

AMENDMENT TO H.R. 1

OFFERED BY M .

Page 2, line 9, strike “Finance” and insert “Finance.”.

In the item relating to section 9001 in the table of contents of the bill, strike “Congress” and insert “Congress”.

Page 16, line 5, strike “and” and insert “to prevent and remedy discrimination in voting, and”.

Page 17, line 18, strike the period and insert the following: “, and to address partisan gerrymandering, *Rucho v. Common Cause*, 588 U. S. _____, 32-33 (2019).”

Page 18, line 25, strike “is denied” and insert “is abridged or denied”.

Page 22, line 9, strike “If any action is brought” and insert “For any action brought”.

Page 22, line 11, insert “or lawfulness” after “constitutionality”.

Page 22, line 19, add after the period the following:
“These courts, and the Supreme Court of the United

States on a writ of certiorari (if such a writ is issued), shall have exclusive jurisdiction to hear such actions.”.

Page 22, strike line 24 and all that follows through page 23, line 5 and insert the following (and redesignate the succeeding provision accordingly):

1 (3) It shall be the duty of the United States
2 District Court for the District of Columbia and the
3 Court of Appeals for the District of Columbia Cir-
4 cuit to advance on the docket and to expedite to the
5 greatest possible extent the disposition of the action
6 and appeal.

7 (b) CLARIFYING SCOPE OF JURISDICTION.—If an ac-
8 tion at the time of its commencement is not subject to
9 subsection (a), but an amendment, counterclaim, cross-
10 claim, affirmative defense, or any other pleading or motion
11 is filed challenging, whether facially or as-applied, the con-
12 stitutionality or lawfulness of this Act or any amendment
13 made by this Act or any rule or regulation promulgated
14 under this Act, the district court shall transfer the action
15 to the District Court for the District of Columbia, and
16 the action shall thereafter be conducted pursuant to sub-
17 section (a).

Page 27, strike lines 6 through 8 and insert the fol-
lowing:

1 (1) the ability of all eligible citizens of the
2 United States to access and exercise their constitu-
3 tional right to vote in a free, fair, and timely manner
4 must be vigilantly enhanced, protected, and main-
5 tained; and

Page 53, line 22, strike “Each” and insert “Except as otherwise provided in this section, each”.

Page 53, line 25, strike “or, in the case of an institution of higher education, each registration of a student for enrollment in a course of study”.

Page 54, line 7, strike “ the contributing agency informs the individual of the information described in paragraph (1),” and insert “a contributing agency as described in paragraph (1) informs an individual of the information described in such paragraph, unless the individual has declined to be registered to vote or informs the agency that they are already registered to vote,”.

Page 54, line 14, strike “, unless during such 30-day period the individual declined to be registered to vote”.

Page 55, strike lines 3 through 5 and insert the following:

1 (G) Except in the case in which the con-
2 tributing agency is a covered institution of
3 higher education, in the case of a State in
4 which affiliation or enrollment with a political
5 party is required in order to participate in an
6 election to select the party's candidate in an
7 election for Federal office, information regard-
8 ing the individual's affiliation or enrollment
9 with a political party, but only if the individual
10 provides such information.

Page 59, strike line 21 and all that follows through
page 61, line 6 (and redesignate the succeeding provi-
sions accordingly).

Page 61, insert after line 17 the following:

11 (f) INSTITUTIONS OF HIGHER EDUCATION.—

12 (1) IN GENERAL.—Each covered institution of
13 higher education shall be treated as a contributing
14 agency in the State in which the institution is lo-
15 cated with respect to in-State students.

16 (2) PROCEDURES.—

17 (A) IN GENERAL.—Notwithstanding sec-
18 tion 444 of the General Education Provisions
19 Act (20 U.S.C. 1232g; commonly referred to as
20 the 'Family Educational Rights and Privacy

1 Act of 1974”) or any other provision of law,
2 each covered institution of higher education
3 shall comply with the requirements of sub-
4 section (b) with respect to each in-State stu-
5 dent.

6 (B) RULES FOR COMPLIANCE.—In com-
7 plying with the requirements described in sub-
8 paragraph (A), the institution—

9 (i) may use information provided in
10 the Free Application for Federal Student
11 Aid described in section 483 of the Higher
12 Education Act of 1965 (20 U.S.C. 1090)
13 to collect information described in para-
14 graph (3) of such subsection for purposes
15 of transmitting such information to the ap-
16 propriate State election official pursuant to
17 such paragraph; and

18 (ii) shall not be required to prevent or
19 delay students from enrolling in a course
20 of study or otherwise impede the comple-
21 tion of the enrollment process; and (iii)
22 shall not withhold, delay, or impede the
23 provision of Federal financial aid provided
24 under title IV of the Higher Education Act
25 of 1965.

1 (C) CLARIFICATION.—Nothing in this part
2 may be construed to require an institution of
3 higher education to request each student to af-
4 firm whether or not the student is a United
5 States citizen or otherwise collect information
6 with respect to citizenship.

7 (3) DEFINITIONS.—

8 (A) COVERED INSTITUTION OF HIGHER
9 EDUCATION.—In this section, the term “covered
10 institution of higher education” means an insti-
11 tution of higher education that—

12 (i) has a program participation agree-
13 ment in effect with the Secretary of Edu-
14 cation under section 487 of the Higher
15 Education Act of 1965 (20 U.S.C. 1094);

16 (ii) in its normal course of operations,
17 requests each in-State student enrolling in
18 the institution to affirm whether or not the
19 student is a United States citizen; and

20 (iii) is located in a State to which sec-
21 tion 4(b)(1) of the National Voter Reg-
22 istration Act of 1993 (52 U.S.C.
23 20503(b)(1)) does not apply.

24 (B) IN-STATE STUDENT.—In this section,
25 the term “in-State student”—

- 1 (i) means a student enrolled in a cov-
2 ered institution of higher education who,
3 for purposes related to in-State tuition, fi-
4 nancial aid eligibility, or other similar pur-
5 poses, resides in the State; and
- 6 (ii) includes a student described in
7 clause (i) who is enrolled in a program of
8 distance education, as defined in section
9 103 of the Higher Education Act of 1965
10 (20 U.S.C. 1003).

Page 89, line 9, strike “fiscal year 2020” and insert “fiscal year 2022”.

Page 166, line 16, insert “of the jurisdiction in which the individual is registered” after “official”.

Page 170, line 6, strike “during early voting” and insert “during in-person early voting”.

Page 173, strike lines 10 through 15 (and redesignate the succeeding provision accordingly).

Page 177, line 24, strike “and”.

Page 178, line 3, strike the period and insert “; and”.

Page 178, insert after line 3 the following:

1 “(iii) of the officials who make the de-
2 termination, at least one is affiliated with
3 the political party whose candidate received
4 the most votes in the most recent statewide
5 election for Federal office held in the State
6 and at least one is affiliated with the polit-
7 ical party whose candidate received the
8 second most votes in the most recent state-
9 wide election for Federal office held in the
10 State.”.

Page 178, line 8, insert “and the Commission” after
“Congress”.

Page 179, strike line 15 and all that follows through
page 181, line 8 and insert the following:

11 “(c) TRANSMISSION OF APPLICATIONS, BALLOTS,
12 AND BALLOTING MATERIALS TO VOTERS.—

13 “(1) AUTOMATIC TRANSMISSION OF ABSENTEE
14 BALLOT APPLICATIONS BY MAIL.—

15 “(A) TRANSMISSION OF APPLICATIONS.—

16 Not later than 60 days before the date of an
17 election for Federal office, the appropriate
18 State or local election official shall transmit by
19 mail an application for an absentee ballot for
20 the election to each individual who is registered

1 to vote in the election, or, in the case of any
2 State that does not register voters, all individ-
3 uals who are in the State’s central voter file (or
4 if the State does not keep a central voter file,
5 all individuals who are eligible to vote in such
6 election).

7 “(B) EXCEPTION FOR INDIVIDUALS AL-
8 READY RECEIVING APPLICATIONS AUTOMATI-
9 CALLY.—Subparagraph (A) does not apply with
10 respect to an individual to whom the State is
11 already required to transmit an application for
12 an absentee ballot for the election because the
13 individual exercised the option described in sub-
14 paragraph (D) of paragraph (2) to treat an ap-
15 plication for an absentee ballot in a previous
16 election for Federal office in the State as an ap-
17 plication for an absentee ballot in all subse-
18 quent elections for Federal office in the State.

19 “(C) EXCEPTION FOR STATES TRANSMIT-
20 TING BALLOTS WITHOUT APPLICATION.—Sub-
21 paragraph (A) does not apply with respect to a
22 State which transmits a ballot in an election for
23 Federal office in the State to a voter prior to
24 the date of the election without regard to

1 whether or not the voter submitted an applica-
2 tion for the ballot to the State.

3 “(D) RULE OF CONSTRUCTION.—Nothing
4 in this paragraph may be construed to prohibit
5 an individual from submitting to the appro-
6 priate State or local election official an applica-
7 tion for an absentee ballot in an election for
8 Federal office, including through the methods
9 described in paragraph (2).

10 “(2) OTHER METHODS FOR APPLYING FOR AB-
11 SENTEE BALLOT.—

12 “(A) IN GENERAL.—In addition to such
13 other methods as the State may establish for an
14 individual to apply for an absentee ballot, the
15 State shall permit an individual—

16 “(i) to submit an application for an
17 absentee ballot online; and

18 “(ii) to submit an application for an
19 absentee ballot through the use of an auto-
20 mated telephone-based system, subject to
21 the same terms and conditions applicable
22 under this paragraph to the services made
23 available online.

24 “(B) TREATMENT OF WEBSITES.—The
25 State shall be considered to meet the require-

1 ments of subparagraph (A)(i) if the website of
2 the appropriate State or local election official
3 allows an application for an absentee ballot to
4 be completed and submitted online and if the
5 website permits the individual—

6 “(i) to print the application so that
7 the individual may complete the application
8 and return it to the official; or

9 “(ii) request that a paper copy of the
10 application be transmitted to the individual
11 by mail or electronic mail so that the indi-
12 vidual may complete the application and
13 return it to the official.

