to come back in, retrofit ships, and do the work themselves, Gazprom and Russia. Russian ships did the work themselves, and throughout the last year of the Trump administration, they refused to take any action to address that. In fact, I remember being in a meeting—I can't remember if you were in that meeting or not—with Senator CRUZ and some of our Republican colleagues and a member of the administration urging us to pass another sanctions bill because the administration had not acted.

So I think it is really important, as you say, to point out that 95 percent of that pipeline was done under the previous administration when Senator CRUZ and our colleagues who would like to stop the pipeline had the opportunity to hold up his nominees to raise those concerns, and that did not happen. That puts us at a disadvantage today as we look at the threat of Nord Stream. Would you agree with that?

Mr. MURPHY. I would.

If you don't mind, Senator SHAHEEN, I will just go through the timeline once again because I think it is important.

In December of 2019, Congress passed the sanctions bill that you and Senator CRUZ championed. That stops Allseas, the private company, from constructing the pipeline.

They pull back, but immediately Russia starts retrofitting their own ships, and we knew it. We saw it. This wasn't secret. That happens from the beginning of 2020, and by May of 2020, those ships are on their way.

From May until October, they are caught up in permitting, but it is just a matter of time. Everybody knows those ships are eventually going to start laying down pipe.

By October of 2020, before Joe Biden is elected President, those ships are back doing construction.

In October, November, December, all throughout the end of 2020, those ships are back rebuilding the pipeline, such that on January 19, the last day of Trump's Presidency, 95 percent of the pipeline—somewhere around 95 percent of the pipeline—is done.

Then literally walking out the door, Donald Trump lays down a sanction on one company and one ship that the company owns.

All through 2020, there was no blockade of State Department nominees, no grinding to a halt of Senate nominations business to try to prompt the President to change his mind. All of that magically starts happening when Joe Biden is President, when 95 percent of the pipeline is done.

I hope, Senator SHAHEEN—and I will let you wrap up—I hope that we can find a way to get on the same page here because we have been for much of the last several years, and you have led that effort.

I think Senator MENENDEZ's legislation, which is all about the right set of incentives and disincentives for Russian behavior, is perhaps the means that we can sort of elevate this above the question of who is President and get back to fighting for the interests of our Nation and the interests of our partners in Ukraine.

Mrs. SHAHEEN. Thank you, Senator MURPHY. I couldn't have said anything better.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. THUNE. Mr. President, just a quick observation or two about what my colleagues from New Hampshire and Connecticut were just speaking to, and that is the issue of the Nord Stream 2 Pipeline. I intend to talk about another subject, but as I was listening to their dialogue on that subject, there were a couple of things that I thought were important to respond to.

They had indicated that there is a bill offered by Senator MENENDEZ on their side of the aisle that they thought would get 90-plus votes here in the U.S. Senate. I would say to my colleagues on the Democratic side that Senator CRUZ, as he was advocating for a vote on his amendment, offered that up. He offered up a vote on Menendez and a vote on his amendment to Menendez, and that was turned down by the Democrat leadership. So that was put forward as an offer by the Senator from Texas, Senator CRUZ.

Just to also make the point—this isn't something that is a new issue for him. He has been advocating on the Nord Stream 2 Pipeline for years. In fact, there were sanctions put in place under the previous administration, which I think had been quite effective.

With respect to holding State Department nominees, sometimes around here, you have to get people's attention in order to get a vote on something. I mean, he didn't have to hold nominees in the last administration because they allowed for a vote. In this administration, that has not been the case. He has been trying for literally weeks and months. I happened to be here in the wee hours of the morning a few weeks ago on a Friday evening when this was being discussed, and we were waiting for some agreement between him and the Democrat leadership about giving him a vote on this amendment. Ultimately, when he got the vote on his amendment, he turned loose 40-some State Department nominees.

So I think he has in this case played fairly, played by the rules in the Senate, and exercised the leverage he has as a U.S. Senator to ensure that he got a vote on an issue that is critically important, not only to him and I would say to this entire body but to our country and certainly to our allies in that region.

There is one final point I will make. Everybody, as they were talking about this, was saying: Wow, you know, this is—all of a sudden, this issue has become a relevant one.

Well, it has always been a relevant one. Defending and supporting people in Ukraine and making sure they have a democratic government that allows for self-rule is something that I think all of us in this country want to see happen.

But I think one of the reasons it has come to a head is because last year—not last year but 2 years ago, the previous administration—the Senators from New Hampshire and Connecticut were going after Senator CRUZ and other Republicans for not paying attention to this issue a long time ago.

We have been paying attention to it for a long time, but one thing that has intensified that attention is the fact that the Russians now have tens of thousands of troops on Ukraine's border. That is a new issue and an issue that I think demands the attention of this body, our country, our government, our State Department, and the American military, in conjunction with our allies in that region.

This is a critical time. It is very important that a strong message be sent. I am not sure why you would wait until after the Russians cross the border and occupy Ukraine before you do something that might deter that kind of bad behavior.

I think the reason they have amassed the troops they have on the Ukraine border is because they perceive the change of administration, perhaps a different view, and, in fact, I think that buildup started in the spring of 2021 under this administration.

So just to make the point that the vote we will have this afternoon on Senator CRUZ's proposal on Nord Stream 2 has been a long time in the making—he has, I think, consistently worked this issue, advocated for this issue in a way that any Senator who is trying to get a vote around here would.

I think with respect to why this issue is now particularly relevant in light of our national security interests is the fact that the Russians do have literally tens of thousands of troops sitting on Ukraine's border at a time when the world is a very dangerous place, and that region in particular faces considerable peril because of the neighborhood in which they live.

So I would hope that this afternoon when this Nord Stream 2 vote comes up, that it will enjoy broad bipartisan support recognizing the value and importance of the message it sends.

Also, I might add, because it was also pointed out by the two Senators who were just here, that this is something that the Ukrainian Government is asking us to do. They suggested this was something that isn't desired or wanted, and it, in fact, is. Many of us participated in a conference call on Christmas Eve with President Zelensky in which he voiced support for this. I think he and his country, his government, and his people realize how important it is that a message be sent to their neighbors and that the American Government, in concert with our allies in this region, send a very strong statement with respect to that particular issue.

So I hope that we get a good, strong vote this afternoon and that it won't be a party-line vote. It is at 60, meaning it will take some Democrats to vote with Republicans. But I can't think of a time when the stakes have been higher for the people of Ukraine or, frankly, for that matter, for that region in its entirety.

INFLATION

Mr. President, I want to shift gears now, if I might. Yesterday, we learned that in December, inflation hit its highest level in 40 years—40 years. Inflation reached 7 percent in December, the seventh straight month that inflation has been over 5 percent. Today, we discovered that year-over-year inflation for domestically produced goods increased even more, by a massive 9.7 percent.

Americans are struggling under steep increases in grocery prices, fuel prices, utility prices, and the list goes on. Despite wage increases in 2021, American families experienced a de facto pay cut, with their purchasing power shrinking thanks to inflation, and there is apparently no end in sight.

Given the real economic harm that American families are suffering as a result of this crisis, you would think the issue would be front and center here in Washington for Democrats, but you would be wrong. In fact, a lot of the time, inflation doesn't even seem to exist on Democrats' radar. Democrats can't be bothered to pay attention to a real crisis with real economic consequences for American families because they are too focused on their manufactured voting rights crisis.

Earlier this week, President Biden traveled to Georgia, which has become the Democrats' poster child for the supposed assault on voting rights, to deliver a speech to gin up support for the Democrats' partisan election bill, and what a speech it was.

In the course of his overwrought and bombastic remarks, the President, who once vowed to bring Americans together, managed to imply that half the country is racist. Never one to let the truth get in the way of a good story, he continued his bizarre habit of falsely claiming that he had been arrested in various situations. He laid out, perhaps, the weakest case for a voting rights crisis that you can imagine.

The President, of course, used Georgia's thoroughly mainstream 2021 election law as his main example. Here is what he had to say. Here is what the voting rights crisis amounts to:

First, according to the President, Georgia is making it harder to vote by mail. Now, I am guessing he might be referring to the provision of the Georgia law that asks voters to write in their driver's license numbers on their absentee ballots. Given that almost every American in this country has a driver's license or some form of photo

ID, I have got to say that it doesn't seem like an unduly burdensome requirement. After all, New York City and Washington, DC, are now requiring you to present a photo ID and proof that you have been vaccinated before you can enter any restaurant or public place, and liberals seem OK with that, but, apparently, to the President, Georgia's measure is Jim Crow 2.0.

The President continues by accusing Georgia of limiting drop boxes. Ballot drop boxes have become a bizarre fixation of Democrats engaged in trying to persuade Americans that the right to vote is under attack. The truth is that Georgia didn't even use drop boxes until the 2020 election and that Georgia's new election law now requires at least one drop box in each county is hardly a criminal attempt to restrict drop boxes. But let's be honest here. Even if Georgia decided to eliminate drop boxes entirely and return to its pre-2020 status quo, Georgians would still have ample opportunities to vote.

Georgia's new law mandates a minimum of 17 days of early voting—17 days—and Georgia provides for no-excuse absentee voting, which means any Georgia citizen can request an absentee ballot for any reason whatsoever. That, of course, is a far more generous voting policy than those offered by the President or the Senate Democrat leader's home States. The President's home State of Delaware doesn't offer no-excuse absentee voting, and it is just starting to offer early voting this year—remember, Georgia with 17 days early voting, no-excuse absentee voting. Similarly, the Democrat leader's home State, Senator SCHUMER's home State of New York, offers just 9 days of early voting in contrast to Georgia's 17, and New York—the State of New York—on their ballot, recently rejected a ballot measure to allow no-excuse absentee voting.

So no-excuse absentee voting is not allowed in New York, but it is allowed in Georgia, with 9 days early voting in New York and 17 in Georgia. Yet, somehow, the President hasn't yet visited Delaware or New York to accuse them of making it difficult for citizens to vote. I will believe in Democrats' supposed commitment to protecting the vote when I see the Senate majority leader come to the floor and excoriate New Yorkers for attacking voting rights.

Continuing on with President Biden's speech, we come to, perhaps, the most ridiculous example the President and Democrats have used in their attempt to convince Americans that voting rights are under assault, and here I am going to quote directly from the President's speech:

> [T]he new Georgia law actually makes it illegal—think of this—I mean, it's 2020, and now '22, going into that election—it makes it illegal to bring your neighbors, your fellow voters food or water while they wait in line to vote. . . . I mean, think about it. That's not America. That's what it looks like when they suppress the right to vote.

That is what it looks like when they suppress the right to vote? Really?

I mean, I have to give President Biden credit for delivering that line with a straight face because that is pretty much the most absurd claim Democrats have made in the course of this debate. The President, of course, is referring to the provision of Georgia's election law that prohibits individuals or organizations from giving food or drinks to voters within 150 feet of a polling place.

Now, just for purposes, again, of comparing and contrasting, the Democrat leader's home State of New York—Senator SCHUMER's home State of New York—has a similar provision preventing voters in line from being given anything, including food and water, whose retail value is in excess of $1. This is the State of New York—the State of New York. But people are blowing a gasket over this provision in Georgia law—the very provision the State of New York has in law today. I would argue, in most States, you can't go within a certain number of feet of a voting place if you are a political operative or a political organization. I mean, that is true in our State, and I am sure it is true in a lot of States around the country. The aim of those laws, of course, is to prevent partisan political organizations or candidates from exerting improper pressure on voters in line.

Now, nothing in Georgia's law prevents partisan political organizations from setting up food trucks or lunch stations outside of the 150-foot radius and feeding voters to their hearts content—150 feet. That is 50 yards. Of course, Georgia's law explicitly allows nonpartisan poll workers to make water available to voters. An election worker, somebody who is involved with the actual vote itself, can deliver water to voters if they are waiting in line. It just prevents political operatives and political organizations from doing that—a law that, again, is consistent with laws throughout the country, including—including—the State of New York. Yet I suppose it is typical of nanny-state Democrats to think Americans are incapable of packing themselves a snack.

I am pretty sure—pretty sure—I have never seen a weaker case for a crisis. Take a look at Democrats' supposed evidence, and their case crumbles to dust, which, of course, raises the question of what is behind Democrats' manufactured crisis. Unfortunately, I think we know the answer. The Democrats have manufactured the supposed voting rights crisis in the hopes of forcing through election legislation that they hope will give them an advantage in future elections. More than one Democrat has openly admitted that Democrats want to pass a Federal election takeover because they think it will help their party win elections.

I don't blame Democrats for running scared. Between their inflation crisis, their border crisis, the President's humiliating, disastrous retreat from Afghanistan, the November election results in Virginia, and the fact that just one-third of the American people approve of the job the President is doing, the Democrats have reason to be scared about their 2022 electoral prospects.

FILIBUSTER

Mr. President, instead of addressing the inflation crisis they helped to create or, perhaps, moving their agenda from the far left and closer to the center, the Democrat leaders have decided that the solution to improving their electoral chances is to pass a partisan Federal takeover of election law and to break the Senate rules to do it. Apparently, they don't care what damage they do to the Senate and the country in the process. If Democrat leaders have their way, the longstanding protections for the minority in the Senate and the millions upon millions of Americans the Senate minority represents will be swept away in the name of, perhaps, improving Democrats' electoral prospects.

Although, I have to say, in the Washington Post Fact Checker about the Georgia law, which, by the way, gave the President four Pinocchios—four Pinocchios, which is pretty much the biggest whopper you can get—for his statements last year about this Georgia election law, they went on to say that the analysts who have looked at this—a lot of the analysis has been done by so-called election experts—think that it will expand—expand—the opportunity for people in Georgia to vote.

All of this is disheartening, to say the least, because I think we all know that, in the end, if you are going to blow up the Senate rules, that that has consequences that go on for a very, very long time.

There are Democrats in this Chamber today who still express, I think, regret for what happened in 2013, with respect to the executive calendar—which deals with executive branch nominees and judicial branch nominees, judges—because it led, in 2017, to the Republicans retaliating, following suit, with Supreme Court Justices.

I don't think you can—assume for a minute that, at some point, this flips. If Democrats blow up the rules to do this and create, I have to say, a manufactured crisis in order to do it, then you are not going to be able to blame Republicans, because once the rules are gone, the rules are gone. Then we become the House of Representatives, a total majoritarian body with longer terms.

That is not what the Founders intended. This place is here for a reason. It is here to represent the rights of the minority, the people who didn't win the vote, the people who might be in the minority party, who ought to have some say and some voice in the laws that are made here and the policies that are made here that are going to affect them and their families. I am hopeful that there are still some Democrats with doubts about this course of action, enough, perhaps, to block their leadership's partisan push.

In his inaugural address, the President of the United States vowed to be a President for all Americans. On Tuesday, he made it clear that he is becoming nothing more than a President for the far-left wing of the Democratic Party. In less than a year, he has gone from promising unity to sowing division. It is a sad epitaph to a Presidency that has barely begun.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

S. 3436

Mr. CRUZ. Mr. President, the eyes of history are upon us today. Each of us will be faced with a momentous question: Can we put petty differences aside, and can we come together to defend our friend and our ally Ukraine against imminent Russian aggression?

This isn't theoretical. Russian tanks and troops are, right now, massed on the Ukrainian border, and they are preparing for invasion. The Senate, in just a few hours, will vote on a bill that represents the best way to deter Putin from invading Ukraine by sanctioning the company that is racing to finish and make operational the Nord Stream 2 Pipeline, which Putin desperately wants completed so that he can use it as a cudgel against our European allies. If we don't come together today, Ukraine risks getting wiped off the map altogether.

Putin didn't just wake up one day and decide he wanted to invade Ukraine. He has wanted to invade Ukraine for years. He did so already in 2014, but he stopped short of a full invasion because he couldn't endanger Ukraine's energy infrastructure, which he needs to get Russia's natural gas to Europe. That stopped Putin from marching all the way to Kiev. The next year, in 2015, Putin began the Nord Stream 2 project—to build a pipeline to go around Ukraine so that he could get his gas to Europe and invade Ukraine with no risk to the billions he relies on every year.

Nord Stream 2, as we know and as we have heard from Republicans and from Democrats—literally hundreds of times over the past years on this floor, in committees, in briefings—Nord Stream 2 was designed to circumvent Ukraine. It is why the Senate has worked together for years, in a bipartisan manner, to stop Nord Stream 2 from coming online.

In 2017, Congress came together and passed the Countering America's Adversaries Through Sanctions Act, or CAATSA, which sanctioned investments in Russian energy export pipelines.

In 2019, Congress passed Protecting Europe's Energy Security Act, or PEESA, which sanctions Nord Stream 2 directly. I authored that bill, along with Democratic Senator JEANNE SHAHEEN.

And, in 2021, Congress expanded those sanctions in the Protecting Europe's Energy Security Clarification Act. Again, I authored that bill, along with Democratic Senator JEANNE SHAHEEN.

For the next several hours, this body will revisit and debate this issue once again. We will revisit our successes from 2019 to 2021 in using targeted sanctions to end construction of the pipeline.

When President Trump signed our bipartisan sanctions into law, Putin stopped construction of the pipeline literally 15 minutes before the law became effective. Sanctions worked. They succeeded. Together, we won a bipartisan foreign policy and national security victory.

But we will also revisit in this debate the catastrophic decision President Biden made in May of this year to waive those sanctions. The sanctions that had worked, the sanctions that were successful, President Biden waived them nonetheless.

When this debate is over, each of us will have to decide whether he or she will vote to finally and definitively put an end to this pipeline through mandatory sanctions.

Our Ukrainian allies are crying out for us to do so. Ukraine's President and Prime Minister and Speaker of the Parliament have all explicitly and passionately done so in recent days. Ukraine's Prime Minister said last week that Nord Stream 2 is ''no less an existential threat to [Ukraine's] security & democracy than Russian troops on our border.'' That is the Prime Minister of Ukraine begging this body, the U.S. Senate, to help him.

Just this week, a public letter from leaders in Ukrainian civil society said—and I want to quote this at length. They said:

> Since late October 2021, Russia has amassed more than 120,000 troops close to the Ukrainian border along with the logistical support for a major new offensive. This menacing build-up had been accompanied by increasing belligerent rhetoric from senior Russian officials. We believe the green light given to the Nord Stream 2 pipeline in May 2021 served as one of the key triggers for the current crisis and must be urgently revised.

In ordinary times, that open letter from Ukrainian civil society would resonate with both Democrats and Republicans. This is a plea for help.

Opponents of our legislation are clutching at pretexts to avoid doing what we have done many times before, and I want to address those pretexts one at a time.

One argument we have heard again and again is that imposing sanctions on Nord Stream 2 AG, the Gazprom-owned cutout that runs Nord Stream 2, would shatter European unity. That is an argument that is being repeated by the White House repeatedly—that this is all about transatlantic unity; we should give Putin its pipeline because of transatlantic unity.

I urge every Senator to ask a simple question: What unity and with whom?

In January, the European Parliament voted to condemn and stop the Nord Stream 2 Pipeline. The vote was 581 to 50—581 to 50. If you care about transatlantic unity, let me suggest that we side with the 581 and not the 50. The Biden White House's argument is literally: Go with the 50 in the name of transatlantic unity.

I don't know how you stand up and make that argument with a straight face—581 to 50.

In August of 2021, the chairs of the Foreign Affairs Committees in nine countries opposed explicitly the Nord Stream 2 U.S.-German agreement—the Biden agreement—to allow the completion of Nord Stream 2. Among those countries that explicitly opposed that agreement: Estonia, the Czech Republic, Ireland, Latvia, Lithuania, Poland, Ukraine, and the United Kingdom. Are those countries Europe? Do we care about transatlantic unity with those countries that are begging us to find the courage to stand up to Vladimir Putin?

When President Biden made his deal to allow the pipeline to go through anyway, the Foreign Ministers of Ukraine and Poland issued a remarkable joint statement declaring that the decision President Biden made to surrender to Putin, that it created an immediate ''security crisis'' for Europe. They told us then—Ukraine and Poland both told us then—that, as a result of waiving sanctions, we are going to see Russian troops. They were right. It is almost as if they understand their neighbor. It is almost as if they understand Putin's desire to reassemble the Soviet Union. It is almost as if they believe Vladimir Putin when he said that he believed the greatest geopolitical disaster of the 20th century was the dissolution of the Soviet Union, and he wants to bring it back together by force, which I would note would be a grave national security threat to the United States.

Now, some will say, when they say European unity, they really mean unity with Germany. Indeed, I have heard Members on this floor say: Listen, I am just not prepared to sanction Germany.

This bill doesn't sanction Germany. It doesn't sanction the German Government. It doesn't sanction the German company. It sanctions Nord Stream 2 AG, which is wholly owned and controlled by Gazprom. This is sanctioning a Russian cutout because this pipeline is a tool for Putin's aggression in Europe.

And even when it comes to unity in Germany, what they really mean is unity with Angela Merkel, and I will concede that. Angela Merkel wants this pipeline. I don't fully understand why, but she does. But Angela Merkel is no longer the Chancellor of Germany. Indeed, the German people went

to the polls, and they voted her party out of office. So one would think from the United States, to the extent we are concerned about standing with an ally, we should be concerned about the current Government of Germany, not the former government, and we should respect the views of the German people.

Now, the current Government of Germany is hopelessly fractured on Nord Stream 2. The Greens, who are part of this coalition government, passionately oppose Nord Stream 2. Vocally, repeatedly they have condemned Nord Stream 2, and they are an integral part of this German Government. But just a few hours ago, the German Defense Minister, on the other side, said Nord Stream 2 is off the table. They are not willing to do anything to stop Nord Stream 2. And the German Chancellor has said the same, declaring that he seeks a positive reset with Putin. This is the same Putin who has tanks on the border of Ukraine, and he is preparing to invade.

Another argument that we will hear is that sanctions should be kept in our pockets. We should reserve them for use later in the case of a Russian invasion. I would note, this is not what our Ukrainian allies advocate, and I have trouble believing anyone in this Chamber actually takes this argument seriously, nor should they. Putin doesn't.

Putin believes that once he brings Nord Stream 2 online, and once he has changed the region through invasion, that no one will have the will to impose sanctions. And I would note, he is not crazy to believe that.

When the Biden administration first capitulated to Russia on Nord Stream 2, the Biden administration and the German Government made a promise. They said if—if, if—Russia uses energy for energy blackmail, then we will stop the pipeline. They beat their chest with that promise. They were quite bold about it. I have had some Members of the Senate say: Well, we have got really strong promises from Germany now.

Well, what has happened since then? Russia has nakedly and unequivocally used energy for energy blackmail. Energy prices have skyrocketed in Europe, and Putin is openly boasting, he is laughing and saying: Well, turn Nord Stream 2 on and your energy prices will go down.

He is not hiding it. He is not pretending. He did exactly what the Biden White House and the German Government said: If you do x, we will stop it.

He did it openly, brazenly, laughingly, and absolutely nothing happened—zero, crickets.

Mr. President, I ask you, as a reasonable man, if the German Government and the Biden White House were unwilling to impose sanctions when Putin immediately triggered what they said was their redline, in what universe would the Biden White House or the German Government have greater resolve once millions of Germans are dependent on Russian natural gas from Nord Stream 2 to heat their homes when it is literally stopping the Germans from freezing to death? Because that, if the Ukrainian pipeline is shut down, becomes the only viable source of heat. Do we really think they are going to have greater courage then than they have had so far? Nobody does. Putin doesn't.

