

AMENDMENT TO H.R. 1

OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

Page 346, insert after line 2 the following:

1 **Subtitle J—Protecting the Youth**
2 **Vote**

3 **SEC. 2901. PREVENTING AGE DISCRIMINATION IN VOTING.**

4 (a) **RIGHT TO VOTE.**—No voting qualification or pre-
5 requisite to voting or standard, practice, or procedure shall
6 be imposed or applied by any State or political subdivision
7 in a manner which results in a denial or abridgement of
8 the right of any citizen of the United States to vote on
9 account of age, as provided in subsection (b).

10 (b) **VIOLATION OF RIGHT TO VOTE.**—

11 (1) **IN GENERAL.**—A violation of subsection (a)
12 is established if, based on the totality of cir-
13 cumstances, it is shown that the political processes
14 leading to nomination or election in the State or po-
15 litical subdivision are not equally open to participa-
16 tion by members of a class of citizens protected by
17 subsection (a) in that its members have less oppor-
18 tunity than other members of the electorate to par-
19 ticipate in the political process and to elect rep-
20 resentatives of their choice: *Provided*, That nothing

1 in this section establishes a right to have members
2 of a protected class under subsection (a) elected in
3 numbers equal to their proportion in the population.

4 (2) VIOLATIONS.—A violation under subsection
5 (a) shall include:

6 (A) Laws or requirements implemented in
7 a State or political subdivision that reduce or
8 abridge the ability for students who attend an
9 institution of higher education and reside in the
10 jurisdiction of the institution while attending
11 the institution to register to vote in elections in
12 that jurisdiction.

13 (B) Addition of seats elected at-large in a
14 State or political subdivision or conversion of
15 one or more seats elected from a single member
16 district to one or more at-large seats or seats
17 from a multi-member district in a State or po-
18 litical subdivision with a significant proportion
19 of youth age voters.

20 (C) Boundaries of a political subdivision
21 designed to reduce the proportion of the polit-
22 ical subdivision's voting-age population that is
23 comprised of youth age voters in a State or po-
24 litical subdivision with a significant proportion
25 of youth age voters.

1 (D) Requirements for documentation or
2 proof of identity to vote that exceed or are more
3 stringent than the requirements for voting that
4 are described in section 303(b) of the Help
5 America Vote Act of 2002 (52 U.S.C.
6 21083(b)) or any other requirements for docu-
7 mentation or proof of identity to vote that have
8 the purpose or effect of denying or abridging
9 the right to vote on account of age.

10 (E) Reduction of voting materials or alter-
11 nation of the manner in which such materials
12 are provided or distributed at institutions of
13 higher education, where no similar reduction or
14 alteration occurs in materials provided at other
15 sites for such election.

16 (F) Any reduction, consolidation, or reloca-
17 tion of voting locations, including early, absen-
18 tee, and election day voting locations in a single
19 political subdivision with a significant propor-
20 tion of youth age voters.

21 **SEC. 2902. FEDERAL OBSERVERS TO PREVENT AGE DIS-**
22 **CRIMINATION.**

23 (a) FEDERAL OBSERVERS.—Whenever the Attorney
24 General or an aggrieved person institutes a proceeding
25 under any statute to enforce the voting guarantees of the

1 Twenty-sixth Amendment in any State or political subdivi-
2 sion the court shall authorize the appointment of Federal
3 observers by the United States Office of Personnel Man-
4 agement to serve for such period of time and for such po-
5 litical subdivisions as the court shall determine is appro-
6 priate to enforce the voting guarantees of the Twenty-
7 sixth Amendment (1) as part of any interlocutory order
8 if the court determines that the appointment of such ob-
9 servers is necessary to enforce such voting guarantees or
10 (2) as part of any final judgment if the court finds that
11 violations of the Twenty-sixth Amendment, violations of
12 this Act, or violations of any Federal law that prohibits
13 discrimination in voting on the basis of age, justifying eq-
14 uitable relief have occurred in such State or subdivision:
15 *Provided*, That the court need not authorize the appoint-
16 ment of observers if any incidents of denial or abridgement
17 of the right to vote on account of age, (1) have been few
18 in number and have been promptly and effectively cor-
19 rected by State or local action, (2) the continuing effect
20 of such incidents has been eliminated, and (3) there is no
21 reasonable probability of their recurrence in the future.

