

118TH CONGRESS
1ST SESSION

S. _____

To expand youth access to voting, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. WARREN (for herself, Mr. BOOKER, Ms. HIRONO, Mr. MARKEY, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Ms. BALDWIN, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To expand youth access to voting, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Youth Voting Rights Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress.
- Sec. 3. Findings.
- Sec. 4. Enforcement of the 26th Amendment.
- Sec. 5. Treatment of public institutions of higher education as voter registration agencies under National Voter Registration Act of 1993.
- Sec. 6. Pre-registration of minors for voting in Federal elections.
- Sec. 7. On-campus polling locations.

Sec. 8. Prohibition of residency requirements.

Sec. 9. Requirements for voter identification.

Sec. 10. Grants to States for activities to encourage involvement of youth in election activities.

Sec. 11. Absentee voting.

Sec. 12. Studies and data collection.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the Sense of Congress that—

3 (1) 50 years ago, our Nation came together
4 unanimately to expand the franchise to those 18
5 years of age and older and to outlaw age-based dis-
6 crimination in accessing the franchise;

7 (2) 50 years later, the promises of the 26th
8 Amendment to the Constitution of the United States
9 (referred to in this Act as the “26th Amendment”)
10 remain unfulfilled although the reasons that moti-
11 vated its ratification endure; and

12 (3) pursuant to section 2 of the 26th Amend-
13 ment, Congress is empowered to enforce the article
14 by appropriate legislation and acts accordingly in
15 this Act.

16 **SEC. 3. FINDINGS.**

17 Congress finds the following:

18 (1) Over 50 years ago, on July 1, 1971, this
19 Nation ratified into the Constitution of the United
20 States the 26th Amendment, lowering the voting age
21 from 21 to 18 years of age and outlawing the denial

1 or abridgement of the right to vote on account of
2 age.

3 (2) Support for the 26th Amendment was near-
4 ly unanimous. The proposed constitutional amend-
5 ment passed with bipartisan supermajorities, passing
6 in the Senate with a vote of 94–0, and passing in
7 the House of Representatives with a vote of 401–19.
8 The 26th Amendment was approved by the requisite
9 38 States in less than 100 days, making it the
10 quickest constitutional amendment to be ratified in
11 United States history.

12 (3) Support for lowering the voting age to 18
13 was championed across the aisle. President Dwight
14 Eisenhower, former Commander of the Allied
15 Forces, included the issue in his 1954 State of the
16 Union Address. Moreover, President Richard Nixon
17 emphasized his support for the 26th Amendment
18 during its certification ceremony, describing that
19 young people serve a critical role by infusing the
20 practice of democracy with “some idealism, some
21 courage, some stamina, some high moral purpose
22 that this Nation always needs, because a country,
23 throughout history, we find, goes through ebbs and
24 flows of idealism.”. Similarly, Senate Majority Lead-
25 er Michael Mansfield and Senator Ted Kennedy

1 were key advocates of the measure, having first pro-
2 posed a statutory route for lowering the voting age
3 in the Voting Rights Act Amendments of 1970
4 (Public Law 91–285), in addition to supporting a
5 path through constitutional ratification.

6 (4) The Voting Rights Act Amendments of
7 1970 (Public Law 91–285) marked the first Federal
8 law to enfranchise youth and outlaw age discrimina-
9 tion in accessing the franchise. In title III of that
10 Act, Congress declared, with strong bipartisan sup-
11 port, that the 21-year age requirement—

12 (A) “denies and abridges the inherent con-
13 stitutional rights of citizens eighteen years of
14 age but not yet twenty-one years of age to
15 vote”;

16 (B) has the effect of denying those
17 disenfranchised “the due process and equal pro-
18 tection of the laws that are guaranteed to them
19 under the Fourteenth Amendment”; and

20 (C) “does not bear a reasonable relation-
21 ship to any compelling State interest.”.

22 (5) The age-based expansion of the franchise
23 via the Voting Rights Act Amendments of 1970 was
24 ultimately found by a strongly divided Supreme
25 Court to be unconstitutional as applied to State and

1 local races and constitutional as applied to Federal
2 races. Thus, to ensure uniform election administra-
3 tion in Federal and State races, a constitutional so-
4 lution was required.

5 (6) A variety of reasons were advanced to sup-
6 port ratification of the 26th Amendment. The
7 emerging themes included—

8 (A) the value of idealism, courage, and
9 moral purpose that youth provide in reener-
10 gizing the practice of democracy;

11 (B) the increased political competence of
12 young people compared to prior generations,
13 due to greater access to information through
14 standardized education and technology such as
15 then-widely available television sets;

16 (C) the increased responsibilities assumed
17 by the group as they fought in war, assumed
18 debt, and lived independently;

19 (D) a general recognition of the Nation's
20 expansion toward a more inclusive suffrage; and

21 (E) the stemming of unrest by encouraging
22 institutionalized mechanisms to advance
23 change.