It is important to understand that the debate before this Chamber is, Do we impose sanctions before an invasion in order to stop the invasion or do we threaten sanctions after an invasion is done?

The bill that my colleague Senator MENENDEZ is pushing would do the latter. It would impose sanctions after an invasion is completed. I don't think Putin believes those sanctions would ever be imposed. But I can tell you, Ukrainian President Zelensky has very expressly addressed this issue. Here is what he said: ''Only if the sanctions are applied prior to the armed conflict would they become a prevention mechanism for any possible escalation.'' That is the President of Ukraine begging the Members of this Senate to vote in favor of the bill on the floor today.

Today will be one of our very last chances to stop Nord Stream 2 and to stop an imminent Russian invasion of Ukraine.

Just a few minutes ago, two of my colleagues, Senator MURPHY and Senator SHAHEEN, had a colloquy in which they explained why they have flipped their positions. They and every other Democrat in this Chamber have voted for sanctions on Nord Stream 2 not once but twice. Every Democrat voted in support of my bipartisan sanctions on Nord Stream 2. Only two things have changed since all of the Democrats voted in favor of these sanctions: No. 1, the occupant of the White House, who now has a ''D'' behind his name instead of an ''R.''

The White House is furiously lobbying Democrats, asking Democrats to stand with their party—sadly, at the expense of our allies, at the expense of Europe, and at the expense of U.S. national security.

On the merits, this should be a very easy vote. And I would suggest, if Joe Biden were not President, if Donald Trump were sitting in the Oval Office today, every single Democrat in this Chamber would vote for these sanctions—all of them—as they did twice when Donald Trump was sitting in the Oval Office.

The other thing that has changed, by the way, is the Russian troops on the border of Ukraine, which is exactly what the Ukrainians and the Poles told us would happen when Biden waived these sanctions.

Those are the two things that have changed.

I have to say, my colleagues Senators MURPHY and SHAHEEN had a very odd colloquy because they decided to go after me personally instead of focusing on the merits of the issue. In particular, they said: You know, when Trump was President, Senator CRUZ didn't hold his State Department nominees over Nord Stream 2, and Trump didn't impose sanctions over Nord Stream 2.

Now, I recognize in politics sometimes, in the heat of the moment, you say things; you don't entirely think through them. But even in the annals of bad arguments, that is a singularly absurd argument. It is true I didn't hold the State Department nominees over Nord Stream 2. It is true Trump didn't impose sanctions. Why? Because we stopped Nord Stream 2, because we were successful.

When I authored the bipartisan sanctions, there were significant elements of the Trump administration that resisted it. The Department of the Treasury fought mightily against it. And I was more than happy to battle my own party on this because this was the right thing to do for U.S. national security. Is there even one Democrat with the courage to do that against his own party now that it is the other side?

The argument I didn't hold any nominees—why would I hold nominees? President Trump signed the bill. I have said from the beginning: If Biden imposes the sanctions, I will lift all the holds. I lifted 32 holds in December to get this vote.

My focus is on stopping this pipeline and stopping Putin and Russia. And their argument that, well, Trump didn't impose sanctions—that is correct, because Putin stopped building the pipeline.

I remind you of the timing. President Trump signed the bill, if my memory serves correctly, at 7 p.m. on a Thursday night. Putin stopped building the pipeline at 6:45 p.m., 15 minutes beforehand. There was nothing to sanction because they didn't commit the sanctionable conduct; they stopped. They only returned to building the pipeline—does the Presiding Officer know what date Putin began building the deep-sea pipeline once again? January 24, 2021, 4 days after Joe Biden was sworn into office. Putin knew that Biden was going to do what he did: waive the sanctions and surrender. The sanctions worked. We had a bipartisan victory that, inexplicably, this White House gave away.

I want to take a minute to speak to my Democratic colleagues.

Listen, there are lots of issues we are going to disagree with one another on a partisan matter. That is fine. We will talk about tax rates, whether they should be high or low. We can have good, vigorous arguments about that. That is a part of our democracy. But in this instance, the Biden White House is carrying out a policy that makes no sense, that abandons our allies, that is harmful to American national security, that strengthens and encourages the aggression of Vladimir Putin, a bully and a tyrant, and that makes war much more likely.

Most, if not all, of my Democratic colleagues know all of this. I am going

to ask my Democratic colleagues to do something hard, which is to have the courage to stand up and take some partisan grief for voting against the White House on this one. Save the White House from the mistake they are making. That is one of the roles of the Senate. We keep hearing the analogy the Framers used of a saucer to cool the tempers of the moment. The Senate did that with President Trump. The Senate should do so with President Biden as well.

In my 10 years in the U.S. Senate, I have taken a lot of votes. The Presiding Officer has taken a lot of votes. There are very few votes that I think are as consequential as the vote we are getting ready to take.

If Senate Democrats put partisan loyalty above national security, if they vote simply by party line, it will dramatically increase the chances of a violent Russian invasion of Ukraine. Days or weeks or months from now, if we turn on the television set and see Russian tanks in the streets of Kiev, the reason will be that the U.S. Senate heard the pleas of our Ukrainian allies and we turned a deaf ear to them. I pray that we don't do so. The eyes of history are upon us, and this body, Republicans and Democrats, should rise to the occasion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

VOTING RIGHTS

Mr. DURBIN. Mr. President, earlier today, the Republican Senate leader came to the floor and noted the fact that when the American people were asked about the issues of the moment, they didn't mention their right to vote. I think most Americans would be surprised that we are even debating that issue at this moment in American history.

We know the right to vote has been contentious, divisive, deadly when it comes to the policies of this Nation and particularly the policies of individual States. It was one of the critical reasons, in addition to the hideous institution of slavery, that we went to war among ourselves and 600,000-plus Americans gave their lives. It really was at the heart of what happened after that when the North prevailed, the Union was saved, and the President of the United States, a man from Illinois, not only created an Emancipation Proclamation but set the stage for constitutional amendments which guaranteed that right to vote.

So I imagine some people would be excused if they didn't list it as the highest priority. They probably assume it is really not an issue for debate, but it is. You see, in this last Presidential election, we had two or three historic things occur.

First, the turnout of American voters was unprecedented. That is a good thing. In a democracy, it is to be applauded, and each year, we should try to improve on that outcome.

The second thing, though, we would have to put in the liability column, and that is a petulant former President who refused to even acknowledge that he lost the election and instead claims that he was abused and that it was stolen from him. That fanciful lie is now making its way across America back and forth as former President Trump peddles it in every quarter. Unfortunately, some people are listening. Some 30 percent of American people agree with the former President that the election was stolen from him.

He couldn't win that argument in any courtroom. He couldn't even convince his handpicked Attorney General to back him up. So he resorted to sending a mob of his followers on January 6, 2021, to storm this Capitol. For the first time since 1812, we were invaded by people who did not subscribe to the basic tenets of our Constitution. It was a grim day. I will never forget it. Those who were here, I am sure, say the same. But it set the stage for a campaign that has followed for more than a year.

This morning, we read in the paper that some eight Republican attorneys general are going to close ranks in a Trump-inspired alliance to change election laws across America to his liking. Shame on them, and shame on anyone who thinks that is what America is all about.

We should encourage more and more of those legally eligible to vote. We should make it an easy exercise and not a hardship and burden. But the States—almost 20 of them now—are in the process of changing the laws in their States on voting and, with each change in the law, making it more difficult. Oh, it doesn't sound too reprehensible on its face, until you add it all together: the notion that people would have less time to apply for absentee ballots; the fact that they would have to come up with a good reason; that their applications for those ballots would have to contain certain information, which is new and sometimes challenging to individuals; limiting the periods of time that people can vote; limiting the opportunity to register to vote in special elections, as in the State of Georgia. Each one of those is an additive factor to reducing the likelihood that people will turn up and vote—even this notion in Georgia that you can't provide food and drink to voters waiting in line.

Well, in my hometown of Springfield, IL, we vote in the Park District. There is seldom a wait of more than 5 minutes. That is about the average across America, but we know there are exceptions. We have seen people waiting in line much longer. In fact, one State found that African Americans waited in line an average of 50 minutes—not 5; 50 minutes. The idea of perhaps giving someone a drink of water under those circumstances is now against the law in Georgia. It is hard to imagine. That is just one of the things they wanted to add to the burdens of voting in America.

So when we come to the floor and discuss voting, and the Republican leader tells us people don't care—I bet they will when they come to realize what is happening.

It is interesting that he notes that what they do care about—they care about the coronavirus. I do too.

I didn't have to check the voting records to know what I am about to say is true. That Senator from Kentucky and every other Senator on that side of the aisle voted against Joe Biden's American Rescue Plan.

In the beginning of his administration, he had a bold, policy-driven piece of legislation called the American Rescue Plan, which set out to do something that had to be done. Yes, we had found the vaccines, but in order to produce them and to administer them, we needed a program that cost money.

Joe Biden stepped up and said: This is what we are going to do. We are going to get this jab, this shot, available to Americans across the board, and we are going to spend the money to do it. It does no good to have a formula that can save your life, and yet you can't access it or pay for it.

So he put it in the American Rescue Plan. It just made common sense, didn't it? With so many people dying and sick, that we have an ambitious, unprecedented, historic administration of that vaccine across America? It was an easy vote for me and for every Democrat and obviously easy on the other side for Republicans because not a single one, including the Republican leader from Kentucky, would support President Biden in that effort.

There was money in there as well to keep businesses open so that they could hire back their people, go back in business. I don't know about the Presiding Officer's State. I am sure New Jersey is similar to Illinois. But I have talked to a lot of restauranteurs who walked up to me and said: Senator, we never met before, but if you hadn't voted to give me a chance to reopen this business, I wouldn't be here today.

That is the reality of the bill that the Republicans all, every single one, voted against. So it is no surprise that they come to the floor critical of Joe Biden and his Presidency and saying he just doesn't understand the real issues. Well, the coronavirus is a real issue. The President's response was a real response. Sadly, the unanimous opposition to the President by the Republican side of the aisle was also a real response.

I can remember, coming out of college and hearing about the Voting Rights Act being debated right here on the floor of the U.S. Senate, and as I have said before on the floor—and I won't belabor it—I have taken the time over the years to understand what led up to it—Reconstruction, Jim Crow, the great migration, and all that followed from that.

And my friend—and she is my friend—Carol Anderson, a professor at Emory University in Atlanta, GA, has written a book called ''One Person, No Vote.'' She flattered me and asked me

to write the forward to the book, which I gladly did, and then read it and thought: What an incredible story it tells us about America and the battle to win the vote.

I remember—as I mentioned, I was young and fresh out of college and law school—when Dr. Martin Luther King came to the city of Chicago. I remember it well because I was in the midst of working as a young man on a political campaign. And it made all the headlines when Dr. Martin Luther King, Jr., decided to walk through Marquette Park. That particular parade—that protest—drew violence from people dressed in Nazi uniforms, throwing rocks at him, and jeering at those who supported his effort.

I remember that because, nowadays, when you talk about Dr. Martin Luther King's day of observance, which is coming up next week, people have a tendency to think of that in gentle and positive terms—and it should be. But let's not forget the price he paid—ultimately, his life—to deliver that message to a divided America. And so when we talk about why he did it and what it meant to us, one of the guiding factors was the right to vote and his belief that, from Reconstruction forward to his day, we were still finding ways to deny the right to vote to African Americans and others in this country. It was that fundamental an issue—an issue he was willing to give his life for.

For some of us, Martin Luther King Day will be a day of reflection, a chance to envision in America what it truly means to be ''free at last.'' But it is also a day of action. Let's hope we have some action here on the floor of the U.S. Senate.

Each day we open the session in the Senate by pledging allegiance to the flag. That is a good thing. I do it out of respect and gladly so. But we don't stand here and pledge allegiance to the filibuster. The filibuster is a Senate rule, not that long in its history, that is an interpretation of what the Senate is about. It has changed over the years over and over again. It is not sacred. It is not constitutional dictum. It is, in fact, the best efforts of politicians in this Chamber, in their day, to write a rule that establishes a minimum vote.

What does it mean to us? Well, it means a lot. In a Senate that is divided 50–50—50 Republicans and 50 Democrats—it means that there are measures which require 60 votes. It used to be a rare occurrence in this body that someone would invoke a filibuster, and yet now it has become virtually commonplace.

If you just look at the last 5 or 10 years, you can see a change in the Senate, a dramatic orchestrated change in the Senate. What was uncommon, requiring 60 votes for a measure, has now become the standard, and, of course, what that means is very few things come to the floor of the Senate.

When the Republicans were in control, just a few years ago, during the course of an entire calendar year, on the Senate floor we voted for 26 amendments—26. In the normal history of the Senate, hundreds of amendments are voted in the course of a year. But because of the filibuster and the design of many to slow down and stop the business of the Senate, in 1 year we voted for 26 amendments—26.

And that is what happens when you shut down debate. That is what happens when you shut down opportunity for amendments. And that is what happens when you pledge allegiance to the filibuster.

We have to be honest about this. There should be an exception written in for the filibuster when it comes to voting rights. Something as fundamental as our constitutional authority to vote should be given the day for argument on the floor of the Senate and should be subject to a majority vote, up or down. That is not too much to ask.

I would rather pledge allegiance to the flag and to the voting authority in America that it represents than to the filibuster, a rule which has been misused as much as it has been properly used in its history.

There are many enduring victories we can attribute to Dr. King and the civil rights movement. But the Civil Rights Act of 1964 and the Voting Rights Act of 1965 are certainly high on the list. These laws put a stake in the heart of Jim Crow, expanding voting rights to generations of Black Americans.

Prior to the passage of these laws, State legislators throughout the Deep South had disenfranchised voters of color through a whirlwind of discriminatory legislation. These laws didn't explicitly ban Black Americans from voting. The 15th Amendment, ratified during Reconstruction, prevented them from doing that. But soon enough, these lawmakers discovered new ways to discriminate against voters of color. And in decades after Reconstruction, they erected barriers to the ballot box, like poll taxes, property ownership requirements, literacy tests.

When it comes to Jim Crow laws, it is easy to get caught up in abstractions and generic descriptions. You hear the phrase ''literacy test,'' that was used even into the 1960s in America, and you think: Well, that just means I have to read at grade-school level, right?

Wrong. A poll test from a Louisiana parish had questions on it which I struggle to answer even today. And they were designed to make sure that voters wouldn't be able to answer. ''Draw a line around a number or letter of this sentence.'' What the heck does that mean? And on and on.

I share this example to demonstrate what voter suppression looked like in the days of Dr. King. In the words of historian Carol Anderson, whom I mentioned earlier, tactics like literacy tests were ''legislative evil genius.'' They didn't disenfranchise voters on the basis of their skin color outright. But they were only administered to some voters, and you can imagine which ones.

Thank God the Members of the Senate on a bipartisan basis decided in the 1960s to outlaw this legislative sleight of hand. Our predecessors didn't cave in to the disingenuous cries of ''States' rights,'' which we hear to this day on the Republican side of the aisle. Our predecessors understood that voting is a fundamental liberty. It should be treated differently. It is the reason we pledge allegiance to that flag, because we make the decision, under that flag, of who governs us.

Right now, millions of American voters are facing a new wave of voter suppression laws, and much like the proponents of Jim Crow laws did in their day, Republicans State lawmakers today are erecting new barriers to the ballot box, latching onto the myth of ''widespread voter fraud.'' That is what the State legislative leaders are saying. Where could they have come up with that idea? Is it possible that it is a disgruntled former President with a bruised ego because he lost his effort for reelection in 2020?

The reality is, the laws they are passing in these States are not about preventing voter fraud. They are about preventing eligible Americans from voting. The nurse working back-to-back shifts on election day, the single parent who doesn't own a car or can't afford a babysitter, or a person living with a disability—should we be concerned as to whether they have an opportunity to vote? We certainly should.

The new laws enacted in nearly 20 States will prevent our most vulnerable neighbors from exercising their right to vote. That is why we ought to look at the Senate rules. It isn't just a matter of some theoretical academic debate on the rules. These are real-life decisions in States across the Nation.

And the most troubling of these laws take the assault of democracy even further. They give partisan actors more power to meddle and interfere in election administration. Some of the proposals we have seen can potentially allow partisans to overrule the valid votes of the American people and anoint a victor of their own choosing.

Over the next few days, I expect many of us will quote excerpts of Dr. King's most famous speeches. My hope is that we will take heed of the words he wrote in that letter from the Birmingham jail. In it, he responded to a group of White religious leaders who had pleaded with him and his fellow civil rights advocates to slow down, wait a little longer, racial equality is going to follow soon.

In response, Dr. King wrote: ''For years now, I've heard the word 'Wait!'. . . . This 'Wait' has almost meant 'Never'. . . . We must come to see, with one of our distinguished jurists, of yesterday that 'justice too long delayed is justice denied.'''

He continued, ''We've waited for more than 340 years for our God-given and constitutional rights. . . . I hope,

sirs, you can understand our legitimate and unavoidable impatience.''

The issue that we are debating on voting rights and the issue of our rules is not just a casual conversation about a rule book no one hardly knows of. It is an issue that does go to the heart of our democracy, to our pledge of allegiance to the flag, not to the filibuster.

The issue is our Republican colleagues are afraid of this debate. Traditionally, they played a key role in the passage of the Voting Rights Act in the 1960s. In fact, percentagewise, there were more Republican Senators voting for that than Democratic Senators. And I say that acknowledging that my Democratic Party, in those days, was not altogether on the right side.

We have been told that we are breaking the Senate if we change this rule to protect people's right to vote. At the heart of what the Senate is and what it stands for and the reason it exists is the right of Americans to vote.

Is it worth a carve-out? Is it worth a change? Is it worth a modification of the Senate rules to protect the right to vote? Can anything be more sacred?

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. SINEMA. Mr. President, I rise at a challenging, divisive time for our Nation. For years, America's politics have spiraled steadily downward into increasingly bitter, tribal partisanship, and our democracy has been strained.

While that may sound abstract, it is a problem that hurts Americans in real, tangible ways. These deepening divisions hurt our ability to work together, to create new job opportunities, to protect the health and safety of our communities and country, and to ensure everyday families get ahead. Americans across the country know this. They see it every day, not only on social media and cable news but at their jobs and around their dinner tables. We are divided.

It is more likely today that we look at other Americans who have different views and see the other or even see them as enemies instead of as fellow country men and women who share our core values. It is more common today to demonize someone who thinks differently than us, rather than to seek to understand their views.

Our politics reflect and exacerbate these divisions, making it more and more difficult to find lasting, broadly supported solutions to safeguard our freedoms, keep our country safe, and expand opportunity for all our citizens.

So two questions face us as a nation: Where does this descending spiral of division lead, and how can we stop it?

Our country's divisions have now fueled efforts in several States that will make it more difficult for Americans to vote and undermine faith that all Americans should have in our elections and our democracy. These State laws have no place in a nation whose government is formed by free, fair, and open elections.

We must also acknowledge a painful fact:

The State laws we seek to address are symptoms of a larger, more deeply rooted problem facing our democracy—the divisions themselves, which have hardened in recent years and have combined with rampant disinformation to push too many Americans away from our basic constitutional values.

In the spring of 2017, after Trump took office, I wrote an opinion piece in the Arizona Republic highlighting my concerns about the strains on our constitutional boundaries and the shrinking respect for our founding constitutional principles. In the years that followed, my colleagues and I in this body were called upon to participate in two separate impeachment trials for crimes against our Constitution.

And on January 6, last year, I was standing in this very spot, speaking in this very Chamber, defending Arizona's fair and valid election against disinformation, when violent insurrectionists halted the Presidential certification.

Threats to American democracy are real.

I share the concerns of civil right advocates and others I have heard from in recent months about these State laws. I strongly support those efforts to contest these laws in court and to invest significant resources into these States to better organize and stop efforts to restrict access at the ballot box.

And I strongly support and will continue to vote for legislative responses to address these State laws—including the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act that the Senate is currently considering.

I support these bills because they strengthen Americans' access to the ballot box, and they better ensure that Americans' votes are counted fairly. It is through elections that Americans make their voices heard, select their representatives, and guide the future of our country and our communities.

These bills help treat the symptoms of the disease, but they do not fully address the disease itself. And while I continue to support these bills, I will not support separate actions that worsen the underlying disease of division infecting our country.

The debate over the Senate's 60-vote threshold shines a light on our broader challenges. There is no need for me to restate my longstanding support for the 60-vote threshold to pass legislation.

There is no need for me to restate its role: protecting our country from wild reversals in Federal policy. It is a view I have held during my years serving in both the U.S. House and the Senate, and it is the view I continue to hold. It is the belief that I have shared many times in public settings and in private settings.

Senators of both parties have offered ideas, including some that would earn my support to make this body more productive, more deliberative, more responsive to Americans' needs, and a place of genuine debate about our country's pressing issues.

And while this week's harried discussions about Senate rules are but a poor substitute for what I believe could have—and should have—been a thoughtful public debate at any time over the past year, such a discussion is still a worthy goal.

But a discussion of rules falls short of what is required. American politics are cyclical, and the granting of power in Washington, DC, is exchanged regularly by the voters from one party to another.

This shift of power back and forth means the Senate 60-vote threshold has proved maddening to Members of both political parties in recent years—viewed either as a weapon of obstruction or a safety net to save the country from radical policies, depending on whether you serve in the majority or the minority.

But what is the legislative filibuster other than a tool that requires new Federal policy to be broadly supported by Senators representing a broader cross section of Americans—a guardrail inevitably viewed as an obstacle by whoever holds the Senate majority but which, in reality, ensures that millions of Americans, represented by the minority party, have a voice in the process?

Demands to eliminate this threshold—from whichever party holds the fleeting majority—amount to a group of people separated on two sides of a canyon, shouting that solution to their colleagues, and that makes the rift both wider and deeper.

Consider this: In recent years, nearly every party-line response to the problems we face in this body, every partisan action taken to protect a cherished value has led us to more division, not less.

The impact is clear for all to see: the steady escalation of tit for tat, in which each new majority weakens the guardrails of the Senate and excludes input from the other party, furthering resentment and anger amongst this body and our constituents at home.

Democrats' increased use of requiring cloture for traditional nominees under President George W. Bush led to similar tactics by Republicans under President Barack Obama. The 2013 decision by Senate Democrats to eliminate the 60-vote threshold for most judicial and Presidential nominations led directly to a response in 2017 by Senate Republicans who eliminated the threshold for Supreme Court nominees.

These shortsighted actions by both parties have led to our current American judiciary and Supreme Court which, as I stand here today, is considering questions regarding fundamental rights Americans have enjoyed for decades.

Eliminating the 60-vote threshold—on a party line with the thinnest of possible majorities—to pass these bills

that I support will not guarantee that we prevent demagogues from winning office.

Indeed, some who undermine the principles of democracy have already been elected. Rather, eliminating the 60-vote threshold will simply guarantee that we lose a critical tool that we need to safeguard our democracy from threats in the years to come.

It is clear that the two parties' strategies are not working—not for either side and especially not for the country.

I know it is comfortable for Members of each party, particularly those who spent their career in party politics, to think that their respective party alone can move the country forward. Party control becomes a goal in and of itself, instead of prioritizing a healthy, appropriate balance in which Americans' diverse views and shared values are represented.