14 “(C) ENSURING DELIVERY PRIOR TO
15 ELECTION.—If an individual who is eligible to
16 vote in an election for Federal office submits an
17 application for an absentee ballot in the elec-
18 tion, the appropriate State or local election offi-
19 cial shall ensure that the ballot and relating
20 voting materials are received by the individual
21 prior to the date of the election so long as the
22 individual’s application is received by the offi-
23 cial not later than 5 days (excluding Saturdays,
24 Sundays, and legal public holidays) before the
25 date of the election, except that nothing in this

1 paragraph shall preclude a State or local juris-
2 diction from allowing for the acceptance and
3 processing of absentee ballot applications sub-
4 mitted or received after such required period.

5 “(D) APPLICATION FOR ALL FUTURE
6 ELECTIONS.—At the option of an individual, a
7 State shall treat the individual’s application to
8 vote by absentee ballot by mail in an election
9 for Federal office as an application for an ab-
10 sentee ballot by mail in all subsequent Federal
11 elections held in the State.”.

Page 181, line 24, strike “postmarked, signed, or otherwise” and insert “postmarked or otherwise”.

Page 182, line 2, strike the semicolon and insert the following: “, or has been signed by the voter on or before the date of the election;”.

Page 186, line 21, strike “COUNTED” and insert “ACCEPTED”.

Page 186, line 24, strike “counted” and insert “accepted”.

Page 186, line 25, strike “not counted” and insert “rejected”.

Page 192, insert after line 15 the following (and re-designate the succeeding provisions accordingly):

1 “(b) In the case of any election mail carried by the
2 Postal Service that consists of a ballot, the Postal Service
3 shall indicate on the ballot envelope, using a postmark or
4 otherwise—

5 “(1) the fact that the ballot was carried by the
6 Postal Service; and

7 “(2) the date on which the ballot was mailed.”.

Page 193, insert after line 5 the following (and re-designate the succeeding provision accordingly):

8 (2) MAIL-IN BALLOTS AND POSTAL SERVICE
9 BARCODE SERVICE.—

10 (A) IN GENERAL.—Section 3001 of title
11 39, United States Code, is amended by adding
12 at the end the following:

13 “(p) Any ballot sent within the United States for an
14 election for Federal office is nonmailable and shall not be
15 carried or delivered by mail unless the ballot is mailed in
16 an envelope that—

17 “(1) contains a Postal Service barcode (or suc-
18 cessive service or marking) that enables tracking of
19 each individual ballot;

1 “(2) satisfies requirements for ballot envelope
2 design that the Postal Service may promulgate by
3 regulation;

4 “(3) satisfies requirements for machineable let-
5 ters that the Postal Service may promulgate by reg-
6 ulation; and

7 “(4) includes the Official Election Mail Logo
8 (or any successor label that the Postal Service may
9 establish for ballots).”.

10 (B) APPLICATION.—The amendment made
11 by subsection (a) shall apply to any election for
12 Federal office occurring after the date of enact-
13 ment of this Act.

Page 207, line 15, strike “November 2020” and in-
sert “November 2022”.

Page 219, line 21, strike “2020” and insert “2021”.

Page 226, line 3, strike “2020” and insert “2021”.

Page 262, line 19, strike “**PART 3**” and insert
“**PART 4**”.

Strike page 268, line 4, through page 270, line 17,
and insert the following:

1 **SEC. 2001. FINDINGS REAFFIRMING COMMITMENT OF CON-**
2 **GRESS TO RESTORE THE VOTING RIGHTS**
3 **ACT.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The right to vote for all Americans is a fun-
6 damental right guaranteed by the United States
7 Constitution.

8 (2) Federal, State, and local governments
9 should protect the right to vote and promote voter
10 participation across all demographics.

11 (3) The Voting Rights Act has empowered the
12 Department of Justice and Federal courts for nearly
13 a half a century to block discriminatory voting prac-
14 tices before their implementation in States and local-
15 ities with the most troubling histories, ongoing
16 records of racial discrimination, and demonstrations
17 of lower participation rates for protected classes.

18 (4) There continues to be an alarming move-
19 ment to erect barriers to make it more difficult for
20 Americans to participate in our Nation's democratic
21 process. The Nation has witnessed unprecedented ef-
22 forts to turn back the clock and enact suppressive
23 laws that block access to the franchise for commu-
24 nities of color which have faced historic and con-
25 tinuing discrimination, as well as disabled, young, el-
26 derly, and low-income Americans.

1 (5) The Supreme Court’s decision in *Shelby*
2 *County v. Holder* (570 U.S. 529 (2013)), gutted
3 decades-long Federal protections for communities of
4 color and language-minority populations facing ongo-
5 ing discrimination, emboldening States and local ju-
6 risdictions to pass voter suppression laws and imple-
7 ment procedures, like those requiring photo identi-
8 fication, limiting early voting hours, eliminating
9 same-day registration, purging voters from the rolls,
10 and reducing the number of polling places.

11 (6) Racial discrimination in voting is a clear
12 and persistent problem. The actions of States and
13 localities around the country post-Shelby County, in-
14 cluding at least 10 findings by Federal courts of in-
15 tentional discrimination, underscored the need for
16 Congress to conduct investigatory and evidentiary
17 hearings to determine the legislation necessary to re-
18 store the Voting Rights Act and combat continuing
19 efforts in America that suppress the free exercise of
20 the franchise in Black and other communities of
21 color.

22 (7) Evidence of discriminatory voting practice
23 spans from decades ago through to the past several
24 election cycles. The 2018 midterm elections, for ex-

1 ample, demonstrated ongoing discrimination in vot-
2 ing.

3 (8) During the 116th Congress, congressional
4 committees in the House of Representatives held nu-
5 merous hearings, collecting substantial testimony
6 and other evidence which underscored the need to
7 pass a restoration of the Voting Rights Act.

8 (9) On December 6, 2019, the House of Rep-
9 resentatives passed the John R. Lewis Voting Rights
10 Advancement Act, which would restore and mod-
11 ernize the Voting Rights Act, in accordance with
12 language from the *Shelby County* decision. Congress
13 reaffirms that the barriers faced by too many voters
14 across this Nation when trying to cast their ballot
15 necessitate reintroduction of many of the protections
16 once afforded by the Voting Rights Act.

17 (10) The 2020 primary and general elections
18 provide further evidence that systemic voter dis-
19 crimination and intimidation continues to occur in
20 communities of color across the country, making it
21 clear that full access to the franchise will not be
22 achieved until Congress restores key provisions of
23 the Voting Rights Act.

24 (11) As of late-February 2021, 43 States had
25 introduced, prefiled, or carried over 253 bills to re-

1 strict voting access that, primarily, limit mail voting
2 access, impose stricter voter ID requirements, slash
3 voter registration opportunities, and/or enable more
4 aggressive voter roll purges.

5 (b) PURPOSES.—The purposes of this Act are as fol-
6 lows:

7 (1) To improve access to the ballot for all citi-
8 zens.

9 (2) To establish procedures by which States
10 and localities, in accordance with past actions, sub-
11 mit voting practice changes for preclearance by the
12 Federal Government.

13 (3) To enhance the integrity and security of our
14 voting systems.

15 (4) To ensure greater accountability for the ad-
16 ministration of elections by States and localities.

17 (5) To restore protections for voters against
18 practices in States and localities plagued by the per-
19 sistence of voter disenfranchisement.

20 (6) To ensure that Federal civil rights laws pro-
21 tect the rights of voters against discriminatory and
22 deceptive practices.

Page 285, line 7, strike “who not” and insert “who
are not”.

Page 286, insert after line 9 the following:

1 **SEC. 2403. CRITERIA FOR REDISTRICTING.**

2 (a) CRITERIA.—Under the redistricting plan of a
3 State, there shall be established single-member congres-
4 sional districts using the following criteria as set forth in
5 the following order of priority:

6 (1) Districts shall comply with the United
7 States Constitution, including the requirement that
8 they equalize total population.

9 (2) Districts shall comply with the Voting
10 Rights Act of 1965 (52 U.S.C. 10301 et seq.), in-
11 cluding by creating any districts where two or more
12 politically cohesive groups protected by such Act are
13 able to elect representatives of choice in coalition
14 with one another, and all applicable Federal laws.

15 (3) Districts shall be drawn, to the extent that
16 the totality of the circumstances warrant, to ensure
17 the practical ability of a group protected under the
18 Voting Rights Act of 1965 (52 U.S.C. 10301 et
19 seq.) to participate in the political process and to
20 nominate candidates and to elect representatives of
21 choice is not diluted or diminished, regardless of
22 whether or not such protected group constitutes a
23 majority of a district's citizen voting age population.

24 (4) Districts shall respect communities of inter-
25 est, neighborhoods, and political subdivisions to the
26 extent practicable and after compliance with the re-

1 requirements of paragraphs (1) through (3). A com-
2 munity of interest is defined as an area with recog-
3 nized similarities of interests, including but not lim-
4 ited to ethnic, racial, economic, tribal, social, cul-
5 tural, geographic or historic identities. The term
6 communities of interest may, in certain cir-
7 cumstances, include political subdivisions such as
8 counties, municipalities, tribal lands and reserva-
9 tions, or school districts, but shall not include com-
10 mon relationships with political parties or political
11 candidates.

12 (b) NO FAVORING OR DISFAVORING OF POLITICAL
13 PARTIES.—

14 (1) PROHIBITION.—The redistricting plan en-
15 acted by a State shall not, when considered on a
16 Statewide basis, be drawn with the intent or the ef-
17 fect of unduly favoring or disfavoring any political
18 party.

