

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5036  
OFFERED BY M. \_\_\_\_\_**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Emergency Assistance  
3 for Secure Elections Act of 2008”.

**4 SEC. 2. PAYMENTS TO CERTAIN JURISDICTIONS CON-  
5 DUCTING 2008 GENERAL ELECTIONS.**

6       (a) REIMBURSEMENT FOR CONVERSION TO PAPER  
7 BALLOT VOTING SYSTEM.—

8           (1) IN GENERAL.—The Election Assistance  
9 Commission shall pay to each eligible jurisdiction an  
10 amount equal to the sum of the following:

11           (A) The documented reasonable costs paid  
12 or incurred by such jurisdiction to replace any  
13 voting systems used to conduct the general elec-  
14 tions for Federal office held in November 2006  
15 that did not use or produce a paper ballot  
16 verified by the voter or a paper ballot printout  
17 verifiable by the voter at the time the vote is  
18 cast with paper ballot voting systems.

1           (B) The documented reasonable costs paid  
2 or incurred by such jurisdiction to obtain non-  
3 tabulating ballot marking devices that are ac-  
4 cessible for individuals with disabilities in ac-  
5 cordance with the requirements of section  
6 301(a)(3) of the Help America Vote Act of  
7 2002.

8           (C) The documented reasonable costs paid  
9 or incurred by such jurisdiction to obtain ballot  
10 marking stations or voting booths for the pro-  
11 tection of voter privacy.

12           (D) The documented reasonable costs paid  
13 or incurred by such jurisdiction to obtain paper  
14 ballots.

15           (E) The documented reasonable costs paid  
16 or incurred by such jurisdiction to obtain pre-  
17 cinct-based equipment that tabulates paper bal-  
18 lots or scans paper ballots.

19           (F) The documented reasonable adminis-  
20 trative costs paid or incurred by such jurisdic-  
21 tion that are associated with meeting the re-  
22 quirements for an eligible jurisdiction.

23           (2) ELIGIBLE JURISDICTION DEFINED.—In this  
24 subsection, an “eligible jurisdiction” means a juris-  
25 diction that submits to the Commission (and, in the

1 case of a county or equivalent jurisdiction, provides  
2 a copy to the State), at such time and in such form  
3 as the Commission may require, an application con-  
4 taining—

5 (A) assurances that the jurisdiction con-  
6 ducted regularly scheduled general elections for  
7 Federal office in November 2006 using (in  
8 whole or in part) a voting system that did not  
9 use or produce a paper ballot verified by the  
10 voter or a paper ballot printout verifiable by the  
11 voter at the time the vote is cast;

12 (B) assurances that the jurisdiction will  
13 conduct the regularly scheduled general elec-  
14 tions for Federal office to be held in November  
15 2008 using only paper ballot voting systems;

16 (C) assurances that the jurisdiction has  
17 obtained or will obtain a sufficient number of  
18 non-tabulating ballot marking devices that are  
19 accessible for individuals with disabilities in ac-  
20 cordance with the requirements of section  
21 301(a)(3) of the Help America Vote Act of  
22 2002;

23 (D) assurances that the jurisdiction has  
24 obtained or will obtain a sufficient number of

1 ballot marking stations or voting booths for the  
2 protection of voter privacy;

3 (E) assurances that the jurisdiction has  
4 obtained or will obtain a sufficient number of  
5 paper ballots;

6 (F) such information and assurances as  
7 the Commission may require to make the deter-  
8 minations under paragraph (1); and

9 (G) such other information and assurances  
10 as the Commission may require.

11 (3) DETERMINATIONS OF REASONABLENESS OF  
12 COSTS.—The determinations under paragraph (1) of  
13 whether costs paid or incurred by a jurisdiction are  
14 reasonable shall be made by the Commission.

15 (4) PAPER BALLOT VOTING SYSTEM DE-  
16 FINED.—In this subsection, a “paper ballot voting  
17 system” means a voting system that uses a paper  
18 ballot marked by the voter by hand or a paper ballot  
19 marked by the voter with the assistance of a non-  
20 tabulating ballot marking device described in para-  
21 graph (1)(B).