22 (b) JURISDICTION.—If any action under any statute
23 in which a party (including the Attorney General) seeks
24 to enforce the voting guarantees of the Twenty-sixth
25 Amendment in any State or political subdivision the court

1 finds that violations of the Twenty-sixth Amendment, vio-
2 lations of this Act, or violations of any Federal law that
3 prohibits discrimination in voting on the basis of age, jus-
4 tifying equitable relief have occurred within the territory
5 of such State or political subdivision, the court, in addition
6 to such relief as it may grant, shall retain jurisdiction for
7 such period as it may deem appropriate and during such
8 period no voting qualification or prerequisite to voting, or
9 standard, practice, or procedure with respect to voting dif-
10 ferent from that in force or effect at the time the action
11 was commenced shall be enforced unless and until the
12 court finds that such qualification, prerequisite, standard,
13 practice, or procedure does not have the purpose and will
14 not have the effect of denying or abridging the right to
15 vote on account of age: *Provided*, That such qualification,
16 prerequisite, standard, practice, or procedure may be en-
17 forced if the qualification, prerequisite, standard, practice,
18 or procedure has been submitted by the chief legal officer
19 or other appropriate official of such State or subdivision
20 to the Attorney General and the Attorney General has not
21 interposed an objection within sixty days after such sub-
22 mission, except that neither the court's finding nor the
23 Attorney General's failure to object shall bar a subsequent
24 action to enjoin enforcement of such qualification, pre-
25 requisite, standard, practice, or procedure.

1 (c) ENFORCEMENT BY ATTORNEY GENERAL.—The
2 Attorney General is authorized to monitor and enforce the
3 voting guarantees of the Twenty-sixth Amendment, viola-
4 tions of this Act, or violations of any Federal law that
5 prohibits discrimination in voting on the basis of age,
6 whenever Federal observers are appointed under any pro-
7 vision of Federal law.

8 **SEC. 2903. DETERMINATION OF VOTING RIGHTS VIOLA-**
9 **TION.**

10 For purposes of this Act, a voting rights violation oc-
11 curred in a State or political subdivision if any of the fol-
12 lowing applies:

13 (1) FINAL JUDGEMENT; VIOLATION OF TWEN-
14 TY-SIXTH AMENDMENT.—In a final judgment (which
15 has not been reversed on appeal), any court of the
16 United States has determined that a denial or
17 abridgement of the right of any citizen of the United
18 States to vote on account of age, in violation of the
19 Twenty-sixth Amendment, occurred anywhere within
20 the State or subdivision.

21 (2) FINAL JUDGEMENT; VIOLATIONS OF THIS
22 ACT.—In a final judgment (which has not been re-
23 versed on appeal), any court of the United States
24 has determined that a voting qualification or pre-
25 requisite to voting or standard, practice, or proce-

1 dure with respect to voting was imposed or applied
2 or would have been imposed or applied anywhere
3 within the State or subdivision in a manner that re-
4 sulted or would have resulted in a denial or
5 abridgement of the right of any citizen of the United
6 States to vote on account of age, in violation of sec-
7 tion 2901.

8 (3) FINAL JUDGEMENT; DENIAL OF DECLARA-
9 TORY JUDGEMENT.—In a final judgment (which has
10 not been reversed on appeal), any court of the
11 United States has denied the request of the State or
12 subdivision for a declaratory judgment under section
13 2901(b), and thereby prevented a voting qualifica-
14 tion or prerequisite to voting or standard, practice,
15 or procedure with respect to voting from being en-
16 forced anywhere within the State or subdivision.

17 (4) OBJECTION BY ATTORNEY GENERAL.—The
18 Attorney General has interposed an objection under
19 section 2901(b) (and the objection has not been
20 overturned by a final judgment of a court or with-
21 drawn by the Attorney General), and thereby pre-
22 vented a voting qualification or prerequisite to vot-
23 ing or standard, practice, or procedure with respect
24 to voting from being enforced anywhere within the
25 State or subdivision.