But when one party needs only to negotiate with itself, policy will inextricably be pushed from the middle toward the extremes.

And I understand, there are some on both sides of the aisle that prefer that outcome, but I do not. And I know that Arizonans do not either. Our country's first President, George Washington, a leader whose wisdom I borrowed at the conclusion of the 2020 impeachment trial—he warned against political factions more than 200 years ago, saying that extreme partisanship could lead to the ''ruins of public liberty.''

''I was no party man myself,'' Washington wrote, ''and the first wish of my heart was, if parties did exist, to reconcile them.''

Today, we serve in an equally divided Senate, and today marks the longest time in history that the Senate has been equally divided. The House of Representatives is nearly equally divided as well.

Our mandate? It seems evident to me: work together and get stuff done for America.

And the past years have shown when a party in control pushes party-line changes exceeding their electoral mandate, the bitterness within our politics is exacerbated, tensions are raised within the country, and traditionally nonpartisan issues are transformed into partisan wedges.

We must address the disease itself—the disease of division—to protect our democracy. And it cannot be achieved by one party alone. It cannot be achieved solely by the Federal Government. The response requires something greater and, yes, more difficult, than what the Senate is discussing today.

We need robust, sustained strategies that put aside party labels and focus on our democracy because these challenges are bigger than party affiliation.

We must commit to a long-term approach as serious as the problems we seek to solve—one that prioritizes listening and understanding, one that embraces making progress on shared priorities and finding common ground on issues where we hold differing and diverse views.

This work requires all Americans everywhere. Efforts to fix these problems on a bare-majority party line will only succeed in exacerbating the root causes that gave way to these State laws in the first place, extending our dissent into a more fragmented America.

This work is our shared responsibility as Americans. I share the disappointment of many that we have not found more support on the other side of the aisle for legislative responses to State-level voting restrictions. I wish that were not the case, just as I wish there had been a more serious effort on the part of Democratic Party leaders to sit down with the other party and genuinely discuss how to reforge common ground on these issues.

My Republican colleagues have a duty to meet their shared responsibility to protect access to voting and the integrity of our electoral process.

We need a sustained, robust effort to defend American democracy, an effort on the part of Democrats, Republicans, Independents, and all Americans in communities across this country. So we ask, What must we do to protect our democracy?

We should invest heavily in recruiting and supporting State and local candidates for office—in both parties—who represent the values enshrined in our Constitution.

We should ensure we have a judiciary that is less lopsided in its political leanings and that we can all depend on to uphold the Constitution.

We must confront and combat the rise of rampant disinformation and ensure that all Americans have the tools to see fact from fiction. This will be particularly difficult work since some in power have used disinformation to manipulate our differences and pull Americans apart, pressuring us to see our fellow Americans as enemies.

The dangers facing our democracy took years to metastasize, and they will take years of sustained, focused effort to effectively reverse. There are steps that we can take today to fix our politics and better set the stage for repairing our democracy.

Many of you know I began my career as a social worker. And in our social work training, our first necessary skill is the ability to listen to others—listening not to argue or rebut but listening to understand. I ran for the U.S. Senate rejecting partisanship, willing to work with anyone to help Arizonans build better and more secure lives.

And throughout my time serving Arizona, I have listened to Arizonans expressing diverse views on inflation, economic competitiveness, climate, and social priorities, and the role of the Federal government itself.

I find myself grateful, time and time again, to learn from Arizonans who share the same core values but differ in position on issues and policies. Their similarities and their differences are surely representative of the complexity of Americans nationwide.

So I find this question answers itself: Can two Americans of sharp intellect and good faith reach different conclusions to the same question? Yes. Yes, of course they can.

It is easy for elected officials to give speeches about what they believe. It is harder to listen and acknowledge that there are a whole lot of Americans with different ideas about what is important in our country and how to solve those problems.

And yet it is important to recognize that disagreements are OK. They are normal. And honest disagreements matched with a willingness to listen and learn can help us forge sturdy and enduring solutions.

You know, Congress was designed to bring together Americans of diverse views, representing different interests and, as a collective, to find compromise and common ground to serve our country as a whole.

We face serious challenges, and meeting them must start with a willingness to be honest, to listen to one another, to lower the political temperature, and to seek lasting solutions.

Some have given up on the goal of easing our divisions and uniting Americans; I have not.

I have worked hard to demonstrate in my public service the value of working with unlikely allies to get results, helping others see our common humanity and finding our common ground, and I remain stubbornly optimistic because this is America. We have overcome every challenge we have ever faced.

I am committed to doing my part to avoid toxic political rhetoric, to build bridges, to forge common ground, and to achieve lasting results for Arizona and this country. But we are in desperate need of more—more people who are willing to listen, to seek understanding, to stitch together the fabric of our country that has been ripping around the edges; more people who are willing to put down the sticks sharpened for battle and instead pick up their neighbors to learn why they are angry or upset or left behind.

So I call on each of us as Americans: Let us be those people. We are but one country. We have but one democracy. We can only survive, we can only keep her, if we do so together.

The PRESIDING OFFICER. The Senator from Kentucky.

S. 3436

Mr. PAUL. Mr. President, I rise today to speak against the sanctioning of German and Russian businesses over the transport of natural gas between their countries.

Proponents of sanctions say: Sanction this, sanction that. The Department of the Treasury is currently administering dozens of sanctions programs designed to change the behavior of certain countries. Yet, no one seems to ask the important questions: Do sanctions promote peace and understanding, or do they escalate tension between nations? What behavior has China modified since the United States began sanctions? Has Russia changed

her behavior? Has Russia given back Crimea? Sanctions, although lacking in proof of effectiveness, are very popular with both parties.

Embargoes, sanctions' big brother, also garner bipartisan enthusiasm. The U.S. embargo of Cuba has now gone on for more than 60 years without any evidence of a change in regime or even a change in the regime's policy.

Embargoes are often described, especially by the embargoed country, as an act of war. Many historians say that the U.S.'s embargo of 1807 ultimately led to the War of 1812. President Jefferson's embargo was intended to punish France and England for their aggressions, but instead the embargo crippled American shipping exports. Exports declined by 75 percent.

Some historians also blame the U.S. embargo of Japan for the ensuing war. Roosevelt seized many of Japan's assets, and Japan lost access to much of its international trade and over 80 percent of its imported oil. Effectively, at least from the perspective of Japan, the embargo was an act of war.

Yet enthusiasts for embargoes and sanctions still clamor for more. Sanctionistas point to the international sanctions against Iran as the lever that brought about the Obama-era nuclear agreement with Iran. Perhaps, but an equally valid argument could be made that it was the extension of carrots rather than sticks that brought Iran to the table. It is funny how diplomacy seems to require give-and-take, not just take, take, take.

Our interaction with Iran should illuminate today's debate over sanctions on the Nord Stream 2 Pipeline between Russia and Germany, but the shade of mercantilism is dimming the light of experience.

Opponents of the pipeline, not surprisingly, are largely from States that compete in the sale of natural gas. This is more about protectionism than it is national security. Reports are that the pipeline will cause a significant reduction in U.S. exports of liquid natural gas; hence the keen interest by people representing States that sell natural gas. This is not so much about national security; it is about protectionism.

Acknowledging that this debate is only superficially about national security and really more about provincial protectionism helps us better understand the dynamics.

History demonstrates that trade and interconnectedness between nations is a barrier to war. Engaging in mutually beneficial commerce, coupled with a potent military deterrence, is the combination that best promises peace.

Over the past decade, Congress and Presidents have heaped sanctions on Russia and China. When I have asked the State Department officials who come before our committee to reveal what behavioral changes have come about as a result of sanctions, I have often gotten blank stares.

Now, the sanctionistas want to sanction an already completed pipeline. Last year, they said that if we put sanctions on, we will stop them. Well, the Senate and the House overwhelmingly passed sanctions. We got sanctions, and they still completed the pipeline.

But what behavior are they now asking Russia to change? What specifically has Russia been asked to do? What Russian action is necessary for these sanctions to end?

I have asked the sponsor of this bill: The sanctions that you want to do to Russia, what behavior—what do you want from Russia? The response is that they don't want any behavioral changes from Russia. The word-for-word response from the sponsors of this bill is that they just want Russia not to ship oil to Germany. It is about trade. It is about trade that might compete with certain natural gas-producing States. It has nothing to do with national security.

If Nord Stream 2 sanctions were really about changing Russian behavior or deterring aggression in Ukraine, then NATO, including Germany, could threaten sanctions if Russia invades Ukraine. Now, that—the threat of sanctions, with Germany as an ally—might actually have deterring value.

In fact, last summer, the United States and Germany did just that. The United States and Germany announced an agreement in which they said jointly that any attempt to use energy as a weapon or commit further aggressive acts against Ukraine will be met with sanctions. This is Germany and the United States together. That has power. Our little pinprick sanctions saying ''We don't like you, and we are going to punish the companies that are involved'' will do nothing.

If we actually work with Germany, we have deterring value. Germany could turn off the spigot to the natural gas like that. If it is a valid threat from Germany with us, together, we might be able to deter Russia. But simply turning the gas pipeline off now and sanctioning it is like being a hostage taker and saying ''We don't want you to do this, and we have your hostage'' and then going ahead and shooting the hostage before you get what you want.

We should threaten sanctions. The threat of sanctions has power. Once you turn them on and you have no plan to turn them off, you have no leverage over Russia and you do nothing.

The commitment or the agreement between Germany and the United States—the agreement says, ''This commitment is designed to ensure Russia will not misuse any pipeline, including Nord Stream 2, to achieve aggressive political ends'' or they will be met with sanctions. This could be a deterrence.

The more countries that got together and said this—an international community of sanctions can have some effect. One-country sanctions, particularly against its ally, Germany, will have no effect.

The rush to impose sanctions now undermines the threat of sanctions to deter Russian aggression against Ukraine. When you put sanctions on now and you offer them nothing and no way to remove the sanctions, how are you deterring anything? In fact, you might well make them angry enough that they actually do act in response to the sanctions in the opposite of what you have intended.

As today's debate unfolds, I think you will find that sanctions against Nord Stream 2 are more about mercantilism and protectionism than national security.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, I would like to ask unanimous consent that I be able to speak for up to 5 minutes, followed by Senator SULLIVAN, who is on the floor, for up to 15 minutes and then Senator SASSE for up to 7 minutes before the scheduled recess.

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

Mr. BARRASSO. Mr. President, I would hope that everyone in this body has listened to Senator SINEMA's important speech on the filibuster just now. I really appreciated her clear-eyed rationale—her rationale to preserve the minority voices in this body and to find common ground in this Chamber. I thank her.

Mr. President, I also come to the floor today to support the sanctions on Vladimir Putin's Nord Stream 2 Pipeline. Now, I urge all of my colleagues to vote in support of S. 3436, the Protecting Europe's Energy Security Implementation Act.

You know, last week, the President of Ukraine and the Prime Minister of Ukraine endorsed this legislation. The Prime Minister said the following:

> Nord Stream 2 is no less an existential threat to our security and democracy than Russian troops on our border. Senators shouldn't vote to protect Russia and Nord Stream 2. This is a security matter not only for Ukraine, but for the entire region.

I believe the Prime Minister of Ukraine is exactly right.

The Nord Stream 2 gas pipeline is being built by Gazprom. For people who aren't familiar with that, Gazprom is the Russian state-owned natural gas company. Now, the pipeline would double the amount of Russian gas going to Germany via the Baltic Sea.

This pipeline is an existential threat to our ally Ukraine. It is a threat to our allies in Europe as well.

Right now, Vladimir Putin has mobilized 100,000 troops on the border of Ukraine. He can afford to do this because he is flush with cash. Rising energy prices and reduced American production mean Vladimir Putin has hit the energy economic jackpot. The world is now more dependent on Russian oil and energy. If gas starts to flow through this pipeline, Vladimir Putin will get even richer, more powerful, and the world will become even more dependent on him, the dictator.

Vladimir Putin uses energy as a geopolitical weapon. He uses energy to coerce our allies and our partners in Europe.

Stopping this pipeline should be an area of bipartisan agreement. In fact, it was an area of bipartisan agreement in this very body until Joe Biden became President. Many Democrats in the body voted for sanctions the first time around. Even Joe Biden opposed the pipeline before he became President.

Congress has overwhelmingly passed several pieces of bipartisan legislation imposing sanctions on this Russian pipeline. Yet the Biden administration refuses to implement these laws.

The Biden administration has now been actively lobbying this body and actively lobbying Congress against this bill. Democrats must think it would give Putin what he wants. I don't get it. They think that if you give Putin what he wants, then he is going to play nice. That is not going to happen. Every American President must negotiate from a standpoint and a position of American strength. Vladimir Putin is cunning, opportunistic, and aggressive. He respects strength, not statements. When he sees an opportunity, he takes it. He can smell the weakness.

The pipeline will mean an enormous transfer of wealth—wealth from our allies to our enemy. It will make our allies weaker, and it will make Putin stronger. If Putin gets stronger, we know he will get even more aggressive.

It is time now for this body to stand up—stand up against Russia. It is time to sanction this pipeline.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to commend my colleague from Wyoming Senator BARRASSO, who has been a leader on so many of these issues, and Senator CRUZ on his bill, this important piece of legislation that we are going to be voting on here in a couple hours.

This Nord Stream 2 sanctions bill is not just about the immediate crisis in Ukraine, but this would be a continuation of long-term bipartisan American strategy as it deals with Russia, energy security, and American security. So I want to provide a little broader context to that bipartisan strategy and put this debate and vote that we are having here today into that context.

The U.S. commitment to European security, as we all know, is ironclad. We fought two world wars and a cold war to protect our interests in a free and open Europe. We expanded NATO to secure those gains and to prevent Russia from ever building a new empire that could threaten us or our allies.

As we all know, Russian power is not just a function of military power; to the contrary, Vladimir Putin and the Russians for decades have been using energy in terms of power and energy as a weapon. As a matter of fact, it is their weapon of choice in many instances in Europe.

Let me provide a few recent examples.

If you look at this map, one pipeline that is actually not depicted is the so-called Brotherhood Pipeline from Russia into Ukraine, and it goes into Europe. The Russians have cut off supplies of natural gas on that and other pipelines going through Ukraine in 2006, in 2008, in 2014, and in 2015.

In Moldova, shortly after the defeat of a pro-Russian Government and the election of a pro-Western one, Russia did what they normally do. They cut off gas to that country.

And it is not just impacting countries like Ukraine. When these gas supplies were cut off by Russia—because Vladimir Putin was angry about something—it impacted over 18 EU countries with regard to those cutoffs. And it is happening even today.

Just yesterday, the head of the International Energy Agency in Paris said that Russia is already, right now, strategically limiting natural gas to Europe during this very cold winter to pressure European nations not to support Ukraine as the Russians amass tens of thousands of troops on their border as we speak.

For these reasons, it has been the longstanding bipartisan American policy to do two things as it relates to energy security: First, we have sought, dating back to the 1980s, to block implementation of major pipelines from Russia—from the then-Soviet Union into Europe. The Reagan administration did this with sanctions in 1982, and we have continued to work this element of our policy. The other element of American bipartisan policy, as it relates to European energy security, has been to help countries—former Soviet Union countries, particularly in the Caspian and Central Asia area—to provide their own energy outlets, in terms of natural gas and oil, to Europe through the southern corridor—the BTC Pipeline.

These are all areas that Democrats and Republicans have been involved with in terms of energy supplies to our European allies that don't go through Russia. Some of the diplomacy here on these pipelines started with the Clinton administration, which did a very good job on this. I had the opportunity, as an Assistant Secretary of State in charge of economic and energy issues in the Bush Administration, to lead efforts on these southern corridor pipelines, and they were successful. Right now, these pipelines are providing energy to our allies in Europe. They don't go through Russia. They start in countries like Azerbaijan, go through Georgia, go through Turkey. This has been very bipartisan, supported by the Senate, and the Russians hate this. They hate it.

Why? Because it doesn't give them any control over energy into Europe.

So, as I mentioned, today's vote is actually part of a long-term bipartisan American strategy for decades that we have been pursuing because we know the Russians use energy—particularly, natural gas, as a weapon.

So how have we been doing on this? Well, at the end of the Trump administration, we were in a very good position on European energy security in two key areas. First, as Senator BARRASSO mentioned, we had strong—very strong—bipartisan support with regard to Nord Stream 2 sanctions, on its construction and operations. We had overwhelming Republican and Democrat support for the sanctions that we are going to be voting on today in the 2021 NDAA and in the 2020 NDAA—very big, very bipartisan.

Another reason we were set up very well, in terms of Eurasian energy security, is at the end of the Trump administration we had achieved a longstanding bipartisan goal of American national security, economic security, and energy security. What was that? Energy independence. We, once again, had become the world's energy superpower.

What do I mean by that—largest producer of oil, bigger than Saudi Arabia; largest producer of natural gas, bigger than Russia; one of the biggest producers of renewables in the world. This is a bipartisan goal.

With regard to European security, why was that so important? Because it answered a huge question that the Europeans often said: If we are going to block Nord Stream 2, Russian gas into Germany and other places in Europe, where are we going to get the gas? Well, we had an answer: You are going to get your gas in America.

Our exports in LNG, liquefied natural gas, surged to take care of this problem. This is a good thing.

In terms of the environment and climate, U.S. LNG exports to Europe have a 41-percent lower emissions profile than Russian gas and pipelines to Europe. So it is good for the environment, climate, national security, energy security.

And here is another area. This big production of American energy was something that the people who know Vladimir Putin best knew that it was one of the biggest things we could do.

A couple of years ago, I was in a meeting with my colleague whom we miss very much here, Senator McCain, and a Russian dissident—a very famous Russian dissident. And at the very end of the meeting, I asked: What more can we do to undermine the Putin regime?

Do you know what he said to me? He looked me in the eye, without hesitation, and said: Produce more American energy. That is the No. 1 thing that you can do to undermine the Putin regime.

And we did it. We did it.

So these are all things, in addition to strengthening our own military, in addition to giving the Ukrainians Javelin missile systems—all of these things were putting us in a good position. Putin seemed very much in a box and certainly wasn't threatening Ukraine with tens of thousands of troops on the

border. Where are we today on these key areas that I just mentioned?

Well, we are not in such good shape.

In terms of energy independence, this administration seems focused on actually destroying the production of American energy—oil and gas in particular. I guarantee you, the dictators in Moscow as well as in Beijing can hardly believe their luck. It seems like President Biden wants to undermine the very bipartisan goals we had for decades—American energy independence and the United States as the world's energy superpower again.

Just think about what he is seeing: canceled pipelines, the Keystone Pipeline, Canada and United States, and the President is green-lighting Nord Stream 2; killing energy production in great States like mine. Just Monday, there were more obstacles to produce energy in Alaska, and now we are importing two times as much oil from Russia as we were a year ago. That is helping Putin, hurting the United States.

What about Nord Stream 2, where we looked so strong just in the past few years, with this body, in a strong bipartisan way, sanctioning that pipeline right there. President Biden has greenlighted it.

But we don't have to. That is the point of this vote today. Again, this vote is not just about the current crisis in Ukraine; it is about continuing a long-term bipartisan approach to Eurasian energy security that would make our European allies less vulnerable to Russian energy blackmail, which has not only gone back decades, it is literally happening right now. Just listen, as I mentioned, to the International Energy Agency's report yesterday on this topic.

To be honest, it is also about a more political question, this vote today. Many of my Democratic colleagues suddenly became very hawkish against Russia and Putin on these issues and other issues during the Trump years, and I welcomed their conversion to a more hard-line approach. But it always begged the question, was that more hawkish conversion a principled one because they realized being tough on Putin, in terms of energy and our military, was the best way to achieve American national interests or was this conversion more of a temporary one, depending on who occupied the White House? I hope it is not the latter, but today's vote will answer that for some of the Senators who are looking to change their recent votes.

But, clearly, some of my colleagues just a few years ago, who were voting to sanction and stop the Nord Stream 2 Pipeline and were sounding very tough on Vladimir Putin and Russia, are now in a bit of a quandary if they vote differently today. So, not surprisingly, they are making arguments to rationalize this new position, and I would like to review, briefly, just a few of those.

Senator MURPHY has been down on the floor, the junior Senator from Connecticut, with a lot of these arguments. And I respect him, a thoughtful voice on foreign policy. I don't always agree with him, but he is a serious voice. But his arguments on this issue right now are not very persuasive or powerful. Here is the thing he is saying right now: This isn't about Russia. I am quoting Senator MURPHY. This is about ''a Cruz-Trump agenda to break up the Atlantic alliance.'' A Cruz-Trump agenda to break up the Atlantic alliance.

Now, look, he is clearly trying to make a boogeyman here, the so-called Cruz-Trump agenda. But serious people who have been working on these issues for decades know that what we are doing today is a continuation of long-term bipartisan support for really important energy security policy for the United States and our European allies. This is continuing that longstanding approach.

You know, in his quote on the Cruz-Trump agenda, he said: This is actually about keeping the Atlantic relationship going to ''save Ukraine from an invasion.'' To save Ukraine from an invasion.

But where is the President of Ukraine on this issue? What does the President of Ukraine, who knows a little bit about power politics and Putin, think about what we are doing today? He supports sanctions. He supports sanctions on Nord Stream 2.

That is where Senator MURPHY is starting to dig a little deeper on his weak arguments and trying to provide cover for his colleagues who are going to change their vote. He had to respond on where President Zelensky of Ukraine was. Here is what Senator MURPHY said about that:

> I'm a big supporter of President Zelenskyy. But often he misreads American politics. And I think it would have been better for him to have stayed out of this one.

Wow.

So, as to the leader of the country, right here, whom many of us think this is all about, who certainly knows what Russian energy power politics are about since he has been on the pointy end of that weapon many times, we now have a Senator saying: President Zelensky, sit down. Be quiet. Stay out of this one. We don't want to hear from you even though this is about ''saving'' your country—unless, of course, you support his position on Nord Stream 2.

So these are very weak arguments by the Senator from Connecticut.

The most legitimate argument I have heard some of my Democratic friends make on switching their vote on their previous Nord Stream 2 sanctions is that the Germans—a very important ally; we all agree on that—don't want us to apply Nord Stream 2 sanctions. OK. That is an argument we should all consider, and this is what I have heard Secretary Blinken and National Security Advisor Sullivan have been telling Senators this week as they lobby against this vote we are going to take, although, early in the year, it was reported in the press that both of them actually supported Nord Stream 2 sanctions.

Here is the thing on that argument. It is actually hard to tell what the Germans really want. In fact, what the Germans really want seems to be changing by the hour. There was a recent change in government in Germany, and the new Foreign Minister herself has said that the country should not grant Nord Stream 2 regulatory approval in order to resist ''Russian blackmail'' on energy prices. This is the current Foreign Minister of Germany.

It is also important to remember where the rest of the European Union is. There is broad opposition in Europe on Nord Stream 2. The European Parliament voted last year, on an overwhelming, cross-party basis—581 to 50—in favor of canceling the entire project in the wake of the arrest of Alexei Navalny, a Russian democracy leader whom Putin first tried to kill before locking away in prison. The European Parliament has voted at least four further times on other resolutions to call on the EU to halt this very project, which is what we are looking to vote on today.