22 (b) REIMBURSEMENT FOR RETROFITTING OF DI-  
23 RECT RECORDING ELECTRONIC VOTING SYSTEMS TO  
24 PRODUCE VOTER VERIFIABLE PAPER RECORDS.—

1           (1) IN GENERAL.—The Commission shall pay  
2           to each eligible jurisdiction an amount equal to the  
3           documented reasonable costs paid or incurred by  
4           such jurisdiction to retrofit direct recording elec-  
5           tronic voting systems so that the systems will  
6           produce a voter verifiable paper record of the  
7           marked ballot for verification by the voter at the  
8           time the vote is cast, including the costs of obtaining  
9           printers to produce the records.

10           (2) ELIGIBLE JURISDICTION DEFINED.—In this  
11           subsection, an “eligible jurisdiction” means a juris-  
12           diction that submits to the Commission (and, in the  
13           case of a county or equivalent jurisdiction, provides  
14           a copy to the State), at such time and in such form  
15           as the Commission may require, an application con-  
16           taining—

17                   (A) assurances that the jurisdiction has  
18                   obtained or will obtain a printer for and retrofit  
19                   each direct recording electronic voting system  
20                   used to conduct the general elections for Fed-  
21                   eral office held in November 2008 so that the  
22                   system will produce a voter verifiable paper  
23                   record of the marked ballot for verification by  
24                   the voter;

1 (B) such information and assurances as  
2 the Commission may require to make the deter-  
3 minations under paragraph (1); and

4 (C) such other information and assurances  
5 as the Commission may require.

6 (3) DETERMINATION OF REASONABLENESS OF  
7 COSTS.—The determinations under paragraph (1) of  
8 whether costs paid or incurred by a jurisdiction are  
9 reasonable shall be made by the Commission.

10 (c) REIMBURSEMENT FOR PROVISION OF BACKUP  
11 PAPER BALLOTS BY JURISDICTIONS USING DIRECT RE-  
12 CORDING ELECTRONIC VOTING SYSTEMS.—

13 (1) IN GENERAL.—The Commission shall pay  
14 to each eligible jurisdiction an amount equal to the  
15 documented reasonable costs paid or incurred by  
16 such jurisdiction to obtain, deploy, and tabulate  
17 backup paper ballots (and related supplies and  
18 equipment) that may be used in the event of the fail-  
19 ure of a direct recording electronic voting system in  
20 the regularly scheduled general elections for Federal  
21 office to be held in November 2008.

22 (2) ELIGIBLE JURISDICTION DEFINED.—In this  
23 subsection, an “eligible jurisdiction” means a juris-  
24 diction that submits to the Commission (and, in the  
25 case of a county or equivalent jurisdiction, provides

1 a copy to the State), at such time and in such form  
2 as the Commission may require, an application con-  
3 taining—

4 (A) assurances that the jurisdiction will  
5 post, in a conspicuous manner at all polling  
6 places at which a direct recording electronic  
7 voting system will be used in such elections, a  
8 notice stating that backup paper ballots are  
9 available at the polling place and that a voter  
10 is entitled to use such a ballot upon the failure  
11 of a voting system;

12 (B) assurances that the jurisdiction counts  
13 each such backup paper ballot cast by a voter  
14 as a regular ballot cast in the election, and does  
15 not treat it (for eligibility purposes) as a provi-  
16 sional ballot under section 302(a) of the Help  
17 America Vote Act of 2002, unless the individual  
18 casting the ballot would have otherwise been re-  
19 quired to cast a provisional ballot;

20 (C) such information and assurances as  
21 the Commission may require to make the deter-  
22 minations under paragraph (1); and

23 (D) such other information and assurances  
24 as the Commission may require.

1           (3) DETERMINATION OF REASONABLENESS OF  
2 COSTS.—The determinations under paragraph (1) of  
3 whether costs paid or incurred by a jurisdiction are  
4 reasonable shall be made by the Commission.

5           (d) AMOUNTS.—There are authorized to be appro-  
6 priated to the Commission such sums as may be necessary  
7 for payments under this section. Any amounts appro-  
8 priated pursuant to the authorization under this sub-  
9 section shall remain available until expended.

10 **SEC. 3. PAYMENTS FOR CONDUCTING MANUAL AUDITS OF**  
11 **RESULTS OF 2008 GENERAL ELECTIONS.**

12           (a) PAYMENTS.—

13           (1) ELIGIBILITY FOR PAYMENTS.—If a State  
14 conducts manual audits of the results of any of the  
15 regularly scheduled general elections for Federal of-  
16 fice in November 2008 (and, at the option of the  
17 State, conducts audits of elections for State and  
18 local office held at the same time as such election)  
19 in accordance with the requirements of this section,  
20 the Commission shall make a payment to the State  
21 in an amount equal to the documented reasonable  
22 costs incurred by the State in conducting the audits.

