

116TH CONGRESS
1ST SESSION

S. 2656

To disclose access to election infrastructure by foreign nationals.

IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2019

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To disclose access to election infrastructure by foreign nationals.

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. DISCLOSURE OF ACCESS TO ELECTION INFRA-**
4 **STRUCTURE BY FOREIGN NATIONALS.**

5 (a) IN GENERAL.—Title III of the Help America
6 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended
7 by inserting after section 303 the following new section:

1 **“SEC. 303A. DISCLOSURE OF ACCESS TO ELECTION INFRA-**
2 **STRUCTURE BY FOREIGN NATIONALS.**

3 “(a) IN GENERAL.—Each chief State election official
4 shall disclose to the Commission the identity of any foreign
5 national known by the chief State election official—

6 “(1) to have physically handled—

7 “(A) ballots used in an election for Federal
8 office; or

9 “(B) voting machines; or

10 “(2) to have had unmonitored access to—

11 “(A) a storage facility or centralized vote
12 tabulation location used to support the adminis-
13 tration of an election for public office; or

14 “(B) election-related information or com-
15 munications technology, including voter reg-
16 istration databases, voting machines, electronic
17 mail and other communications systems (includ-
18 ing electronic mail and other systems of vendors
19 who have entered into contracts with election
20 agencies to support the administration of elec-
21 tions, manage the election process, and report
22 and display election results), and other systems
23 used to manage the election process and to re-
24 port and display election results on behalf of an
25 election agency.

1 “(b) TIMING.—The chief State election official shall
2 make the disclosure under subsection (a) not later than
3 30 days after the date on which such official becomes
4 aware of an activity described in such subsection.

5 “(c) FOREIGN NATIONAL DEFINED.—The term ‘for-
6 eign national’ has the meaning given that term in section
7 319 of the Federal Election Campaign Act of 1971 (52
8 U.S.C. 30121).”.

9 (b) CONFORMING AMENDMENT RELATING TO EN-
10 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
11 is amended by striking “sections 301, 302, and 303” and
12 inserting “subtitle A of title III”.

13 (c) CLERICAL AMENDMENT.—The table of contents
14 of such Act is amended by inserting after the item relating
15 to section 303 the following new item:

“Sec. 303A. Disclosure of access to election infrastructure by foreign nation-
als.”.

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