

107TH CONGRESS  
1ST SESSION

# S. 241

To direct the Federal Election Commission to set uniform national standards for Federal election procedures, change the Federal election day, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 1, 2001

Mr. REID introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

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## A BILL

To direct the Federal Election Commission to set uniform national standards for Federal election procedures, change the Federal election day, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Election  
5 Standards Act of 2001”.

1 **SEC. 2. UNIFORM NATIONAL STANDARDS FOR FEDERAL**  
2 **ELECTION PROCEDURES.**

3 (a) UNIFORM STANDARDS.—Title III of the Federal  
4 Election Campaign Act of 1971 (2 U.S.C. 431 et seq.)  
5 is amended by adding at the end the following:

6 **“SEC. 323. UNIFORM ELECTION PROCEDURES.**

7 “(a) IN GENERAL.—The Commission shall provide  
8 required uniform national standards regarding procedures  
9 for elections for Federal office that—

10 “(1) minimize delay, error, or confusion in vot-  
11 ing and in voter registration;

12 “(2) eliminate fraud in the voting process;

13 “(3) increase the accuracy and reliability of  
14 vote counts and counting procedure;

15 “(4) reduce the number of uncounted and dis-  
16 carded ballots;

17 “(5) encourage voter registration and voter  
18 turnout;

19 “(6) ensure accessibility to registration facilities  
20 and polling places for all voters; and

21 “(7) promote public confidence in the accuracy  
22 and reliability of the election process.

23 “(b) STANDARDS.—The standards under subsection  
24 (a) shall include procedures regarding—

25 “(1) the type of ballots used;

26 “(2) vote counting;

1           “(3) use of counting machines;

2           “(4) accuracy and security of elections and vote  
3 counts;

4           “(5) voter registration; and

5           “(6) verification and maintenance of voter rolls.

6           “(c) STUDY OF STATE PROCEDURES.—For purposes  
7 of determining standards under subsection (a), the Com-  
8 mission shall study and periodically review (not less often  
9 than once every 6 months following an election for Federal  
10 office) State election regulations and procedures.

11          “(d) ENFORCEMENT.—Standards established under  
12 this section shall only be enforceable under section 309(e).

13          “(e) REGULATIONS.—

14               “(1) IN GENERAL.—Not later than January 1,  
15 2002, the Commission shall promulgate regulations  
16 to carry out the provisions of this section based on  
17 an initial study and analysis of election and vote  
18 counting procedures utilized in each State.

19               “(2) STATE COMPLIANCE.—The Commission  
20 may—

21                       “(A) prescribe a reasonable period of time  
22 for States to comply with the uniform national  
23 standards established under this section; and

24                       “(B) establish a process for a State to re-  
25 quest a waiver of compliance with a standard or

1 an extension of time to comply with a standard,  
2 based on a showing that the State cannot rea-  
3 sonably comply with such standard.”.

4 (b) ENFORCEMENT.—

5 (1) CIVIL PENALTIES.—

6 (A) IN GENERAL.—Section 309 of the Fed-  
7 eral Election Campaign Act of 1971 (2 U.S.C.  
8 437g) is amended by adding at the end the fol-  
9 lowing:

10 “(e) The Attorney General may bring a civil action  
11 in an appropriate district court for such declaratory or in-  
12 junctive relief as is necessary to carry out the require-  
13 ments under section 323.”.

14 (B) CONFORMING AMENDMENT.—Section  
15 309(a)(1) of the Federal Election Campaign  
16 Act of 1971 (2 U.S.C. 437g(a)(1)) is amended  
17 by striking “Any person” and inserting “Except  
18 as provided in section 323, any person”.