1 (5) TIMING OF DETERMINATIONS.—

2 (A) DETERMINATIONS OF VOTING RIGHTS
3 VIOLATIONS.—

4 (i) IN GENERAL.—As early as prac-
5 ticable during each calendar year, the At-
6 torney General shall make the determina-
7 tions required by this subsection, including
8 updating the list of voting rights violations
9 occurring in each State and political sub-
10 division for the previous calendar year.

11 (ii) PUBLICATION.—The Attorney
12 General shall make the list required under
13 clause (i) public on the internet website of
14 the Department of Justice.

15 (B) FEDERAL REGISTER PUBLICATION.—A
16 determination or certification of the Attorney
17 General under this section shall be effective
18 upon publication in the Federal Register.

19 **SEC. 2904. TRANSPARENCY REGARDING CHANGES TO PRO-**
20 **TECT VOTING RIGHTS.**

21 (a) NOTICE OF ENACTED CHANGES.—

22 (1) NOTICE OF CHANGES.—If a State or polit-
23 ical subdivision makes any change in any pre-
24 requisite to voting or standard, practice, or proce-
25 dure with respect to voting in any election for Fed-

1 eral office that will result in the prerequisite, stand-
2 ard, practice, or procedure being different from that
3 which was in effect as of 180 days before the date
4 of the election for Federal office, the State or polit-
5 ical subdivision shall provide reasonable public notice
6 in such State or political subdivision and on the
7 Internet, of a concise description of the change, in-
8 cluding the difference between the changed pre-
9 requisite, standard, practice, or procedure and the
10 prerequisite, standard, practice, or procedure which
11 was previously in effect. The public notice described
12 in this paragraph, in such State or political subdivi-
13 sion and on the Internet, shall be in a format that
14 is reasonably convenient and accessible to voters
15 with disabilities, including voters who have low vi-
16 sion or are blind.

17 (2) DEADLINE FOR NOTICE.—A State or polit-
18 ical subdivision shall provide the public notice re-
19 quired under paragraph (1) not later than 48 hours
20 after making the change involved.

21 (b) TRANSPARENCY REGARDING POLLING PLACE
22 RESOURCES.—

23 (1) IN GENERAL.—In order to identify any
24 changes that may impact the right to vote of any
25 person, prior to the 30th day before the date of an

1 election for Federal office, each State or political
2 subdivision with responsibility for allocating reg-
3 istered voters, voting machines, and official poll
4 workers to particular precincts and polling places
5 shall provide reasonable public notice in such State
6 or political subdivision and on the Internet, of the
7 information described in paragraph (2) for precincts
8 and polling places within such State or political sub-
9 division. The public notice described in this para-
10 graph, in such State or political subdivision and on
11 the Internet, shall be in a format that is reasonably
12 convenient and accessible to voters with disabilities
13 including voters who have low vision or are blind.

14 (2) INFORMATION DESCRIBED.—The informa-
15 tion described in this paragraph with respect to a
16 precinct or polling place is each of the following:

17 (A) The name or number.

18 (B) In the case of a polling place, the loca-
19 tion, including the street address, and whether
20 such polling place is accessible to persons with
21 disabilities.

22 (C) The voting-age population of the area
23 served by the precinct or polling place, broken
24 down by demographic group if such breakdown

1 is reasonably available to such State or political
2 subdivision.

3 (D) The number of registered voters as-
4 signed to the precinct or polling place, broken
5 down by demographic group if such breakdown
6 is reasonably available to such State or political
7 subdivision.

8 (E) The number of voting machines as-
9 signed, including the number of voting ma-
10 chines accessible to voters with disabilities, in-
11 cluding voters who have low vision or are blind.

12 (F) The number of official paid poll work-
13 ers assigned.

14 (G) The number of official volunteer poll
15 workers assigned.

16 (H) In the case of a polling place, the
17 dates and hours of operation of such polling
18 place.