19 (2) DETERMINATION OF EFFECT.—

20 (A) TOTALITY OF CIRCUMSTANCES.—For
21 purposes of paragraph (1), the determination of
22 whether a redistricting plan has the effect of
23 unduly favoring or disfavoring a political party
24 shall be based on the totality of circumstances,

1 including evidence regarding the durability and
2 severity of a plan's partisan bias.

3 (B) PLANS DEEMED TO HAVE EFFECT OF
4 UNDULY FAVORING OR DISFAVORING A POLIT-
5 ICAL PARTY.—Without limiting other ways in
6 which a redistricting plan may be determined to
7 have the effect of unduly favoring or disfavoring
8 a political party under the totality of cir-
9 cumstances under subparagraph (A), a redis-
10 tricting plan shall be deemed to have the effect
11 of unduly favoring or disfavoring a political
12 party if—

13 (i) modeling based on relevant histor-
14 ical voting patterns shows that the plan is
15 statistically likely to result in a partisan
16 bias of more than one seat in States with
17 20 or fewer congressional districts or a
18 partisan bias of more than 2 seats in
19 States with more than 20 congressional
20 districts, as determined using quantitative
21 measures of partisan fairness, which may
22 include, but are not limited to, the seats-
23 to-votes curve for an enacted plan, the effi-
24 ciency gap, the declination, partisan asym-

1 metry, and the mean-median difference,
2 and

3 (ii) alternative plans, which may in-
4 clude, but are not limited to, those gen-
5 erated by redistricting algorithms, exist
6 that could have complied with the require-
7 ments of law and not been in violation of
8 paragraph (1).

9 (3) DETERMINATION OF INTENT.—For pur-
10 poses of paragraph (A), a rebuttable presumption
11 shall exist that a redistricting plan enacted by the
12 legislature of a State was not enacted with the in-
13 tent of unduly favoring or disfavoring a political
14 party if the plan was enacted with the support of at
15 least a third of the members of the second largest
16 political party in each house of the legislature.

17 (4) NO VIOLATION BASED ON CERTAIN CRI-
18 TERIA.—No redistricting plan shall be found to be
19 in violation of paragraph (1) because of partisan
20 bias attributable to the application of the criteria set
21 forth in paragraphs (1), (2), or (3) of subsection (a),
22 unless one or more alternative plans could have com-
23 plied with such paragraphs without having the effect
24 of unduly favoring or disfavoring a political party.

1 (c) FACTORS PROHIBITED FROM CONSIDERATION.—

2 In developing the redistricting plan for the State, the inde-
3 pendent redistricting commission may not take into con-
4 sideration any of the following factors, except to the extent
5 necessary to comply with the criteria described in para-
6 graphs (1) through (3) of subsection (a), subsection (b),
7 and to enable the redistricting plan to be measured
8 against the external metrics described in section 2413(d):

9 (1) The residence of any Member of the House
10 of Representatives or candidate.

11 (2) The political party affiliation or voting his-
12 tory of the population of a district.

13 (d) APPLICABILITY.—This section applies to any au-
14 thority, whether appointed, elected, judicial, or otherwise,
15 that designs or enacts a congressional redistricting plan
16 of a State.

17 (e) SEVERABILITY OF CRITERIA.—If any of the cri-
18 teria set forth in this section, or the application of such
19 criteria to any person or circumstance, is held to be uncon-
20 stitutional, the remaining criteria set forth in this section,
21 and the application of such criteria to any person or cir-
22 cumstance, shall not be affected by the holding.

Page 307, line 13, strike “shall” and insert “shall,
by majority vote”.

Page 309, line 2, strike “shall” and insert “shall, by majority vote”.

Page 310, line 17, strike “shall” and insert “shall, by majority vote”.

Amend section 2413 to read as follows:

1 **SEC. 2413. PUBLIC NOTICE AND INPUT.**

2 (a) PUBLIC NOTICE AND INPUT.—

3 (1) USE OF OPEN AND TRANSPARENT PROC-
4 ESS.—The independent redistricting commission of a
5 State shall hold each of its meetings in public, shall
6 solicit and take into consideration comments from
7 the public, including proposed maps, throughout the
8 process of developing the redistricting plan for the
9 State, and shall carry out its duties in an open and
10 transparent manner which provides for the widest
11 public dissemination reasonably possible of its pro-
12 posed and final redistricting plans.

13 (2) WEBSITE.—

14 (A) FEATURES.—The commission shall
15 maintain a public Internet site which is not af-
16 filiated with or maintained by the office of any
17 elected official and which includes the following
18 features:

1 (i) General information on the com-
2 mission, its role in the redistricting proc-
3 ess, and its members, including contact in-
4 formation.

5 (ii) An updated schedule of commis-
6 sion hearings and activities, including
7 deadlines for the submission of comments.

8 (iii) All draft redistricting plans devel-
9 oped by the commission under subsection
10 (b) and the final redistricting plan devel-
11 oped under subsection (c), including the
12 accompanying written evaluation under
13 subsection (d).

14 (iv) All comments received from the
15 public on the commission's activities, in-
16 cluding any proposed maps submitted
17 under paragraph (1).

18 (v) Live streaming of commission
19 hearings and an archive of previous meet-
20 ings, including any documents considered
21 at any such meeting, which the commission
22 shall post not later than 24 hours after the
23 conclusion of the meeting.

24 (vi) Access in an easily useable format
25 to the demographic and other data used by

1 the commission to develop and analyze the
2 proposed redistricting plans, together with
3 access to any software used to draw maps
4 of proposed districts and to any reports
5 analyzing and evaluating any such maps.

6 (vii) A method by which members of
7 the public may submit comments and pro-
8 posed maps directly to the commission.

9 (viii) All records of the commission,
10 including all communications to or from
11 members, employees, and contractors re-
12 garding the work of the commission.

13 (ix) A list of all contractors receiving
14 payment from the commission, together
15 with the annual disclosures submitted by
16 the contractors under section 2411(c)(3).

17 (x) A list of the names of all individ-
18 uals who submitted applications to serve
19 on the commission, together with the appli-
20 cations submitted by individuals included
21 in any selection pool, except that the com-
22 mission may redact from such applications
23 any financial or other personally sensitive
24 information.

1 (B) SEARCHABLE FORMAT.—The commis-
2 sion shall ensure that all information posted
3 and maintained on the site under this para-
4 graph, including information and proposed
5 maps submitted by the public, shall be main-
6 tained in an easily searchable format.

7 (C) DEADLINE.—The commission shall en-
8 sure that the public internet site under this
9 paragraph is operational (in at least a prelimi-
10 nary format) not later than January 1 of the
11 year ending in the numeral one.

12 (3) PUBLIC COMMENT PERIOD.—The commis-
13 sion shall solicit, accept, and consider comments
14 from the public with respect to its duties, activities,
15 and procedures at any time during the period—

16 (A) which begins on January 1 of the year
17 ending in the numeral one; and

18 (B) which ends 7 days before the date of
19 the meeting at which the commission shall vote
20 on approving the final redistricting plan for en-
21 actment into law under subsection (c)(2).

22 (4) MEETINGS AND HEARINGS IN VARIOUS GEO-
23 GRAPHIC LOCATIONS.—To the greatest extent prac-
24 ticable, the commission shall hold its meetings and

1 hearings in various geographic regions and locations
2 throughout the State.

3 (5) MULTIPLE LANGUAGE REQUIREMENTS FOR
4 ALL NOTICES.—The commission shall make each no-
5 tice which is required to be posted and published
6 under this section available in any language in which
7 the State (or any jurisdiction in the State) is re-
8 quired to provide election materials under section
9 203 of the Voting Rights Act of 1965.

10 (b) DEVELOPMENT AND PUBLICATION OF PRELIMI-
11 NARY REDISTRICTING PLAN.—

12 (1) IN GENERAL.—Prior to developing and pub-
13 lishing a final redistricting plan under subsection
14 (c), the independent redistricting commission of a
15 State shall develop and publish a preliminary redis-
16 tricting plan.

17 (2) MINIMUM PUBLIC HEARINGS AND OPPOR-
18 TUNITY FOR COMMENT PRIOR TO DEVELOPMENT.—

19 (A) 3 HEARINGS REQUIRED.—Prior to de-
20 veloping a preliminary redistricting plan under
21 this subsection, the commission shall hold not
22 fewer than 3 public hearings at which members
23 of the public may provide input and comments
24 regarding the potential contents of redistricting
25 plans for the State and the process by which

1 the commission will develop the preliminary
2 plan under this subsection.

3 (B) MINIMUM PERIOD FOR NOTICE PRIOR
4 TO HEARINGS.—Not fewer than 14 days prior
5 to the date of each hearing held under this
6 paragraph, the commission shall post notices of
7 the hearing in on the website maintained under
8 subsection (a)(2), and shall provide for the pub-
9 lication of such notices in newspapers of general
10 circulation throughout the State. Each such no-
11 tice shall specify the date, time, and location of
12 the hearing.

13 (C) SUBMISSION OF PLANS AND MAPS BY
14 MEMBERS OF THE PUBLIC.—Any member of
15 the public may submit maps or portions of
16 maps for consideration by the commission. As
17 provided under subsection (a)(2)(A), any such
18 map shall be made publicly available on the
19 commission's website and open to comment.

20 (3) PUBLICATION OF PRELIMINARY PLAN.—

21 (A) IN GENERAL.—The commission shall
22 post the preliminary redistricting plan devel-
23 oped under this subsection, together with a re-
24 port that includes the commission's responses
25 to any public comments received under sub-

1 section (a)(3), on the website maintained under
2 subsection (a)(2), and shall provide for the pub-
3 lication of each such plan in newspapers of gen-
4 eral circulation throughout the State.

5 (B) MINIMUM PERIOD FOR NOTICE PRIOR
6 TO PUBLICATION.—Not fewer than 14 days
7 prior to the date on which the commission posts
8 and publishes the preliminary plan under this
9 paragraph, the commission shall notify the pub-
10 lic through the website maintained under sub-
11 section (a)(2), as well as through publication of
12 notice in newspapers of general circulation
13 throughout the State, of the pending publica-
14 tion of the plan.