24 (7) In referring the 26th Amendment to the
25 States for ratification, Congress invoked the Voting

1 Rights Act and the principles protected by the 14th
2 Amendment to the Constitution of the United
3 States, explaining that “[F]orcing young voters to
4 undertake special burdens-obtaining absentee ballots,
5 or traveling to one centralized location in each city,
6 for example-in order to exercise their right to vote
7 might well serve to dissuade them from participating
8 in the election. This result, and the election proce-
9 dures that create it, are at least inconsistent with
10 the purpose of the Voting Rights [A]ct, which
11 sought to encourage greater political participation on
12 the part of the young; such segregation might even
13 amount to a denial of their 14th Amendment right
14 to equal protection of the laws in the exercise of the
15 franchise.”.

16 (8) According to the Center for Information &
17 Research on Civic Learning and Engagement (re-
18 ferred to in this Act as “CIRCLE”) of Tufts Uni-
19 versity, a record-high 28 percent of young people
20 voted in the 2018 midterm elections, more than dou-
21 bling the record-low 13 percent youth turnout in
22 2014. Still, young people vote at lower levels than
23 older adults.

24 (9) Lower youth voting rates are not a sign of
25 generational apathy but of systemic barriers and

1 issues with the culture of political engagement that
2 have plagued young people of various generations for
3 decades. Individuals that were part of older genera-
4 tions voted at similar rates as individuals in the Mil-
5 lennial and Gen Z generations when those older gen-
6 erations were youth. For the first presidential elec-
7 tion in which a generation's entire 18–24 age cohort
8 was eligible to vote (1972 for Boomers, 1992 for
9 Gen X, and 2008 for Millennials), each participated
10 at about 50 percent.

11 (10) The outsized reliance by young voters on
12 provisional ballots in recent years demonstrates the
13 structural obstacles young voters face due to voter
14 restrictions. A 2016 survey found that 1 in 4
15 Millennials voted provisionally in the 2016 race,
16 compared to 6 percent of Baby Boomers, and 2 per-
17 cent of the Greatest Generation.

18 (11) In addition to voting provisionally at dis-
19 proportionate rates, young voters' provisional ballots
20 are also disproportionately rejected. As determined by
21 a recent Federal court, voters aged 18 to 21 in Flor-
22 ida had their provisional ballots rejected at a rate
23 more than 4 times higher than the rejection rate for
24 provisional ballots cast by voters between the ages of
25 45 to 64.

1 (12) Similarly, young voters experience a higher
2 rejection rate of vote-by-mail ballots compared to
3 older voters. One study found that voters aged 18 to
4 21 had their vote-by-mail ballots rejected at a rate
5 of over 5 times that of voters between the ages of
6 45 to 64 and over 8 times those over the age of 65.
7 These rejection rates trend with those of voters of
8 color. For example, the study found that the rate of
9 rejection of vote-by-mail ballots for Hispanic and Af-
10 rican American voters is over 2 times that of White
11 voters.

12 (13) Moreover, when special burdens are re-
13 moved, young people vote more frequently. Once
14 polling places were finally situated on campuses dur-
15 ing the early voting period, pursuant to successful
16 26th Amendment litigation, one study found that on
17 12 campuses alone, nearly 60,000 registered voters
18 participated in the 2018 general election through
19 early in-person voting. Young voters, people of color,
20 and those who did not cast a ballot in 2016 dis-
21 proportionately voted at the on-campus voting loca-
22 tions. Voter turnout is bolstered by on-campus vot-
23 ing locations because those locations lower the op-
24 portunity costs for voting for all registered voters,
25 particularly for young registered voters.

1 (14) Young people are passionate about political
2 issues and often want to engage in the political
3 process, but they face barriers to participation. For
4 example, they may face structural obstacles such as
5 proof requirements that obscure a young person's
6 right to vote, barriers to voter registration, inaccessible or poorly equipped polling places, campus gerrymanders, over-reliance on provisional ballots, unequal access to vote-by-mail, and unfair treatment of
7 provisional and vote-by-mail ballots. Some of these
8 barriers are acute for the youngest voters who are
9 particularly transient and move every year, thereby
10 struggling to update their voter registration, or who
11 are less likely to have a driver's license to use as
12 voter identification. Youth voters are similarly vulnerable to confusion about their right to vote from
13 their campus residences. Although the Supreme
14 Court summarily affirmed the right of college students to vote from their campus residences in 1979,
15 pursuant to the 26th Amendment, misinformation, disinformation, and legal challenges persist about
16 this right. Congress finds that students indeed have
17 a right to vote from their campus residences. Relatedly, many young people have not been taught about
18 elections and voting, including the practicalities of

1 registering and casting a ballot and the reasons why
2 their voices and votes matter in democracy.

3 (15) Seven States restrict access to vote-by-mail
4 on account of age, allowing voters above a certain
5 age to vote with no excuse, and requiring that voters
6 below 60 or 65 meet a narrow list of excuses to vote-
7 by-mail. In those States, voters 65 and older com-
8 prise nearly 65 percent of all at-home ballots, where-
9 as the use of at-home ballots is more evenly distrib-
10 uted across age cohorts in States without the age-
11 restriction. In age-discriminatory vote-at-home
12 States, 21 percent of adults over 65 voted at home
13 in 2018, but less than 6 percent of voters 18–34 did
14 so. Congress further finds that eligible voters, in-
15 cluding youth, have the right to vote by mail in Fed-
16 eral elections free of prima facie age restrictions.