Finally, outsourcing this very important foreign policy, national security, American issue to the Germans is simply not wise. The Germans have not always been so clean or levelheaded when it comes to Russian gas, Gazprom, and Nord Stream 2. What am I talking about? Well, of course, I am talking about the former Chancellor of Germany, Gerhard Schroder—one of the biggest betrayers of the West, certainly, in the last century. He left his chancellorship to become Putin's Gazprom lapdog. He is the main lobbyist who is pushing Russian gas all over Germany and Europe. He is an embarrassment to the Atlantic Alliance. He has been the chairman for many years of Gazprom. This is the former Chancellor of Germany. Of course, he has influenced Germans to say this is good. He has made millions doing it, by the way. He should be sanctioned with other Putin cronies.

At the end of the day, this shouldn't be outsourced to Germany. What we need to do is to take a vote on what is right for American national security, and a vote that sanctions this pipeline would be consistent with long-term, very bipartisan, American-Eurasian energy security policy.

Make no mistake, my colleagues: Nord Stream 2 is Putin's pipeline. Let's not make it his lifeline. I encourage all of my colleagues to do what they have done recently, in the last couple of years, which is to vote in an overwhelming, bipartisan manner to sanction the Nord Stream 2 Pipeline.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

FILIBUSTER

Mr. SASSE. Mr. President, first, I want to commend the senior Senator

from Arizona for an extraordinary stand of courage and just a great speech on the floor a few minutes ago.

I rise today to defend the filibuster again from the latest round of attacks. I did this repeatedly in the last administration, earning the ire and frustration of a President of my own party over and over again as I defended the Senate's purpose and the supermajority requirements that forge a consensus in a big, broad, diverse, continental nation. Today, I rise to defend the filibuster again when it is a President of the other party who has decided to go full demagogue.

For his entire career in the Senate—basically, Joe Biden served in this body as long as I have been alive, plus or minus a few years—Joe Biden was a stalwart defender of the filibuster. He said that weakening the filibuster would ''eviscerate the Senate.'' But earlier this week, the President was pushed around by a bunch of rage-addicted 20-somethings on his staff and agreed to go down to Georgia and just read whatever nonsense they loaded into his teleprompter. It was shameful. It was sad.

The President of the United States called half of the country a bunch of racist bigots. Think about that—half the country a bunch of racist bigots. He doesn't believe that. This was a senile comment of a man who read whatever was loaded into his teleprompter.

His speechwriters puppet-mastered him into saying that anyone who disagrees with him is George Wallace, Bull Connor, Jefferson Davis. If you disagree with Joe Biden, you are Jefferson Davis. It is pretty breathtaking. Equating millions of Americans to some of the ugliest racists in all of American history isn't just overheated rhetoric; it is a disgusting smear. Does President Biden really believe this in his heart of hearts? Based on the conversations I have had with him over the years, I don't think he believes this at all.

So let's go back to last year. Candidate Joe Biden ran for office, promising that he would unify the country. That is why the man was elected—because he said that the crap we went through the last 4 years was wrong. He said he was going to try to unify the country, but now he has decided to surrender to a tiny, little far-left group in the mistaken belief that the loudest voices on Twitter actually represent America.

It would be useful for us to pause and recognize that the overwhelming majority of all political tweets in America come from less than 1½ percent of Americans. Let's just say that again because there are a bunch of morons around this building who have decided to take their Twitter feed as reality. It is not reality.

What the President said in Georgia was nonsense, and Joe Biden, with his decades in the U.S. Senate, knows that.

The President will be coming to Capitol Hill in the next hour. If President Biden really believes that Jim Crow is the same thing as a lot of States that have decided to reconsider some of their COVID expansion policies around voting—that Jim Crow and redeliberating about COVID expansions are the same thing—he needs to make that argument in person.

If JOE MANCHIN is really as big a racist as Joe Biden apparently thinks and if KYRSTEN SINEMA is really a racist—if that is what animates KYRSTEN SINEMA—in the eyes of Joe Biden, he should have the courage to say that to their faces. He is not going to say that to their faces because he doesn't believe it. Ron Klain has an army of Twitter trolls that he has decided are reality, and he has decided to have President Biden become something completely different than the person who ran for office last year or who served for decades in the U.S. Senate.

In fact, if Joe Biden really believes that JOE MANCHIN and KYRSTEN SINEMA are bigots, why has he not called for them to be kicked out of his party? If they are as racist as Bull Connor and Jefferson Davis, why does Joe Biden want them in his party?

The stuff he said in Georgia is nonsense, and you wouldn't say it to regular Americans in New Jersey or West Virginia or Arizona or Nebraska because it is not true.

In fact, if Joe Biden really believes that LISA MURKOWSKI is George Wallace, if TIM SCOTT is Bull Connor, if SUSAN COLLINS and I are Jefferson Davis, I would hope he would have the guts to come and say it to our faces, but he will not because this is performative politics. It was nonsense, and everybody knows that it goes away after this weekend.

But CHUCK SCHUMER might have a primary from AOC, so it is really useful to shift the blame for his disastrous leadership of the Senate over the last 13 months from himself to KYRSTEN SINEMA and JOE MANCHIN. That is really what is happening right now.

President Biden ought to have the courage to stand up to his own staff, and he ought to be enough of a man to apologize to the Senate and to the American people for the nonsense he said in Georgia. The vast majority of what he said in violating the Ninth Commandment and disparaging people was not what he really believes, and he wouldn't say it to me face-to-face. This fiasco was ugly, and it was entirely unnecessary.

It makes no sense to federalize our elections right now. By the way, you can differ with me about that. You can believe that federalizing all elections is a good idea—it is in our constitutional system—but to demonize people as racist bigots because they are not in favor of federalizing the elections is a pretty bizarre leap.

So let's just review a little bit of history. Last year, we had a President who disgraced his office by trying to steal an election. What stopped that? Our decentralized State-based systems of elections are what stopped last year's attempt to steal an election.

It makes absolutely no sense to try to go into nuclear partisanship now when we should actually be talking about how you prevent another January 6 by doing the hard and actual bipartisan work—not the grandstanding for Twitter but the hard and bipartisan work of reforming the Electoral Count Act, which is 130 years old and obviously doesn't work that well. We should reform the Electoral Reform Act.

This is about the subversion of an election, not the suppression. There are real problems in our electoral system, and we could be doing work to actually fix that and try to stop the institutional arsonists in Congress who want to build political brands on the wreckage of American institutions. We could do real work. The President decided to do something completely different this week.

Here is the silver lining. President Biden, Leader SCHUMER, and everybody in this body know that the charade we have been going through for the last 3 days is great for the 1½ percent of people addicted to rage on Twitter. I get it. There are 1½ percent of people who get their jollies out of this. It is bad for America, and it is just as undermining of the public trust in elections as what Donald Trump did last year.

But here is the thing: Everybody going through this charade knows that it dies this weekend. Why? Because Members of the Democrats' own conference know that there is no exception to the way the Senate rules work. Every single Senator knows that the filibuster is not going to die this weekend, and every Senator knows that, if it would, the nonsense rhetoric about one exception—it is like losing your virginity just once—is not really how it works. Once the filibuster goes for x, it goes for y, and it goes for z. Today, it is election centralization. Tomorrow, it is gun politics. The next day, it is climate debates. Every red-hot issue in American culture and American politics would be in the same exception because every issue would be just as urgent next week, next month, and next year.

Fortunately, Senator MANCHIN knows this, Senator SINEMA knows this, and by the way, a whole bunch more colleagues of mine in the Democratic Party also know this. They just don't have as much courage to say it in public as those two. A whole bunch of my colleagues—I tried to count this morning; it is between 15 and 18 of my colleagues in the Democratic Party—have privately told me they regret following Harry Reid over the tribalist cliff in the summer of 2013 for just the one exception of judicial confirmations to the DC Circuit Court of Appeals. I think 15 to 18 Democrats have privately told me they regret this. Why? Because that one-time exception is now how the entire Executive Calendar works. Everybody knew, when Harry Reid set this

place on fire in 2013, that that was what it was going to produce and that the exact same thing would happen on the legislative calendar with the supposed one-time carve-out for the legislative filibuster.

Let's remember what this institution is for. What the Senate is supposed to be about is we are supposed to be the one part of Congress and the one part of the American Government that thinks beyond a 24-month window. It is the job of the people who serve in this body—only 100 people right now and only, I think, 2,100 people across 230-some years of U.S. history. Only 2,000 people have had the honor of serving our States in this body. It is supposed to be our job to take the long-term view, not just 24 hours of Twitter. We are supposed to think beyond the 24 months of the next election. That is what our job is supposed to be.

There are a lot of people around this place who apparently can't think beyond 24 hours right now. That is their right, but they shouldn't be Senators because the purpose of this place is supposed to be to take a long-term view.

Some of my colleagues are convinced that Americans are polarized because Congress doesn't act more or faster, and they think that the solution is, supposedly, to eliminate the filibuster. They are kidding themselves. That would not extinguish the fires of red-hot tribalism in this country. It would throw gasoline on them. Addressing the real tribal disease in America requires a Senate that becomes less tribal, not more tribal.

Senator SINEMA's speech should be commended to every Member of this body to go back and read. She said there are two fundamental questions before us today. One is, Where does the descent into tribalism in this institution ultimately land? And what can each of us do to stop that?

Those are the two big questions that she said should be before us today.

Getting rid of the filibuster means this: It means that you turn one razor-thin majority imposing its will on the American people and on legislation into a pendulum-swinging, another razor-thin majority, 24 months later, that sweeps all of that aside and jerks the American people around to the opposite legislation of what was just passed 50–50—51–50 in today's Senate. And all of it flips 11 months from now, and the legislation all gets undone, and new legislation gets put in place.

Do you really think regular folks in New Jersey and Nebraska want that? Hardly any of them want that.

Imagine what the current situation would look like if you have that federally imposed whiplash on our most sensitive issues inside every 24 months. We think tribalism is bad now. I guarantee you can make it worse. And eliminating the filibuster accelerates that descent into tribalism.

There is a place, of course, where simple majorities rule. It is right down that hallway. We have a House of Representatives already. Does anybody want to make the argument that that place is healthier than we are because it is a simple majoritarian body? No, it is plain to see, in an age of hyperpartisanship and social media grandstanding, that the House is being more and more ruled by demagogues and dolts. That is not what the Senate is called to do.

The Senate is supposed to be a different place. The Senate is supposed to be the place where passions are tempered and refined by people who are responsible for thinking beyond our next election, which is why every election cycle in America only has one-third of Senators even up for reelection. That is the whole reason we have 6-year terms. If I had my will, I could be King for a day and write some constitutional amendments and pass them. I would have a single 12-year Senate term, and everybody would be out of here. It is a little bit longer than 6 years, but one term, no reelection, and get back to life, go back to serving in your community.

If you get rid of the filibuster, you will turn the Senate into the House, and you will ensure that this body, too, ends up consumed by demagogues, conspiracists, and clowns. That is what will happen in this body. The American people don't have time for that crap. Nobody wants that.

Americans don't want one-party rule, by the Democrats or by the Republicans. Both of these parties are really crappy. The American people are not fans of these political parties.

Getting rid of the filibuster means you don't have to try to talk to people on the other side of the aisle and get to a 60-vote threshold for legislation or a 67-vote threshold for rules changes. It means that one of these two terrible parties gets to do a lot more stuff a lot faster that will inevitably be incredibly unpopular with the American people.

The American people do not want revolution. They do not want fundamental change. What they want is competence. What they want is more honesty. What they want is less performative grandstanding.

Institutions like the Senate provide frameworks and processes for competent, responsible self-government, for more honesty. We are not living up to it right now, but we could live down to something worse, and ending the filibuster would accelerate that. It would accelerate tribalism. It would accelerate people following Senators into bathrooms, screaming at them, trying to bully them. It will not lead to more productive, compromise legislation that tries to bring along a larger share of the American public.

The rules and the norms of this place have been built up over a very long time, and they exist to discourage demagoguery. Putting cameras in every room we are in around here tries to undermine so much of what the Senate is about. I am for lots of transparency. I am for pen-and-pad reporters everywhere. But the cameras we have put in this place have encouraged so much demagoguery. That is so much of the problem of why we have so much tribalism here and tribalism more broadly in the country.

And if you eliminate the filibuster, you accelerate all those most destructive, short-term performative trends. You encourage more rank partisanship, and you discourage consensus, compromise, and collaboration.

Friends, please do not—like the President did in Georgia this week—surrender to the angriest voices on social media in the mistaken belief that they reflect the majority of America. They don't. They reflect the majority of Twitter.

Political Twitter is like the ninth most popular topic on Twitter. K-pop music is exponentially more popular on Twitter than politics. The share of Americans paying attention to political Twitter bounces around between one-tenth and one-sixth. And something like 80 percent of all political tweets come from under 2 percent of the public. We should remind ourselves of that again, and again, and again, because there are people here who regularly mistake Twitter with reality and with the American public. We are called to serve the American public. We are not called to serve rage-addicted people on social media.

Now, perhaps more than ever, it is our job to stop giving ear to political arsonists who would burn down our institutions and intensify our divisions. Now is the time for us to think together over the long-term how we renew those institutions.

The filibuster is a part of what can lead us to broader consensus, and eliminating the filibuster will accelerate the political arson around this place and across our land.

Senate, we can do better.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:21 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. DURBIN).

PROTECTING EUROPE'S ENERGY SECURITY IMPLEMENTATION ACT—Continued

The PRESIDING OFFICER. The Senator from Texas.

S. 3436

Mr. CRUZ. Mr. President, in a few minutes, the Senate is going to take a vote of incalculable importance to our national security, to the future of our allies in Europe, and to the very existence of the nation of Ukraine.

Right now, Vladimir Putin has assembled over 100,000 troops on the border of Ukraine. More troops and more

weapons are arriving every day. Putin yearns to reassemble the old Soviet Union. Putin would see Ukraine wiped off the face of the map.

This is not the first time that the people of Ukraine have had to face down Russian aggression and authoritarianism. Throughout the Cold War and through their independence in 1991, millions of Ukrainians died as they struggled for independence from the Soviet Union and from Soviet Russia.

In 1994, the United States signed the Budapest Memorandum on Security Assurances. We committed—the United States of America committed—to ensuring Ukraine's territorial integrity in exchange for Ukraine voluntarily giving up the world's third largest nuclear arsenal, which it had inherited following the collapse of the Soviet Union. That was our commitment, and it is now our national obligation.

Russia, of course, also signed the Budapest Memorandum. Nevertheless, in 2014, thousands of Ukrainians died when Putin invaded Ukraine.

Putin only stopped short of a full invasion because he couldn't endanger the Ukrainian energy infrastructure, which he needs to get Russian gas to Europe. He now believes that Nord Stream 2 is a done deal, thanks to President Biden's catastrophic surrender and waiving of the mandatory sanctions passed by Congress.

Putin sees Nord Stream 2 as an alternate route to get his gas to Europe that Ukraine cannot touch, and so he has moved to complete what he couldn't do in 2014. When President Biden waived the sanctions on this Russian pipeline, the governments of Ukraine and Poland warned then that the result would be Russian troops on the border of Ukraine and an imminent invasion. They were right.

In recent weeks, the people of Ukraine and their government—the President, the Prime Minister, the Speaker of the Parliament—they have all called on this body to fulfill the commitment that we made to their nation. They have explicitly and repeatedly called upon the U.S. Senate to pass this bill before us, imposing immediate sanctions on Nord Stream 2.

None of us can know if that will change Putin's calculation, but we must acknowledge, as the people of Ukraine have pleaded with us to understand, that it is the only thing that can do so.

That is why today, in just a few minutes, we will have one last chance to stop the pipeline that Putin built so he can invade Ukraine. For 2 years, this body has had bipartisan consensus and unanimity on standing up to Russia on stopping Nord Stream 2. It is only with a Democrat in the White House that suddenly scores of Democrats have decided partisan loyalty is more important than standing up to Russia; partisan loyalty is more important than stopping Putin; partisan loyalty is more important than standing with our European people allies. And, I would note, ironically, the White House's lead talking point is ''transatlantic unity.'' When the Parliament voted on Nord Stream 2, it voted to condemn and shut down Nord Stream 2 by a vote of 581 to 50—581 to 50. The White House is saying: Stand with the 50. Stand with 9 percent of the European Parliament against 91 percent of the European Parliament.

That makes no sense, and no Democrat uttering those talking points believes it. But there are too many Democrats who are deciding partisan loyalty matters more than standing with our allies. Partisan loyalty means more than standing with our European friends. Partisan loyalty means more than honoring our treaty commitments. Partisan loyalty matters more than protecting the national security of the United States.

For 5 years, Democrats have uttered the words: Russia, Russia, Russia. We will now learn whether they meant those words when they said them, or was that simply animus for President Trump?

We should stand together. If a Republican were in the White House, every Democrat in this Chamber would vote to sanction Nord Stream 2. The only reason not to do so is because, for some Democrats, partisan loyalty matters more than standing up to Russia or defending our national security.

Let me, finally, say: If the Senate votes down these sanctions in just a few minutes, it will effectively give a green light to Putin. That is what the leaders of civil society in Ukraine have told us. And if, as a result of the Senate's vote, the Democrats vote with Russia, with Putin, we may well see in the days or weeks or few months ahead Russian tanks in the streets of Kiev. And every Senator—Democrat or Republican—will remember this moment, this moment we had to stop the Russian invasion of Ukraine. And those Senators who put our obligations to our friends, our obligations to our Nation, our obligations to security above partisan loyalty, they will remember that. And those Senators that didn't, they will remember that.

The eyes of history are on the Senate. There are moments, particularly dealing with war and peace, when the consequences of our actions echo throughout the days. This moment is one of them.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes, followed by Senator MENENDEZ to speak for up to 10 minutes, before the scheduled rollcall vote.

The PRESIDING OFFICER. Is there objection?

Mr. MENENDEZ. Reserving the right to object, I am sorry, I didn't hear the unanimous consent request.

Mr. RISCH. I think it was just a minute or 2 for you and the rest for me, Senator.

Mr. MENENDEZ. And I object to that.

Mr. RISCH. I would ask for 5 minutes for myself and 10 minutes for yourself. Is that sufficient?

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

Mr. RISCH. Mr. President, fellow citizens, I rise today to speak on behalf of the Cruz-Risch Nord Stream 2 bill, which is designated as S. 3436. To start with, it is important to note that this bill has language which is almost identical to the bipartisan language that was contained in the House-passed National Defense Authorization Act. Both bodies passed this language. It was, unfortunately, taken out in the conference of that bill before it went to the White House. But now, this language is back before us in this bill. And what it would do is it would immediately sanction Nord Stream 2—Putin's premier energy weapon against Europe and Ukraine, particularly.

The timing could not be more important. Ukraine stands on the brink of invasion, and Europe is in the throes of an energy crisis created by Russia. There is a reason Ukraine's President Zelensky tweeted an urgent request in December for all friends of Ukraine and Europe in the U.S. Senate to back these sanctions. That request is before us at this moment.

We are now seeing the consequences of the administration's decision to waive P.E.E.S.A. sanctions and the refusal to impose CAATSA sanctions. Months ago, the administration set the stage for this mess on Ukraine's border and emboldened Putin.

Russia has deliberately cut gas transmission to Europe through Ukraine and is using high energy prices to pressure the European Union into approving Nord Stream 2 as quickly as possible. Putin has publicly stated that fact.

Meanwhile, Russian forces continue their buildup along the border with Ukraine in preparation for what could be a full-scale invasion. Clearly, the administration's efforts have failed to signal credibility and resolve and have not deterred Putin from continuing along the path to war.

U.S. diplomacy needs additional action, not just rhetoric, to stop a Russian invasion. And these sanctions would provide that by putting Congress in charge of waiver authority. A vote for these sanctions will provide credibility to our threat, sending a strong message to Putin.

Remember, Nord Stream 2 is designed to replace Ukraine's gas transit system, meaning Russia no longer has to worry about destroying its own infrastructure in the event of a full-scale war. We must not allow Putin's blackmail to succeed.

Nord Stream 2 has always been a bipartisan issue here in the Senate, and it should continue to be. Not a single Member of Congress supports the completion of this pipeline. I would like to think a similar number of us feel we

should not ignore our friends in Europe, particularly Central and Eastern Europe, who stand to lose the most from Nord Stream 2.

Our bill would impose mandatory sanctions against Nord Stream 2 AG, the company responsible for the project, as well as the companies involved in testing and certifying the pipeline before it becomes operational.

We do provide the administration with a pathway to lifting these targeted sanctions, pending congressional review. This pathway is the exact same process for congressional input that 98 Senators voted for in CAATSA, just a few years ago. The time to act is now. I urge my colleagues to vote in favor of this bill.

I yield the floor.

Mr. CARDIN. Mr. President, I rise today to condemn the enormous Russian military buildup on the Ukrainian border, and the Kremlin's reckless policies of coercion as it seeks to reimpose a new iron curtain on the European continent. Moscow wants to secure an unwarranted sphere of influence that would enable Russia to determine by fiat the fate and the policies of other sovereign state—most immediately in Ukraine, whose people and government desire further integration into Europe and trans-Atlantic institutions

Make no mistake about it—the Putin regime's actions threaten not only our friends in Ukraine. They are also an assault on the principles of the Helsinki Final Act, the foundation of European security, which today is enshrined in the Organization on Security and Cooperation in Europe, the OSCE.

I want to commend President Biden and his very capable diplomatic team for the sustained effort they have embarked upon to rally our friends and allies—in NATO and the European Union and across the OSCE—to present a united front against Vladimir Putin's mounting aggression.

Russia has in recent months amassed over 100,000 troops and heavy weaponry on Ukraine's borders, with many more poised to join them, and have openly threatened war if its demands are not met. The Kremlin is also waging a propaganda war preparation strategy for the Russian people by broadcasting false claims that Ukraine poses a threat to Russian interests and sovereignty.

At the barrel of a gun, the Kremlin has demanded not only that the United States and NATO close its open doors to partners like Ukraine and Georgia—a strategic nonstarter on its own—but also that the Alliance security umbrella and even material security assistance be retracted to pre-1997 borders, essentially reducing NATO to its frontiers as of 1991.

In other words, Mr. Putin insists that the United States and its Euro-Atlantic allies remove any means of securing or guaranteeing the defense of sovereign states that happen to lie near Russia. Such demands are outrageous, dangerous, and impossible to accept.

In this troubling time, acquiescence to Russian aggression is not an option. I support this administration's approach to unite with our European allies and categorically refuse to give into the Kremlin's ruthless militarism. I also support negotiating in good faith to see if we can find a realistic solution with respect to arms control, confidence-building measures, and the like—while making it clear to Mr. Putin that the freedom and sovereignty of Europe are not on the table.

The diplomatic engagements that have taken place in Europe in recent days, in several concentric circles, have demonstrated remarkable unity among our allies, and have clarified for Russia the costs they would incur in the event of any further aggression against Ukraine.

This is thanks to the Biden administration's sophisticated campaign to reclaim American leadership in world affairs.

One hopes the Kremlin has heard the messages that we and our allies have sent to Moscow. Under the looming shadow of Russian mass mobilization and martial rhetoric, however, we should suffer no illusions. Mr. Putin's goal is domination, and there is no room to give on that score.