15 (4) MINIMUM POST-PUBLICATION PERIOD FOR
16 PUBLIC COMMENT.—The commission shall accept
17 and consider comments from the public (including
18 through the website maintained under subsection
19 (a)(2)) with respect to the preliminary redistricting
20 plan published under paragraph (3), including pro-
21 posed revisions to maps, for not fewer than 30 days
22 after the date on which the plan is published.

23 (5) POST-PUBLICATION HEARINGS.—

24 (A) 3 HEARINGS REQUIRED.—After post-
25 ing and publishing the preliminary redistricting

1 plan under paragraph (3), the commission shall
2 hold not fewer than 3 public hearings in dif-
3 ferent geographic areas of the State at which
4 members of the public may provide input and
5 comments regarding the preliminary plan.

6 (B) MINIMUM PERIOD FOR NOTICE PRIOR
7 TO HEARINGS.—Not fewer than 14 days prior
8 to the date of each hearing held under this
9 paragraph, the commission shall post notices of
10 the hearing in on the website maintained under
11 subsection (a)(2), and shall provide for the pub-
12 lication of such notices in newspapers of general
13 circulation throughout the State. Each such no-
14 tice shall specify the date, time, and location of
15 the hearing.

16 (6) PERMITTING MULTIPLE PRELIMINARY
17 PLANS.—At the option of the commission, after de-
18 veloping and publishing the preliminary redistricting
19 plan under this subsection, the commission may de-
20 velop and publish subsequent preliminary redis-
21 tricting plans, so long as the process for the develop-
22 ment and publication of each such subsequent plan
23 meets the requirements set forth in this subsection
24 for the development and publication of the first pre-
25 liminary redistricting plan.

1 (c) PROCESS FOR ENACTMENT OF FINAL REDIS-
2 TRICTING PLAN.—

3 (1) IN GENERAL.—After taking into consider-
4 ation comments from the public on any preliminary
5 redistricting plan developed and published under
6 subsection (b), the independent redistricting commis-
7 sion of a State shall develop and publish a final re-
8 districting plan for the State.

9 (2) MEETING; FINAL VOTE.—Not later than the
10 deadline specified in subsection (e), the commission
11 shall hold a public hearing at which the members of
12 the commission shall vote on approving the final
13 plan for enactment into law.

14 (3) PUBLICATION OF PLAN AND ACCOMPANYING
15 MATERIALS.—Not fewer than 14 days before the
16 date of the meeting under paragraph (2), the com-
17 mission shall provide the following information to
18 the public through the website maintained under
19 subsection (a)(2), as well as through newspapers of
20 general circulation throughout the State:

21 (A) The final redistricting plan, including
22 all relevant maps.

23 (B) A report by the commission to accom-
24 pany the plan which provides the background
25 for the plan and the commission's reasons for

1 selecting the plan as the final redistricting plan,
2 including responses to the public comments re-
3 ceived on any preliminary redistricting plan de-
4 veloped and published under subsection (b).

5 (C) Any dissenting or additional views with
6 respect to the plan of individual members of the
7 commission.

8 (4) ENACTMENT.—Subject to paragraph (5),
9 the final redistricting plan developed and published
10 under this subsection shall be deemed to be enacted
11 into law upon the expiration of the 45-day period
12 which begins on the date on which—

13 (A) such final plan is approved by a major-
14 ity of the whole membership of the commission;
15 and

16 (B) at least one member of the commission
17 appointed from each of the categories of the ap-
18 proved selection pool described in section
19 2412(b)(1) approves such final plan.

20 (5) REVIEW BY DEPARTMENT OF JUSTICE.—

21 (A) REQUIRING SUBMISSION OF PLAN FOR
22 REVIEW.—The final redistricting plan shall not
23 be deemed to be enacted into law unless the
24 State submits the plan to the Department of
25 Justice for an administrative review to deter-

1 mine if the plan is in compliance with the cri-
2 teria described in subparagraphs (B) and (C) of
3 section 2413(a)(1).

4 (B) TERMINATION OF REVIEW.—The De-
5 partment of Justice shall terminate any admin-
6 istrative review under subparagraph (A) if, dur-
7 ing the 45-day period which begins on the date
8 the plan is enacted into law, an action is filed
9 in a United States district court alleging that
10 the plan is not in compliance with the criteria
11 described in subparagraphs (B) and (C) of sec-
12 tion 2413(a)(1).

13 (d) WRITTEN EVALUATION OF PLAN AGAINST EX-
14 TERNAL METRICS.—The independent redistricting com-
15 mission shall include with each redistricting plan devel-
16 oped and published under this section a written evaluation
17 that measures each such plan against external metrics
18 which cover the criteria set forth in section 2403(a), in-
19 cluding the impact of the plan on the ability of commu-
20 nities of color to elect candidates of choice, measures of
21 partisan fairness using multiple accepted methodologies,
22 and the degree to which the plan preserves or divides com-
23 munities of interest.

24 (e) TIMING.—The independent redistricting commis-
25 sion of a State may begin its work on the redistricting

1 plan of the State upon receipt of relevant population infor-
2 mation from the Bureau of the Census, and shall approve
3 a final redistricting plan for the State in each year ending
4 in the numeral one not later than 8 months after the date
5 on which the State receives the State apportionment notice
6 or October 1, whichever occurs later.

Page 328, insert after line 22 the following:

7 (5) RULE OF CONSTRUCTION.—Nothing in this
8 subsection may be construed to prohibit the leader
9 of any political party in a legislature from appoint-
10 ment to the Select Committee on Redistricting.

Page 330, line 19, strike “2413(a)” and insert
“2403”.

Page 332, line 3, strike “2413(e)” and insert
“2413(d)”.

Page 333, line 19, strike “2413(f)” and insert
“2413(e)”.

Page 338, insert after line 4 the following (and re-
designate the succeeding provisions accordingly):

11 (c) REMEDIES.—

12 (1) ADOPTION OF REPLACEMENT PLAN.—

13 (A) IN GENERAL.—If the district court in
14 an action under this section finds that the con-

1 gressional redistricting plan of a State violates,
2 in whole or in part, the requirements of this
3 subtitle—

4 (i) the Court shall adopt a replace-
5 ment congressional redistricting plan for
6 the State in accordance with the process
7 set forth in section 2421; or

8 (ii) if circumstances warrant and no
9 delay to an upcoming regularly scheduled
10 election for the House of Representatives
11 in the State would result, the district court
12 may allow a State to develop and propose
13 a remedial congressional redistricting plan
14 for consideration by the court, and such
15 remedial plan may be developed by the
16 State by adopting such appropriate
17 changes to the State's enacted plan as may
18 be ordered by the court.

19 (B) SPECIAL RULE IN CASE FINAL ADJU-
20 DICATION NOT EXPECTED WITHIN 3 MONTHS
21 OF ELECTION.—If final adjudication of an ac-
22 tion under this section is not reasonably ex-
23 pected to be completed at least three months
24 prior to the next regularly scheduled election
25 for the House of Representatives in the State,

1 the district court shall, as the balance of equi-
2 ties warrant,—

3 (i) order development, adoption, and
4 use of an interim congressional redistricting
5 plan in accordance with section
6 2421(e) to address any claims under this
7 title for which a party seeking relief has
8 demonstrated a substantial likelihood of
9 success; or

10 (ii) order adjustments to the timing of
11 primary elections for the House of Rep-
12 resentatives, as needed, to allow sufficient
13 opportunity for adjudication of the matter
14 and adoption of a remedial or replacement
15 plan for use in the next regularly sched-
16 uled general elections for the House of
17 Representatives.

18 (2) NO INJUNCTIVE RELIEF PERMITTED.—Any
19 remedial or replacement congressional redistricting
20 plan ordered under this subsection shall not be sub-
21 ject to temporary or preliminary injunctive relief
22 from any court unless the record establishes that a
23 writ of mandamus is warranted.

24 (3) NO STAY PENDING APPEAL.—Notwith-
25 standing the appeal of an order finding that a con-

1 gressional redistricting plan of a State violates, in
2 whole or in part, the requirements of this subtitle,
3 no stay shall issue which shall bar the development
4 or adoption of a replacement or remedial plan under
5 this subsection, as may be directed by the district
6 court, pending such appeal.

Page 339, insert after line 24 the following:

7 **PART 5—REQUIREMENTS FOR REDISTRICTING**
8 **CARRIED OUT PURSUANT TO 2020 CENSUS**
9 **Subpart A—Application of Certain Requirements for**
10 **Redistricting Carried Out Pursuant to 2020 Census**
11 **SEC. 2441. APPLICATION OF CERTAIN REQUIREMENTS FOR**
12 **REDISTRICTING CARRIED OUT PURSUANT TO**
13 **2020 CENSUS.**

14 Notwithstanding section 2435, parts 1, 3, and 4 of
15 this subtitle and the amendments made by such parts shall
16 apply with respect to congressional redistricting carried
17 out pursuant to the decennial census conducted during
18 2020 in the same manner as such parts and the amend-
19 ments made by such parts apply with respect to redis-
20 tricting carried out pursuant to the decennial census con-
21 ducted during 2030, except as follows:

22 (1) Except as provided in subsection (c) and
23 subsection (d) of section 2401, the redistricting shall
24 be conducted in accordance with—

1 (A) the redistricting plan developed and
2 enacted into law by the independent redistricting
3 commission established in the State in
4 accordance with subpart B; or

5 (B) if a plan developed by such commission
6 is not enacted into law, the redistricting plan
7 developed and enacted into law by a 3-judge
8 court in accordance with section 2421.

9 (2) If any of the triggering events described in
10 section 2442 occur with respect to the State, the
11 United States district court for the applicable venue
12 shall develop and publish the redistricting plan for
13 the State, in accordance with section 2421, not later
14 than December 15, 2021.