17 (16) Studies reinforce the habit-forming nature
18 of voting, making it all the more important that vot-
19 ing becomes normalized at an early age through un-
20 obstructed access to the ballot. For example, a re-
21 cent study found that on average, voting in 1 elec-
22 tion increases the probability of voting in a future
23 election by 10 percentage points.

24 (17) According to CIRCLE, youth without col-
25 lege experience also tend to vote at lower rates than

1 young people in college. For example, in 2018, 28
2 percent of youth (ages 18–29) voted, while the Insti-
3 tute for Democracy & Higher Education of Tufts
4 University estimated that 40 percent of college stu-
5 dents cast a ballot. There are disparities by age, and
6 even among youth; the youngest group (ages 18 and
7 19) vote at lower rates. There are also disparities by
8 urbanicity, with young people in rural areas and
9 other civic deserts having lower voter turnout.

10 (18) According to CIRCLE, low-income youth
11 are acutely impacted, since their economic struggles
12 translate into multiple logistical barriers to voting. A
13 recent survey of low-income youth found that young
14 voters reported barriers to voting, including—

15 (A) confusion with voter identification
16 rules (88 percent);

17 (B) confusion about the impact of voter
18 disenfranchisement (42 percent reported lack of
19 clarity about whether someone who paid a fine
20 for driving under the influence could vote or if
21 someone with a suspended driver’s license could
22 vote);

23 (C) confusion about the location of polling
24 places (39 percent did not know where to vote);
25 and

1 (D) a high lack of confidence that they
2 would be fully prepared to vote if an election
3 happened “next week” (only half of surveyed
4 youth reported confidence).

5 (19) Moreover, youth reported negative voting
6 experiences due to failure to see young people work-
7 ing at the polls (87 percent), failure to see poll
8 workers that look like them (74 percent), and not
9 believing that election officials make an effort to en-
10 sure that people like them can vote (59 percent).

11 (20) Presidential election years are particularly
12 consequential for youth voter engagement. For ex-
13 ample, 61 percent of 18- to 29-year-olds were reg-
14 istered to vote in 2008, compared to 49 percent in
15 2010. Moreover, youth who registered to vote are
16 considerably more likely to vote. Among youth reg-
17 istered in 2008, 84 percent cast a ballot.

18 (21) While direct youth voter registration, out-
19 reach, and engagement is typically heightened in the
20 Summer and Fall months leading up to presidential
21 elections, unprecedented obstacles presented them-
22 selves amid the COVID–19 pandemic as the econ-
23 omy slowed, the Nation shut down, and institutions
24 of higher education, technical and vocational schools,

1 and high schools, along with county election offices,
2 changed their normal operations.

3 (22) The 2020 primary cycle shed light on the
4 unique obstacles faced by young voters in uncertain
5 times as they were displaced from the college
6 domiciles where they would eventually return. Con-
7 fused and misinformed about their right to vote
8 from campus despite the temporary relocation, these
9 voters had to adjust for the first time to obtaining,
10 printing, properly filling out and submitting along
11 with required proofs, and mailing postage-required
12 official forms and paperwork, such as voter registra-
13 tion forms, absentee ballot requests, and absentee
14 ballots.

15 (23) The 2020 election resulted in unprece-
16 dented voter turnout overall, boasting the highest
17 turnout in United States history, with 17,000,000
18 more voters compared to the last presidential cycle.
19 The unprecedented trend tracked for youth voters as
20 well. 2020 was the first election in which the major-
21 ity of voters under the age of 30 voted. States with
22 the highest youth voter rates were those with more
23 robust registration and vote by mail laws, such as
24 those with pre-registration, same day registration,

1 election day registration, early voting, and accessible
2 no-excuse vote by mail opportunities.

3 (24) The response to increased voter turnout
4 has been an unprecedented number of State legisla-
5 tive proposals to make it harder to cast a valid bal-
6 lot, such as the imposition of limitations on the
7 availability of drop-boxes, limitations on the count-
8 ing of out-of-precinct ballots, and the removal of stu-
9 dent identification as valid voter identification where
10 required. Pressures have also mounted on the local
11 level, with continued efforts to prevent or remove on-
12 campus polling locations, which are key to youth en-
13 gagement since they allow students to vote where
14 they study, work, eat, and sleep.

15 (25) State and local election administration im-
16 pacts youth at large, including high school youth in
17 their ability to pre-register in advance of turning 18,
18 college students matriculating in traditional public
19 and private 2- or 4-year institutions of higher edu-
20 cation or vocational and technical programs, and the
21 most vulnerable or overlooked youth populations,
22 such as those in less stable housing and those who
23 do not pursue college education.

24 (26) The 14th and 26th Amendments, and the
25 Elections Clause of section 4 of article I and Guar-

1 antee Clause of section 4 of article IV, of the Con-
2 stitution empower Congress to protect the right to
3 vote in Federal elections.

4 (27) The Voting Rights Act of 1965 was always
5 understood to be privately enforceable, and to con-
6 tain a private right of action by which all voters of
7 the United States could guarantee the rights guar-
8 anteed therein. Recently, in light of the continued
9 development of the law concerning privately enforce-
10 able statutes, academic discussion and jurisperu-
11 dential dicta have incorrectly questioned the Voting
12 Rights Act of 1965's private right of action. This
13 Act and the amendments made by this Act recognize
14 the hundreds of cases brought by private plaintiffs
15 to enforce the Voting Rights Act of 1965 and re-af-
16 firms that such a private right of action has always
17 existed for the Voting Rights Act of 1965.