Unfortunately, we find ourselves here today on the floor of the United States to consider a measure, which the Senator from Texas has introduced, that threatens to undermine the American effort to mobilize the Western world's coalition to stand up to Russia at this critical moment. We are here to debate, yet again, how to deal with Nord Stream 2, the ill-conceived natural gas pipeline between Russia and Germany that promises to weaken Ukraine's economic and security situation while it strengthens Russia's leverage over Western Europe.

In the l16th Congress, we voted to condemn and to sanction those involved in this misbegotten enterprise—most importantly in the Protecting Europe's Energy Security Act, ''PEESA'', enacted in January 2021. This law imposes strong sanctions on all those involved in the construction and operation of the Nord Stream 2 Pipeline. As is customary and appropriate, the Congress also gave the Executive the authority to waive sanctions against individuals and entities when it determined to do so would be in the national security interest of the United States.

Last spring, the administration chose to exercise that walver.

I disagreed with that decision. I have said so many times and in many contexts. I retain the hope that the pipeline will never begin operations, as I believe it would do enormous damage—not just to Ukraine—but also to Europe at large.

The administration is focused on working with Germany to implement the July 21 Joint Statement of the United States and Germany on Support for Ukraine, Energy Security, and Our Climate Goals, which includes clear commitments to act if Russia attempts to use energy as a weapon or commit further aggressive acts against Ukraine.

Let us be clear that the bill before us would not actually accomplish what the Senator from Texas claims. It would not stop Nord Stream 2 any more than existing law does. It would not protect Ukraine any more than existing law and policy does. All this bill would do, essentially, is create a 90-day recurring cycle of revisiting the administration's exercise of the waiver authority we wrote into the law last year. And then it would create the option for a vote on a resolution of disapproval of that waiver.

At a time when we should be using our time and energy to address the mounting threat to Ukraine posed by Russia's massive buildup along their shared border, today's vote is an unnecessary distraction. Therefore, I oppose S. 3436.

The Senate should be considering serious proposals to counter Russian aggression. The chairman of the Senate Foreign Relations Committee has introduced a bill that is worthy of our time, attention, and support. The Defending Ukraine Sovereignty Act is a serious effort to address Russia's aggression toward Ukraine, which is why I am an original cosponsor of this measure.

If the President affirmatively determines that Russia has engaged in a renewed invasion or escalation of hostilities, the Defending Ukraine Sovereignty Act triggers a cascade of mandatory sanctions on Russia's political and military leadership, financial institutions, extractive industries—and Nord Stream 2.

As chairman of the U.S. Helsinki Commission and a senior member of the Senate Foreign Relations Committee, I am especially mindful and concerned about what Russia's actions and demands mean for European and international security, as well as democracy and human rights.

It is no mistake that Mr. Putin's war drums have been accompanied by a concerted regime effort to erase and rewrite the Soviet Union's cruel history; including smothering the domestic human rights network Memorial, which has so carefully and painstakingly chronicled the Soviet Union's brutal human and social toll on the people of Russia and the former Soviet Union.

Russia's intervention to suppress popular dissent and prop up the authoritarian regime in Belarus tells a similar story. Its deployment of troops just last week under the umbrella of the Collective Security Treaty Organization, the CSTO, to quell public unrest in Kazakhstan—the first time the Russian-controlled CSTO has intervened militarily in a crisis in a member state—also serves to expand Russian influence in the region. The CSTO deployment has raised concerns among

some of the Kazakhstani public, which may help to explain why the troops have started withdrawing today. The rapid deployment, however, certainly makes the government of Kazakhstan more beholden to Russia. It weakens Kazakhstan's often-touted ''multi-vector'' policy under which it aims to balance its relations with Russia, China, and the West.

The Putin regime has erected a corrupt police state at home, which it aggressively exports for greater dominion.

A broader Russian invasion of Ukraine could easily lead to tens of thousands of deaths and threaten tens of millions more. Preventing such an outcome should be our paramount concern. Peace on Russia's stated terms would consign millions of free peoples to the Kremlin's authoritarian whims, and would shatter the fragile miracle of European peace and prosperity.

I believe we must present a strong, determined, and unified response that makes clear that Russian aggression will only further unify the continent, and complicate the Kremlin's security anxieties.

At the same time, the United States is willing, with its partners and allies, to work toward listening to the Kremlin's legitimate security concerns. Here, too, is an opportunity to make use of the OSCE's institutional powers to build consensus and lay the foundations for a durable peace.

I ask my colleagues to join me in condemning Russia's military buildup and aggressive posture in the region, and calling for Moscow to de-escalate immediately and negotiate in good faith.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be allowed to complete my remarks before the vote begins.

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

Mr. MENENDEZ. Mr. President, this is a pivotal week for the security of Ukraine. Talks are ongoing to test whether the Kremlin wants to engage in diplomacy or is intent on war, to see if the United States and our allies can pull Putin back from the brink. And if the headlines are any indication this morning, it is clear that this is an open question.

This is a critical time. There still may be a window to deter the Kremlin from deciding to invade. But we must be clear and united about what awaits Russia if it chooses the unwise path. We must send an unequivocal message: that, should Putin invade, the consequences would be devastating; that there would be steep costs to the economy and to the people of Russia if he further tramples on Ukraine's territory and independence.

That message should be sent through every channel, at every level, including by this body. And we have a chance to do just that.

The Defending Ukraine Sovereignty Act, which has in just 2 short days 39 cosponsors already, is a comprehensive response to the threat facing Ukraine. It would impose massive, crippling sanctions on multiple sectors of Russia's economy. It would impose the harshest sanctions on Putin and senior Kremlin officials themselves. It would effectively cut Russia off from the international financial system. That is the sanction that I helped devise that ultimately brought Iran, years ago, to the negotiating table.

This act also makes clear that the United States will make every effort to expedite security assistance and defense articles to help support Ukraine. And it expands our efforts to counter Kremlin aggression across the region. It says the United States will not stand for this bullying. And it makes clear that Putin has a choice to make.

But we are not voting on that comprehensive response. We are not voting on how severe the consequences should be if Putin goes down the path of invasion. Instead, we are voting on whether to sanction Nord Stream 2—as if that alone would deter Putin from reinvading, as if that alone would stop him.

Instead, sanctioning Nord Stream now at this pivotal moment would have the opposite effect of deterring Putin. It might even be the excuse Putin is looking for. Right now, the one thing we know Putin wants is for Nord Stream 2 to be operational.

Now, let's be clear. If we don't sanction Nord Stream now, that does not mean the pipeline goes online. It does not mean that Putin get his way. What it does mean is that there is leverage.

Right now, we have a new German Government that has blocked the pipeline from moving forward. Right now, that German Government is a productive partner with us on this critical issue. They are where we need them to be—working to coerce Putin not to reinvade Ukraine; making clear that if Putin advances into Ukraine, there will be no Nord Stream; working with us to strengthen and support strong deterrence; coordinating with us to enhance the impact of devastating sanctions, if we need to pull that trigger. That is where we need the German Government to be.

Sanctioning Nord Stream now, in the way that the Cruz bill would do, would not just be a sanction on Nord Stream 2 AG. The bill would sanction ''any corporate officer of an entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline'' or a successor entity.

This broad scope would have a clear ripple effect on the entities, many of them German, and individuals, many of them German citizens, who work on the pipeline. That includes German companies involved in the pipeline, industrial sites, rail operators, port operators, and any entity associated with that deal.

So for an ally that is with us in this fight against Putin's aggression, for an ally that is standing up with us when we need them to be strong, this would be akin to a sanction on them. They have made that clear to us. Now is not the time to take that step.

Again, the pipeline today is paused. They basically stopped the regulatory process on it. At the earliest, it could be months before anything happens, depending upon what Putin does—depending upon what Putin does—and even if they allow it to move forward. Now is not the time to take off the table a key piece of leverage.

I have to address some other points I have heard some of our colleagues mention.

I listened to the Senator from Texas attempt to lay blame time and time and time again at the feet of President Biden. He has tried to blame President Biden for Nord Stream, and now he is trying to blame him for Putin's illegitimate power-grabbing and military aggression. Do you know what? I suggest he look back and review just how and when Nord Stream came to be because it wasn't President Biden who could have imposed sanctions back in 2017. It wasn't President Biden who did nothing for years while 94 percent of the pipeline was being built. It wasn't President Biden who waited until his last day in office to impose sanctions on Nord Stream. There was someone else who could have used his authority to put a stop to this malign influence project but didn't. There was someone else who could have made the Kremlin's weaponization of energy a priority but didn't.

The Senator already knows this, but how can I be so sure? Because he said so at the time. In December of 2019, he said:

> I want this to be very clear, if the pipeline is completed, it will be the fault of the members of this [Trump] administration who sat on their rear ends and didn't exercise the clear power.

The fault of the Trump administration—his words—but now, magically, it is President Biden's fault. Please. A pipeline that was 94 percent complete by January of 2021—to me, that is a Trump-Putin pipeline.

It may be convenient to say that work on the pipeline stopped until Biden became President, but that is just not the case. In fact, work stopped on the pipeline for 6 months—6 months—from December of 2019 until the spring of 2020, because a company backed out of the project. But did Russia stop? No. It was working furiously to finish the job by retrofitting ships that could complete the pipeline. The moment that was done, the moment the ships were ready, pipeline construction started again.

A retrofitted Russian ship, the *Cherskiy*, showed up in Germany in May of 2020, awaiting a permit by Danish authorities. The permit was approved in October of 2020. The fact that it received a permit was sanctionable

by the then Trump administration. The Trump administration failed to act.

On December 11, Nord Stream 2 AG said that the Fortuna resumed offshore construction activities in shallow German waters. Nord Stream 2 AG was not waiting for Biden to be in office; it was acting. The Trump administration could and should have imposed sanctions under CAATSA at that point. As a matter of fact, it didn't need CAATSA; it had IEEPA sanctions it could have imposed and chose not to.

Now, look, my position on Nord Stream has been clear. I have been and remain strongly opposed to the pipeline. I supported sanction measures on the project when they could have had an impact during the Trump administration, before hundreds of miles of pipe had been completed. And President Trump had those tools. He had them. We passed them overwhelmingly, and then we gave him more tools and more sanctions. What did he do? Nothing. Not until his last day in office did he impose sanctions on Nord Stream—his very last day. So let's stop with the games. By the time the Biden administration took office, the pipeline was 94 percent complete—94 percent.

Senator CRUZ wants to stop the pipeline, and so do I, but it is far from clear that sanctions at this point, when the pipeline is already built, will do just that. In fact, it isn't clear to me at all that the Senator's proposal would even change the status quo. Instead, it would most certainly tie up this body and this floor so that we would be voting time and time again on resolutions of disapproval related to Nord Stream.

Now, of course, I get it. I get it. I understand why the Senator would rather tie up this floor and hamstring the President's agenda instead of voting on nominees or voting rights or Build Back Better or judges or a whole host of other critical elements before the country. But that is the reality of the Senator's proposal.

So I ask my colleagues, what is the urgent threat that needs addressing? Is it attempting to score political points and tie this President's hands intentionally and internationally or is it addressing the very real and potentially imminent threat amassing along Ukraine's border?

I believe we need to address the real threat and the whole threat facing Ukraine and the region, and that is why I drafted the Defending Ukraine Sovereignty Act.

I have stood up for and alongside Ukraine time and time again in the face of Ukraine's aggression. In 2014, I was in Ukraine right after Russia's invasion took place. After Russia's illegal occupation of Crimea, I drafted the Ukraine Freedom Support Act, which passed into law, to impose sanctions on Russia and increase support for Ukraine. In 2016, I introduced the STAND for Ukraine Act to help restore Ukraine sovereignty and territorial integrity in the face of Kremlin aggression.

I will continue to ensure that the United States does all it can to help Ukraine defend itself against Putin's bullying, to provide the assistance it needs, to support its integrity, and to bolster its security in the region, and I urge this body to do just that.

Finally, Senator CRUZ would like to suggest that partisan loyalty is why we believe his approach at this time is wrong. What is wrong is to break the coalition we now have against Putin at one of the most critical times of Ukraine's history. Germany is a critical part with us and ally with us to deter Putin. If you end Nord Stream today—not that this legislation would—one less reason for Putin to say: Well, that is gone. Why shouldn't I invade anyhow?

I urge my colleagues to address the actual imminent threat amassing along Ukraine's border, to make clear to Putin what the massive cost of his actions will be. We might still be able to turn Putin back, but we must be laser-focused on what it will take to get him from taking one more step towards Ukraine's border.

I urge my colleagues to actually address the threat at hand, one that extends far beyond a pipeline but threatens an entire country's borders and the security of a region. It is a threat that demands a comprehensive, resounding response. That is what we will be offering in short order.

So I urge my colleagues to vote no on this approach, to make sure we keep the unity that is essential at this time to deter Putin, and to work with me to make sure that this body sends the united, strong message to deter Putin, stand with our allies, and support Ukraine.

I urge a ''no'' vote on the Cruz legislation.

I yield the floor.

VOTE ON S. 3436

The PRESIDING OFFICER. Under the previous order, all time is expired.

The clerk will read the title of the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Ms. CORTEZ MASTO assumed the Chair.)

(Mr. WARNOCK assumed the Chair.)

(Mr. KAINE assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Ms. KLOBUCHAR assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Mr. CARDIN assumed the Chair.)

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—55

Baldwin	Graham	Risch
Barrasso	Grassley	Romney
Blackburn	Hagerty	Rosen
Blunt	Hassan	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kelly	Sullivan
Cornyn	Kennedy	Thune
Cortez Masto	Lankford	Tillis
Cotton	Lee	Toomey
Cramer	Lummis	Tuberville
Crapo	Marshall	Warnock
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Murkowski	
Fischer	Portman	

NAYS—44

Bennet	Hirono	Peters
Blumenthal	Kaine	Reed
Booker	King	Sanders
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Luján	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Coons	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Heinrich	Padilla	Wyden
Hickenlooper	Paul	

NOT VOTING—1

Schatz

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 55, the nays are 44.

The 60-vote threshold having not been achieved, the bill does not pass.

The bill (S. 3436) was rejected.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I have a short announcement about the schedule.

Due to the circumstances regarding COVID and another potentially hazardous winter storm approaching the DC area this weekend, the Senate will adjourn tonight. However, we will be postponing recess so the Senate can vote on voting rights. We will return on Tuesday to take up the House-passed message containing voting rights legislation.

Make no mistake, the U.S. Senate will, for the first time this Congress, debate voting rights legislation beginning on Tuesday. Members of this Chamber were elected to debate and to vote, particularly on an issue as vital to the beating heart of our democracy as this one, and we will proceed.

If the Senate Republicans choose obstruction over protecting the sacred right to vote, as we expect them to, the Senate will consider and vote on changing the Senate rules, as has been done many times before, to allow for the passage of voting rights legislation.

I will close with this: If the right to vote is the cornerstone of our democracy, then how can we, in good conscience, allow for a situation in which the Republican Party can debate and

pass voter suppression laws at the State level with only a simple majority vote but not allow the U.S. Senate to do the same?

In the coming days, we will confront this sobering question, and every Member will go on record.

Finally, Members should expect that the next State work period would begin on the week of January 24.

NORD STREAM 2

Mr. President, now on Nord Stream, a few minutes ago the Senate voted against passing legislation proposed by Senator CRUZ to address Nord Stream 2.

Probably every single one of us in this Chamber agrees that the United States must be strong in confronting Putin and his destabilizing tactics in Eastern Europe and in Ukraine. But as my colleagues made clear this morning, Senator CRUZ's bill, in our opinion, is the wrong answer at this time to deter President Putin's aggression. I commend my colleagues who came to the floor to make the case against today's misguided proposal: my friends Chairman MENENDEZ, Senator SHAHEEN, who cochairs the Senate's NATO Observer Group, and Senator MURPHY.

After today's vote, this issue is not behind us. The work is not done. President Putin remains a threat, and we must address this matter.

I urge my colleagues on both sides of the aisle to work with Chairman MENENDEZ and Chairman BROWN to support Chairman MENENDEZ's comprehensive sanctions, security, and humanitarian aid package.

I believe the Menendez bill is the answer and an important step in the right direction. But, of course, I am willing to consider reasonable additions and modifications.

From interfering in elections to conducting a plethora of cyber attacks that target us here in the homeland, to what is happening today on the border of Ukraine, President Putin has left no doubt of his desire to stir up instability. His action with respect to Ukraine calls for a robust and severe deterrent action.

I hope my Republican colleagues will come forward and work with the chair so we can truly confront Putin's dangerous aggression.

MORNING BUSINESS

VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted ''No'' on S. Res. 490, ''a resolution recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021.''

I am grateful for the service of all Capitol personnel who come to work every day to help operate the workings of Congress and keep Members safe. However, this resolution has been written to score cheap partisan political points. It attacks Republicans for their response to COVID–19, and it contains falsehoods, such as the incorrect assertion that the riot at the Capitol on January 6, 2021 was perpetuated by ''violent insurrectionists.'' Not a single person from that day has been charged with the crime of insurrection. If we are going to honor Capitol Hill workers—and we should—we must do so in a manner that focuses on their service to their nation, not on false narratives that are meant to divide us.

I support Capitol personnel but oppose this resolution as written.

TRIBUTE TO ANDY BRUNELLE

Mr. CRAPO. Mr. President, along with my colleagues Senator JIM RISCH, Representative MIKE SIMPSON, and Representative RUSS FULCHER, I congratulate Andy Brunelle on his remarkable career in government service. Andy is retiring on January 31, 2022, after 27 years with the U.S. Forest Service.

For more than 20 years, Andy has worked with our offices in his position as the Capitol City Coordinator for the U.S. Forest Service. In this position, he has represented both the U.S. Forest Service Region 1 and Region 4 and the seven National Forests in Idaho as he has served as a liaison working with State and local government officials, agency directors, Idaho's Congressional Delegation and interest groups in Idaho on issues of statewide concern. Given the importance of the natural resources and species habitat on the more than 20 million acres of federal forested land in Idaho he has acted on behalf of, Andy has worked on many challenging issues over the years. This includes working closely with our delegation concerning improving and extending the Secure Rural Schools program, a vital resource for Idahoans. We thank him for his thoughtful, helpful, and pragmatic work for the betterment of our great State and country.

Andy began working for the U.S. Forest Service in 1995 after serving as Special Assistant for Natural Resources in the Office of Idaho Governor Cecil D. Andrus. From 1988 to 1995, he was the Governor's key staff person on a wide variety of natural resource issues, including challenging issues such as water quality, federal lands management, and protection of Snake River salmon. Additionally, he served on the Northwest Power Planning Council; Boise City Planning and Zoning Commission; and City of Boise advisory committees. Andy also dedicates considerable time to serving on boards of nonprofit organizations, including the Boise WaterShed Exhibits Environmental Education Center; Idaho Environmental Forum; Ted Trueblood Chapter of Trout Unlimited; and Harris Ranch Wildlife Mitigation Association.

As we wish Andy well in his well-earned retirement, we express our deep gratitude for dedicating so much of his time and talents to enhancing, sustaining, and conserving such an essential part of our State's treasures. Thank you, Andy, for your decades of dedicated work and skilled problem-solving on behalf of Idahoans, and congratulations on your retirement.

REMEMBERING CALEB SHIELDS

Mr. TESTER. Mr. President, I would like to share a few words today to honor an outstanding leader and friend of mine who recently passed away.

Caleb Shields was the retired Chairman and former Councilman of the Assiniboine and Sioux Tribes of the Fort Peck Reservation in Montana.

We talk a lot about service in this body, but everyone in Congress could learn from how Caleb lived his life.

He dedicated himself to service—service to this country, where he served honorably in the United States Navy; service to his Tribe as an elected leader for 24 years and as one of their most tireless champions; and as the author of a 500-page book on his Tribe's history, he served the next generation of the Fort Peck Tribes and the next generation of Montanans who now have access to knowledge that won't ever be forgotten.

Caleb was widely regarded as one of the most influential Tribal leaders in the country during his tenure, a reputation that was well-earned. Among his many achievements are his successful 20-year fight to get a water pipeline and treatment center on the Fort Peck reservation. After they were built, they were both named in his honor, and for generations to come, the name Caleb Shields will continue to serve the Fort Peck Tribe.

Less widely known were the small ways that Caleb showed his love and devotion for the Fort Peck Tribe. I am told that Caleb could recite the record of the Poplar High School basketball team all the way back to the 1970s. Caleb was devoted to that team, and believed strongly that basketball could provide hope and momentum that could propel the dreams of future leaders.

Caleb's legacy, his friendship, and his leadership will be felt for generations. I want to express my deepest sympathy to Caleb's wife of 58 years, Yvonne, to the whole Shields family, and to the Fort Peck Tribes for the loss of this great leader. Caleb made our state and our Nation stronger, and he will never be forgotten.

ADDITIONAL STATEMENTS

REMEMBERING ROBERT J. O'BRIEN

● Mr. HAGERTY. Mr. President, Robert J. O'Brien, Sr., age 103, passed away on January 4, 2022. A native of Chicago, O'Brien returned home after serving in the Navy during the Second World War and graduated from DePaul University.

Soon after, Mr. O'Brien joined John V. McCarthy & Co., the predecessor of R.J. O'Brien & Associates, where he focused on client and business research. By 1959, Mr. O'Brien was named President of John V. McCarthy & Co. and, in

1964, was elected to the Board of Governors of the Chicago Mercantile Exchange, a position he held continuously until 1977. He served as Chairman of the Exchange from 1967 to 1968 and was inducted into the FIA Futures Hall of Fame in 2007.

During his tenure on the Board of Governors, contracts on live animals were successfully introduced to the market, representing the first in a wave of innovation in contract design. He was also involved in changing the structure of the Chicago Mercantile Exchange to make it more democratic and in revitalizing the audits and investigations department to attract new exchange members.

Mr. O'Brien's entrepreneurial spirit is best illustrated in his countless contributions to the futures industry as he built the largest independent futures brokerage and clearing firm in the United States. He pioneered new industry practices and created opportunity for others, including taking delivery of the first live cattle contract traded on the Chicago Mercantile Exchange, broadcasting the first live commodity report from the trading floor, and sponsoring the first woman to work on the trading floor in 1966.

The longevity of Mr. O'Brien's career and the lasting success of his company are a testament to the focus placed on the relationships that have been built with more than 80,000 clients, his employees, and his family. Mr. O'Brien is survived by five children, 22 grandchildren, and 33 great grandchildren.●

RECOGNIZING BOWLING GREEN UTILITY WORKERS

● Mr. PAUL. Mr. President, during the early morning hours of December 11, 2021, Kentucky endured a series of tornadoes that proved to be the deadliest storms in the Commonwealth's history. There was damage throughout Southern Kentucky and beyond. Roofs were ripped off and trees snapped like twigs, but in this difficult time our community continues to come together and help one another. Immediately after, volunteers from all around Kentucky and even outside the Commonwealth showed up to help clean up the debris. Despite the devastation, I am reminded that the unbridled spirit of our Commonwealth shines its brightest during these times of adversity.