15 (3) For purposes of section 2431(d)(1), the
16 Election Assistance Commission may not make a
17 payment to a State under such section until the
18 State certifies to the Commission that the non-
19 partisan agency established or designated by a State
20 under section 2454(a) has, in accordance with section
21 2452(b)(1), submitted a selection pool to the
22 Select Committee on Redistricting for the State established
23 under section 2454(b).

1 **SEC. 2442. TRIGGERING EVENTS.**

2 For purposes of the redistricting carried out pursuant
3 to the decennial census conducted during 2020, the trig-
4 gering events described in this section are as follows:

5 (1) The failure of the State to establish or des-
6 ignate a nonpartisan agency under section 2454(a)
7 prior to the expiration of the deadline under section
8 2454(a)(6).

9 (2) The failure of the State to appoint a Select
10 Committee on Redistricting under section 2454(b)
11 prior to the expiration of the deadline under section
12 2454(b)(4).

13 (3) The failure of the Select Committee on Re-
14 districting to approve a selection pool under section
15 2452(b) prior to the expiration of the deadline under
16 section 2452(b)(7).

17 (4) The failure of the independent redistricting
18 commission of the State to approve a final redis-
19 tricting plan for the State under section 2453 prior
20 to the expiration of the deadline under section
21 2453(e).

1 **Subpart B—Independent Redistricting Commissions**
2 **for Redistricting Carried Out Pursuant to 2020**
3 **Census**

4 **SEC. 2451. USE OF INDEPENDENT REDISTRICTING COMMIS-**
5 **SIONS FOR REDISTRICTING CARRIED OUT**
6 **PURSUANT TO 2020 CENSUS.**

7 (a) APPOINTMENT OF MEMBERS.—

8 (1) IN GENERAL.—The nonpartisan agency es-
9 tablished or designated by a State under section
10 2454(a) shall establish an independent redistricting
11 commission under this part for the State, which
12 shall consist of 15 members appointed by the agency
13 as follows:

14 (A) Not later than August 5, 2021, the
15 agency shall, at a public meeting held not ear-
16 lier than 15 days after notice of the meeting
17 has been given to the public, first appoint 6
18 members as follows:

19 (i) The agency shall appoint 2 mem-
20 bers on a random basis from the majority
21 category of the approved selection pool (as
22 described in section 2452(b)(1)(A)).

23 (ii) The agency shall appoint 2 mem-
24 bers on a random basis from the minority
25 category of the approved selection pool (as
26 described in section 2452(b)(1)(B)).

1 (iii) The agency shall appoint 2 mem-
2 bers on a random basis from the inde-
3 pendent category of the approved selection
4 pool (as described in section
5 2452(b)(1)(C)).

6 (B) Not later than August 15, 2021, the
7 members appointed by the agency under sub-
8 paragraph (A) shall, at a public meeting held
9 not earlier than 15 days after notice of the
10 meeting has been given to the public, then ap-
11 point 9 members as follows:

12 (i) The members shall appoint 3 mem-
13 bers from the majority category of the ap-
14 proved selection pool (as described in sec-
15 tion 2452(b)(1)(A)).

16 (ii) The members shall appoint 3
17 members from the minority category of the
18 approved selection pool (as described in
19 section 2452(b)(1)(B)).

20 (iii) The members shall appoint 3
21 members from the independent category of
22 the approved selection pool (as described in
23 section 2452(b)(1)(C)).

24 (2) RULES FOR APPOINTMENT OF MEMBERS
25 APPOINTED BY FIRST MEMBERS.—

1 (A) AFFIRMATIVE VOTE OF AT LEAST 4
2 MEMBERS.—The appointment of any of the 9
3 members of the independent redistricting com-
4 mission who are appointed by the first members
5 of the commission pursuant to subparagraph
6 (B) of paragraph (1) shall require the affirma-
7 tive vote of at least 4 of the members appointed
8 by the nonpartisan agency under subparagraph
9 (A) of paragraph (1), including at least one
10 member from each of the categories referred to
11 in such subparagraph.

12 (B) ENSURING DIVERSITY.—In appointing
13 the 9 members pursuant to subparagraph (B)
14 of paragraph (1), the first members of the inde-
15 pendent redistricting commission shall ensure
16 that the membership is representative of the de-
17 mographic groups (including racial, ethnic, eco-
18 nomic, and gender) and geographic regions of
19 the State, and provides racial, ethnic, and lan-
20 guage minorities protected under the Voting
21 Rights Act of 1965 with a meaningful oppor-
22 tunity to participate in the development of the
23 State’s redistricting plan.

24 (3) REMOVAL.—A member of the independent
25 redistricting commission may be removed by a ma-

1 jority vote of the remaining members of the commis-
2 sion if it is shown by a preponderance of the evi-
3 dence that the member is not eligible to serve on the
4 commission under section 2452(a).

5 (b) PROCEDURES FOR CONDUCTING COMMISSION
6 BUSINESS.—

7 (1) REQUIRING MAJORITY APPROVAL FOR AC-
8 TIONS.—The independent redistricting commission
9 of a State under this part may not publish and dis-
10 seminate any draft or final redistricting plan, or
11 take any other action, without the approval of at
12 least—

13 (A) a majority of the whole membership of
14 the commission; and

15 (B) at least one member of the commission
16 appointed from each of the categories of the ap-
17 proved selection pool described in section
18 2452(b)(1).

19 (2) QUORUM.—A majority of the members of
20 the commission shall constitute a quorum.

21 (c) STAFF; CONTRACTORS.—

22 (1) STAFF.—Under a public application process
23 in which all application materials are available for
24 public inspection, the independent redistricting com-
25 mission of a State under this part shall appoint and

1 set the pay of technical experts, legal counsel, con-
2 sultants, and such other staff as it considers appro-
3 priate, subject to State law.

4 (2) CONTRACTORS.—The independent redistricting
5 commission of a State may enter into such
6 contracts with vendors as it considers appropriate,
7 subject to State law, except that any such contract
8 shall be valid only if approved by the vote of a ma-
9 jority of the members of the commission, including
10 at least one member appointed from each of the cat-
11 egories of the approved selection pool described in
12 section 2452(b)(1).

13 (3) GOAL OF IMPARTIALITY.—The commission
14 shall take such steps as it considers appropriate to
15 ensure that any staff appointed under this sub-
16 section, and any vendor with whom the commission
17 enters into a contract under this subsection, will
18 work in an impartial manner.

19 (d) PRESERVATION OF RECORDS.—The State shall
20 ensure that the records of the independent redistricting
21 commission are retained in the appropriate State archive
22 in such manner as may be necessary to enable the State
23 to respond to any civil action brought with respect to con-
24 gressional redistricting in the State.

1 **SEC. 2452. ESTABLISHMENT OF SELECTION POOL OF INDI-**
2 **VIDUALS ELIGIBLE TO SERVE AS MEMBERS**
3 **OF COMMISSION.**

4 (a) CRITERIA FOR ELIGIBILITY.—

5 (1) IN GENERAL.—An individual is eligible to
6 serve as a member of an independent redistricting
7 commission under this part if the individual meets
8 each of the following criteria:

9 (A) As of the date of appointment, the in-
10 dividual is registered to vote in elections for
11 Federal office held in the State.

12 (B) During the 3-year period ending on
13 the date of the individual's appointment, the in-
14 dividual has been continuously registered to
15 vote with the same political party, or has not
16 been registered to vote with any political party.

17 (C) The individual submits to the non-
18 partisan agency established or designated by a
19 State under section 2453, at such time and in
20 such form as the agency may require, an appli-
21 cation for inclusion in the selection pool under
22 this section, and includes with the application a
23 written statement, with an attestation under
24 penalty of perjury, containing the following in-
25 formation and assurances:

1 (i) The full current name and any
2 former names of, and the contact informa-
3 tion for, the individual, including an elec-
4 tronic mail address, the address of the in-
5 dividual's residence, mailing address, and
6 telephone numbers.

7 (ii) The individual's race, ethnicity,
8 gender, age, date of birth, and household
9 income for the most recent taxable year.

10 (iii) The political party with which the
11 individual is affiliated, if any.

12 (iv) The reason or reasons the indi-
13 vidual desires to serve on the independent
14 redistricting commission, the individual's
15 qualifications, and information relevant to
16 the ability of the individual to be fair and
17 impartial, including, but not limited to—

18 (I) any involvement with, or fi-
19 nancial support of, professional, so-
20 cial, political, religious, or community
21 organizations or causes;

22 (II) the individual's employment
23 and educational history.

24 (v) An assurance that the individual
25 shall commit to carrying out the individ-

1 ual's duties under this subtitle in an hon-
2 est, independent, and impartial fashion,
3 and to upholding public confidence in the
4 integrity of the redistricting process.

5 (vi) An assurance that, during such
6 covered period as the State may establish
7 with respect to any of the subparagraphs
8 of paragraph (2), the individual has not
9 taken and will not take any action which
10 would disqualify the individual from serv-
11 ing as a member of the commission under
12 such paragraph.

13 (2) DISQUALIFICATIONS.—An individual is not
14 eligible to serve as a member of the commission if
15 any of the following applies with respect to such cov-
16 ered period as the State may establish:

17 (A) The individual or an immediate family
18 member of the individual holds public office or
19 is a candidate for election for public office.

20 (B) The individual or an immediate family
21 member of the individual serves as an officer of
22 a political party or as an officer, employee, or
23 paid consultant of a campaign committee of a
24 candidate for public office or of any political ac-

1 tion committee (as determined in accordance
2 with the law of the State).

3 (C) The individual or an immediate family
4 member of the individual holds a position as a
5 registered lobbyist under the Lobbying Disclo-
6 sure Act of 1995 (2 U.S.C. 1601 et seq.) or an
7 equivalent State or local law.