19 (3) UPDATES IN INFORMATION REPORTED.—If
20 a State or political subdivision makes any change in
21 any of the information described in paragraph (2),
22 the State or political subdivision shall provide rea-
23 sonable public notice in such State or political sub-
24 division and on the Internet, of the change in the in-
25 formation not later than 48 hours after the change

1 occurs or, if the change occurs fewer than 48 hours
2 before the date of the election for Federal office, as
3 soon as practicable after the change occurs. The
4 public notice described in this paragraph in such
5 State or political subdivision and on the Internet
6 shall be in a format that is reasonably convenient
7 and accessible to voters with disabilities including
8 voters who have low vision or are blind.

9 (c) TRANSPARENCY OF CHANGES RELATING TO DE-
10 MOGRAPHICS AND ELECTORAL DISTRICTS.—

11 (1) REQUIRING PUBLIC NOTICE OF CHANGES.—

12 Not later than 10 days after making any change in
13 the constituency that will participate in an election
14 for Federal, State, or local office or the boundaries
15 of a voting unit or electoral district in an election for
16 Federal, State, or local office (including through re-
17 districting, reapportionment, changing from at-large
18 elections to district-based elections, or changing
19 from district-based elections to at-large elections), a
20 State or political subdivision shall provide reasonable
21 public notice in such State or political subdivision
22 and on the Internet, of the demographic and elec-
23 toral data described in paragraph (3) for each of the
24 geographic areas described in paragraph (2).

1 (2) GEOGRAPHIC AREAS DESCRIBED.—The geo-
2 graphic areas described in this paragraph are as fol-
3 lows:

4 (A) The State as a whole, if the change
5 applies statewide, or the political subdivision as
6 a whole, if the change applies across the entire
7 political subdivision.

8 (B) If the change includes a plan to re-
9 place or eliminate voting units or electoral dis-
10 tricts, each voting unit or electoral district that
11 will be replaced or eliminated.

12 (C) If the change includes a plan to estab-
13 lish new voting units or electoral districts, each
14 such new voting unit or electoral district.

15 (3) DEMOGRAPHIC AND ELECTORAL DATA.—
16 The demographic and electoral data described in this
17 paragraph with respect to a geographic area de-
18 scribed in paragraph (2) are each of the following:

19 (A) The voting-age population,
20 disaggregated by age group.

21 (B) The number of voting-age students.

22 (C) If it is reasonably available to the
23 State or political subdivision involved, an esti-
24 mate of the population of the area which con-
25 sists of citizens of the United States who are 18

1 years of age or older, disaggregated by age
2 group and status as a student.

3 (D) The number of registered voters,
4 disaggregated by age group and status as a stu-
5 dent if such breakdown is reasonably available
6 to the State or political subdivision involved.

7 (E) If the change applies—

8 (i) to a State, the actual number of
9 votes, or (if it is not reasonably practicable
10 for the State to ascertain the actual num-
11 ber of votes) the estimated number of votes
12 received by each candidate in each state-
13 wide election held during the 5-year period
14 which ends on the date the change involved
15 is made; and

16 (ii) to only one political subdivision,
17 the actual number of votes, or (if it is not
18 reasonably practicable for the political sub-
19 division to ascertain the actual number of
20 votes) in each subdivision-wide election
21 held during the 5-year period which ends
22 on the date the change involved is made.

23 (4) VOLUNTARY COMPLIANCE BY SMALLER JU-
24 RISDICTION.—

1 (A) IN GENERAL.—Compliance with this
2 subsection shall be voluntary for a political sub-
3 division of a State unless the subdivision is one
4 of the following:

5 (i) A county or parish.

6 (ii) A municipality with a population
7 greater than 10,000, as determined by the
8 Bureau of the Census under the most re-
9 cent decennial census.

10 (iii) A school district with a popu-
11 lation greater than 10,000, as determined
12 by the Bureau of the Census under the
13 most recent decennial census.

14 (B) SCHOOL DISTRICT DEFINED.—For
15 purposes of this subparagraph, the term “school
16 district” means the geographic area under the
17 jurisdiction of a local educational agency (as de-
18 fined in section 9101 of the Elementary and
19 Secondary Education Act of 1965).