Of the many heroes that emerged during this crisis were the people of Bowling Green Municipal Utilities who immediately responded to the destruction and worked collectively to restore electricity to countless homes. Bowling Green Municipal Utilities reported 24,000 of its 31,500 customers were initially without power and 52 transmission polls had been severely damaged. By the next morning half of these powerless homes had their electricity restored. This should have been time for the men and women of BGMU to enjoy the upcoming holiday season. Instead, they responded to the call of duty, working long shifts in the freezing cold. Because of their efforts, they were able to restore power to countless members of the community and provided relief to those most in need. We have a long road to recovery, but if we all display the perseverance our linemen and Kentuckians demonstrated, the Commonwealth will soon be back better than ever. I would like to personally thank people of Bowling Green Municipal Utilities for their continued service to all the impacted communities.●

RECOGNIZING THE EMPLOYEES OF 5 STAR ELECTRIC

● Mr. PAUL. Mr. President, during the early morning hours of December 11, 2021, Kentucky endured a series of tornadoes that proved to be the deadliest storms in the Commonwealth's history. There was damage throughout Southern Kentucky and beyond. Roofs were ripped off and trees snapped like twigs, but in this difficult time our community continues to come together and help one another. Immediately after, volunteers from all around Kentucky and even outside the Commonwealth showed up to help clear the debris. Despite the devastation, I am reminded that the unbridled spirit of our Commonwealth shines its brightest during these times of adversity.

Of the many heroes that emerged during this crisis were the people of 5 Star Electric who immediately responded to the destruction. 5 Star Electric sent out 140 linemen to restore the electrical grid, and, after a second storm hit Christian County later in the month, sent multiple crews to Hopkinsville to provide assistance to the impacted communities.

This should have been time for the men and women of 5 Star Electric to enjoy the upcoming holiday season. Instead, they responded to the call of duty, working long shifts in the freezing cold. Because of their efforts, they were able to restore power to countless members of the community and provided relief to those most in need. We have a long road to recovery, but if we all display the perseverance our linemen and Kentuckians demonstrated, the Commonwealth will soon be back better than ever. I would like to personally thank the people of 5 Star Electric for their continued service to all the impacted communities.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Banking, Housing, and Urban Affairs.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1836. A bill to amend title 38, United States Code, to ensure that the time during which members of the Armed Forces serve on active duty for training qualifies for educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5746) an act to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of nonexcess property of the Administration, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1836. An act to amend title 38, United States Code, to ensure that the time during which members of the Armed Forces serve on active duty for training qualifies for educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CASEY, from the Special Committee on Aging:

Special Report entitled ''Financial Literacy in Retirement: Providing Just-In-Time Information and Assistance for Older Americans and People with Disabilities'' (Rept. No. 117–54).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions.

*Linda A. Puchala, of Maryland, to be Member of the National Mediation Board for a term expiring July 1, 2024.

*Javier Ramirez, of Illinois, to be Federal Mediation and Conciliation Director.

*Jose Javier Rodriguez, of Florida, to be an Assistant Secretary of Labor.

*David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

*Robert McKinnon Califf, of North Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services.

*Amy Loyd, of New Mexico, to be Assistant Secretary for Career, Technical, and Adult Education, Department of Education.

*Lisa M. Gomez, of New Jersey, to be an Assistant Secretary of Labor.

*Susan Harthill, of Maryland, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2027.

By Mr. DURBIN for the Committee on the Judiciary.

Leonard Philip Stark, of Delaware, to be United States Circuit Judge for the Federal Circuit.

Bridget Meehan Brennan, of Ohio, to be United States District Judge for the Northern District of Ohio.

Jacqueline Scott Corley, of California, to be United States District Judge for the Northern District of California.

Charles Esque Fleming, of Ohio, to be United States District Judge for the Northern District of Ohio.

David Augustin Ruiz, of Ohio, to be United States District Judge for the Northern District of Ohio.

Katherine Vidal, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Ryan K. Buchanan, of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Jason M. Frierson, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Andrew M. Luger, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years.

Mark A. Totten, of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BRAUN (for himself and Mr. KAINE):

S. 3496. A bill to improve research and development of medical countermeasures for novel pathogens; to the Committee on Health, Education, Labor, and Pensions.

By Mr. INHOFE (for himself and Ms. ROSEN):

S. 3497. A bill to amend the Public Health Service Act to establish a grant program to award grants to public institutions of higher education located in a covered State, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KELLY (for himself, Ms. SINEMA, and Mrs. FEINSTEIN):

S. 3498. A bill to support endemic fungal disease research, incentivize fungal vaccine development, discover new antifungal therapies and diagnostics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 3499. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006 to repeal certain obsolete requirements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. ERNST (for herself, Mr. DAINES, Mr. COTTON, Mr. BRAUN, Mr. CRAMER, Mrs. BLACKBURN, Mr. SASSE, Mr. BOOZMAN, Mr. MARSHALL, Mr. THUNE, Mr. HAWLEY, Mr. SCOTT of Florida, Mr. HAGERTY, Mr. INHOFE, Mr. HOEVEN, Mr. LANKFORD, Mrs. HYDE-SMITH, and Mr. SCOTT of South Carolina):

S. 3500. A bill to amend title XIX of the Social Security Act and the Public Health Service Act to improve the reporting of abortion data to the Centers for Disease Control and Prevention, and for other purposes; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. LUJÁN):

S. 3501. A bill to require the Federal Trade Commission to issue a short-form terms of service summary statement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Mr. PADILLA):

S. 3502. A bill to establish an Office of Civil Rights, Equity, and Community Inclusion at the Federal Emergency Management Agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY (for himself, Ms. SMITH, and Mr. PETERS):

S. 3503. A bill to amend the Securities Exchange Act of 1934 to expand access to capital for rural-area small businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HAWLEY:

S. 3504. A bill to amend Ethics in Government Act of 1978 to prohibit transactions involving certain financial instruments by Members of Congress; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mr. WICKER, Mrs. MURRAY, Mr. BOOZMAN, Ms. STABENOW, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 3505. A bill to amend the Internal Revenue Code of 1986 to exclude certain Nurse Corps payments from gross income; to the Committee on Finance.

By Ms. SMITH (for herself, Ms. COLLINS, Mr. BOOKER, and Ms. MURKOWSKI):

S. 3506. A bill to strengthen the public health workforce loan repayment program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. SMITH, Ms. DUCKWORTH, Mr. DURBIN, Mr. BLUMENTHAL, Ms. WARREN, Mr. BENNET, Mr. SANDERS, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mrs. MURRAY, and Mr. BOOKER):

S. 3507. A bill to improve air quality management and the safety of communities using the best available monitoring technology and data; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. HEINRICH, Ms. HIRONO, Ms. SMITH, Ms. KLOBUCHAR, and Mr. COONS):

S. 3508. A bill to posthumously award a congressional gold medal to Constance Baker Motley; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BRAUN (for himself and Ms. ERNST):

S. 3509. A bill to strengthen the authority of the Food and Drug Administration with respect to foreign drug facility inspections; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself and Mr. SCOTT of Florida):

S. 3510. A bill to require the Director of the Office of Management and Budget to issue guidance with respect to natural disaster resilience, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS (for himself and Mr. CORNYN):

S. 3511. A bill to require a report on Federal support to the cybersecurity of commercial satellite systems, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCOTT of Florida (for himself and Mr. PETERS):

S. 3512. A bill to establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO:

S. 3513. A bill to impose additional sanctions with respect to the Russian Federation if the Government of the Russian Federation infringes on the territorial integrity of Ukraine, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWN (for himself, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. CASEY, Mr. BOOKER, Mr. REED, Ms. CORTEZ MASTO, Mr. LUJÁN, Mr. CARDIN, Ms. BALDWIN, Mr. MARKEY, Mr. BENNET, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. COONS, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. MENENDEZ, Ms. CANTWELL, Mr. SANDERS, Ms. DUCKWORTH, Mr. KING, Ms. WARREN, Mr. KAINE, Mr. WYDEN, Mr. PADILLA, Mr. DURBIN, Mr. OSSOFF, Ms. HIRONO, Ms. SMITH, Mr. WARNER, Mr. LEAHY, Mr. MERKLEY, Mr. CARPER, Mrs. GILLIBRAND, Ms. STABENOW, Mrs. MURRAY, Mr. MURPHY, Ms. ROSEN, Ms. SINEMA, Mr. HEINRICH, Mr. KELLY, Mr. SCHATZ, Mr. TESTER, Mr. PETERS, Mrs. SHAHEEN, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. MANCHIN):

S. Res. 490. A resolution recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. CRAPO, Ms. HIRONO, Mr. TILLIS, Mr. DURBIN, and Mrs. BLACKBURN):

S. Res. 491. A resolution raising awareness and encouraging the prevention of stalking by designating January 2022 as ''National Stalking Awareness Month''; considered and agreed to.

By Mr. DAINES (for himself, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. BRAUN, Mr. THUNE, Mrs. BLACKBURN, Mr. RISCH, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. HOEVEN, Mr. WICKER, Mr. LANKFORD, and Mr. SCOTT of South Carolina):

S. Con. Res. 27. A concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and protected for all people of the United States under the Constitution of the United States, and recognizing the 236th anniversary of the enactment of the Virginia Statute for Religious

Freedom; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 79

At the request of Mr. BOOKER, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 79, a bill to eliminate the disparity in sentencing for cocaine offenses, and for other purposes.

S. 299

At the request of Mr. WARNER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 299, a bill to amend section 230 of the Communications Act of 1934 to reaffirm civil rights, victims' rights, and consumer protections.

S. 1106

At the request of Mr. BOOKER, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1472

At the request of Mr. WICKER, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1472, a bill to require the Federal Communications Commission and the National Telecommunications and Information Administration to update the Memorandum of Understanding on Spectrum Coordination, and for other purposes.

S. 1660

At the request of Mr. BOOKER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1660, a bill to expand access to health care services for immigrants by removing legal and policy barriers to health insurance coverage, and for other purposes.

S. 1873

At the request of Mr. CRAPO, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Maine (Mr. KING) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multicancer early detection screening tests.

S. 1888

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1888, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 2429

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2429, a bill to amend chapter 38 of title 31, United States Code, relating to civil remedies, and for other purposes.

S. 2443

At the request of Mr. GRAHAM, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2443, a bill to expand the definition of H–2A nonimmigrant for purposes of the Immigration and Nationality Act to include aliens engaged in seafood processing, horticultural commodities, or the care of horses.

S. 2736

At the request of Mr. BURR, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2736, a bill to exclude vehicles to be used solely for competition from certain provisions of the Clean Air Act, and for other purposes.

S. 2752

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2752, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 2790

At the request of Mr. HAGERTY, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 2790, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 2798

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 2798, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 2854

At the request of Mr. KENNEDY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2854, a bill to allow for the transfer and redemption of abandoned savings bonds.

S. 2937

At the request of Mr. CARDIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2937, a bill to authorize humanitarian assistance and civil society support, promote democracy and human rights, and impose targeted sanctions with respect to human rights abuses in Burma, and for other purposes.

S. 2972

At the request of Mr. GRAHAM, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2972, a bill to repeal section 230 of the Communications Act of 1934.

S. 3146

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3146, a bill to appropriate $25,000,000,000 for the construction of a border wall between the United States and Mexico, and for other purposes.

S. 3463

At the request of Mr. RUBIO, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3463, a bill to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID–19 at suspect laboratories in Wuhan.

S. 3471

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3471, a bill to address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

S. 3483

At the request of Mr. COONS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3483, a bill to amend title 38, United States Code, to extend increased dependency and indemnity compensation paid to surviving spouses of veterans who die from amyotrophic lateral sclerosis, regardless of how long the veterans had such disease prior to death, and for other purposes.

S. 3488

At the request of Mr. MENENDEZ, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3488, a bill to counter the aggression of the Russian Federation against Ukraine and Eastern European allies, to expedite security assistance to Ukraine to bolster Ukraine's defense capabilities, and to impose sanctions relating to the actions of the Russian Federation with respect to Ukraine, and for other purposes.

S.J. RES. 32

At the request of Mr. MARSHALL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S.J. Res. 32, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services relating to ''Medicare and Medicaid Programs; Omnibus COVID–19 Health Care Staff Vaccination''.

S. RES. 467

At the request of Mr. BLUMENTHAL, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. Res. 467, a resolution recognizing the contributions made by the 305-meter radio telescope at the Arecibo Observatory.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 490—RECOGNIZING THE ESSENTIAL WORK OF UNITED STATES CAPITOL PERSONNEL ON THE ANNIVERSARY OF THE INSURRECTIONIST ATTACK ON THE UNITED STATES CAPITOL ON JANUARY 6, 2021

Mr. BROWN (for himself, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. CASEY, Mr.

BOOKER, Mr. REED, Ms. CORTEZ MASTO, Mr. LUJÁN, Mr. CARDIN, Ms. BALDWIN, Mr. MARKEY, Mr. BENNET, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. COONS, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. MENENDEZ, Ms. CANTWELL, Mr. SANDERS, Ms. DUCKWORTH, Mr. KING, Ms. WARREN, Mr. KAINE, Mr. WYDEN, Mr. PADILLA, Mr. DURBIN, Mr. OSSOFF, Ms. HIRONO, Ms. SMITH, Mr. WARNER, Mr. LEAHY, Mr. MERKLEY, Mr. CARPER, Mrs. GILLIBRAND, Ms. STABENOW, Mrs. MURRAY, Mr. MURPHY, Ms. ROSEN, Ms. SINEMA, Mr. HEINRICH, Mr. KELLY, Mr. SCHATZ, Mr. TESTER, Mr. PETERS, Mrs. SHAHEEN, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 490

Whereas Rev. Dr. Martin Luther King, Jr., once said, ''If a man is called to be a street sweeper, he should sweep streets even as a Michelangelo painted, or Beethoven composed music, or Shakespeare wrote poetry. He should sweep streets so well that all the hosts of heaven and earth will pause to say, 'Here lived a great street sweeper who did his job well. . .No work is insignificant. All labor that uplifts humanity has dignity and importance.'';

Whereas the United States Capitol (referred to in this preamble as the ''Capitol'') is the people's house;

Whereas January 6, 2022, is the anniversary of the January 6, 2021, insurrectionist attack on the Capitol during a joint session of Congress to receive the votes of the electoral college;

Whereas, on January 6, 2021, violent insurrectionists, carrying Confederate flags and symbols, ransacked the Capitol, and Capitol custodial, janitorial, and maintenance staff—the majority of whom are African American, Latino, or other people of color—were there to pick up the pieces and deserve eternal gratitude for their work;

Whereas, on March 1, 2021, the Senior Senator from Minnesota introduced a resolution recognizing Capitol personnel and members of the press corps and honoring the incredible and diligent work done by Capitol personnel to care for and repair the Capitol in the wake of the January 6 attack;

Whereas, in the days following the January 6 attack, the Senate rightly recognized Eugene Goodman and the many officers of the United States Capitol Police who deserve the deep gratitude of the United States for putting their lives on the line to protect the Capitol and the democratic process of the United States;

Whereas Capitol custodial, janitorial, and maintenance staff deserve the distinct honor and gratitude of the United States, as they also put their lives on the line serving the republic on January 6, 2021, and over the past year, during the COVID–19 pandemic;

Whereas Capitol custodial, janitorial, and maintenance staff and other essential workers, including Restaurant Associates and Sodexo staff, come to work each day and do their jobs with skill, dedication, and dignity;

Whereas the work of such staff is too often overlooked, but remains essential to the functioning of the Government;

Whereas Capitol personnel of all races and creeds who have shown up for work during the pandemic, while many individuals in the Capitol have not taken COVID–19 seriously, deserve proper equipment and safe working conditions ;

Whereas Capitol custodial, janitorial, and maintenance staff were at the Capitol on January 6, 2021, doing their jobs when violent insurrectionists stormed the building, barging into the Senate Chamber;

Whereas the largely African American and Latino custodial staff and other custodial staff of color were left to restore dignity and respect to the Capitol, the Office of the Senate Parliamentarian, and many other rooms and hallways throughout the Capitol;

Whereas the work of the Capitol custodial staff allowed Members of the Senate to return to the Senate Chamber on January 6, 2021, to continue to certify the electoral votes and secure the democracy of the United States;

Whereas many individuals in the United States were so moved by the actions of the Capitol custodial staff on January 6, 2021, that such individuals wrote thank you notes to the staff in the days following the attack;

Whereas the actions of the Capitol custodial, janitorial, and maintenance staff on the night of the January 6, 2021, attack and in the days and weeks following are the epitome of service, love of country, and the dignity of work; and

Whereas many Capitol personnel are represented by Local Numbers 626, 658, 2910, and 2477 of the American Federation of State, County and Municipal Employees, Local 23 of UNITE HERE, and the United States Capitol Police Labor Committee which advocate for members in the workplace: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the strength and commitment of the personnel of the United States Capitol who bring skill and dedication to their work every day and who worked through the night on January 6, 2021, and in the days following to restore dignity to the United States Capitol and to ensure the democracy of the United States continues to function;

(2) expresses gratitude for the personnel of the United States Capitol and the United States Capitol Police for their bravery and service to the United States; and

(3) reaffirms its dedication to strengthening the rights of the personnel of the United States Capitol and the United States Capitol Police and to providing support and resources to ensure their health, well-being, safety, and protection from further attacks, including higher pay, collective bargaining rights, paid sick and vacation leave, and comprehensive health insurance with mental health resources.

SENATE RESOLUTION 491—RAISING AWARENESS AND ENCOURAGING THE PREVENTION OF STALKING BY DESIGNATING JANUARY 2022 AS ''NATIONAL STALKING AWARENESS MONTH''

Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. CRAPO, Ms. HIRONO, Mr. TILLIS, Mr. DURBIN, and Mrs. BLACKBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 491

Whereas approximately 1 in 6 women in the United States, at some point during her lifetime, has experienced stalking victimization, causing her to feel very fearful or believe that she or someone close to her would be harmed or killed;

Whereas it is estimated that, each year, between 6,000,000 and 7,500,000 individuals in the United States report that they have been victims of stalking;

Whereas more than 85 percent of victims of stalking report that they have been stalked by someone they know;

Whereas nearly 70 percent of intimate partner stalking victims are threatened with physical harm by stalkers;

Whereas stalking is a risk factor for intimate partner homicide;

Whereas 3 in 4 female victims of intimate partner homicides were stalked during the year preceding the homicide by their killers;

Whereas 11 percent of victims of stalking report having been stalked for more than 5 years;

Whereas two-thirds of stalkers pursue their victims at least once a week;

Whereas many victims of stalking are forced to take drastic measures to protect themselves, including relocating, changing jobs, or obtaining protection orders;

Whereas the prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among victims of stalking than the general population;

Whereas many victims of stalking do not report stalking to the police or contact a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law, the laws of all 50 States, the District of Columbia, and the territories of the United States, and the Uniform Code of Military Justice;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist victims of stalking and are working diligently to develop effective and innovative responses to stalking, including online stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for an increase in the availability of victim services across the United States, and those services must include programs tailored to meet the needs of victims of stalking;

Whereas individuals between 18 and 24 years old experience the highest rates of stalking victimization, and a majority of stalking victims report their victimization first occurred before the age of 25;

Whereas up to 75 percent of women in college who experience behavior relating to stalking also experience other forms of victimization, including sexual or physical victimization;

Whereas college students with disabilities are twice as likely as college students without disabilities to experience stalking;

Whereas there is a need for an effective response to stalking on each campus;

Whereas more than twice as many victims of stalking are stalked using technology, such as phone calls, text messages, social media platforms, internet posts, emails, electronic tracking, as victims of stalking who are stalked without the use of technology;

Whereas the COVID–19 pandemic has heightened the risk of online stalking and harassment, particularly among school-aged individuals;

Whereas victim service organizations and law enforcement entities have swiftly adapted to the COVID–19 pandemic in order to continue to serve victims of stalking;

Whereas victim service providers report an increase in online stalking and harassment, particularly among school-aged individuals; and

Whereas the Senate finds that ''National Stalking Awareness Month'' provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

Resolved, That the Senate—

(1) designates January 2022 as ''National Stalking Awareness Month'';

(2) applauds the efforts of service providers for victims of stalking, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, institutions of higher education, and nonprofit organizations to increase awareness of stalking and continue to support the availability of services for victims of stalking; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through ''National Stalking Awareness Month''.

SENATE CONCURRENT RESOLUTION 27—AFFIRMING THE IMPORTANCE OF RELIGIOUS FREEDOM AS A FUNDAMENTAL HUMAN RIGHT THAT IS ESSENTIAL TO A FREE SOCIETY AND PROTECTED FOR ALL PEOPLE OF THE UNITED STATES UNDER THE CONSTITUTION OF THE UNITED STATES, AND RECOGNIZING THE 236TH ANNIVERSARY OF THE ENACTMENT OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM

Mr. DAINES (for himself, Mr. BLUNT, Mr. TILLIS, Mr. RUBIO, Mr. BRAUN, Mr. THUNE, Mrs. BLACKBURN, Mr. RISCH, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. HOEVEN, Mr. WICKER, Mr. LANKFORD, and Mr. SCOTT of South Carolina) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 27

Whereas the democracy of the United States is rooted in the fundamental truth that all people are created equal, endowed by the Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness;

Whereas the freedom of conscience was highly valued by—

(1) individuals seeking religious freedom who settled in the colonies in the United States;

(2) the founders of the United States; and

(3) Thomas Jefferson, who wrote in a letter to the Society of the Methodist Episcopal Church at New London, Connecticut, dated February 4, 1809, that ''[n]o provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprizes of the civil authority'';

Whereas the Virginia Statute for Religious Freedom was—

(1) drafted by Thomas Jefferson, who considered the Virginia Statute for Religious Freedom to be one of his greatest achievements;

(2) enacted on January 16, 1786; and

(3) the forerunner to the Free Exercise Clause of the First Amendment to the Constitution of the United States;

Whereas section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)) states that—

(1) ''[t]he right to freedom of religion undergirds the very origin and existence of the United States''; and

(2) religious freedom was established by the founders of the United States ''in law, as a fundamental right and as a pillar of our Nation'';

Whereas the role of religion in society and public life in the United States has a long and robust tradition;

Whereas individuals who have studied the democracy of the United States from an international perspective, such as Alexis de Tocqueville, have noted that religion plays a central role in preserving the Government of the United States because religion provides the moral base required for democracy to succeed;

Whereas, in Town of Greece v. Galloway, 134 S. Ct. 1811 (2014), the Supreme Court of the United States affirmed that ''people of many faiths may be united in a community of tolerance and devotion'';

Whereas the principle of religious freedom ''has guided our Nation forward'', as expressed by the 44th President of the United States in a Presidential proclamation on Religious Freedom Day in 2011, and freedom of religion ''is a universal human right to be protected here at home and across the globe'', as expressed by that President of the United States on Religious Freedom Day in 2013;

Whereas ''[f]reedom of religion is a fundamental human right that must be upheld by every nation and guaranteed by every government'', as expressed by the 42nd President of the United States in a Presidential proclamation on Religious Freedom Day in 1999;

Whereas the First Amendment to the Constitution of the United States protects—

(1) the right of individuals to freely express and act on the religious beliefs of those individuals; and

(2) individuals from coercion to profess or act on a religious belief to which those individuals do not adhere;

Whereas ''our laws and institutions should not impede or hinder but rather should protect and preserve fundamental religious liberties'', as expressed by the 42nd President of the United States in remarks accompanying the signing of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.);

Whereas, for countless people of the United States, faith is an integral part of every aspect of daily life and is not limited to the homes, houses of worship, or doctrinal creeds of those individuals;

Whereas ''religious faith has inspired many of our fellow citizens to help build a better Nation'' in which ''people of faith continue to wage a determined campaign to meet needs and fight suffering'', as expressed by the 43rd President of the United States in a Presidential proclamation on Religious Freedom Day in 2003;

Whereas, ''[f]rom its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering refuge to those suffering religious persecution'', as noted in section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a));

Whereas Thomas Jefferson wrote—

(1) in 1798 that each right encompassed in the First Amendment to the Constitution of the United States is dependent on the other rights described in that Amendment, ''thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: insomuch, that whatever violated either, throws down the sanctuary which covers the others''; and

(2) in 1822 that the constitutional freedom of religion is ''the most inalienable and sacred of all human rights'';

Whereas religious freedom ''has been integral to the preservation and development of the United States'', and ''the free exercise of religion goes hand in hand with the preservation of our other rights'', as expressed by the 41st President of the United States in a Presidential proclamation on Religious Freedom Day in 1993; and

Whereas we ''continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear or intimidation'', as expressed by the 42nd President of the United States in a Presidential proclamation on Religious Freedom Day in 1998: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) on Religious Freedom Day on January 16, 2022, honors the 236th anniversary of the enactment of the Virginia Statute for Religious Freedom; and

(2) affirms that—

(A) for individuals of any faith and individuals of no faith, religious freedom includes the right of an individual to live, work, associate, and worship in accordance with the beliefs of the individual;

(B) all people of the United States can be unified in supporting religious freedom, regardless of differing individual beliefs, because religious freedom is a fundamental human right; and

(C) ''the American people will remain forever unshackled in matters of faith'', as expressed by the 44th President of the United States in a Presidential proclamation on Religious Freedom Day in 2012.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4900. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes; which was ordered to lie on the table.