8 (D) The individual or an immediate family
9 member of the individual is an employee of an
10 elected public official, a contractor with the gov-
11 ernment of the State, or a donor to the cam-
12 paign of any candidate for public office or to
13 any political action committee (other than a
14 donor who, during any of such covered periods,
15 gives an aggregate amount of \$1,000 or less to
16 the campaigns of all candidates for all public
17 offices and to all political action committees).

18 (E) The individual paid a civil money pen-
19 alty or criminal fine, or was sentenced to a
20 term of imprisonment, for violating any provi-
21 sion of the Federal Election Campaign Act of
22 1971 (52 U.S.C. 30101 et seq.).

23 (F) The individual or an immediate family
24 member of the individual is an agent of a for-
25 eign principal under the Foreign Agents Reg-

1 istration Act of 1938, as amended (22 U.S.C.
2 611 et seq.).

3 (3) IMMEDIATE FAMILY MEMBER DEFINED.—In
4 this subsection, the term “immediate family mem-
5 ber” means, with respect to an individual, a father,
6 stepfather, mother, stepmother, son, stepson, daugh-
7 ter, stepdaughter, brother, stepbrother, sister, step-
8 sister, husband, wife, father-in-law, or mother-in-
9 law.

10 (b) DEVELOPMENT AND SUBMISSION OF SELECTION
11 POOL.—

12 (1) IN GENERAL.—Not later than July 15,
13 2021, the nonpartisan agency established or des-
14 ignated by a State under section 2454(a) shall de-
15 velop and submit to the Select Committee on Redis-
16 tricting for the State established under section
17 2454(b) a selection pool of 36 individuals who are
18 eligible to serve as members of the independent re-
19 districting commission of the State under this part,
20 consisting of individuals in the following categories:

21 (A) A majority category, consisting of 12
22 individuals who are affiliated with the political
23 party whose candidate received the most votes
24 in the most recent Statewide election for Fed-
25 eral office held in the State.

1 (B) A minority category, consisting of 12
2 individuals who are affiliated with the political
3 party whose candidate received the second most
4 votes in the most recent Statewide election for
5 Federal office held in the State.

6 (C) An independent category, consisting of
7 12 individuals who are not affiliated with either
8 of the political parties described in subpara-
9 graph (A) or subparagraph (B).

10 (2) FACTORS TAKEN INTO ACCOUNT IN DEVEL-
11 OPING POOL.—In selecting individuals for the selec-
12 tion pool under this subsection, the nonpartisan
13 agency shall—

14 (A) ensure that the pool is representative
15 of the demographic groups (including racial,
16 ethnic, economic, and gender) and geographic
17 regions of the State, and includes applicants
18 who would allow racial, ethnic, and language
19 minorities protected under the Voting Rights
20 Act of 1965 a meaningful opportunity to par-
21 ticipate in the development of the State’s redis-
22 tricting plan; and

23 (B) take into consideration the analytical
24 skills of the individuals selected in relevant
25 fields (including mapping, data management,

1 law, community outreach, demography, and the
2 geography of the State) and their ability to
3 work on an impartial basis.

4 (3) DETERMINATION OF POLITICAL PARTY AF-
5 FILLATION OF INDIVIDUALS IN SELECTION POOL.—
6 For purposes of this section, an individual shall be
7 considered to be affiliated with a political party only
8 if the nonpartisan agency is able to verify (to the
9 greatest extent possible) the information the indi-
10 vidual provides in the application submitted under
11 subsection (a)(1)(C), including by considering addi-
12 tional information provided by other persons with
13 knowledge of the individual's history of political ac-
14 tivity.

15 (4) ENCOURAGING RESIDENTS TO APPLY FOR
16 INCLUSION IN POOL.—The nonpartisan agency shall
17 take such steps as may be necessary to ensure that
18 residents of the State across various geographic re-
19 gions and demographic groups are aware of the op-
20 portunity to serve on the independent redistricting
21 commission, including publicizing the role of the
22 panel and using newspapers, broadcast media, and
23 online sources, including ethnic media, to encourage
24 individuals to apply for inclusion in the selection
25 pool developed under this subsection.

1 (5) REPORT ON ESTABLISHMENT OF SELEC-
2 TION POOL.—At the time the nonpartisan agency
3 submits the selection pool to the Select Committee
4 on Redistricting under paragraph (1), it shall pub-
5 lish a report describing the process by which the
6 pool was developed, and shall include in the report
7 a description of how the individuals in the pool meet
8 the eligibility criteria of subsection (a) and of how
9 the pool reflects the factors the agency is required
10 to take into consideration under paragraph (2).

11 (6) PUBLIC COMMENT ON SELECTION POOL.—
12 During the 14-day period which begins on the date
13 the nonpartisan agency publishes the report under
14 paragraph (5), the agency shall accept comments
15 from the public on the individuals included in the se-
16 lection pool. The agency shall transmit all such com-
17 ments to the Select Committee on Redistricting im-
18 mediately upon the expiration of such period.

19 (7) ACTION BY SELECT COMMITTEE.—

20 (A) IN GENERAL.—Not later than August
21 1, 2021, the Select Committee on Redistricting
22 shall—

23 (i) approve the pool as submitted by
24 the nonpartisan agency, in which case the
25 pool shall be considered the approved selec-

1 tion pool for purposes of section
2 2451(a)(1); or

3 (ii) reject the pool, in which case the
4 redistricting plan for the State shall be de-
5 veloped and enacted in accordance with
6 part 3.

7 (B) INACTION DEEMED REJECTION.—If
8 the Select Committee on Redistricting fails to
9 approve or reject the pool within the deadline
10 set forth in subparagraph (A), the Select Com-
11 mittee shall be deemed to have rejected the pool
12 for purposes of such subparagraph.

13 **SEC. 2453. CRITERIA FOR REDISTRICTING PLAN; PUBLIC**
14 **NOTICE AND INPUT.**

15 (a) PUBLIC NOTICE AND INPUT.—

16 (1) USE OF OPEN AND TRANSPARENT PROC-
17 ESS.—The independent redistricting commission of a
18 State under this part shall hold each of its meetings
19 in public, shall solicit and take into consideration
20 comments from the public, including proposed maps,
21 throughout the process of developing the redis-
22 tricting plan for the State, and shall carry out its
23 duties in an open and transparent manner which
24 provides for the widest public dissemination reason-

1 ably possible of its proposed and final redistricting
2 plans.

3 (2) PUBLIC COMMENT PERIOD.—The commis-
4 sion shall solicit, accept, and consider comments
5 from the public with respect to its duties, activities,
6 and procedures at any time until 7 days before the
7 date of the meeting at which the commission shall
8 vote on approving the final redistricting plan for en-
9 actment into law under subsection (c)(2).

10 (3) MEETINGS AND HEARINGS IN VARIOUS GEO-
11 GRAPHIC LOCATIONS.—To the greatest extent prac-
12 ticable, the commission shall hold its meetings and
13 hearings in various geographic regions and locations
14 throughout the State.

15 (4) MULTIPLE LANGUAGE REQUIREMENTS FOR
16 ALL NOTICES.—The commission shall make each no-
17 tice which is required to be published under this sec-
18 tion available in any language in which the State (or
19 any jurisdiction in the State) is required to provide
20 election materials under section 203 of the Voting
21 Rights Act of 1965.

22 (b) DEVELOPMENT AND PUBLICATION OF PRELIMI-
23 NARY REDISTRICTING PLAN.—

24 (1) IN GENERAL.—Prior to developing and pub-
25 lishing a final redistricting plan under subsection

1 (c), the independent redistricting commission of a
2 State under this part shall develop and publish a
3 preliminary redistricting plan.

4 (2) MINIMUM PUBLIC HEARINGS AND OPPOR-
5 TUNITY FOR COMMENT PRIOR TO DEVELOPMENT.—

6 (A) 2 HEARINGS REQUIRED.—Prior to de-
7 veloping a preliminary redistricting plan under
8 this subsection, the commission shall hold not
9 fewer than 2 public hearings at which members
10 of the public may provide input and comments
11 regarding the potential contents of redistricting
12 plans for the State and the process by which
13 the commission will develop the preliminary
14 plan under this subsection.

15 (B) NOTICE PRIOR TO HEARINGS.—The
16 commission shall provide for the publication of
17 notices of each hearing held under this para-
18 graph, including in newspapers of general cir-
19 culation throughout the State. Each such notice
20 shall specify the date, time, and location of the
21 hearing.

22 (C) SUBMISSION OF PLANS AND MAPS BY
23 MEMBERS OF THE PUBLIC.—Any member of
24 the public may submit maps or portions of
25 maps for consideration by the commission.

1 (3) PUBLICATION OF PRELIMINARY PLAN.—The
2 commission shall provide for the publication of the
3 preliminary redistricting plan developed under this
4 subsection, including in newspapers of general cir-
5 culation throughout the State, and shall make pub-
6 licly available a report that includes the commis-
7 sion’s responses to any public comments received
8 under this subsection, .

9 (4) PUBLIC COMMENT AFTER PUBLICATION.—
10 The commission shall accept and consider comments
11 from the public with respect to the preliminary re-
12 districting plan published under paragraph (3), in-
13 cluding proposed revisions to maps, until 14 days
14 before the date of the meeting under subsection
15 (c)(2) at which the members of the commission shall
16 vote on approving the final redistricting plan for en-
17 actment into law.

18 (5) POST-PUBLICATION HEARINGS.—

19 (A) 2 HEARINGS REQUIRED.—After pub-
20 lishing the preliminary redistricting plan under
21 paragraph (3), and not later than 14 days be-
22 fore the date of the meeting under subsection
23 (c)(2) at which the members of the commission
24 shall vote on approving the final redistricting
25 plan for enactment into law, the commission

1 shall hold not fewer than 2 public hearings in
2 different geographic areas of the State at which
3 members of the public may provide input and
4 comments regarding the preliminary plan.

5 (B) NOTICE PRIOR TO HEARINGS.—The
6 commission shall provide for the publication of
7 notices of each hearing held under this para-
8 graph, including in newspapers of general cir-
9 culation throughout the State. Each such notice
10 shall specify the date, time, and location of the
11 hearing.

