

112TH CONGRESS
1ST SESSION

H. R. 2540

To direct the Attorney General to establish and operate a toll-free nationwide telephone hotline through which individuals may obtain information on voting in elections for Federal office and report information on problems encountered in voting in such elections, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2011

Ms. FUDGE introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Attorney General to establish and operate a toll-free nationwide telephone hotline through which individuals may obtain information on voting in elections for Federal office and report information on problems encountered in voting in such elections, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Voter Protection Hot-
5 line Act of 2011”.

1 **SEC. 2. FINDINGS.**

2 Congress finds as follows:

3 (1) At the Federal, State, and local levels, gov-
4 ernment funding supports well-intentioned voter hot-
5 lines that are not fully utilized because of a lack of
6 access to information on such programs by the pub-
7 lic at-large. All 50 states and the District of Colum-
8 bia have at least one voter hotline in addition to an
9 unprecedented amount of privately funded voter hot-
10 lines, all with different telephone numbers. The mul-
11 tiplicity of resources makes it difficult for voters to
12 identify the correct hotline for their needs, which
13 may result in voters who have immediate or urgent
14 needs abandoning their effort to vote.

15 (2) The Department of Justice has declared
16 that a national telephone number or hotline on vot-
17 ing information is an important tool to facilitate the
18 voting process, and has established a hotline through
19 which individuals may obtain this kind of informa-
20 tion. Notwithstanding the existence of the hotline,
21 voting irregularities were still rampant, as evidenced
22 by a number of problems that occurred during the
23 2008 election cycle, including the following:

24 (A) Virginia voters who registered through
25 the Department of Motor Vehicles or via third
26 party groups reported never receiving a reg-

1 istration card. In other cases, they arrived at
2 their polling places only to find their names
3 missing from the voter rolls. Some voters did
4 not fill out their registration paperwork cor-
5 rectly, but were not notified of this until well
6 after the registration deadline of October 6.
7 There were reports in one location all seven vot-
8 ing machines in the building had failed and
9 that there were no paper ballots available. Vot-
10 ers at that polling place waited in line for an
11 extraordinary 7 hours and 15 minutes to vote.

12 (B) St. Louis voters who had submitted
13 change of address forms several weeks prior to
14 Election Day found that these forms had not
15 been processed by Election Day.

16 (C) On December 2, the New York Post
17 reported that more than 3,500 voter registra-
18 tion forms were shipped to the New York City
19 Board of Elections on September 10, only to sit
20 in a box until November 6, 2 days after the
21 election. Of these voters, those who cast provi-
22 sional ballots had their votes counted, but it is
23 unclear how many other voters were turned
24 away at the polls.

1 (D) Pennsylvania voters in cities reported
2 not receiving absentee ballots by Election Day.
3 This caused additional problems at polling
4 places on Election Day, as some of those who
5 feared their votes would go uncounted took time
6 away from family obligations, work, or strug-
7 gled with a disability to get to their polling
8 place. Upon arrival, they were told they would
9 be unable to vote in person since they had al-
10 ready requested an absentee ballot.

11 (E) Voters at poorly prepared poll loca-
12 tions in Los Angeles County and elsewhere in
13 California began reporting ballot shortages in
14 the early afternoon on Election Day. Many peo-
15 ple who went to the wrong polling place were
16 incorrectly instructed to vote provisionally in-
17 stead of being sent to the correct location. At
18 one polling place, provisional ballots were hand-
19 ed out because so many voters were unaware
20 that their poll location had changed and had
21 gone to the wrong location. In other places, vot-
22 ers were not offered provisional ballots even
23 when they were warranted, for example, when
24 paper ballots were requested or when regular
25 ballots were running out. In all, nearly

1 1,000,000 people voted by provisional ballot in
2 California.

3 (F) Wait times of 6 hours were reported
4 for early voting in Franklin County, Ohio, lead-
5 ing to people leaving the line without voting.
6 Wait times of between 2 and 10 hours were re-
7 ported during early voting at multiple Georgia
8 locations.

9 (3) The fifteenth amendment to the Constitu-
10 tion protects the right of citizens to vote, yet every
11 election cycle, the voting rights of thousands of citi-
12 zens are denied or abridged due to factors ranging
13 from misinformation to wholesale intimidation. For
14 example:

15 (A) In the 2004 presidential election, vot-
16 ers reported receiving calls telling them to re-
17 port to the polls to vote the day after Election
18 Day, that the polling location had changed, and
19 that they would only be allowed to vote if they
20 brought four separate forms of identification to
21 the poll. In 2008, in southern Virginia and at
22 George Mason University in the northern part
23 of the state, official-looking fliers “informed”
24 voters that, because of projected high turnout,
25 Democrats should wait and vote on November

1 5, 2008, the day after the election. North Caro-
2 lina voters complained of misleading calls that
3 provided inaccurate information regarding ab-
4 sentee ballot deadlines.