19 (2) CRIMINAL PENALTIES.—

20 (A) IN GENERAL.—Chapter 29 of title 18,  
21 United States Code, is amended by adding at  
22 the end the following:

1 **“SEC. 612. NONCOMPLIANCE WITH UNIFORM NATIONAL**  
 2 **ELECTION STANDARDS.**

3 “It shall be unlawful for any person to knowingly con-  
 4 duct an election for Federal office (within the meaning  
 5 of section 301 of the Federal Election Campaign Act of  
 6 1971 (2 U.S.C. 431)), or to knowingly interfere with such  
 7 election, so that the election is in violation of the uniform  
 8 national standards established by the Federal Election  
 9 Commission under section 323 of such Act. Any person  
 10 who violates this section shall be fined under this title or  
 11 imprisoned not more than 3 years, or both.”.

12 (B) CONFORMING AMENDMENT.—The  
 13 table of sections for chapter 29 of title 18,  
 14 United States Code, is amended by inserting at  
 15 the end the following:

“Sec. 612. Noncompliance with uniform national election stand-  
 ards.”.

16 (c) COMPLIANCE GRANT PROGRAM.—

17 (1) IN GENERAL.—The Federal Election Com-  
 18 mission is authorized to make grants to States to  
 19 provide for the cost of implementing the uniform na-  
 20 tional standards for elections established under sec-  
 21 tion 323 of the Federal Election Campaign Act of  
 22 1971.

23 (2) USE OF FUNDS.—A State may use a grant  
 24 received under paragraph (1) for costs in relation to

1 compliance with the uniform national standards for  
2 elections established by the Federal Election Com-  
3 mission.

4 (3) APPLICATION.—Each State that desires to  
5 receive a grant under this subsection shall submit an  
6 application to the Federal Election Commission, at  
7 such time, in such manner, and accompanied by  
8 such information as reasonably required by the regu-  
9 lations promulgated under paragraph (5).

10 (4) APPROVAL OF APPLICATION.—The Federal  
11 Election Commission shall approve an application in  
12 accordance with the standards required under para-  
13 graph (5).

14 (5) ADMINISTRATIVE REGULATIONS.—The Fed-  
15 eral Election Commission shall issue regulations re-  
16 garding grants under this subsection that provide  
17 for the following:

18 (A) The application process.

19 (B) The content of an application.

20 (C) The standard amount of each grant.

21 (D) The criteria for approval of an applica-  
22 tion.

23 (6) AUTHORIZATION OF APPROPRIATIONS.—

24 (A) IN GENERAL.—There is authorized to  
25 be appropriated \$100,000,000 for each of fiscal

1           years 2002 through 2011 to carry out the pro-  
2           visions of this subsection.

3                   (B) AVAILABILITY OF FUNDS.—Such  
4           funds shall remain available until expended.

5           (7) REPORTS.—Not later than 1 year after the  
6           date of enactment of this Act and annually there-  
7           after, the Federal Election Commission shall submit  
8           to Congress a report on the activities under this sub-  
9           section.

10 **SEC. 3. CHANGE IN GENERAL ELECTION DATE.**

11           (a) ELECTORS.—Section 1 of title 3, United States  
12           Code, is amended by striking “on the Tuesday next after  
13           the first Monday” and inserting “on the first consecutive  
14           Saturday and Sunday prior to the first Monday”.

15           (b) CONGRESSIONAL ELECTIONS.—Section 25 of the  
16           Revised Statutes (2 U.S.C. 7) is amended to read as fol-  
17           lows:

18                   “SEC. 25. The first consecutive Saturday and Sunday  
19           prior to the first Monday in November, in every even num-  
20           bered year, are established as the days for the election,  
21           in each of the States and Territories of the United States,  
22           of Representatives and Delegates to the Congress com-  
23           mencing on the 3d day of January thereafter.”.

1 **SEC. 4. VOTER REGISTRATION IN FEDERAL ELECTIONS.**

2 Section 4 of the National Voter Registration Act of  
3 1993 (42 U.S.C. 1973gg-2) is amended by adding at the  
4 end the following:

5 “(c) **SAME DAY REGISTRATION.**—Notwithstanding  
6 any other Federal or State law, each State shall establish  
7 procedures to allow voters in the State to register to vote  
8 at the polling place at the time of voting in a general elec-  
9 tion for Federal office.”.

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