18 **SEC. 4. ENFORCEMENT OF THE 26TH AMENDMENT.**

19 Title III of the Voting Rights Act of 1965 (52 U.S.C.
20 10701 et seq.) is amended by adding at the end the fol-
21 lowing:

22 **“SEC. 303. PRIVATE RIGHT OF ACTION; STANDARD OF RE-**
23 **VIEW; FEES.**

24 “(a) PRIVATE RIGHT OF ACTION.—Any person eight-
25 een years of age and older who is aggrieved by a denial

1 or abridgment of the right of a citizen of the United States
2 to vote on account of age may commence a civil action
3 in any appropriate district court of the United States for
4 relief.

5 “(b) STANDARD OF REVIEW.—A denial or abridg-
6 ment of the right of a citizen of the United States to vote
7 on account of age shall be established in a private right
8 of action under subsection (a) if a qualification or pre-
9 requisite to voting or standard, practice, or procedure—

10 “(1) has the effect of denying or abridging to
11 citizens eighteen years of age and older the due
12 process or equal protection of the laws that are
13 guaranteed to them under the 14th and 26th
14 Amendments of the Constitution of the United
15 States; and

16 “(2) is not necessary to advance any compelling
17 interest of a State or political subdivision.

18 “(c) FEES AND COSTS.—The court, in an action
19 under this section, shall allow the plaintiff, if the pre-
20 vailing party, to recover from the defendant reasonable at-
21 torneys’ and expert witness fees, and other costs of the
22 action.”.

1 **SEC. 5. TREATMENT OF PUBLIC INSTITUTIONS OF HIGHER**
2 **EDUCATION AS VOTER REGISTRATION AGEN-**
3 **CIES UNDER NATIONAL VOTER REGISTRA-**
4 **TION ACT OF 1993.**

5 (a) IN GENERAL.—Section 7(a)(2) of the National
6 Voter Registration Act of 1993 (52 U.S.C. 20506(a)(2))
7 is amended—

8 (1) by striking “and” at the end of subpara-
9 graph (A);

10 (2) by striking the period at the end of sub-
11 paragraph (B) and inserting “; and”; and

12 (3) by adding at the end the following new sub-
13 paragraph:

14 “(C) all offices within public institutions of
15 higher education, as defined in section 101 and
16 section 102(c) of the Higher Education Act of
17 1965 (20 U.S.C. 1001; 20 U.S.C. 1002(c)),
18 that provide assistance to students.”.

19 (b) APPLICATION.—Section 4(b) of the National
20 Voter Registration Act of 1993 (52 U.S.C. 20503(b)) is
21 amended—

22 (1) by redesignating paragraphs (1) and (2) as
23 subparagraphs (A) and (B), respectively, and indent-
24 ing appropriately;

25 (2) by striking “STATES.—This Act” and in-
26 serting “STATES.—”

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), this Act”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(2) APPLICATION OF CERTAIN REQUIRE-
6 MENTS.—Notwithstanding paragraph (1), in the
7 case of a State described in paragraph (1)(B), sub-
8 section (a)(3)(B), section 7, and paragraphs (1)(C),
9 (5) and (6) of section 8(a) shall apply, but only with
10 respect to institutions described in section
11 7(a)(2)(C).”.

12 **SEC. 6. PRE-REGISTRATION OF MINORS FOR VOTING IN**
13 **FEDERAL ELECTIONS.**

14 (a) PRE-REGISTRATION OF MINORS FOR VOTING IN
15 FEDERAL ELECTIONS.—The National Voter Registration
16 Act of 1993 (52 U.S.C. 20501 et seq.) is amended by in-
17 serting after section 8 the following new section:

18 **“SEC. 8A. PRE-REGISTRATION PROCESS FOR MINORS.**

19 “(a) REQUIRING IMPLEMENTATION OF PRE-REG-
20 ISTRATION PROCESS.—Each State shall implement a
21 process under which—

22 “(1) an individual who is a resident of the State
23 may apply to register to vote in elections for Federal
24 office in the State at any time on or after the date
25 on which the individual turns 16 years of age;

1 “(2) if the individual is not 18 years of age or
2 older at the time the individual applies under para-
3 graph (1) but would be eligible to vote in such pri-
4 mary or general elections if the individual were 18
5 years of age, the State shall ensure that the indi-
6 vidual is registered to vote in elections for Federal
7 office in the State that are held on or after the date
8 on which the individual turns 18 years of age; and

9 “(3) the activities the State implements in
10 order to comply with sections 5 and 7 shall include
11 pre-registration services (to the same extent as reg-
12 istration services) for qualifying individuals, as de-
13 scribed in this subsection.

14 “(b) PERMITTING AVAILABILITY OF PROCESS FOR
15 YOUNGER INDIVIDUALS.—A State may, at its option,
16 make the process implemented under subsection (a) avail-
17 able to individuals who are younger than 16 years of
18 age.”.