SA 4901. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, supra; which was ordered to lie on the table.

SA 4902. Mr. SCHUMER (for Mr. CARDIN) proposed an amendment to the bill H.R. 2471, to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti.

TEXT OF AMENDMENTS

SA 4900. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPORTATION OF NATURAL GAS TO NATO ALLIES.

Section 3(a) of the Natural Gas Act (15 U.S.C. 717b(a)) is amended in the first sentence by inserting ''(other than a country

that is a member of the North Atlantic Treaty Organization)'' after ''to a foreign country''.

SA 4901. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CANCELLATION OF REVOCATION OF PERMIT FOR KEYSTONE XL PIPELINE.

On and after the date of the enactment of this Act, section 6 of Executive Order 13990 (86 Fed. Reg. 7037; relating to protecting public health and the environment and restoring science to tackle the climate crisis) shall have no force or effect.

SA 4902. Mr. SCHUMER (for Mr. CARDIN) proposed an amendment to the bill H.R. 2471, to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Haiti Development, Accountability, and Institutional Transparency Initiative Act''.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to support the sustainable rebuilding and development of Haiti in a manner that—

(1) recognizes Haitian independence, self-reliance, and sovereignty;

(2) promotes efforts that are led by and support the people and Government of Haiti at all levels so that Haitians lead the course of reconstruction and development of Haiti;

(3) contributes to international efforts to facilitate conditions for broad, inclusive, and sustained political dialogue among the different actors in Haiti to restore democratic legitimacy and institutions in Haiti;

(4) builds the long-term capacity of the Government of Haiti, civil society, and the private sector to foster economic opportunities in Haiti;

(5) fosters collaboration between the Haitian diaspora in the United States, including dual citizens of Haiti and the United States, and the Government of Haiti and the business community in Haiti;

(6) supports anticorruption efforts, promotes press freedom, and addresses human rights concerns, including through the enforcement of sanctions imposed in accordance with the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note) on individuals implicated in human rights violations and corruption;

(7) respects and helps restore the natural resources of Haiti and strengthens community-level resilience to environmental and weather-related impacts;

(8) promotes political stability through the holding of free, fair, transparent, and timely elections in accordance with democratic principles and the Constitution of Haiti;

(9) provides timely and comprehensive reporting on the goals and progress of the Government of Haiti and the United States Government, and transparent post-program evaluations and contracting data; and

(10) promotes the participation of Haitian women and youth in governmental and nongovernmental institutions and in economic development and governance assistance programs funded by the United States.

SEC. 3. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 4. STRENGTHENING HUMAN RIGHTS AND ANTICORRUPTION EFFORTS IN HAITI AND HOLDING PERPETRATORS OF THE LA SALINE MASSACRE ACCOUNTABLE.

(a) PRIORITIZATION BY SECRETARY OF STATE.—The Secretary of State shall prioritize the protection of human rights and anticorruption efforts in Haiti through the following methods:

(1) Fostering strong relationships with independent civil society groups focused on monitoring corruption and human rights abuses and promoting democracy in Haiti.

(2) Supporting the efforts of the Government of Haiti to identify persons involved in human rights violations and significant acts of corruption in Haiti, including public and private sector actors, and hold them accountable for their actions.

(3) Addressing concerns of impunity for the alleged perpetrators of and the individuals who organized and planned the massacre in La Saline that took place on November 13, 2018.

(4) Urging authorities to continue to investigate attacks in the neighborhoods of La Saline and Bel Air in 2018 and 2019 that left dozens dead in order to bring the perpetrators to justice.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall brief the appropriate congressional committees on the events that took place on November 13, 2018, in the neighborhood of La Saline, in Port-au-Prince, Haiti, and the aftermath of those events.

(2) ELEMENTS.—The briefing required by paragraph (1) shall include the following:

(A) An examination of any links between the massacre in La Saline and mass protests that occurred concurrently in Haiti.

(B) An analysis of the reports on the massacre in La Saline authored by the United Nations, the European Union, and the Government of Haiti.

(C) A detailed description of all known perpetrators of and the individuals who organized and planned the massacre.

(D) An overview of efforts of the Government of Haiti to bring the perpetrators of and the individuals who organized and planned the massacre in La Saline to justice and to prevent other similar attacks.

(E) An assessment of the ensuing treatment and displacement of the survivors of the massacre in La Saline.

(3) CONSULTATION.—In carrying out paragraph (1), the Secretary shall consult with nongovernmental organizations in Haiti and the United States.

SEC. 5. PROMOTING FREEDOM OF THE PRESS AND ASSEMBLY IN HAITI.

The Secretary of State shall prioritize the promotion of freedom of the press and freedom of assembly and the protection of journalists in Haiti through the following methods:

(1) Advocating to Haitian authorities for increased protection for journalists and the press and for the freedom to peacefully assemble or protest in Haiti.

(2) Collaborating with officials of the Government of Haiti and representatives of civil society to increase legal protections for journalists in Haiti.

(3) Supporting efforts to strengthen transparency in the public and private sectors in Haiti and access to information in Haiti.

(4) Using United States foreign assistance for programs to strengthen capacity for independent journalists and increase support for investigative journalism in Haiti.

SEC. 6. SUPPORTING POST-EARTHQUAKE, POST-HURRICANE, AND POST-COVID–19 RECOVERY AND DEVELOPMENT IN HAITI.

The Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall prioritize post-earthquake, post-hurricane, and post-COVID–19 recovery and development efforts in Haiti through the following methods:

(1) Collaborating with the Government of Haiti on a detailed and transparent development plan that includes clear objectives and benchmarks.

(2) Building the capacity of Haitian-led public, private, and nongovernmental sector institutions in Haiti through post-earthquake and post-hurricane recovery and development planning.

(3) Assessing the impact of the recovery efforts of the United States and the international community in Haiti since January 2010.

(4) Supporting disaster resilience and reconstruction efforts.

(5) Addressing the underlying causes of poverty and inequality.

(6) Improving access to—

(A) health resources;

(B) public health technical assistance; and

(C) clean water, food, and shelter.

(7) Assessing the impact of the COVID–19 pandemic on post-disaster recovery efforts and evaluating United States support needed to help with the pandemic response in Haiti.

(8) Supporting—

(A) the export of additional United States-produced COVID–19 vaccine doses to Haiti; and

(B) the safe storage, transport, and end-to-end distribution of United States-produced COVID–19 vaccines throughout Haiti, in light of ongoing humanitarian access challenges presented by Haiti's security environment.

SEC. 7. REPORT ON DEVELOPMENTS IN HAITI.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development (in this section referred to as the ''Administrator'') and other relevant agencies and departments, shall submit to the appropriate congressional committees a report on developments in Haiti.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A strategy for carrying out sections 4(a), 5, and 6, including established baselines, benchmarks, and indicators to measure outcomes and impact.

(2) An assessment of major corruption committed among the public and private sectors in Haiti, including identification of any individual or entity that financed corruption activities, and all corruption prosecutions investigated by the judiciary of Haiti since January 2015.

(3) An overview of efforts of the Government of Haiti to address corruption, including the Petrocaribe scandal, and corrective measures to strengthen and restore trust in the public institutions of Haiti.

(4) A description of efforts of the United States Government to consult and engage with officials of the Government of Haiti and independent civil society groups focused on monitoring corruption and human rights abuses and promoting democracy and press freedom in Haiti since January 2015.

(5) A description of the response by the Government of Haiti to civic protests that have taken place since July 2018 and any allegations of human rights abuses, including attacks on journalists.

(6) An assessment of United States security assistance to Haiti, including United States support to the Haitian National Police and an assessment of compliance with section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) and section 362 of title 10, United States Code (commonly referred to as the ''Leahy Laws'').

(7) A description of the efforts of the Government of Haiti to support displaced survivors of urban and gang violence.

(8) An assessment of United States interagency efforts to counter kidnapping and armed violence in Haiti.

(9) An assessment of the impact of presidential decrees on the health of Haiti's democratic institutions and the safeguarding of human rights, including decrees relating to—

(A) reducing the authority of the Superior Court of Accounts and Administrative Litigation;

(B) promulgating an antiterrorism law;

(C) establishing the National Intelligence Agency; and

(D) retiring and subsequently appointing judges to the Supreme Court of Haiti.

(10) A review of the alleged coup against President Moïse on February 7, 2021, and subsequent arrest and jailings of alleged perpetrators.

(11) An analysis, conducted in collaboration with the Government of Haiti, of efforts to support development goals in Haiti since January 2015, including steps taken—

(A) to strengthen institutions at the national and local levels; and

(B) to strengthen democratic governance at the national and local levels.

(12) An analysis of the effectiveness and sustainability of development projects financed by the United States, including the Caracol Industrial Park and supporting infrastructure.

(13) A description of procurement from Haitian small- and medium-sized businesses and nongovernmental organizations by the Government of the United States and the Government of Haiti for development and humanitarian activities, disaggregated by year since 2015, and a description of efforts to increase local procurement, including food aid.

(14) A description of United States efforts since January 2015 to assist the Haitian people in their pursuits for free, fair, and timely democratic elections.

(15) An overview of United States efforts to cooperate with diplomatic partners in Latin America, the Caribbean, Canada, and Europe to engage with political leaders, civil society, the private sector, and underrepresented populations in Haiti to support a stable environment conducive to holding free and fair elections.

(16) Quantitative and qualitative indicators to assess progress and benchmarks for United States initiatives focused on sustainable development in Haiti, including democracy assistance, economic revitalization, natural disaster recovery, pandemic response, resilience, energy and infrastructure, health, and food security.

(c) CONSULTATION.—In preparing the report required by subsection (a), the Secretary and the Administrator shall consult, as appropriate, with—

(1) nongovernmental organizations and civil society groups in Haiti and the United States; and

(2) the Government of Haiti.

(d) PUBLIC AVAILABILITY.—The Secretary shall make the report required by subsection (a) publicly available on the website of the Department of State.

SEC. 8. REPORT ON THE ASSASSINATION OF PRESIDENT JOVENEL MOÏSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of the Central Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the July 7, 2021, assassination of former President of Haiti Jovenel Moïse.

(b) UPDATED REPORT.—Not later than 180 days after the submission of the report required by subsection (a), the Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of the Central Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives an updated version of the report that includes any significant developments related to the assassination of former President of Haiti Jovenel Moïse.

(c) ELEMENTS.—The report required by subsection (a) and the report required by subsection (b) shall each include the following elements:

(1) A detailed description of the events leading up to the assassination of former President Jovenel Moïse and the subsequent investigation of the assassination, including a description and identification of key dates and the names of foreign persons related to the assassination and the investigation of the assassination.

(2) A description of United States support for the efforts of Haitian authorities to investigate the assassination of former President Jovenel Moïse.

(3) An assessment of the independence and capacity of Haitian authorities to investigate the assassination of former President Jovenel Moïse, including analysis of significant advances and deficiencies of the investigation.

(4) A description of any threats and acts of intimidation against Haitian law enforcement and judicial authorities involved in the investigation of the assassination of former President Jovenel Moïse, including the identification of foreign persons involved in such threats and acts of intimidation.

(5) A description of any efforts to interfere in or undermine the independence and integrity of the investigation of the assassination of former President Jovenel Moïse.

(6) A description of whether any foreign persons previously employed by or who served as a contractor or informant for the United States Government were involved in the assassination of former President Jovenel Moïse.

(7) A description and the identification of foreign persons involved in the execution and planning of the assassination of former President Jovenel Moïse and an assessment of the intentions of such foreign persons.

(d) FORM OF REPORT.—The report required by subsection (a) and the updated report required by subsection (b) shall each be submitted in an unclassified form, but each may include a classified annex.

(e) PUBLICATION.—The Secretary of State shall post on the public website of the Department of State—

(1) the unclassified version of the report required by subsection (a) not later than 15 days after the date on which the report is submitted under such subsection; and

(2) the unclassified version of the report required by subsection (b) not later than 15 days after the date on which the report is submitted under such subsection.

(f) BRIEFING REQUIREMENT.—The Secretary of State, in coordination with the Attorney General, the Secretary of Homeland Security, and the Director of the Central Intelligence Agency, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on—

(1) the contents of the report required by subsection (a) not later than 15 days after the date on which the report is submitted under such subsection; and

(2) the contents of the report required by subsection (b) not later than 15 days after the date on which the report is submitted under such subsection.

SEC. 9. REPEAL.

The Assessing Progress in Haiti Act of 2014 (22 U.S.C. 2151 note; Public Law 113–162) is repealed.

SEC. 10. TERMINATION.

This Act shall terminate on December 31, 2025.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 11 a.m., to conduct a hearing on nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 10:15 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session

of the Senate on Thursday, January 13, 2022, at 9 a.m., to conduct an executive business meeting.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, January 13, 2022, at 9:30 a.m., to conduct a hearing.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Republican Leader, pursuant to the provisions of Public Law 106–567, the appointment of the following individual to serve as a member of the Public Interest Declassification Board: Carter Burwell of Virginia.

HAITI DEVELOPMENT, ACCOUNTABILITY, AND INSTITUTIONAL TRANSPARENCY INITIATIVE ACT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 2471 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2471) to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the substitute amendment at the desk be agreed to and that the bill, as amended, be considered read a third time.

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

The amendment (No. 4902) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute.)

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time.

Mr. SCHUMER. I know of no further debate.

The PRESIDING OFFICER. Hearing no further debate, the bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (H.R. 2471), as amended, was passed.

Mr. SCHUMER. Finally, I ask that the motion to reconsider be considered made and laid upon the table.

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

RECOGNIZING THE ESSENTIAL WORK OF UNITED STATES CAPITOL PERSONNEL ON THE ANNIVERSARY OF THE INSURRECTIONIST ATTACK ON THE UNITED STATES CAPITOL ON JANUARY 6, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 490, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 490) recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 490) was agreed to.

Mr. SCHUMER. I further ask that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's (legislative day of January 10, 2022) RECORD under ''Submitted Resolutions.'')

NATIONAL STALKING AWARENESS MONTH

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 491, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 491) raising awareness and encouraging the prevention of stalking by designating January 2022 as ''National Stalking Awareness Month''.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 491) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's (legislative day of January 10, 2022) RECORD under ''Submitted Resolutions.'')

ORDERS FOR FRIDAY, JANUARY 14, 2022, THROUGH TUESDAY, JANUARY 18, 2022

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to convene for a pro forma session only, with no business conducted, at 11:20 a.m. on Friday, January 14; further, that when the Senate adjourns on Friday, it stand adjourned until 12 noon on Tuesday, January 18; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT UNTIL 11:20 A.M. TOMORROW

Mr. SCHUMER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:52 p.m., adjourned until Friday, January 14, 2022, at 11:20 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

SARAH BLOOM RASKIN, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2018, VICE RANDAL QUARLES, RESIGNED.

SARAH BLOOM RASKIN, OF MARYLAND, TO BE VICE CHAIRMAN FOR SUPERVISION OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS, VICE RANDAL QUARLES, RESIGNED.

LISA DENELL COOK, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2010, VICE JANET L. YELLEN, RESIGNED.

PHILIP NATHAN JEFFERSON, OF NORTH CAROLINA, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2022, VICE RICHARD CLARIDA, RESIGNED.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BEN CLINE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. CLINE. Madam Speaker, I am not recorded because I was absent due to illness. Had I been present, I would have voted YEA on Roll Call No. 4; YEA on Roll Call No. 5; NAY on Roll Call No. 6; Nay on Roll Call No. 7; and NAY on Roll Call No. 8.

RECOGNIZING MELISSA CONNOLLY AND HER SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. NADLER. Madam Speaker, I rise today to thank Melissa Connolly for over eight years of service to the constituents of New York's 10th Congressional District.

Melissa's career in the House began in 2009 as a Legislative Assistant to former Representative Jerry Costello following her graduation from Duke University's School of Public Policy and the University of Pennsylvania. After working with former Representative Shelley Berkley, Melissa joined my office in 2013, rising from Legislative Assistant to become my Legislative Director.

As Legislative Director, Melissa has been a trusted and valued advisor who helped set and manage my policy agenda. She also played a significant leadership role in my Washington DC office, serving as a mentor and a resource for junior staff, and I appreciate and have relied on her skill and experience in managing our team. Melissa also helped staff me in my role as Dean of the New York Delegation, which included coordinating meetings with the New York Delegation and other elected officials from the City and State.

Throughout her tenure in my office, Melissa established herself as an expert on issues relating to women and families and as a critical resource for other staff on Capitol Hill working on those issues. She worked tirelessly with the Education and Labor Committee, women's and labor rights organizations, and businesses to help pass the Pregnant Workers Fairness Act on the House floor with a strong bipartisan vote. Her countless hours of work building support for this legislation should pave the way for it to become law soon and to improve the lives of millions of Americans.

Melissa also worked closely with my Judiciary Committee staff on several important initiatives, including legislation extending the deadline to ratify the Equal Rights Amendment, which passed the House twice. She also helped lead the Judiciary Committee's work to protect women's fundamental right to abortion, springing into action after Texas enacted its abortion ban to help plan a hearing to spotlight the devastating impact of the law. She approaches the topic of reproductive freedom and health with the knowledge, passion, and energy that makes her an extremely effective policymaker.

In addition to these issues, Melissa has managed a broad portfolio over the course of her 13 years on the Hill. She worked to help pass and ensure effective implementation of the Affordable Care Act and helped fend off numerous Republican attacks designed to repeal it. She has worked diligently with stakeholders to build support for the Living Donor Protection Act, which would protect living organ donors from high insurance premiums and remove barriers to organ donation. She has also long led my office's effort to increase funding for both Section 8 housing and Housing Opportunities for People with AIDS in the annual appropriations bills. Her efforts to build support for these programs has translated into millions of dollars of additional funding for people in dire need of support. They may never know her name, but she has, nevertheless, improved countless lives through her efforts.

Twenty years later, my office continues to work on issues stemming from the terrorist attacks of September 11, 2001. Melissa was essential to our efforts to extend and expand the 9/11 health and victim compensation programs that have distributed more than $9 billion to the families of first responders and survivors of these attacks. The health care program has helped care for tens of thousands of Americans with 9/11 related health conditions and Melissa helped organize the most recent Judiciary Committee hearings on the programs that led to their long-term extension.

In response to the COVID–19 outbreak, Melissa not only smoothly managed her legislative team's transition to a remote work environment, but she also worked tirelessly to advocate for the needs of New Yorkers and keep my constituents informed of our efforts. She effectively advocated for specific legislative provisions to assist New York's hospitals, mass transit, small businesses, arts institutions and museums, and tenants, and she worked doggedly to see that these provisions were included in the comprehensive bills that were passed to address the pandemic and economic collapse that followed. She also planned and implemented our COVID–19 communication strategy with our communications and community liaison staff, including drafting issue-specific, weekly e-newsletters, setting up web pages explaining the CARES Act and Heroes Act benefits, and creating toolkits for constituents seeking assistance.

I would be remiss if I did not mention Melissa's husband, Mike Connolly, and her children, Maisie and Robert. Both of her children were born during her tenure in the office, and for me and the rest of our team it has been a pleasure watching them grow up, hearing their stories, and occasionally receiving their artwork, many of which are displayed throughout the D.C. office.

Finally, Melissa has a great attitude, a good sense of humor, and is a joy to work with. She has sound judgment, excellent people skills, and a deep understanding of how Congress works. My staff and I are lucky to have worked with her for all these years, and we will surely miss her as she moves on to new endeavors in the private sector.

HONORING CABARRUS COUNTY LIBERTY BELL AWARD RECIPIENT TOM GRADY

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. HUDSON. Madam Speaker, I rise today to honor Tom Grady on receiving the Cabarrus County Bar Association Liberty Bell Award.

A native of Cabarrus County, Mr. Grady graduated from Wake Forest University School of Law before returning home to begin practicing law with Williams, Willeford, and Boger in 1966. He continued work for this firm and its successors for fifty-five years before retiring in 2020.

Mr. Grady quickly became well-known for his skill and success as a motorsports attorney. He provided exceptional legal services to many associated with NASCAR, and his leadership proved paramount in the 1990s and early 2000s when the motorsports industry underwent a significant period of advancement and growth. On account of his excellence as a legal professional and mentor, Mr. Grady had the honor of serving as the President of the Cabarrus County Bar Association and was inducted into the North Carolina Bar Association Hall of Fame.

The Liberty Bell Award is presented by the local bar to an individual who exhibits exemplary or distinguished accomplishments and contributions to the legal profession. Over the course of his career and service to Cabarrus County, Mr. Grady provided a strong and consistent source of legal knowledge to support and assist his clients and community. I know I speak for our entire community in wishing him and his family continued success and happiness going forward.

Madam Speaker, please join me today in congratulating Mr. Tom Grady as the Cabarrus County Bar Association Liberty Bell Award recipient and wish him well as he continues to enjoy retirement.

RECOGNIZING MAYOR JIM ARDIS

HON. DARIN LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. LAHOOD. Madam Speaker, I would like to recognize Jim Ardis for his leadership and

dedication to the City of Peoria. Ardis retired in 2021 as the longest serving Mayor in the history of the City, serving for 16 years. Prior to his 4 terms as Mayor, he also served on the City Council for 6 years. We thank Mayor Ardis for his tireless advocacy and dedication to move the City forward through times of prosperity and adversity. His unwavering commitment to the community is a testament to his perseverance and love for Peoria.

