



## H.R. 5036 – EMERGENCY ASSISTANCE FOR SECURE ELECTIONS ACT OF 2008

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### FLOOR SITUATION

H.R. 5036 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Rush Holt (D-NJ) on January 17, 2008. The House Committee on House Administration agreed to the bill, as amended, by voice vote on April 2, 2008.

H.R. 5036 is expected to be considered on the floor of the House on April 15, 2008.

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### SUMMARY

H.R. 5036 requires the Election Assistance Commission (EAC) to reimburse jurisdictions who convert from a paperless direct recording electronic voting system (DRE) to a paper ballot voting system, that carry paper ballots in the event that DRE machines fail, or that back up their DRE machines with paper records for the 2008 general election. The bill includes reimbursement for states that provide back up paper ballots and also directs the National Institute of Standards and Technology to conduct a paper ballot accessibility study.

Additionally, H.R. 5036 requires the EAC to reimburse States and jurisdictions for costs incurred when conducting a post-election manual audit and hand count election night tallies for the 2008 general election.

H.R. 5036 authorizes such sums as may be necessary.

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### BACKGROUND

After the 2000 general elections, the Help America Vote Act of 2002 (P.L. 107-252) established the EAC to oversee the development of national guidelines for voting systems and to help direct funding to states for improved elections. The Act also set national standards for election equipment and granted funds to help states upgrade their equipment.

On February 5, 2007, Representative Holt introduced H.R. 811 - The Voter Confidence and Increased Accessibility Act. This bill would have required states and jurisdictions to use voting systems that would record each vote on paper. The bill would have authorized \$1 billion dollars to help states update their voting systems, and disallowed the use of uncertified voting software. The House Committee on House Administration agreed to the bill, as amended, by a vote of 6-3 on May 8, 2007. No further action has been taken on H.R. 811.

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### COST

The Congressional Budget Office, "estimates that implementing H.R. 5036 would cost \$685 million in 2009."

[CBO cost estimate for H.R. 5036](#)

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### STAFF CONTACT

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