19 (b) APPLICATION.—Section 4(b)(2) of the National
20 Voter Registration Act of 1993 (52 U.S.C. 20503(b)(2)),
21 as added by section 5(b), is amended—

22 (1) by striking “paragraph (1)(B), subsection
23 (a)(3)(B)” and inserting “paragraph (1)(B)—
24 “(A) subsection (a)(3)(B)”;

1 (2) in subparagraph (A), as added by para-
2 graph (1), by striking the period at the end and in-
3 serting “; and”; and

4 (3) by adding at the end the following new sub-
5 paragraph:

6 “(B) section 8A shall apply.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect upon the expiration of the
9 90-day period that begins on the date of the enactment
10 of this Act.

11 **SEC. 7. ON-CAMPUS POLLING LOCATIONS.**

12 (a) DEFINITIONS.—In this section:

13 (1) CAMPUS.—The term “campus”—

14 (A) means a geographic site of an institu-
15 tion of higher education that is permanent in
16 nature and offers courses in educational or
17 training programs which are available for stu-
18 dents to attend in person; and

19 (B) includes main campuses, branch cam-
20 puses, and additional locations in the United
21 States.

22 (2) INSTITUTION OF HIGHER EDUCATION.—The
23 term “institution of higher education” has the
24 meaning given that term in subsections (a) and (b)
25 of section 101 and subsections (b) and (c) of section

1 102 of the Higher Education Act of 1965 (20
2 U.S.C. 1001(a), 1001(b), 1002(b), 1002(c)).

3 (3) STATE.—The term “State” means each of
4 the several States and the District of Columbia.

5 (b) IN GENERAL.—Each State shall ensure that poll-
6 ing places for each election for Federal office (referred to
7 in this section as a “Federal election”) are made available,
8 on the date of a Federal election, on—

9 (1) each campus of any State public institution
10 of higher education in the State, except any such
11 campus for which the State has received a waiver
12 under subsection (e); and

13 (2) each campus of any other institution of
14 higher education in the State for which the State
15 has received the institution’s written permission to
16 have a polling place on campus.

17 (c) NON-STATE INSTITUTIONS.—Not less than 90
18 days before the State’s deadline for certifying polling place
19 locations in advance of each Federal election, the State
20 shall request in writing permission to place a polling place
21 for a Federal election, to be available on the date of that
22 election, on the campus of each institution of higher edu-
23 cation that is not a State public institution of higher edu-
24 cation—

25 (1) for the next Federal election; or

1 (2) for a longer period of time, as agreed to by
2 the State and the institution of higher education.

3 (d) ALTERNATIVE POLLING PLACES.—For each in-
4 stitution of higher education that is not a State public in-
5 stitution of higher education and that does not give writ-
6 ten permission as described in subsection (c) for placement
7 of a polling place on the institution’s campus, the State
8 shall implement alternative procedures to ensure voting is
9 accessible to youth on that campus who are age 18 and
10 over. Such procedures may include—

11 (1) offering free shuttles for such youth to
12 other nearby polling locations;

13 (2) making available on the campus absentee
14 voting drop boxes for such youth; or

15 (3) offering an on-campus early voting option
16 or a mobile unit on the campus for early voting or
17 election day voting for such youth.

18 (e) WAIVERS.—

19 (1) IN GENERAL.—The Attorney General may,
20 upon the request of a State, waive the requirement
21 under subsection (b)(1) with respect to a Federal
22 election for a campus described in such paragraph
23 for which the State, in accordance with the guidance
24 under paragraph (3)—

1 (A) determines is an unsuitable polling lo-
2 cation in the State for that Federal election;
3 and

4 (B) agrees to require alternative proce-
5 dures at such campus to ensure voting in Fed-
6 eral elections is accessible to youth who are age
7 18 and over for that Federal election.

8 (2) APPLICATIONS TO INCLUDE ALTERNATIVE
9 PROCEDURES.—To request a waiver under para-
10 graph (1) with respect to a Federal election and for
11 a campus described in subsection (b)(1), a State
12 shall submit an application to the Attorney General
13 that includes information on the alternative proce-
14 dures the State will require the State public institu-
15 tion of higher education to implement with respect
16 to that Federal election for that campus to ensure
17 voting is accessible to youth who are age 18 and
18 over. Such procedures may include—

19 (A) offering free shuttles for such youth to
20 other polling locations;

21 (B) making available on the campus absen-
22 tee voting drop boxes for such youth; or

23 (C) offering an on-campus early voting op-
24 tion or a mobile unit on the campus for early
25 voting or election day voting for such youth.

1 (3) GUIDANCE.—Not later than 180 days after
2 the date of enactment of this Act, the Attorney Gen-
3 eral shall issue guidance on the administration of
4 this section, including guidance on the coverage
5 under this section of campuses and institutions of
6 higher education, as defined in subsection (a), ac-
7 ceptable reasons for allowing a waiver under this
8 subsection, and alternative procedures described in
9 paragraph (2), with respect to a campus described
10 in subsection (b)(1). Such guidance shall include
11 considerations of issues relating to the accessibility
12 of the campus, including—

13 (A) the inability to modify the physical at-
14 tributes of the campus to make the campus ac-
15 cessible for voting;

16 (B) the proximity of the campus to local
17 population centers;

18 (C) the ability of youth age 18 and over
19 who are from historically disadvantaged com-
20 munities to access the campus;

21 (D) the ability of the institution of higher
22 education to comply with other Federal or State
23 laws relating to Federal elections at that cam-
24 pus location; and

1 (E) the number of students enrolled at the
2 institution of higher education in the year of
3 the relevant Federal election.