23           (2) CERTIFICATION OF COMPLIANCE AND  
24 COSTS.—

1           (A) CERTIFICATION REQUIRED.—In order  
2 to receive a payment under this section, a State  
3 shall submit to the Commission, in such form  
4 as the Commission may require, a statement  
5 containing—

6           (i) a certification that the State con-  
7 ducted the audits in accordance with all of  
8 the requirements of this section;

9           (ii) a statement of the reasonable  
10 costs incurred in conducting the audits;  
11 and

12           (iii) such other information and assur-  
13 ances as the Commission may require.

14           (B) AMOUNT OF PAYMENT.—The amount  
15 of a payment made to a State under this sec-  
16 tion shall be equal to the reasonable costs in-  
17 curred in conducting the audits.

18           (C) DETERMINATION OF REASONABLENESS  
19 OF COSTS.—The determinations under this  
20 paragraph of whether costs incurred by a State  
21 are reasonable shall be made by the Commis-  
22 sion.

23           (3) TIMING OF PAYMENTS.—The Commission  
24 shall make the payment required under this section  
25 to a State not later than 30 days after receiving the

1 statement submitted by the State under paragraph  
2 (2).

3 (4) MANDATORY IMMEDIATE REIMBURSEMENT  
4 OF COUNTIES AND OTHER JURISDICTIONS.—If a  
5 county or other jurisdiction responsible for the ad-  
6 ministration of an election in a State incurs costs as  
7 the result of the State conducting an audit of the  
8 election in accordance with this section, the State  
9 shall reimburse the county or jurisdiction for such  
10 costs immediately upon receiving the payment from  
11 the Commission under paragraph (3).

12 (5) AUTHORIZATION OF APPROPRIATIONS.—  
13 There are authorized to be appropriated to the Com-  
14 mission such sums as may be necessary for pay-  
15 ments under this section. Any amounts appropriated  
16 pursuant to the authorization under this subsection  
17 shall remain available until expended.

18 (b) AUDIT REQUIREMENTS.—In order to receive a  
19 payment under this section for conducting an audit, the  
20 State shall meet the following minimum requirements:

21 (1) Not later than 30 days before the date of  
22 the regularly scheduled general election for Federal  
23 office in November 2008, the State shall establish  
24 and publish guidelines, standards, and procedures to

1 be used in conducting audits in accordance with this  
2 section.

3 (2) The State shall select an appropriate entity  
4 to oversee the administration of the audit, in accord-  
5 ance with such criteria as the State considers appro-  
6 priate consistent with the requirements of this sec-  
7 tion, except that the entity must meet a general  
8 standard of independence as defined by the State.

9 (3) The State shall determine whether the units  
10 in which the audit will be conducted will be precincts  
11 or some alternative auditing unit, and shall apply  
12 that determination in a uniform manner for all au-  
13 dits conducted in accordance with this section.

14 (4) The State shall select the precincts or alter-  
15 native auditing units in which audits are conducted  
16 in accordance with this section in a random manner  
17 following the election after the final unofficial vote  
18 count (as defined by the State) has been announced,  
19 such that each precinct or alternative auditing unit  
20 in which the election was held has an equal chance  
21 of being selected, subject to paragraph (9), except  
22 that the State shall ensure that at least one precinct  
23 or alternative auditing unit is selected in each coun-  
24 ty in which the election is held.

1           (5) The audit shall be conducted in not less  
2           than 2 percent of the precincts or alternative audit-  
3           ing units in the State (in the case of a general elec-  
4           tion for the office of Senator) or the Congressional  
5           district involved (in the case of an election for the  
6           office of Representative in, or Delegate or Resident  
7           Commissioner to, the Congress).

8           (6) The State shall determine the stage of the  
9           tabulation process at which the audit will be con-  
10          ducted, and shall apply that determination in a uni-  
11          form manner for all audits conducted in accordance  
12          with this section, except that the audit shall com-  
13          mence within 48 hours after the State announces  
14          the final unofficial vote count (as defined by the  
15          State) in each precinct in which votes are cast in the  
16          election which is the subject of the audit.