20 (d) RULES REGARDING FORMAT OF INFORMA-
21 TION.—The Attorney General may issue rules specifying
22 a reasonably convenient and accessible format that States
23 and political subdivisions shall use to provide public notice
24 of information under this section.

1 (e) NO DENIAL OF RIGHT TO VOTE.—The right to
2 vote of any person shall not be denied or abridged because
3 the person failed to comply with any change made by a
4 State or political subdivision to a voting qualification,
5 standard, practice, or procedure if the State or political
6 subdivision involved did not meet the applicable require-
7 ments of this section with respect to the change.

8 **SEC. 2905. VOTING OFFENSES.**

9 (a) PERMISSION TO VOTE.—No person acting under
10 color of law shall fail or refuse to permit any person to
11 vote who is entitled to vote under any provision of this
12 Act or is otherwise qualified to vote, or willfully fail or
13 refuse to tabulate, count and report such person's vote.

14 (b) INTIMIDATION.—No person, whether acting
15 under color of law or otherwise, shall intimidate, threaten,
16 or coerce, or attempt to intimidate, threaten, or coerce any
17 person for voting or attempting to vote, or intimidate,
18 threaten, or coerce, or attempt to intimidate, threaten, or
19 coerce any person for urging or aiding any person to vote
20 or attempt to vote, or intimidate, threaten, or coerce any
21 person for exercising the right to vote.

22 (c) FALSE INFORMATION.—Whoever knowingly or
23 willfully give false information as to their name, address,
24 or period of residence in the voting district for the purpose
25 of establishing his eligibility to register or vote, or con-

1 spires with another individual for the purpose of encour-
2 aging his false registration to vote or illegal voting, or pays
3 or offers to pay or accepts payment either for registration
4 to vote or for voting shall be fined not more than \$5,000
5 or imprisoned not more than five years, or both: *Provided,*
6 *however,* That this provision shall be applicable only to a
7 general, special, or primary elections held solely or in part
8 for the purpose of selecting or electing any candidate for
9 the office of President, Vice President, presidential elector,
10 Member of the United States Senate, Member of the
11 United States House of Representatives, Delegate from
12 the District of Columbia, Guam, Northern Mariana Is-
13 lands, American Samoa, or the Virgin Islands, or Resident
14 Commissioner of the Commonwealth of Puerto Rico.

15 (d) DUPLICATIVE VOTING.—

16 (1) IN GENERAL.—Whoever votes more than
17 once in an election referred to in paragraph (2) shall
18 be fined not more than \$5,000 or imprisoned not
19 more than five years, or both.

20 (2) APPLICABLE ELECTIONS.—The prohibition
21 of this subsection applies with respect to any gen-
22 eral, special, or primary election held solely or in
23 part for the purpose of selecting or electing any can-
24 didate for the office of President, Vice President,
25 presidential elector, Member of the United States

1 Senate, Member of the United States House of Rep-
2 resentatives, Delegate from the District of Columbia,
3 Guam, Northern Mariana Islands, American Samoa,
4 or the Virgin Islands, or Resident Commissioner of
5 the Commonwealth of Puerto Rico.

6 (3) VOTES MORE THAN ONCE DEFINED.—As
7 used in this subsection, the term “votes more than
8 once” does not include the casting of an additional
9 ballot if all prior ballots of that voter were in vali-
10 dated, nor does it include the voting in two jurisdic-
11 tions under section 202 of the Voting Rights Act of
12 1965 (52 U.S.C. 10502), to the extent two ballots
13 are not cast for an election to the same candidacy
14 or office.

15 **SEC. 2906. VOTING OFFENSES AND RELIEF.**

16 (a) OFFENSE FOR DEPRIVING VOTING RIGHTS.—
17 Whoever shall deprive or attempt to deprive any person
18 of any right secured by the Twenty-sixth Amendment, this
19 Act, or any Federal voting rights law that prohibits dis-
20 crimination on the basis of age, shall be fined not more
21 than \$5,000, or imprisoned not more than five years, or
22 both.