4 (f) ENFORCEMENT.—

5 (1) ATTORNEY GENERAL.—The Attorney Gen-
6 eral may bring a civil action in an appropriate dis-
7 trict court for such declaratory or injunctive relief as
8 is necessary to carry out this section.

9 (2) PRIVATE RIGHT OF ACTION.—

10 (A) A person who is aggrieved by a viola-
11 tion of this section may provide written notice
12 of the violation to the chief election official of
13 the State involved.

14 (B) If the violation is not corrected within
15 90 days after receipt of a notice under subpara-
16 graph (A), or within 20 days after receipt of
17 the notice if the violation occurred within 120
18 days before the date of a Federal election, the
19 aggrieved person may bring a civil action in an
20 appropriate district court for declaratory or in-
21 junctive relief with respect to the violation.

22 (C) If the violation occurred within 30
23 days before the date of a Federal election, the
24 aggrieved person need not provide notice to the
25 chief election official of the State under sub-

1 paragraph (A) before bringing a civil action
2 under subparagraph (B).

3 (D) The court, in an action under this sec-
4 tion, shall allow the plaintiff, if the prevailing
5 party, to recover from the defendant reasonable
6 attorneys' and expert witness fees and other
7 costs of the action.

8 **SEC. 8. PROHIBITION OF RESIDENCY REQUIREMENTS.**

9 (a) **APPLICABILITY TO ALL ELECTIONS FOR FED-**
10 **ERAL OFFICE.**—Section 202 of the Voting Rights Act of
11 1965 (52 U.S.C. 10502) is amended—

12 (1) in subsection (a)—

13 (A) in the matter preceding paragraph
14 (1)—

15 (i) by striking “the offices of Presi-
16 dent and Vice President” and inserting
17 “Federal office”; and

18 (ii) by striking “presidential elections”
19 and inserting “elections for Federal of-
20 fice”;

21 (B) in paragraph (1), by striking “their
22 President and Vice President” and inserting
23 “Federal office”;

24 (C) in paragraph (5), by striking “; and”
25 and inserting “, and in some cases, the twenty-

1 sixth amendment, including the right to vote
2 from a college domicile; and”]; and

3 (D) in paragraph (6), by striking “presi-
4 dential elections” and inserting “elections for
5 Federal office”];

6 (2) in subsection (b)—

7 (A) by striking “voting for President and
8 Vice President” and inserting “voting in elec-
9 tions for Federal office”]; and

10 (B) by striking “presidential elections” and
11 inserting “elections for Federal office”];

12 (3) in subsection (c)—

13 (A) by striking “election for President and
14 Vice President” and inserting “election for Fed-
15 eral office”]; and

16 (B) by striking “electors for President and
17 Vice President, or for President and Vice Presi-
18 dent,” and inserting “Federal office,” each
19 place the term appears;

20 (4) in subsection (d), by striking “the choice of
21 electors for President and Vice President or for
22 President and Vice President” and inserting “Fed-
23 eral office”];

24 (5) in subsection (e)—

1 (A) by striking “election for President and
2 Vice President” and inserting “election for Fed-
3 eral office”; and

4 (B) by striking “the choice of electors for
5 President and Vice President, or for President
6 and Vice President,” and inserting “Federal of-
7 fice”; and

8 (6) in subsection (f)—

9 (A) by striking “election for President and
10 Vice President” and inserting “election for Fed-
11 eral office”; and

12 (B) by striking “for the choice of electors
13 for President and Vice President, or for Presi-
14 dent and Vice President,” and inserting “for
15 Federal office”.

16 (b) PRIVATE RIGHT OF ACTION RELATING TO RESI-
17 DENCE REQUIREMENTS FOR VOTING.—Section 202 of the
18 Voting Rights Act of 1965 (52 U.S.C. 10502) is further
19 amended by adding at the end the following:

20 “(j) PRIVATE RIGHT OF ACTION.—Any person who
21 is aggrieved by a violation of this section may commence
22 a civil action in any appropriate district court of the
23 United States for relief. The court, in an action under this
24 section, shall allow the plaintiff, if the prevailing party,

1 to recover from the defendant reasonable attorneys' and
2 expert witness fees and other costs of the action.”.

3 **SEC. 9. REQUIREMENTS FOR VOTER IDENTIFICATION.**

4 (a) IN GENERAL.—Title III of the Help America
5 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

6 (1) by redesignating sections 304 and 305 as
7 sections 305 and 306, respectively; and

8 (2) by inserting after section 303 the following
9 new section:

10 **“SEC. 304. TREATMENT OF STUDENT IDENTIFICATION**
11 **CARDS AS VOTER IDENTIFICATION.**

12 “(a) IN GENERAL.—To the extent that a State or
13 local jurisdiction has a voter identification requirement,
14 the State or local jurisdiction shall treat a student identi-
15 fication card issued by an institution of higher education
16 as meeting such voter identification requirement.

