

110TH CONGRESS  
2D SESSION

# H. R. 6339

To amend title 5, United States Code, to provide additional leave for Federal employees to serve as poll workers, and to direct the Election Assistance Commission to make grants to States for poll worker recruitment and training.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2008

Ms. ZOE LOFGREN of California (for herself, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. TOM DAVIS of Virginia, Ms. NORTON, and Mr. HOYER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, 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

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## A BILL

To amend title 5, United States Code, to provide additional leave for Federal employees to serve as poll workers, and to direct the Election Assistance Commission to make grants to States for poll worker recruitment and training.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Employees De-  
3 serve to Volunteer on the Elections Act of 2008” or the  
4 “FEDVOTE Act of 2008”.

5 **SEC. 2. LEAVE TO SERVE AS A POLL WORKER.**

6 (a) IN GENERAL.—Subchapter II of chapter 63 of  
7 title 5, United States Code, is amended by adding at the  
8 end the following:

9 **“§ 6329. Absence in connection with serving as a poll**  
10 **worker**

11 “(a) IN GENERAL.—An employee in or under an Ex-  
12 ecutive agency is entitled to leave, without loss of or reduc-  
13 tion in pay, leave to which otherwise entitled, credit for  
14 time or service, or performance or efficiency rating, not  
15 to exceed 6 days in a leave year, in order—

16 “(1) to provide election administration assist-  
17 ance to a State or unit of local government at a poll-  
18 ing place on the date of any election for public of-  
19 fice; or

20 “(2) to receive any training without which such  
21 employee would be ineligible to provide such assist-  
22 ance.

23 “(b) REGULATIONS.—The Director of the Office of  
24 Personnel Management may prescribe regulations for the  
25 administration of this section, including regulations set-  
26 ting forth the terms and conditions of the election admin-

1 istration assistance an employee may provide for purposes  
2 of subsection (a).”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 for chapter 63 of title 5, United States Code, is amended  
5 by inserting after the item relating to section 6328 the  
6 following:

“6329. Absence in connection with serving as a poll worker.”.

7 **SEC. 3. GRANTS TO STATES FOR POLL WORKER RECRUIT-**  
8 **MENT AND TRAINING.**

9 (a) GRANTS BY ELECTION ASSISTANCE COMMIS-  
10 SION.—

11 (1) IN GENERAL.—The Election Assistance  
12 Commission (hereafter referred to as the “Commis-  
13 sion”) shall make a grant to each eligible State for  
14 recruiting and training individuals to serve as non-  
15 partisan poll workers on dates of elections for public  
16 office.

17 (2) USE OF COMMISSION MATERIALS.—In car-  
18 rying out activities with a grant provided under this  
19 section, the recipient of the grant shall use the man-  
20 ual prepared by the Commission on successful prac-  
21 tices for poll worker recruiting, training and reten-  
22 tion as an interactive training tool, and shall develop  
23 training programs with the participation and input  
24 of experts in adult learning.

25 (b) REQUIREMENTS FOR ELIGIBILITY.—

1           (1) APPLICATION.—Each State that desires to  
2 receive a payment under this section shall submit an  
3 application for the payment to the Commission at  
4 such time and in such manner and containing such  
5 information as the Commission shall require.

6           (2) CONTENTS OF APPLICATION.—Each appli-  
7 cation submitted under paragraph (1) shall—

8                   (A) describe the activities for which assist-  
9 ance under this section is sought;

10                   (B) provide assurances that the funds pro-  
11 vided under this section will be used to supple-  
12 ment and not supplant other funds used to  
13 carry out the activities;

14                   (C) provide assurances that the State will  
15 furnish the Commission with information on the  
16 number of individuals who served as non-  
17 partisan poll workers after recruitment and  
18 training with the funds provided under this sec-  
19 tion; and

20                   (D) provide such additional information  
21 and certifications as the Commission deter-  
22 mines to be essential to ensure compliance with  
23 the requirements of this section.

24           (c) AMOUNT OF GRANT.—

1           (1) IN GENERAL.—The amount of a grant  
2           made to a State under this section shall be equal to  
3           the product of—

4                   (A) the aggregate amount made available  
5                   for grants to States under this section; and

6                   (B) the voting age population percentage  
7                   for the State.

8           (2) VOTING AGE POPULATION PERCENTAGE DE-  
9           FINED.—In paragraph (1), the “voting age popu-  
10          lation percentage” for a State is the quotient of—

11                   (A) the voting age population of the State  
12                   (as determined on the basis of the most recent  
13                   information available from the Bureau of the  
14                   Census); and

15                   (B) the total voting age population of all  
16                   States (as determined on the basis of the most  
17                   recent information available from the Bureau of  
18                   the Census).

19          (d) REPORTS TO CONGRESS.—

20           (1) REPORTS BY RECIPIENTS OF GRANTS.—Not  
21           later than 6 months after the date on which the  
22           final grant is made under this section, each recipient  
23           of a grant shall submit a report to the Commission  
24           on the activities conducted with the funds provided  
25           by the grant.

1           (2) REPORTS BY COMMISSION.—Not later than  
2           1 year after the date on which the final grant is  
3           made under this section, the Commission shall sub-  
4           mit a report to Congress on the grants made under  
5           this section and the activities carried out by recipi-  
6           ents with the grants, and shall include in the report  
7           such recommendations as the Commission considers  
8           appropriate.

9           (e) STATE DEFINED.—In this Act, the term “State”  
10          includes the District of Columbia, the Commonwealth of  
11          Puerto Rico, Guam, American Samoa, and the United  
12          States Virgin Islands.

13          (f) AUTHORIZATION OF APPROPRIATIONS.—

14               (1) IN GENERAL.—There are authorized to be  
15               appropriated to carry out this section \$75,000,000.  
16               Any amount appropriated pursuant to the authority  
17               of this subsection shall remain available without fis-  
18               cal year limitation until expended.

19               (2) ADMINISTRATIVE EXPENSES.—Of the  
20               amount appropriated for any fiscal year pursuant to  
21               the authority of this subsection, not more than 3  
22               percent shall be available for administrative expenses  
23               of the Commission.

1 **SEC. 4. EXEMPTION OF ELECTION ASSISTANCE COMMIS-**  
2 **SION FROM PAPERWORK REDUCTION ACT.**

3 Section 3502(1) of title 44, United States Code, is  
4 amended—

5 (1) by striking “or” at the end of subparagraph  
6 (C);

7 (2) by striking the semicolon at the end of sub-  
8 paragraph (D) and inserting “; or”; and

9 (3) by adding at the end the following new sub-  
10 paragraph:

11 “(E) the Election Assistance Commis-  
12 sion;”.

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