17          (7) With respect to each precinct or alternative  
18          audit unit audited, the State shall ensure that a  
19          voter verified paper ballot or paper ballot printout  
20          verifiable by the voter at the time the vote is cast  
21          is available for every vote cast in the precinct or al-  
22          ternative audit unit, and that the tally produced by  
23          counting all of those paper ballots or paper ballot  
24          printouts by hand is compared with the cor-  
25          responding final unofficial vote count (as defined by

1 the State) announced with respect to that precinct  
2 or audit unit in the election.

3 (8) Within each precinct or alternative audit  
4 unit, the audit shall include all ballots cast by all in-  
5 dividuals who voted in or who are under the jurisdic-  
6 tion of the precinct or alternative audit unit with re-  
7 spect to the election, including absentee ballots (sub-  
8 ject to paragraph (9)), early ballots, emergency bal-  
9 lots, and provisional ballots, without regard to the  
10 time, place, or manner in which the ballots were  
11 cast.

12 (9) If a State establishes a separate precinct for  
13 purposes of counting the absentee ballots cast in the  
14 election and treats all absentee ballots as having  
15 been cast in that precinct, and if the state does not  
16 make absentee ballots sortable by precinct and in-  
17 clude those ballots in the hand count described in  
18 paragraph (7) which is administered with respect to  
19 that precinct, the State may divide absentee ballots  
20 into audit units approximately equal in size to the  
21 average precinct in the State in terms of the number  
22 of ballots cast, and shall randomly select and include  
23 at least 2 percent of those audit units in the audit.  
24 Any audit carried out with respect to such an audit  
25 unit shall meet the same standards applicable under

1 paragraph (7) to audits carried out with respect to  
2 other precincts and alternative audit units, including  
3 the requirement that all paper ballots be counted by  
4 hand.

5 (10) The audit shall be conducted in a public  
6 and transparent manner, such that members of the  
7 public are able to observe the entire process.

8 (c) COLLECTION AND SUBMISSION OF AUDIT RE-  
9 SULTS; PUBLICATION.—

10 (1) STATE SUBMISSION OF REPORT.—In order  
11 to receive a payment under this section, a State  
12 shall submit to the Commission a report, in such  
13 form as the Commission may require, on the results  
14 of each audit conducted under this section.

15 (2) COMMISSION ACTION.—The Commission  
16 may request additional information from a State  
17 based on the report submitted under paragraph (1).

18 (3) PUBLICATION.—The Commission shall pub-  
19 lish each report submitted under paragraph (1) upon  
20 receipt.

21 (d) DELAY IN CERTIFICATION OF RESULTS BY  
22 STATE.—No State may certify the results of any election  
23 which is subject to an audit under this section prior to  
24 completing the audit, resolving discrepancies discovered in

1 the audit, and submitting the report required under sub-  
2 section (c).

3 **SEC. 4. PAYMENTS FOR CONDUCTING HAND COUNTS OF**  
4 **RESULTS OF 2008 GENERAL ELECTIONS.**

5 (a) PAYMENTS.—

6 (1) ELIGIBILITY FOR PAYMENTS.—If a State,  
7 county, or equivalent location tallies the results of  
8 any regularly scheduled general election for Federal  
9 office in November 2008 by conducting a hand count  
10 of the votes cast on the paper ballots used in the  
11 election (including paper ballot printouts verifiable  
12 by the voter at the time the vote is cast) in accord-  
13 ance with the requirements of this section, the Com-  
14 mission shall make a payment to the State, county,  
15 or equivalent location in an amount equal to the doc-  
16 umented reasonable costs incurred by the State,  
17 county, or equivalent location in conducting the  
18 hand counts.

19 (2) CERTIFICATION OF COMPLIANCE AND  
20 COSTS.—

21 (A) CERTIFICATION REQUIRED.—In order  
22 to receive a payment under this section, a  
23 State, county, or equivalent location shall sub-  
24 mit to the Commission (and, in the case of a  
25 county or equivalent jurisdiction, shall provide a

1 copy to the State), in such form as the Com-  
2 mission may require, a statement containing—

3 (i) a certification that the State, coun-  
4 ty, or equivalent location conducted the  
5 hand counts in accordance with all of the  
6 requirements of this section;

7 (ii) a statement of the reasonable  
8 costs incurred by the State, county, or  
9 equivalent location in conducting the hand  
10 counts; and

11 (iii) such other information and assur-  
12 ances as the Commission may require.

13 (B) AMOUNT OF PAYMENT.—The amount  
14 of a payment made to a State, county, or equiv-  
15 alent location under this section shall be equal  
16 to the reasonable costs incurred by the State,  
17 county, or equivalent location in conducting the  
18 hand counts.