17 “(b) INSTITUTION OF HIGHER EDUCATION.—For
18 purposes of this section, the term ‘institution of higher
19 education’ has the meaning given that term in subsections
20 (a) and (b) of section 101 and subsections (b) and (c) of
21 section 102 of the Higher Education Act of 1965 (20
22 U.S.C. 1001(a), 1001(b), 1002(b), 1002(c)).”.

23 (b) CONFORMING AMENDMENT RELATING TO EN-
24 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)

1 is amended by striking “and 303” and inserting “, 303,
2 and 304”.

3 (c) CLERICAL AMENDMENTS.—The table of contents
4 of such Act is amended—

5 (1) by redesignating the items relating to sec-
6 tions 304 and 305 as relating to sections 305 and
7 306, respectively; and

8 (2) by inserting after the item relating to sec-
9 tion 303 the following new item:

“Sec. 304. Treatment of student identification cards as voter identification.”.

10 **SEC. 10. GRANTS TO STATES FOR ACTIVITIES TO ENCOUR-**
11 **AGE INVOLVEMENT OF YOUTH IN ELECTION**
12 **ACTIVITIES.**

13 (a) IN GENERAL.—Subtitle D of title II of the Help
14 America Vote Act of 2002 (52 U.S.C. et seq.) is amended
15 by adding at the end the following:

16 **“PART 7—GRANTS TO ENCOURAGE YOUTH**
17 **INVOLVEMENT IN ELECTION ACTIVITIES**
18 **“SEC. 297. GRANTS TO ENCOURAGE YOUTH INVOLVEMENT**
19 **IN ELECTION ACTIVITIES.**

20 “(a) IN GENERAL.—The Commission shall make
21 grants to eligible States to increase the involvement of
22 youth, including those under 18 years of age, in public
23 election activities in the State.

24 “(b) ELIGIBILITY.—

1 “(1) APPLICATION.—A State is eligible to re-
2 ceive a grant under this section if the State submits
3 to the Commission, at such time and in such form
4 as the Commission may require, an application con-
5 taining—

6 “(A) a description of the State’s plan;

7 “(B) a description of the performance
8 measures and targets the State will use to de-
9 termine its success in carrying out the plan;
10 and

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

13 “(2) CONTENTS OF PLAN.—A State’s plan
14 under this subsection shall include—

15 “(A) methods to promote the use of the
16 pre-registration process implemented under sec-
17 tion 8A of the National Voter Registration Act
18 of 1993;

19 “(B) modifications to the curriculum of
20 secondary schools in the State to promote civic
21 engagement;

22 “(C) a description of how the State will
23 provide funding to secondary schools and insti-
24 tutions of higher education to enable those
25 schools and institutions to support activities

1 (including activities carried out by student or-
2 ganizations) to increase voter registration and
3 voter turnout, including pre-registration where
4 allowable;

5 “(D) the creation of a paid fellowship pro-
6 gram for youth to work with State and local
7 election officials to support youth civic and po-
8 litical engagement;

9 “(E) a description of how the grant fund-
10 ing will reduce disparities in access to the elec-
11 toral process among youth who are members of
12 protected classes, as defined by the Commis-
13 sion, under Federal law; and

14 “(F) such other activities to encourage the
15 involvement of youth in the electoral process as
16 the State considers appropriate, including en-
17 couraging youth to serve as poll workers, dep-
18 uty voter registrars, or election workers where
19 allowable, and outreach activities to engage sec-
20 ondary schools, postsecondary educational insti-
21 tutions, and the most vulnerable or overlooked
22 youth populations, such as those in less stable
23 housing and those who do not pursue college
24 education.

25 “(c) PERIOD OF GRANT; REPORT.—

1 “(1) PERIOD OF GRANT.—A State receiving a
2 grant under this section shall use the funds provided
3 by the grant over a 2-year period agreed to between
4 the State and the Commission.

5 “(2) REPORT.—Not later than 6 months after
6 the end of the 2-year period agreed to under para-
7 graph (1), the State shall submit to the Commission
8 a report on the activities the State carried out with
9 the funds provided by the grant, and shall include
10 in the report an analysis of the extent to which the
11 State met the performance measures and targets in-
12 cluded in its application under subsection (b)(2).

13 “(d) STATE DEFINED.—In this section, the term
14 ‘State’ means each of the several States, the District of
15 Columbia, the Commonwealth of Puerto Rico, the United
16 States Virgin Islands, Guam, American Samoa, and the
17 Commonwealth of the Northern Mariana Islands.

18 “(e) YOUTH ENGAGEMENT FUND.—

19 “(1) IN GENERAL.—The Commission shall es-
20 tablish a Youth Engagement Fund for the purpose
21 of making grants under this section.

22 “(2) AUTHORIZATION OF APPROPRIATION.—
23 There is authorized to be appropriated to the Youth
24 Engagement Fund to carry out this section—

1 “(A) for fiscal year 2024, \$26,000,000;
2 and

3 “(B) for each subsequent fiscal year, the
4 difference between \$26,000,000 and the amount
5 of unobligated funds in the Youth Engagement
6 Fund as of the close of the preceding fiscal
7 year.