12 (6) PERMITTING MULTIPLE PRELIMINARY
13 PLANS.—At the option of the commission, after de-
14 veloping and publishing the preliminary redistricting
15 plan under this subsection, the commission may de-
16 velop and publish subsequent preliminary redis-
17 tricting plans, so long as the process for the develop-
18 ment and publication of each such subsequent plan
19 meets the requirements set forth in this subsection
20 for the development and publication of the first pre-
21 liminary redistricting plan.

22 (c) PROCESS FOR ENACTMENT OF FINAL REDIS-
23 TRICTING PLAN.—

24 (1) IN GENERAL.—After taking into consider-
25 ation comments from the public on any preliminary

1 redistricting plan developed and published under
2 subsection (b), the independent redistricting commis-
3 sion of a State under this part shall develop and
4 publish a final redistricting plan for the State.

5 (2) MEETING; FINAL VOTE.—Not later than the
6 deadline specified in subsection (e), the commission
7 shall hold a public hearing at which the members of
8 the commission shall vote on approving the final
9 plan for enactment into law.

10 (3) PUBLICATION OF PLAN AND ACCOMPANYING
11 MATERIALS.—Not fewer than 14 days before the
12 date of the meeting under paragraph (2), the com-
13 mission shall make the following information to the
14 public, including through newspapers of general cir-
15 culation throughout the State:

16 (A) The final redistricting plan, including
17 all relevant maps.

18 (B) A report by the commission to accom-
19 pany the plan which provides the background
20 for the plan and the commission's reasons for
21 selecting the plan as the final redistricting plan,
22 including responses to the public comments re-
23 ceived on any preliminary redistricting plan de-
24 veloped and published under subsection (b).

1 (C) Any dissenting or additional views with
2 respect to the plan of individual members of the
3 commission.

4 (4) ENACTMENT.—The final redistricting plan
5 developed and published under this subsection shall
6 be deemed to be enacted into law upon the expira-
7 tion of the 45-day period which begins on the date
8 on which—

9 (A) such final plan is approved by a major-
10 ity of the whole membership of the commission;
11 and

12 (B) at least one member of the commission
13 appointed from each of the categories of the ap-
14 proved selection pool described in section
15 2452(b)(1) approves such final plan.

16 (d) WRITTEN EVALUATION OF PLAN AGAINST EX-
17 TERNAL METRICS.—The independent redistricting com-
18 mission of a State under this part shall include with each
19 redistricting plan developed and published under this sec-
20 tion a written evaluation that measures each such plan
21 against external metrics which cover the criteria set forth
22 section 2403(a), including the impact of the plan on the
23 ability of communities of color to elect candidates of
24 choice, measures of partisan fairness using multiple ac-

1 cepted methodologies, and the degree to which the plan
2 preserves or divides communities of interest.

3 (e) DEADLINE.—The independent redistricting com-
4 mission of a State under this part shall approve a final
5 redistricting plan for the State not later than November
6 15, 2021.

7 **SEC. 2454. ESTABLISHMENT OF RELATED ENTITIES.**

8 (a) ESTABLISHMENT OR DESIGNATION OF NON-
9 PARTISAN AGENCY OF STATE LEGISLATURE.—

10 (1) IN GENERAL.—Each State shall establish a
11 nonpartisan agency in the legislative branch of the
12 State government to appoint the members of the
13 independent redistricting commission for the State
14 under this part in accordance with section 2451.

15 (2) NONPARTISANSHIP DESCRIBED.—For pur-
16 poses of this subsection, an agency shall be consid-
17 ered to be nonpartisan if under law the agency—

18 (A) is required to provide services on a
19 nonpartisan basis;

20 (B) is required to maintain impartiality;
21 and

22 (C) is prohibited from advocating for the
23 adoption or rejection of any legislative proposal.

24 (3) DESIGNATION OF EXISTING AGENCY.—At
25 its option, a State may designate an existing agency

1 in the legislative branch of its government to appoint
2 the members of the independent redistricting com-
3 mission plan for the State under this subtitle, so
4 long as the agency meets the requirements for non-
5 partisanship under this subsection.

6 (4) TERMINATION OF AGENCY SPECIFICALLY
7 ESTABLISHED FOR REDISTRICTING.—If a State does
8 not designate an existing agency under paragraph
9 (3) but instead establishes a new agency to serve as
10 the nonpartisan agency under this section, the new
11 agency shall terminate upon the enactment into law
12 of the redistricting plan for the State.

13 (5) PRESERVATION OF RECORDS.—The State
14 shall ensure that the records of the nonpartisan
15 agency are retained in the appropriate State archive
16 in such manner as may be necessary to enable the
17 State to respond to any civil action brought with re-
18 spect to congressional redistricting in the State.

19 (6) DEADLINE.—The State shall meet the re-
20 quirements of this subsection not later than June 1,
21 2021.

22 (b) ESTABLISHMENT OF SELECT COMMITTEE ON RE-
23 DISTRICTING.—

24 (1) IN GENERAL.—Each State shall appoint a
25 Select Committee on Redistricting to approve or dis-

1 approve a selection pool developed by the inde-
2 pendent redistricting commission for the State under
3 this part under section 2452.

4 (2) APPOINTMENT.—The Select Committee on
5 Redistricting for a State under this subsection shall
6 consist of the following members:

7 (A) One member of the upper house of the
8 State legislature, who shall be appointed by the
9 leader of the party with the greatest number of
10 seats in the upper house.

11 (B) One member of the upper house of the
12 State legislature, who shall be appointed by the
13 leader of the party with the second greatest
14 number of seats in the upper house.

15 (C) One member of the lower house of the
16 State legislature, who shall be appointed by the
17 leader of the party with the greatest number of
18 seats in the lower house.

19 (D) One member of the lower house of the
20 State legislature, who shall be appointed by the
21 leader of the party with the second greatest
22 number of seats in the lower house.

23 (3) SPECIAL RULE FOR STATES WITH UNICAM-
24 ERAL LEGISLATURE.—In the case of a State with a
25 unicameral legislature, the Select Committee on Re-

1 districting for the State under this subsection shall
2 consist of the following members:

3 (A) Two members of the State legislature
4 appointed by the chair of the political party of
5 the State whose candidate received the highest
6 percentage of votes in the most recent State-
7 wide election for Federal office held in the
8 State.

9 (B) Two members of the State legislature
10 appointed by the chair of the political party
11 whose candidate received the second highest
12 percentage of votes in the most recent State-
13 wide election for Federal office held in the
14 State.

15 (4) DEADLINE.—The State shall meet the re-
16 quirements of this subsection not later than June
17 15, 2021.

18 (5) RULE OF CONSTRUCTION.—Nothing in this
19 subsection may be construed to prohibit the leader
20 of any political party in a legislature from appoint-
21 ment to the Select Committee on Redistricting.

1 **SEC. 2455. REPORT ON DIVERSITY OF MEMBERSHIPS OF**
2 **INDEPENDENT REDISTRICTING COMMIS-**
3 **SIONS.**

4 Not later than November 15, 2021, the Comptroller
5 General of the United States shall submit to Congress a
6 report on the extent to which the memberships of inde-
7 pendent redistricting commissions for States established
8 under this part with respect to the immediately preceding
9 year ending in the numeral zero meet the diversity require-
10 ments as provided for in sections 2451(a)(2)(B) and
11 2452(b)(2).

Page 345, insert after line 17 the following (and re-
designate the succeeding provision accordingly):

12 **Subtitle I—Findings Relating to**
13 **Youth Voting**

14 **SEC. 2801. FINDINGS RELATING TO YOUTH VOTING.**

15 Congress finds the following:

16 (1) The right to vote is a fundamental right of
17 citizens of the United States.

18 (2) The twenty-sixth amendment of the United
19 States Constitution guarantees that “The right of
20 citizens of the United States, who are eighteen years
21 of age or older, to vote shall not be denied or
22 abridged by the United States or by any State on
23 account of age.”.

1 (3) The twenty-sixth amendment of the United
2 States Constitution grants Congress the power to
3 enforce the amendment by appropriate legislation.

4 (4) The language of the twenty-sixth amend-
5 ment closely mirrors that of the fifteenth amend-
6 ment and the nineteenth amendment. Like those
7 amendments, the twenty-sixth amendment not only
8 prohibits denial of the right to vote but also pro-
9 hibits any actions that abridge the right to vote.

10 (5) Youth voter suppression undercuts partici-
11 pation in our democracy by introducing arduous ob-
12 stacles to new voters and discouraging a culture of
13 democratic engagement.

14 (6) Voting is habit forming, and allowing youth
15 voters unobstructed access to voting ensures that
16 more Americans will start a life-long habit of voting
17 as soon as possible.

18 (7) Youth voter suppression is a clear, per-
19 sistent, and growing problem. The actions of States
20 and political subdivisions resulting in at least four
21 findings of twenty-sixth amendment violations as
22 well as pending litigation demonstrate the need for
23 Congress to take action to enforce the twenty-sixth
24 amendment.

1 (8) In *League of Women Voters of Florida, Inc.*
2 *v. Detzner* (2018), the United States District Court
3 in the Northern District of Florida found that the
4 Secretary of State's actions that prevented in-person
5 early voting sites from being located on university
6 property revealed a stark pattern of discrimination
7 that was unexplainable on grounds other than age
8 and thus violated university students' twenty-sixth
9 Amendment rights.

10 (9) In 2019, Michigan agreed to a settlement to
11 enhance college-age voters' access after a twenty-
12 sixth amendment challenge was filed in federal
13 court. The challenge prompted the removal of a
14 Michigan voting law which required first time voters
15 who registered by mail or through a third-party
16 voter registration drive to vote in person for the first
17 time, as well as the removal of another law which re-
18 quired the address listed on a voter's driver license
19 to match the address listed on their voter registra-
20 tion card.