19 (C) DETERMINATION OF REASONABLENESS  
20 OF COSTS.—The determinations under this  
21 paragraph of whether costs incurred by a State,  
22 county, or equivalent location are reasonable  
23 shall be made by the Commission.

24 (3) TIMING OF PAYMENTS.—The Commission  
25 shall make the payment required under this section

1 to a State, county, or equivalent location not later  
2 than 30 days after receiving the statement sub-  
3 mitted by the State, county, or equivalent location  
4 under paragraph (2).

5 (4) AUTHORIZATION OF APPROPRIATIONS.—

6 There are authorized to be appropriated to the Com-  
7 mission such sums as may be necessary for pay-  
8 ments under this section. Any amounts appropriated  
9 pursuant to the authorization under this subsection  
10 shall remain available until expended.

11 (b) HAND COUNTS DESCRIBED.—

12 (1) IN GENERAL.—A hand count conducted in  
13 accordance with this section is a count of all of the  
14 paper ballots on which votes were cast in the election  
15 (including paper ballot printouts verifiable by the  
16 voter at the time the vote is cast), including votes  
17 cast on an early, absentee, emergency, and provi-  
18 sional basis, which is conducted by hand to deter-  
19 mine the winner of the election and is conducted  
20 without using electronic equipment or software.

21 (2) COMPLETENESS.—With respect to each ju-  
22 risdiction in which a hand count is conducted, the  
23 State, county, or equivalent location shall ensure  
24 that a voter verified paper ballot or paper ballot  
25 printout verifiable by the voter at the time the vote

1 is cast is available for every vote cast in the jurisdic-  
2 tion.

3 (c) PROCESS FOR CONDUCTING HAND COUNTS.—

4 (1) IN GENERAL.—In order to meet the require-  
5 ments of this section, a hand count of the ballots  
6 cast in an election shall be conducted in accordance  
7 with the following procedures:

8 (A) On the date of the election, the jurisdic-  
9 tion shall conduct an initial hand count of  
10 the ballots cast in the election, using the ballots  
11 which are eligible to be counted in the election  
12 as of the time the polls are closed.

13 (B) Any ballot which is eligible to be  
14 counted in the election but which is not in-  
15 cluded in the initial count conducted under sub-  
16 paragraph (A), including a provisional ballot  
17 cast by an individual who is determined to be  
18 eligible to vote in the election or an absentee  
19 ballot received after the date of the election but  
20 prior to the applicable deadline under State law  
21 for the receipt of absentee ballots, shall be sub-  
22 ject to a hand count in accordance with this  
23 section and added to the tally conducted under  
24 subparagraph (A) not later than 48 hours after

1           the ballot is determined to be eligible to be  
2           counted.

3           (C) The hand count shall be conducted by  
4           a team of not fewer than 2 individuals who  
5           shall be witnessed by at least one observer sit-  
6           ting at the same table with such individuals.  
7           Except as provided in paragraph (2), all such  
8           individuals shall be election officials of the ju-  
9           risdiction in which the hand count is conducted.

10          (2) USE OF OTHER PERSONNEL.—An individual  
11         who is not an election official of the jurisdiction in  
12         which a hand count is conducted under this section  
13         may serve on a team conducting the hand count or  
14         may serve as an observer of a team conducting the  
15         hand count if the jurisdiction certifies that the indi-  
16         vidual has completed such training as the jurisdic-  
17         tion deems appropriate to conduct or observe the  
18         hand count (as the case may be).

19          (3) LOCATION.—The hand counts conducted  
20         under this section of the ballots cast in an election  
21         shall be conducted—

22                 (A) in the case of ballots cast at a polling  
23                 place on the date of the election, at the polling  
24                 place at which the ballots were cast; or

1 (B) in the case of any other ballots, at the  
2 office of the chief election official of the juris-  
3 diction conducting the hand count.

4 (4) INFORMATION INCLUDED IN RESULTS.—  
5 Each hand count conducted under this section shall  
6 produce the following information with respect to the  
7 election:

8 (A) The vote tally for each candidate.

9 (B) The number of overvotes, undervotes,  
10 spoiled ballots, and blank ballots cast (or their  
11 equivalents, as defined by the State, county or  
12 equivalent location).

13 (C) The number of write-in ballots and the  
14 names written in on such ballots pursuant to  
15 State law.

16 (D) The total number of ballots cast.