8 “(3) AVAILABILITY.—Funds appropriated pur-
9 suant to the authorization of appropriations in para-
10 graph (2) shall remain available for a period of 10
11 years from the fiscal year in which appropriated.”.

12 (b) CLERICAL AMENDMENT.—The table of contents
13 of such Act is amended by adding at the end of the items
14 relating to subtitle D of title II the following:

“PART 7—GRANTS TO ENCOURAGE YOUTH INVOLVEMENT IN ELECTION
ACTIVITIES

“Sec. 297. Grants to encourage youth involvement in election activities.”.

15 **SEC. 11. ABSENTEE VOTING.**

16 (a) ENFORCEMENT OF TWENTY-SIXTH AMEND-
17 MENT.—Section 301(a)(1) of the Voting Rights Act of
18 1965 (52 U.S.C. 10701(a)(1)) is amended by inserting be-
19 fore the period at the end the following: “, including deni-
20 als or abridgements of the rights of citizens of the United
21 States to vote on account of age as a result of age-based
22 restrictions for individuals of legal voting age to voting
23 by mail”.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that age-based restrictions for individuals of legal
3 voting age to vote by mail constitute a violation of the
4 Twenty-Sixth Amendment to the Constitution of the
5 United States.

6 **SEC. 12. STUDIES AND DATA COLLECTION.**

7 (a) GAO STUDY.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of enactment of this Act, the Comp-
10 troller General of the United States shall submit to
11 Congress a report on voter registration trends, ab-
12 sentee voting trends, and provisional voting trends,
13 disaggregated by age and (where information on
14 race is available) race in accordance with paragraph
15 (2), including—

16 (A) an examination of the reliance on ab-
17 sentee and provisional ballots by age;

18 (B) an examination of the availability of
19 polling places on the campuses of institutions of
20 higher education as defined in section 7 of this
21 Act, including consideration of the characteris-
22 tics of those institutions and the populations
23 they serve;

1 (C) the rejection rates for voter registra-
2 tion applications and absentee ballot applica-
3 tions;

4 (D) the rejection rates for absentee ballots
5 and provisional ballots; and

6 (E) the reasons for those rejections.

7 (2) DISAGGREGATION.—The information de-
8 scribed in paragraph (1) shall be disaggregated ac-
9 cording to (where information on race is available)
10 race and according to the following age cohorts:

11 (A) 16 to 17.

12 (B) 18 to 21.

13 (C) 22 to 24.

14 (D) 25 to 29.

15 (E) 30 to 34.

16 (F) 35 to 39.

17 (G) 40 to 44.

18 (H) 45 to 49.

19 (I) 50 to 54.

20 (J) 55 to 59.

21 (K) 60 to 64.

22 (L) 65 to 69.

23 (M) 70 to 74.

24 (N) 75 to 79.

25 (O) 80 to 84.

1 (P) 85 and over.

2 (b) ELECTION ASSISTANCE COMMISSION DATA COL-
3 LECTION.—

4 (1) IN GENERAL.—The Election Assistance
5 Commission shall collect, as a part of the Election
6 Administration and Voting Survey effort, and make
7 publicly available, data from States on—

8 (A) application and rejection rates of voter
9 registration applications and absentee ballot ap-
10 plications for elections for Federal office based
11 on age and (where information on race is avail-
12 able) race;

13 (B) application and rejection rates of ab-
14 sentee ballots and the issuance and rejection
15 rates of provisional ballots cast for elections for
16 Federal office based on age and (where infor-
17 mation on race is available) race;

18 (C) the reasons provided by the State for
19 the rejection of such ballots; and

20 (D) information on the availability of poll-
21 ing places on the campuses of institutions of
22 higher education as defined in section 7 of this
23 Act, including consideration of the characteris-
24 tics of those institutions and the populations
25 they serve.

1 (2) DISAGGREGATION.—The information de-
2 scribed in paragraph (1) shall be disaggregated ac-
3 cording to each age cohort described in subpara-
4 graphs (A) through (P) of subsection (a)(2).

5 (3) REQUIRING STATE SUBMISSION OF INFOR-
6 MATION REGARDING REJECTED BALLOTS.—

7 (A) REQUIREMENT.—Title III of the Help
8 America Vote Act of 2002 (52 U.S.C. 21081 et
9 seq.) is amended by inserting after section 303
10 the following new section:

11 **“SEC. 303A. REQUIRED SUBMISSION OF INFORMATION RE-**
12 **GARDING REJECTED APPLICATIONS AND**
13 **BALLOTS.**

14 “(a) REQUIREMENT.—Each State shall furnish to the
15 Election Assistance Commission such information as the
16 Commission may request for purposes of carrying out sec-
17 tion 10(b) of the Youth Voting Rights Act.

18 “(b) EFFECTIVE DATE.—This section shall apply
19 with respect to the elections for Federal office held on or
20 after the date of enactment of this section.”.

21 (B) ENFORCEMENT.—Section 401 of such
22 Act (52 U.S.C. 21111), as amended by section
23 9(b), is amended by inserting “303A,” after
24 “303,”.

1 (C) CLERICAL AMENDMENT.—The table of
2 contents of such Act is amended by inserting
3 after the item relating to section 303 the fol-
4 lowing new item:

“Sec. 303A. Required submission of information regarding rejected applications
and ballots.”