23 (b) OFFENSE FOR MANIPULATION OF BALLOTS.—
24 Whoever, within a year following an election in a political
25 subdivision in which an observer has been assigned (1) de-

1 stroy, defaces, mutilates, or otherwise alters the marking
2 of a paper ballot which has been cast in such election, or
3 (2) alters any official record of voting in such election tab-
4 ulated from a voting machine or otherwise, shall be fined
5 not more than \$5,000, or imprisoned not more than five
6 years, or both.

7 (c) CONSPIRACY.—Whoever conspires to violate the
8 provisions of subsection (a) or (b) of this section, or inter-
9 feres with any right secured by the Twenty-sixth Amend-
10 ment, this Act, or any Federal voting rights law that pro-
11 hibits discrimination on the basis of age shall be fined not
12 more than \$5,000, or imprisoned not more than five years,
13 or both.

14 (d) PREVENTATIVE RELIEF.—

15 (1) IN GENERAL.—Whenever any person has
16 engaged or there are reasonable grounds to believe
17 that any person is about to engage in any act or
18 practice prohibited by the Twenty-sixth Amendment,
19 this Act, or any Federal voting rights law that pro-
20 hibits discrimination on the basis of age, the ag-
21 grieved person or (in the name of the United States)
22 the Attorney General may institute an action for
23 preventative relief, including an application for a
24 temporary or permanent injunction, restraining
25 order, or other order, and including an order di-

1 rected to the State and State or local election offi-
2 cials to require them—

3 (A) to permit persons listed under this Act
4 to vote; and

5 (B) to count such votes.

6 (2) PRELIMINARY RELIEF.—

7 (A) IN GENERAL.—In any action for pre-
8 liminary relief described in this subsection, the
9 court shall grant the relief if the court deter-
10 mines that the complainant has raised a serious
11 question whether the challenged voting quali-
12 fication or prerequisite to voting or standard,
13 practice, or procedure violates this Act or the
14 Constitution and, on balance, the hardship im-
15 posed upon the defendant by the grant of the
16 relief will be less than the hardship which would
17 be imposed upon the plaintiff if the relief were
18 not granted. In balancing the harms, the court
19 shall give due weight to the fundamental right
20 to cast an effective ballot.

21 (B) ADDITIONAL FACTORS TO BE CONSID-
22 ERED.—In making its determination under this
23 paragraph, with respect to a change in any vot-
24 ing qualification, prerequisite to voting, or
25 standard, practice, or procedure with respect to

1 voting, the court shall consider all relevant fac-
2 tors and give due weight to the following fac-
3 tors, if they are present:

4 (i) Whether the qualification, pre-
5 requisite, standard, practice, or procedure
6 in effect prior to the change was adopted
7 as a remedy for a Federal court judgment,
8 consent decree, or admission regarding—

9 (I) discrimination on the basis of
10 age in violation of the Twenty-sixth
11 Amendment;

12 (II) a violation of this Act; or

13 (III) voting discrimination on the
14 basis of age in violation of any other
15 Federal or State law.

16 (ii) Whether the qualification, pre-
17 requisite, standard, practice, or procedure
18 in effect prior to the change served as a
19 ground for the dismissal or settlement of a
20 claim alleging—

21 (I) discrimination on the basis of
22 age in violation of the Twenty-sixth
23 Amendment;

24 (II) a violation of this Act; or

1 (III) voting discrimination on the
2 basis of age in violation of any other
3 Federal or State law.

4 (iii) Whether the change was adopted
5 fewer than 180 days before the date of the
6 election with respect to which the change is
7 to take effect.

8 (iv) Whether the defendant failed to
9 provide timely or complete notice of the
10 adoption of the change as required by ap-
11 plicable Federal or State law.

12 (3) PUBLIC INTEREST.—A jurisdiction’s inabil-
13 ity to enforce its voting or election laws, regulations,
14 policies, or redistricting plans, standing alone, shall
15 not be deemed to constitute irreparable harm to the
16 public interest or to the interests of a defendant in
17 an action arising under the U.S. Constitution or any
18 Federal law that prohibits discrimination on the
19 basis of age in the voting process, for the purposes
20 of determining whether a stay of a court’s order or
21 an interlocutory appeal under section 1253 of title
22 28, United States Code, is warranted.