5 (B) Michigan poll workers were often un-
6 aware that Michigan voters who did not have a
7 government-issued photo ID could vote after
8 signing an affidavit.

9 (C) In 2008, fliers distributed and posted
10 in a west Philadelphia neighborhood claimed
11 that any violation as simple as an unpaid park-
12 ing ticket would render citizens ineligible to
13 vote and subject to arrest at the polls. A flier
14 disseminated on the campus of Drexel Univer-
15 sity in Philadelphia warned that undercover of-
16 ficers would be present at the polls, looking for
17 voters with outstanding warrants or parking
18 violations.

19 (D) In Virginia, Michigan and Colorado,
20 students were told that if they registered to
21 vote where they went to school (instead of at
22 their parents' address) they could lose their
23 healthcare, financial aid, and jeopardize their
24 parent's taxes, all false claims.

1 (E) In 2008, the non-profit group Min-
2 nesota Majority, pretending to be from the Sec-
3 retary of State's office, made calls to voters
4 questioning their registrations in a supposed at-
5 tempt to uncover voting irregularities.

6 (F) Twelve Ohio counties released sample
7 paper ballots that split the presidential contest
8 over two columns for the November election. A
9 study found that this particular layout often
10 confuses voters and causes them to double-vote,
11 which ultimately disqualifies the ballot.

12 **SEC. 3. VOTER INFORMATION HOTLINE.**

13 (a) ESTABLISHMENT AND OPERATION OF TELE-
14 PHONE SERVICE.—The Attorney General, in consultation
15 with State election officials, shall establish and operate a
16 toll-free telephone service, using a telephone number that
17 is accessible throughout the United States and that uses
18 easily identifiable numerals, through which individuals
19 throughout the United States—

20 (1) may obtain information on voting in elec-
21 tions for Federal office, including information on
22 how to register to vote in such elections, the hours
23 of operation of polling places, and how to obtain ab-
24 sentee ballots; and

1 (2) may report information to the Attorney
2 General on problems encountered in registering to
3 vote or voting, including incidences of voter intimi-
4 dation or suppression.

5 (b) VOTER HOTLINE TASK FORCE.—

6 (1) APPOINTMENT BY ATTORNEY GENERAL.—
7 The Attorney General shall appoint individuals (in
8 such number as the Attorney General considers ap-
9 propriate) to serve on a Voter Hotline Task Force
10 to provide ongoing analysis and assessment of the
11 operation of the telephone service established under
12 this Act, and shall give special consideration in mak-
13 ing appointments to the Task Force to individuals
14 who represent civil rights organizations.

15 (2) ELIGIBILITY.—An individual shall be eligi-
16 ble to serve on the Task Force under this subsection
17 if the individual meets such criteria as the Attorney
18 General may establish, except that an individual may
19 not serve on the task force if the individual has been
20 convicted of any criminal offense relating to voter in-
21 timidation or voter suppression.

22 (3) TERM OF SERVICE.—An individual ap-
23 pointed to the Task Force shall serve a single term
24 of 2 years. A vacancy in the membership of the Task

1 Force shall be filled in the same manner as the
2 original appointment.

3 (4) NO COMPENSATION FOR SERVICE.—Mem-
4 bers of the Task Force shall serve without pay, but
5 shall receive travel expenses, including per diem in
6 lieu of subsistence, in accordance with applicable
7 provisions under subchapter I of chapter 57 of title
8 5, United States Code.

9 (c) BI-ANNUAL REPORT TO CONGRESS.—Not later
10 than March 1 of each odd-numbered year, the Attorney
11 General shall submit a report to Congress on the operation
12 of the telephone service established under this Act during
13 the previous 2 years, and shall include in the report—

14 (1) a compilation and description of the reports
15 made to the hotline by individuals citing instances of
16 voter intimidation or suppression; and

17 (2) an assessment of the effectiveness of the
18 service in making information available to all house-
19 holds in the United States with telephone service.

20 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) AUTHORIZATION.—There are authorized to be ap-
22 propriated to the Attorney General for fiscal year 2011
23 and each succeeding fiscal year such sums as may be nec-
24 essary to carry out this Act.

1 (b) SET-ASIDE FOR OUTREACH.—Of the amounts
2 appropriated to carry out this Act for a fiscal year pursu-
3 ant to the authorization under subsection (a), not less
4 than 15% shall be used for outreach activities to make
5 the public aware of the availability of the telephone service
6 established under this Act.

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