17 (E) A record of judgement calls made re-  
18 garding voter intent.

19 (5) PUBLIC OBSERVATION OF HAND COUNTS.—  
20 Each hand count conducted under this section shall  
21 be conducted in a manner that allows public obser-  
22 vation of the entire process (including the opening of  
23 the ballot boxes or removal of machine-printed bal-  
24 lots from their containers, the sorting, counting, and  
25 notation of results, and the announcement of final

1       determinations) sufficient to confirm but not inter-  
2       fere with the proceedings.

3           (6) ESTABLISHMENT AND PUBLICATION OF  
4       PROCEDURES.—Prior to the date of the regularly  
5       scheduled general election for Federal office held in  
6       November 2008, a State, county, or equivalent loca-  
7       tion shall establish and publish procedures for car-  
8       rying out hand counts under this subsection.

9           (d) APPLICATION TO JURISDICTIONS CONDUCTING  
10      ELECTIONS WITH DIRECT RECORDING ELECTRONIC VOT-  
11      ING SYSTEMS.—

12           (1) REQUIRING SYSTEMS TO PRODUCE VOTER  
13      VERIFIABLE PAPER RECORD.—If a State, county, or  
14      equivalent location uses a direct recording electronic  
15      voting system to conduct an election, the State,  
16      county, or equivalent location may not receive a pay-  
17      ment under this section for conducting a hand count  
18      of the votes cast in the election unless (in addition  
19      to meeting the other requirements applicable under  
20      this section) the State, county, or equivalent location  
21      certifies to the Commission that each such system  
22      produces a paper record printout of the marked bal-  
23      lot which is verifiable by the voter at the time the  
24      vote is cast.

1           (2) TREATMENT OF PAPER RECORD PRINT-  
2           OUTS.—In applying this section to a hand count  
3           conducted by a State, county, or equivalent location  
4           which provides a certification to the Commission  
5           under paragraph (1), the paper record printout re-  
6           ferred to in such paragraph shall be treated as the  
7           paper ballot used in the election.

8           (e) ANNOUNCEMENT AND POSTING OF RESULTS.—  
9           Upon the completion of a hand count conducted under this  
10          section, the State, county, or equivalent location shall an-  
11          nounce the results to the public and post them on a public  
12          Internet site.

13          (f) USE OF HAND COUNT IN CERTIFICATION OF RE-  
14          SULTS.—The State shall use the results of the hand count  
15          conducted under this section for purposes of certifying the  
16          results of the election involved. Nothing in this section  
17          may be construed to affect the application or operation  
18          of any State law governing the recount of the results of  
19          an election.

20       **SEC. 5. STUDY, TESTING, AND DEVELOPMENT OF PROD-**  
21                               **UCTS AND PRACTICES TO ENSURE ACCESSI-**  
22                               **BILITY OF PAPER BALLOT VERIFICATION**  
23                               **AND CASTING FOR CERTAIN INDIVIDUALS.**

24          (a) STUDY, TESTING, AND DEVELOPMENT.—The Di-  
25          rector of the National Institute of Standards and Tech-

1 nology (hereafter in this section referred to as the “Direc-  
2 tor”) shall study, test, and develop products and practices  
3 that ensure the accessibility of paper ballot verification  
4 and casting for individuals with disabilities, for voters  
5 whose primary language is not English, and for voters  
6 with difficulties in literacy, including the mechanisms  
7 themselves and the processes through which the mecha-  
8 nisms are used. In carrying out this subsection, the Di-  
9 rector shall specifically investigate existing and potential  
10 methods or devices, including non-electronic devices, that  
11 will assist such individuals and voters in creating voter-  
12 verified paper ballots, presenting or transmitting the infor-  
13 mation printed or marked on such ballots back to such  
14 individuals and voters in an accessible form, and enabling  
15 the voters to cast the ballots.

16 (b) REPORT.—Not later than June 30, 2009, the Di-  
17 rector shall submit a report to Congress on the results  
18 of the studying, testing, and development of products and  
19 practices under subsection (a).

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated to the Director such  
22 sums as may be necessary to carry out this section, to  
23 remain available until expended.

24 **SEC. 6. DEFINITIONS.**

25 In this Act—

- 1           (1) the term “Commission” means the Election  
2           Assistance Commission; and
- 3           (2) the term “State” includes the District of  
4           Columbia, the Commonwealth of Puerto Rico,  
5           Guam, American Samoa, and the United States Vir-  
6           gin Islands.