23 (e) NOTIFICATION TO ATTORNEY GENERAL.—When-
24 ever in any political subdivision in which there are observ-
25 ers appointed pursuant to this Act, a person alleges to

1 such observer within forty-eight hours after the closing of
2 the polls, that notwithstanding (1) their listing under this
3 Act or registration by an appropriate election official and
4 (2) their eligibility to vote, they have not been permitted
5 to vote in such election, the observer shall forthwith notify
6 the Attorney General if such allegations in the opinion of
7 such observer appear to be well founded. Upon receipt of
8 such notification the Attorney General may forthwith file
9 with the district court an application for an order pro-
10 viding for the marking, casting, and counting of the bal-
11 lots of such persons and requiring the inclusion of their
12 votes in the total vote before the results of such election
13 shall be deemed final and any force or effect given thereto.
14 The district court shall hear and determine such matters
15 immediately after the filing of such application. The rem-
16 edy provided in this subsection shall not preclude any
17 other remedy available under State or Federal law.

18 (f) JURISDICTION OF PROCEEDINGS.—The district
19 courts of the United States shall have jurisdiction of pro-
20 ceedings instituted pursuant to this Act and shall exercise
21 the same without regard to whether a person asserting
22 rights under the provisions of this Act shall have ex-
23 hausted any administrative or other remedies that may be
24 provided by law.

1 (g) ATTORNEY'S FEES.—In any action or proceeding
2 to enforce the voting guarantees of the Twenty-sixth
3 Amendment, the court, in its discretion, may allow the
4 prevailing party, other than the United States, a reason-
5 able attorney's fee, reasonable expert fees, and other rea-
6 sonable litigation expenses, as part of the costs.

7 **SEC. 2907. SEVERABILITY.**

8 If any provision of this Act or the application of such
9 provision to any person or circumstance is held invalid,
10 the remainder of this Act and the application of such pro-
11 vision to other persons or circumstances shall not be af-
12 fected thereby.

13 **SEC. 2908. DEFINITIONS.**

14 In this Act:

15 (1) AGE GROUP.—The term “age group” means
16 the number of individuals who are 18 years or older,
17 disaggregated by the number of individuals in each
18 five year age period.

19 (2) DEMOGRAPHIC GROUP.—The term “demo-
20 graphic group” means each group which section
21 2901 protects from the denial or abridgement of the
22 right to vote on account of age.

23 (3) INSTITUTION OF HIGHER EDUCATION.—The
24 term “institution of higher education” has the

1 meaning given that term in section 101(a) of the
2 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

3 (4) ELECTION FOR FEDERAL OFFICE.—The
4 term “election for Federal office” means any gen-
5 eral, special, primary, or runoff election held solely
6 or in part for the purpose of electing any candidate
7 for the office of President, Vice President, Presi-
8 dential elector, Senator, Member of the House of
9 Representatives, or Delegate or Resident Commis-
10 sioner to the Congress.

11 (5) PERSONS WITH DISABILITIES.—the term
12 “persons with disabilities”, means individuals with a
13 disability, as defined in section 3 of the Americans
14 with Disabilities Act of 1990.

15 (6) STUDENT.—The term “student” means an
16 individual who is enrolled at the institution of higher
17 education as an undergraduate or graduate student
18 on a full-time or part-time basis, including an indi-
19 vidual who is solely enrolled in an online course.

20 (7) VOTING-AGE POPULATION.—The term “vot-
21 ing-age population” means the numerical size of the
22 population within a State, within a political subdivi-
23 sion, or within a political subdivision that contains
24 Indian lands, that consists of persons 18 years of

1 age or older, as calculated by the Bureau of the
2 Census under the most recent decennial census.

3 (8) YOUTH AGE VOTER.—The term “youth age
4 voter” means any eligible voter under the age of 25
5 years old on the date of the election in which such
6 eligible voter is voting.