21 (10) Youth voter suppression tactics are often
22 linked to other tactics aimed at minority voters. For
23 example, students at Prairie View A&M University
24 (PVAMU), a historically black university in Texas,
25 have been the targets of voter suppression tactics for

1 decades. Before the 2018 election, PVAMU students
2 sued Waller County on the basis of both racial and
3 age discrimination over the County’s failure to en-
4 sure equal early voting opportunities for students,
5 spurring the County to reverse course and expand
6 early voting access for students.

7 (11) The more than 25 million United States
8 citizens ages 18-24 deserve equal opportunity to par-
9 ticipate in the electoral process as guaranteed by the
10 twenty-sixth amendment.

Page 447, line 9, strike “paid”.

Page 447, strike lines 19 through 23 and insert the
following:

11 “(ii) which promotes, supports, at-
12 tacks, or opposes the nomination or Senate
13 confirmation of an individual as a Federal
14 judge or justice.”.

Page 448, insert after line 6 the following (and re-
designate the succeeding provision accordingly):

15 “(3) EXCEPTION.—The term ‘campaign-related
16 disbursement’ does not include any news story, com-
17 mentary, or editorial distributed through the facili-
18 ties of any broadcasting station or any print, online,
19 or digital newspaper, magazine, publication, or peri-

1 odical, unless such facilities are owned or controlled
2 by any political party, political committee, or can-
3 didate.”.

Page 457, line 11, insert “or lawfulness” after “con-stitutionality”.

Page 458, line 2, strike “the District of Columbia, the Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States” and insert “the District of Columbia and the Court of Appeals for the District of Columbia Circuit”.

Page 458, insert after line 7 the following (and re-designate the succeeding provisions accordingly):

4 “(b) CLARIFYING SCOPE OF JURISDICTION.—If an
5 action at the time of its commencement is not subject to
6 subsection (a), but an amendment, counterclaim, cross-
7 claim, affirmative defense, or any other pleading or motion
8 is filed challenging, whether facially or as-applied, the con-
9 stitutionality or lawfulness of this Act or of chapter 95
10 or 96 of the Internal Revenue Code of 1986, or is brought
11 to with respect to any action of the Commission under
12 chapter 95 or 96 of the Internal Revenue Code of 1986,
13 the district court shall transfer the action to the District
14 Court for the District of Columbia, and the action shall
15 thereafter be conducted pursuant to subsection (a).”.

Page 459, insert after line 16 the following (and re-designate the succeeding provision accordingly:

1 (3) Section 310 of the Federal Election Cam-
2 paign Act of 1971 (52 U.S.C. 30110) is repealed.

Page 484, insert after line 16 the following:

3 **SEC. 4211. REQUIRING ONLINE PLATFORMS TO DISPLAY**
4 **NOTICES IDENTIFYING SPONSORS OF POLIT-**
5 **ICAL ADVERTISEMENTS AND TO ENSURE NO-**
6 **TICES CONTINUE TO BE PRESENT WHEN AD-**
7 **VERTISEMENTS ARE SHARED.**

8 (a) REQUIREMENT.—Section 304 of the Federal
9 Election Campaign Act of 1971 (52 U.S.C. 30104), as
10 amended by section 4002 and section 4208(a), is amended
11 by adding at the end the following new subsection:

12 “(1) ENSURING DISPLAY AND SHARING OF SPONSOR
13 IDENTIFICATION IN ONLINE POLITICAL ADVERTISE-
14 MENTS.—

15 “(1) REQUIREMENT.— An online platform dis-
16 playing a qualified political advertisement shall—

17 “(A) display with the advertisement a visi-
18 ble notice identifying the sponsor of the adver-
19 tisement (or, if it is not practical for the plat-
20 form to display such a notice, a notice that the

1 advertisement is sponsored by a person other
2 than the platform); and

3 “(B) ensure that the notice will continue to
4 be displayed if a viewer of the advertisement
5 shares the advertisement with others on that
6 platform.

7 “(2) DEFINITIONS.—In this subsection,—

8 “(A) the term ‘online platform’ has the
9 meaning given such term in subsection (k)(3);
10 and

11 “(B) the term ‘qualified political advertise-
12 ment’ has the meaning given such term in sub-
13 section (k)(4).”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall apply with respect to advertisements
16 displayed on or after the 120-day period which begins on
17 the date of the enactment of this Act.

Page 505, insert after line 15 the following:

18 **SEC. 4404. CLARIFICATION OF APPLICATION OF FOREIGN**
19 **MONEY BAN.**

20 (a) CLARIFICATION OF TREATMENT OF PROVISION
21 OF CERTAIN INFORMATION AS CONTRIBUTION OR DONA-
22 TION OF A THING OF VALUE.—Section 319 of the Federal
23 Election Campaign Act of 1971 (52 U.S.C. 30121), as
24 amended by section 4101(a), section 4101(b), section

1 4209, section 4401, and section 4403, is amended by add-
2 ing at the end the following new subsection:

3 “(h) CLARIFICATION OF TREATMENT OF PROVISION
4 OF CERTAIN INFORMATION AS CONTRIBUTION OR DONA-
5 TION OF A THING OF VALUE.—For purposes of this sec-
6 tion, a ‘contribution or donation of money or other thing
7 of value’ includes the provision of opposition research,
8 polling, or other non-public information relating to a can-
9 didate for election for a Federal, State, or local office for
10 the purpose of influencing the election, regardless of
11 whether such research, polling, or information has mone-
12 tary value, except that nothing in this subsection shall be
13 construed to treat the mere provision of an opinion about
14 a candidate as a thing of value for purposes of this sec-
15 tion.”.

16 (b) CLARIFICATION OF APPLICATION OF FOREIGN
17 MONEY BAN TO ALL CONTRIBUTIONS AND DONATIONS
18 OF THINGS OF VALUE AND TO ALL SOLICITATIONS OF
19 CONTRIBUTIONS AND DONATIONS OF THINGS OF
20 VALUE.—Section 319(a) of such Act (52 U.S.C.
21 30121(a)) is amended—

22 (1) in paragraph (1)(A), by striking “promise
23 to make a contribution or donation” and inserting
24 “promise to make such a contribution or donation”;

1 (2) in paragraph (1)(B), by striking “donation”
2 and inserting “donation of money or other thing of
3 value, or to make an express or implied promise to
4 make such a contribution or donation,”; and

5 (3) by amending paragraph (2) to read as fol-
6 lows:

7 “(2) a person to solicit, accept, or receive (di-
8 rectly or indirectly) a contribution, donation, or dis-
9 bursement described in paragraph (1), or to solicit,
10 accept, or receive (directly or indirectly) an express
11 or implied promise to make such a contribution or
12 donation, from a foreign national.”.

Strike part 2 of subtitle E of title IV (and redesignate the succeeding provisions accordingly).

Page 515, line 9, strike “116-_____” and insert “116-260”.

Amend section 4502 to read as follows:

13 **SEC. 4502. REPEAL OF REGULATIONS.**

14 The final regulations of the Department of the Treas-
15 ury relating to guidance under section 6033 of the Inter-
16 nal Revenue Code of 1986 regarding the reporting require-
17 ments of exempt organizations (published at 85 Fed. Reg.
18 31959 (May 28, 2020)) shall have no force and effect.

Page 515, line 25, strike “116-_____” and insert “116-260”.

Page 517, line 3, strike “shall not be considered to meet” and insert “shall not be subject to”.

Page 521, insert after line 21 the following:

1 **SEC. 4603. GOVERNANCE AND OPERATIONS OF CORPORATE**
2 **PACS.**

3 (a) ASSESSMENT OF GOVERNANCE.—Section 316 of
4 the Federal Election Campaign Act of 1971 (52 U.S.C.
5 30118) is amended by adding at the end the following new
6 subsection:

7 “(d) ASSESSMENT OF GOVERNANCE.—The Commis-
8 sion shall, on an ongoing basis, collect information on the
9 governance of the separate segregated funds of corpora-
10 tions under this section, using the most recent statements
11 of organization provided by such funds under section
12 303(a), including information on the following:

13 “(1) The extent to which such funds have by-
14 laws which govern their operations.

15 “(2) The extent to which those funds which
16 have by-laws which govern their operations use a
17 board of directors to oversee the operation of the
18 fund.

1 “(3) The characteristics of those individuals
2 who serve on boards of directors which oversee the
3 operations of such funds, including the relation of
4 such individuals to the corporation.”.

5 (b) ANALYSIS OF DONORS.—

6 (1) ANALYSIS.—The Federal Election Commis-
7 sion shall conduct an analysis of the composition of
8 the base of donors to separate segregated funds of
9 corporations under section 316 of the Federal Elec-
10 tion Campaign Act of 1971 (52 U.S.C. 30118).

11 (2) REPORT.—Not later than 180 days after
12 the date of the enactment of this Act, the Commis-
13 sion shall submit to Congress a report on the anal-
14 ysis conducted under paragraph (1), and shall ini-
15 tiate the promulgation of a regulation to establish a
16 new designation and classification of such separate
17 segregated funds.

Page 522, line 9, strike “116-_____” and insert
“116-260”.

Page 573, line 16, strike “shall elect, in accordance
with section 304(b)(3)(A), to include” and insert “shall,
in accordance with section 304(b)(3)(A), include”.

Page 640, line 22, strike “subparagraph (E)” and
insert “subparagraph (D)”.

Page 646, line 25, strike “2024” and insert “2022”.

Page 651, line 12, strike “2024” and insert “2022”.

Page 651, line 19, strike “2024” and insert “2022”.

Page 660, line 5, strike “and”.

Page 661, line 12, strike lines 12 and 13.

Page 664, line 11, strike “2020” and insert “2021”.

Page 666, line 6, strike “2024” and insert “2022”.

Page 666, line 12, strike “2023” and insert “2021”.

Page 666, line 18, strike “2023” and insert “2021”.

Page 667, line 25, strike “section 4431” and insert
“section 4421”.

