

116TH CONGRESS  
1ST SESSION

# S. 2656

To disclose access to election infrastructure by foreign nationals.

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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

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## 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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