During his tenure, Peoria earned the unique distinction of being named an All-America City. Mayor Ardis led the effort to create a one-of-a-kind program called Peoria Promise, which gives all students in the City the opportunity to attend community college with tuition reimbursement. Mayor Ardis's leadership also helped to develop Peoria's warehouse district which has brought economic development to the area and transformed downtown. That effort has continued recently with OSF Health Care's new headquarters also coming to Downtown Peoria. His influence on the City of Peoria over the years is endless.

In addition, Jim is a caring person that has always generously given his time and resources to many charities and philanthropic efforts that help people. One shining example is his dedication to the St. Jude Memphis to Peoria Run that raises money for children with cancer. Jim has dedicated his professional and personal life to the Peoria community and continues to do so now after his time as Mayor with his role at the OSF Foundation. I appreciate our friendship and his commitment to public service. I wish Jim great success in all his future endeavors.

HONORING JOSE ALVARADO AS IOWAN OF THE WEEK

HON. CYNTHIA AXNE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mrs. AXNE. Madam Speaker, I rise to honor Jose Alvarado as Iowan of the Week. Jose has lived in Iowa for over two decades and over this time he has shown a clear commitment to improving the Latino community and Iowa as a whole. With a clear understanding of the issues facing the Latino community in Iowa, Jose has successfully implemented community-oriented solutions.

Jose founded the LatinX Immigrants of Iowa organization in 2016 to help people. With the Latino population of Iowa continuing to grow, organizations such as Jose's have taken on increased importance. LatinX Immigrants of Iowa has been able to provide legal, financial, and civic programs. Lawsuits and mortgages/leases can be quite technical ordeals, and any language barrier only makes for a more complicated situation. Jose recognized this issue, and the organization he founded ensures that no Latino individual is left behind.

Over the past 2 years, the organization has been on the front lines in COVID–19 response. Jose and his organization recognized the need for more Spanish-specific COVID–19 information and community vaccination clinics. Leveraging the organization's resources and connections, LatinX Immigrants of Iowa was able to vaccinate approximately 1,600 individuals in the Des Moines area from COVID–19 in a comfortable and familiar setting. While this is already an impressive accomplishment, Jose plans to put on another vaccine clinic event in January as well. Ensuring that COVID–19 information is shared with all people is a crucial part of how we can effectively curtail COVID–19 transmission, and I'm thankful for Jose and LatinX Immigrants of Iowa's efforts to cover the Latino community in this critical time.

Jose and LatinX Immigrants of Iowa also organize large community gathering events. These events promote Latino heritage and community-building in Central Iowa. This year, the organization put on a successful Diá de los Muertos (Day of the Dead) celebration in Des Moines with the goal to make it as authentic as possible. As Jose turns towards 2022, they will kick off the new year with a Diá de los Reyes Magos (3 King's Day) celebration, which is a popular holiday for the Latino community. These events, in addition to regularly scheduled education classes, help ensure that Latinos know that there is a place for them in Iowa.

Jose strengthens Iowa's community through his dedicated public service. I look forward to following him and his organization as they continue to move forward serving the community, and I am proud to name Jose Alvarado as Iowan of the Week.

HONORING THE 50TH ANNIVERSARY OF THE PASSING OF VICE ADMIRAL PAUL FREDERICK FOSTER, USN

HON. RON ESTES

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. ESTES. Madam Speaker, I rise today to honor the 50th anniversary of the passing of Vice Admiral Paul Frederick Foster, USN. Over his distinguished 23-year career in the United States Navy, Vice Admiral Foster became the first naval officer to be awarded the Navy Cross, the Distinguished Service Medal, and our Nation's highest military distinction, the Medal of Honor.

Born in Wichita, Kansas, the son of a Congregationalist minister, he spent his early years traveling the west with his father, living in Kansas, Utah, Oklahoma, and Idaho before his appointment to the United States Naval Academy. At the academy, he reached the rank of cadet commander and served as commander of the Midshipmen Battalion. Upon graduation in 1911, he was assigned to various postings in the Caribbean Sea. In 1914, then-Ensign Foster took part in the Battle of Veracruz during the United States' intervention against Mexican dictator Victoriano Huerta. At the head of his company, he led his sailors ashore during the fighting on April 21 and 22, 1914. He was awarded the Medal of Honor for his leadership, heroism, and courage under enemy fire. His commendation cites that ''Ens. Foster was eminent and conspicuous in his conduct, leading his men with skill and courage''.

Upon his return to the United States in 1915, Vice Admiral Foster became one of the first American naval officers to undergo submarine instruction. He served as executive officer on the experimental submarine G–4 and participated in maneuvers along the Eastern Seaboard. When the United States joined the Allies in World War I, Vice Admiral Foster was sent to England and served on U.S. Submarine L–2. In 1918, he was awarded the Navy Distinguished Service Medal for his part in sinking one of the three enemy submarines sunk during the war.

After World War I, he returned to peacetime duty back in the United States. In 1924, during a training accident on the USS *Trenton*, with total disregard for his safety, Vice Admiral Foster entered a burning gun turret and extinguished the fire both inside the turret and on the clothing of the crew members, saving their lives. For this act of valor, he was decorated with the Navy Cross. He retired from active duty in 1929 but remained a member of the Navy Reserve.

Vice Admiral Foster was recalled to active duty in 1941 following the attack on Pearl Harbor. President Franklin D. Roosevelt directly tasked him to conduct special naval inspections worldwide during the Second World War. As Assistant Inspector General of the Navy, Vice Admiral Foster examined bases across the globe, overseeing operations and ensuring the security, effectiveness, and safety of U.S. naval operations in North America, Europe, and the Pacific. He received the Legion of Merit and Navy Commendation Medal for his essential service. He retired from the Navy fully in October 1946 with the rank of vice admiral.

The end of his military service did not mark the end of his career in public service. In 1954, Vice Admiral Foster was appointed by President Dwight D. Eisenhower to be the assistant general manager for international activities at the Atomic Energy Commission (AEC) and later general manager of the commission, advancing the United States' peaceful pursuit of atomic power. Finally, in 1959, President Eisenhower appointed him permanent U.S. representative to the International Atomic Energy Agency in Vienna, furthering U.S. leadership in managing the peacetime development of atomic science and technology through the ''Atoms for Peace'' initiative. During his service in Vienna, he had the opportunity to meet with several world leaders, including Pope John XXIII. After retiring in 1961, Vice Admiral Foster settled in Virginia Beach. He passed away on Jan. 30, 1972, at the age of 82. In a tribute to his years of service, the Spruance-class destroyer USS *Paul F. Foster* was named in his honor in 1976. A true American hero, Vice Admiral Foster's legacy lives on through his family, friends, and commitment to service to his country. I hope the rest of my colleagues will join me in honoring his memory on the 50th anniversary of his passing on Jan. 30, 2022.

RECOGNIZING MICHAEL ''MIKE'' K. SHIELDS OF THE BAYTOWN-WEST CHAMBERS COUNTY ECONOMIC DEVELOPMENT FOUNDATION

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. BABIN. Madam Speaker, I rise today to recognize Michael ''Mike'' K. Shields for his outstanding service to the City of Baytown and

West Chambers County, Texas. After serving as the Executive Director of the Baytown-West Chambers County Economic Development Foundation for the last 36 years, Mike will be retiring this month.

For nearly four decades, Mike has been a driving force for regional economic growth. Without a doubt, his work has improved the quality of life for all living in the City of Baytown and the surrounding community.

Over the years, Mike played a major role in landing many significant developments and project expansions, including the establishment of a regional logistics hub, a distribution center for a multinational retail corporation, a multinational steel-making company, and the largest master-planned, rail-and-barge-served industrial park in the U.S. He was also instrumental in creating the Cedar Bayou Navigation District as well as the various improvement districts in Chambers County. These projects yielded numerous high-paying jobs for Baytown and generated a multitude of support from countless businesses in the Greater Houston area, including critical industries along the Houston Ship Channel.

During his tenure, Mike collaborated with key stakeholders, such as the City of Baytown, Chambers County, Harris County, the Port of Houston, the Greater Houston Partnership, the State of Texas, the Houston-Galveston Area Council, and the Baytown Chamber of Commerce to diversify the economy and enhance growth and prosperity within the region. In addition, he actively contributed to the industrial development of the Greater Houston area through his memberships in the Texas Economic Development Council and the International Economic Development Council.

As if these significant accomplishments were not enough, Mike also served his nation honorably as an infantryman in the U.S. Army during the Vietnam War. During the war, his unit ran Reconnaissance-in-Force (RIF) missions to determine the location of enemy combatants for artillery strikes.

Madam Speaker, I thank Mike Shields for his momentous contributions to the economic development of the City of Baytown, West Chambers County, and the surrounding communities over the last 36 years. Our region has a flourishing economy, in large part to Mike's efforts, and I wish him and his family all the best in retirement.

PERSONAL EXPLANATION

HON. KATHLEEN M. RICE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Miss RICE of New York. Madam Speaker, I was necessarily absent from votes on Wednesday, December 8, 2021. Had I been present, I would have voted:

YEA on Roll Call No. 409; YEA on Roll Call No. 426; YEA on Roll Call No. 427; YEA on Roll Call No. 428; YEA on Roll Call No. 429; YEA on Roll Call No. 430; YEA on Roll Call No. 431; YEA on Roll Call No. 432; YEA on Roll Call No. 433; YEA on Roll Call No. 434; and YEA on Roll Call No. 435.

HONORING LINDA JACOBS

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. HUFFMAN. Madam Speaker, I rise today in recognition of Linda Jacobs upon her 20-year anniversary as Chief Executive Officer of the Center for Volunteer and Nonprofit Leadership (CVNL).

Over the past 20 years, Linda has directed CVNL through significant growth, encouraging nonprofit development and volunteerism by empowering local communities, bolstering leadership, and championing innovation throughout the Bay Area. With 26 years of Executive Director experience and over 40 years as a leader in the nonprofit space, Linda brings a unique depth of knowledge in nonprofit governance and board development that has propelled CVNL through multiple mergers.

Linda has served on numerous boards throughout her prolific career, including on Marin County's School to Career Partnership Board of Directors and nationally for the Points of Light Global Network Affiliate Assembly.

Linda is the powerhouse behind the scenes of CVNL, working tirelessly to develop effective and strong nonprofit leadership throughout the North Bay and extended region. Her work to elevate others and create monumental and positive impact through nonprofit leadership is renowned and appreciated by numerous colleagues, her staff, and the many nonprofits she serves.

Linda's commitment to the Bay Area community has been, and will continue to be, productive and enduring. Madam Speaker, I respectfully ask that you join me in expressing gratitude to Linda for her enduring commitment to public service and extending heartfelt congratulations on her 20th anniversary with the Center for Volunteer and Nonprofit Leadership, and best wishes for years to come.

RESOLUTION HONORING ALPHA KAPPA ALPHA SORORITY, INC. ON REACHING THE HISTORIC MILESTONE OF 114 YEARS OF SERVING COMMUNITIES

HON. ALMA S. ADAMS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Ms. ADAMS. Madam Speaker, along with my Congressional sorors, I rise to re-introduce this Resolution honoring Alpha Kappa Alpha Sorority, Inc. for her 114th anniversary. Throughout these 114 years, AKA sorors have carried out the mission of AKA with pride and strength. As my sorors near and far continue to carry out the meaningful mission of AKA, I extend my respect to all.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. HUIZENGA. Madam Speaker, I rise today regarding missed votes. Had I been present for roll call vote number 1, On the Call of the House, I would have voted "Present." Had I been present for roll call vote number 2, On Ordering the Previous Question, providing for consideration of the bill (H.R. 1836) Guard and Reserve GI Bill Parity Act; providing for consideration of the bill (H.R. 4673) Ensuring Veterans' Smooth Transition Act; and for other purposes, I would have voted "nay." Had I been present for roll call vote number 3, on Agreeing to the Resolution, providing for consideration of the bill (H.R. 1836) Guard and Reserve GI Bill Parity Act; providing for consideration of the bill (H.R. 4673) Ensuring Veterans' Smooth Transition Act; and for other purposes, I would have voted "nay."

IN RECOGNITION OF HOLLY JAREK

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. NEAL. Madam Speaker, I would like to take this opportunity to honor Holly Jarek, a leader in the field of providing compassionate care to children and young adults who are severely developmentally delayed and with complex medical needs. Holly recently retired, and I would like to take a moment to highlight just a few of her accomplishments.

After graduating from Cathedral High School in Springfield, Massachusetts, Holly went on to attend Boston University's School of Nursing, where she received a B.S. and M.S. in Child Health Nursing. From there, she received her Doctorate from the University of Alabama in Health Services Administration. Her doctoral work explored the administrative challenges facing pediatric long-term care administrators.

Holly's experience includes a decade working with the University of Massachusetts Medical Center in a variety of leadership and educational roles. She was also a full-time faculty member at the University of Massachusetts Nursing School during this time, specializing in pediatrics and technology-based care. After leaving UMass Medical, she spent ten years in the private sector, where she established home care programs for medically fragile children throughout the United States and Canada in her capacity as a National Program Manager with Olsten Health Services. From there, she returned to the non-profit sector with the Franciscan Children's Hospital. She served as Vice President of Seven Hills Foundation and Administrator at Seven Hills Pediatric Centers in Groton and Hopedale, Massachusetts.

I had the pleasure of meeting Holly on several occasions in Washington during her time as Chair of the Intellectual and Developmental Disabilities Committee of the American Health Care Association. She was a strong advocate on behalf of the most vulnerable in our society, and her leadership will be truly missed.

Madam Speaker, in light of Holly's many accomplishments in her field, I would like to thank her for her steadfast service, and offer my personal best wishes for a long, happy, and healthy retirement.

HONORING APACHE JUNCTION POLICE CHIEF THOMAS E. KELLY

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. GOSAR. Madam Speaker, I rise today to honor the career of Apache Junction Police Chief Thomas E. Kelly who is set to retire this January after nearly 50 years of service in law enforcement. Chief Kelly has been a steadfast defender of our community.

In Apache Junction, Chief Kelly worked his way up through the department, serving first as captain of the criminal investigations division before serving as Deputy Chief and then Chief. This impressive period of service made Apache Junction safer under his watch, however we are only a portion of the country which has benefitted from his service.

Prior to his arrival in Apache Junction, Chief Kelly worked in the Chicago Police Department. From there he accepted a position with the U.S. Department of Justice Drug Enforcement Administration (DEA), working in various capacities in the U.S. and around the world. He finished his time with the DEA as Special Agent in Charge in the Chicago Field Division.

Chief Kelly is a model law enforcement officer, which is why he has also worked with the Arizona Peace Officer Standards and Training Board, leadership of the Arizona Association of Chiefs of Police, and trained law enforcement partners on a global scale.

Chief Kelly will be greatly missed. While we claim his service in Apache Junction, Chief Kelly's retirement marks the end of extended service to the entire country. His commitment to protecting his community and setting high standards for law enforcement excellence will be greatly missed. We wish Chief Kelly a great retirement and thank him for giving his life to the protection of our community.

HONORING SAJ'S CENTENNIAL

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 13, 2022

Mr. NADLER. Madam Speaker, I rise today to honor the one hundredth anniversary of SAJ: Judaism that Stands for All. Originally named the Society for the Advancement of Judaism, the synagogue's founding in 1922 was a historic moment in the growth of Judaism in America. One hundred years later it remains a cornerstone of Jewish life in New York City.

SAJ was founded by Rabbi Mordecai M. Kaplan, one of the most influential Jewish thinkers of the 20th Century. Rabbi Kaplan developed an understanding of Judaism as an evolving civilization, later becoming known as Reconstructionist Judaism. For decades, SAJ served as Kaplan's experimentation field. There, Americans Jews could take pride in drawing from their Jewishness to support their Americanness, and their Americanness to support their Jewishness.

SAJ joined the rapidly growing synagogue community on New York's Upper West Side, a neighborhood rich with Jewish life.

SAJ has long stood for social justice, equality, and progress. It is a place where all are welcome, including LGBTQ+ and interfaith families. In 1922, it hosted the first bat mitzvah in the United States. Today, it is led by all-female clergy and staff. Rabbi Alan Miller, who served as rabbi of SAJ from 1961 to 1992, introduced to the sermon the idea of ''the open microphone,'' where congregants can share their reactions as part of a dialogue. Originated at SAJ, the open microphone is now utilized by rabbis across Jewish denominations.

Today, we celebrate SAJ's commitment to advancing justice in the Upper West Side, in New York City, and in the world beyond. We celebrate its one hundred years of bold, intellectual curiosity and one hundred years of enriching Jewish life.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S195–S226

Measures Introduced: Eighteen bills and three resolutions were introduced, as follows: S. 3496–3513, S. Res. 490–491, and S. Con. Res. 27.

Pages S220–221

Measures Reported:

Special Report entitled ''Financial Literacy in Retirement: Providing Just-In-Time Information and Assistance for Older Americans and People with Disabilities''. (S. Rept. No. 117–54) **Page S219**

Measures Passed:

Haiti Development, Accountability, and Institutional Transparency Initiative Act: Committee on Foreign Relations was discharged from further consideration of H.R. 2471, to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Page S226

Schumer (for Cardin) Amendment No. 4902, in the nature of a substitute. **Page S226**

U.S. Capitol Essential Workers: Senate agreed to S. Res. 490, recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021. **Page S226**

National Stalking Awareness Month: Senate agreed to S. Res. 491, raising awareness and encouraging the prevention of stalking by designating January 2022 as ''National Stalking Awareness Month''. **Page S226**

Measures Failed:

Protecting Europe's Energy Security Implementation Act: By 55 yeas to 44 nays (Vote No. 8), Senate failed to pass S. 3436, to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, by the order of the Senate of Saturday, December 18, 2021, 60 Senators not having voted in the affirmative. **Pages S198–S217**

Appointments:

Public Interest Declassification Board: The Chair announced, on behalf of the Republican Leader, pursuant to the provisions of Public Law 106–567, the appointment of the following individual to serve as a member of the Public Interest Declassification Board: Carter Burwell of Virginia.

Page S226

Nominations Received: Senate received the following nominations:

Sarah Bloom Raskin, of Maryland, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2018.

Sarah Bloom Raskin, of Maryland, to be Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System for a term of four years.

Lisa DeNell Cook, of Michigan, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

Philip Nathan Jefferson, of North Carolina, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2022. **Page S226**

Messages from the House: **Page S219**

Measures Referred: **Page S219**

Executive Reports of Committees: **Pages S219–220**

Additional Cosponsors: **Page S221**

Statements on Introduced Bills/Resolutions: **Pages S221–223**

Additional Statements: **Pages S218–219**

Amendments Submitted: **Pages S223–225**

Authorities for Committees to Meet: **Pages S225–226**

Record Votes: One record vote was taken today. (Total—8) **Page S217**

Adjournment: Senate convened at 10 a.m. and adjourned at 9:52 p.m., until 11:20 a.m. on Friday, January 14, 2022. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S226.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Celeste Ann Wallander, of Maryland, Melissa Griffin Dalton, of Virginia, and John F. Plumb, of New York, each to be an Assistant Secretary of Defense, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Lael Brainard, of the District of Columbia, to be Vice Chairman of the Board of Governors of the Federal Reserve System, and Sandra L. Thompson, of Maryland, to be Director of the Federal Housing Finance Agency, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Margaret A. Burnham, of Massachusetts, Gabrielle M. Dudley, of Georgia, Henry Klibanoff, of Georgia, and Brenda E. Stevenson, of California, each to be a Member of the Civil Rights Cold Case Records Review Board, after the nominees, who were all introduced by former Senator Doug Jones, testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nominations of Robert McKinnon Califf, of North Carolina, to be Commissioner of Food and Drugs, Department of Health and Human Services, Jose Javier Rodriguez, of Florida, and Lisa M. Gomez, of New Jersey, both to be an Assistant Secretary, and David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, all of the Department of Labor, Amy Loyd, of New Mexico, to be Assistant Secretary for Career, Technical, and Adult Education, Department of Education, Javier Ramirez, of Illinois, to be Federal Mediation and Conciliation Director, Linda A. Puchala, of Maryland, to be Member of the National Mediation Board, and Susan Harthill, of Maryland, to be a Member of the Occupational Safety and Health Review Commission.

NOMINATIONS

Committee on the Judiciary: Committee ordered favorably reported the nominations of Leonard Philip Stark, of Delaware, to be United States Circuit Judge for the Federal Circuit, Jaqueline Scott Corley, to be United States District Judge for the Northern District of California, Bridget Meehan Brennan, Charles Esque Fleming, and David Augustin Ruiz, each to be a United States District Judge for the Northern District of Ohio, Katherine Vidal, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, and Ryan K. Buchanan, to be United States Attorney for the Northern District of Georgia, Andrew M. Luger, to be United States Attorney for the District of Minnesota, Mark A. Totten, to be United States Attorney for the Western District of Michigan, and Jason M. Frierson, to be United States Attorney for the District of Nevada, all of the Department of Justice.

FINANCIAL LITERACY

Special Committee on Aging: Committee concluded a hearing to examine financial literacy, focusing on addressing the unique just-in-time decisions older Americans and people with disabilities face, after receiving testimony from Gerri Walsh, FINRA Investor Education Foundation, and Cindy Hounsell, Women's Institute for a Secure Retirement, both of Washington, D.C.; Dorothea Bernique, Increasing HOPE Financial Training Center, Charleston, South Carolina; and Patti Szarowicz, Atlanta Regional Commission Area Agency on Aging, Atlanta, Georgia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 6392–6408; and 3 resolutions, H. Res. 870–872, were introduced. **Pages H193–194**

Additional Cosponsors: **Page H195**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Lawrence to act as Speaker pro tempore for today. **Page H81**

NASA Enhanced Use Leasing Extension Act: The House concurred in the Senate amendment to H.R. 5746, to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration, with an amendment consisting of the text of Rules Committee Print 117–28, by a yea-and-nay vote of 220 yeas to 203 nays, Roll No. 9. **Pages H83–H175**

H. Res. 868, the rule providing for consideration of the Senate amendment to the bill (H.R. 5746) was agreed to yesterday, January 12th.

Communication from the Committee on Ethics: Read a communication from the Committee on Ethics regarding fines imposed upon Representative Clyde pursuant to H. Res. 38, for which he did not file appeals. **Page H183**

Communication from the Committee on Ethics: Read a communication from the Committee on Ethics regarding a fine imposed upon Representative Miller-Meeks pursuant to H. Res. 38, for which she did not file an appeal. **Page H183**

Communication from the Committee on Ethics: Read a communication from the Committee on Ethics regarding a fine imposed upon Representative Boebert pursuant to H. Res. 38, for which she did not file an appeal. **Page H184**

Communication from the Committee on Ethics: Read a communication from the Committee on Ethics regarding fines imposed upon Representative Green (GA) pursuant to H. Res. 38, for which she did not file appeals. **Page H184**

Senate Referrals: S. 2201 was held at the desk. S. 2520 was held at the desk. **Pages H180–181**

Senate Message: Message received from the Senate today appears on pages H180–181.

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on pages H174–175.

Adjournment: The House met at 9 a.m. and adjourned at 2:29 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JANUARY 14, 2022

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the **SENATE**

11:20 a.m., Friday, January 14

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

11 a.m., Friday, January 14

House Chamber

Program for Friday: House will meet in Pro Forma session at 11 a.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Congressional Record

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