

H.R.4033

Title: To require the Election Assistance Commission to establish an American Democracy Index to measure and improve the quality of voter access to polls and voter services in Federal elections.

Sponsor: [Rep Israel, Steve](#) [NY-2] (introduced 11/5/2009) Cosponsors (None)

Latest Major Action: 11/5/2009 Referred to House committee. Status: Referred to the House Committee on House Administration.

SUMMARY AS OF:

11/5/2009--Introduced.

American Democracy Index Act of 2009 - Amends the Help America Vote Act of 2002 to require the Election Assistance Commission (EAC) to: (1) develop an American Democracy Index (ADI) to evaluate elections for federal office; (2) establish and operate a system to collect and measure election data for use in preparing the ADI; and (3) make the ADI with respect to each federal election available to the public, including through the Internet.

Describes the ADI as an index designed to assist states in the administration of federal elections by presenting collected information on a state-by-state basis in a manner designed to demonstrate administration practices that: (1) ensure the right of individuals to vote; (2) improve the quality of voter access to polls and the quality of voter services; and (3) secure the accuracy and integrity of elections.

Establishes an independent Board of Advisors the EAC shall consult in developing and refining the ADI and the data to be collected.

Directs the EAC to: (1) conduct a pilot program for the 2010 federal elections under which it shall make one or more grants for election data collection in up to five states; and (2) based on such pilot program make one or more grants to collect 2012 federal election data in all states and prepare and publish the first ADI.

HR 4033 IH

111th CONGRESS
1st Session
H. R. 4033

To require the Election Assistance Commission to establish an American Democracy Index to measure and improve the quality of voter access to polls and voter services in Federal elections.

IN THE HOUSE OF REPRESENTATIVES

November 5, 2009

Mr. ISRAEL introduced the following bill; which was referred to the Committee on House Administration

A BILL

To require the Election Assistance Commission to establish an American Democracy Index to measure and improve the quality of voter access to polls and voter services in Federal elections.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `American Democracy Index Act of 2009'.

SEC. 2. ESTABLISHMENT OF AMERICAN DEMOCRACY INDEX AND RELATED ELECTION DATA COLLECTION.

(a) In General- Subtitle C of title II of the Help America Vote Act of 2002 (42 U.S.C. 15381 et seq.) is amended by adding at the end the following:

` SEC. 248. ESTABLISHMENT OF AMERICAN DEMOCRACY INDEX AND RELATED ELECTION DATA COLLECTION.

` (a) In General- The Commission, in consultation with the Board and in accordance with this section, shall--

` (1) develop an American Democracy Index for the evaluation of elections for Federal office occurring in 2010 and thereafter;

` (2) establish and operate a data collection system in order to collect and measure election data described in subsection (c) to be used in preparing the American Democracy Index; and

` (3) make the American Democracy Index with respect to each election for Federal office generally available to the public, including through the Internet.

` (b) American Democracy Index- The American Democracy Index is an index that is designed to assist States in the administration of elections for Federal office by presenting the information collected under the system established under subsection (a)(2) on a State-by-State basis in a manner designed to demonstrate administration practices that--

` (1) ensure the right of individuals to vote;

` (2) improve the quality of voter access to polls and the quality of voter services; and

- ` (3) secure the accuracy and integrity of elections.
- ` (c) Collection of Data-
 - ` (1) DATA TO BE COLLECTED- The Commission shall, in consultation with the Board, determine the data that is required to be collected under this section in order to analyze the effectiveness of the State administration of elections for Federal office, including data required for developing or refining the American Democracy Index.
 - ` (2) DATA SUBMISSION-
 - ` (A) STATES REQUIRED TO PROVIDE DATA- Each State shall submit to any grantee under subsection (e) the information described in paragraph (1) in support of the American Democracy Index.
 - ` (B) DATA SUBMISSION REGULATIONS- Within 60 days after the first meeting of the Board under subsection (d)(2)(B)(i), the Commission shall promulgate regulations for--
 - ` (i) the enforcement of the data submission mandate under subparagraph (A); and
 - ` (ii) the standardization of election data described in paragraph (1).
 - ` (C) STATISTICAL ANALYSIS- The Commission may, in coordination with a State, select precincts within the State on a sample basis from which to draw the information described in paragraph (1) in order to form statistical conclusions with respect to election administration in that State. In forming such statistical conclusions, the Office may append the information collected from the samples to other information provided by the State that was collected with respect to elections for Federal office in that State.
 - ` (D) PAYMENTS TO STATES- In accordance with such regulations as the Commission may promulgate, the Commission shall make payments to States to assist the States in meeting the data submission requirements of this paragraph.
 - ` (E) RULEMAKING AUTHORITY OF COMMISSION- Section 209 shall not apply with respect to any regulations promulgated by the Commission pursuant to the authority of this paragraph.
- ` (d) Independent Board of Advisors-
 - ` (1) IN GENERAL- There is hereby established an independent Board of Advisors (in this section referred to as the ` Board') that the Commission shall consult in developing and refining the American Democracy Index and the data to be collected under subsection (c).
 - ` (2) INDEPENDENT BOARD OF ADVISORS-
 - ` (A) ESTABLISHMENT- The Board--
 - ` (i) shall be composed of 8 members from individuals from the academic, nonprofit, and election administration communities, of whom--

- ` (f) Reports- Not later than 9 months after the end of the election cycle for the election for Federal office occurring in 2012 and the end of each Presidential election cycle beginning on or after January 1, 2012, the Commission shall submit a report to Congress and to the chief State elections officials of each State that includes the election data collected under this section, together with any recommendations for--
 - ` (1) improving the types of election data that are collected and included in the American Democracy Index published under this section; and
 - ` (2) legislation or administrative action to improve State performance in the administration of elections for Federal office (as determined based on a State-by-State comparison of such election data).
- ` (g) Definitions- In this section:
 - ` (1) ELECTIONS FOR FEDERAL OFFICE- The term `elections for Federal office' means general elections only for Federal office.
 - ` (2) ELIGIBLE ENTITY- The term `eligible entity' means any nonprofit organization or other organization deemed appropriate by the Commission.
 - ` (3) PRESIDENTIAL ELECTION CYCLE- The term `Presidential election cycle' means the 4-year period beginning with January of the year following an election for the office of President of the United States.
 - ` (4) STATE- The term `State' means each of the 50 States and the District of Columbia.
- ` (h) Authorization of Appropriations-
 - ` (1) IN GENERAL- There are authorized to be appropriated to the Commission such sums as may be necessary to carry out the provisions of this section.
 - ` (2) DATA SUBMISSION- There is authorized to be appropriated \$18,000,000 for each of fiscal years 2011 through 2016 to assist the States in complying with the data submission requirements of subsection (c)(2)(A).'
- (b) Conforming Amendment- The table of contents of the Help America Vote Act of 2002 is amended by inserting after the item relating to section 247 the following:
 - ` Sec 248. Establishment of American Democracy Index and related election data collection.'