

116TH CONGRESS
1ST SESSION

S. 823

To require information sharing with respect to the ownership of election service providers.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2019

Mr. CARDIN (for himself, Ms. KLOBUCHAR, and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To require information sharing with respect to the ownership of election service providers.

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.**

4 This Act may be cited as the “Election Systems In-
5 tegrity Act” or the “ESIA”.

6 **SEC. 2. INFORMATION SHARING WITH RESPECT TO OWNER-**
7 **SHIP OF ELECTION SERVICE PROVIDERS.**

8 (a) IN GENERAL.—Each election service provider
9 shall submit to the Secretary and the Commission the fol-
10 lowing:

1 (1) Not later than the date that is 90 days
2 after the later of the date of the enactment of this
3 section or the date that a person first becomes an
4 election service provider, a report listing the identity
5 of any foreign national (as defined in section 319(b)
6 of the Federal Election Campaign Act of 1971 (52
7 U.S.C. 30121(b))) who directly or indirectly owns or
8 controls such election service provider, and the per-
9 centage of such ownership.

10 (2) Not later than 90 days after the date of any
11 material change in ownership or control of such elec-
12 tion service provider, a notice of such change and an
13 update of any information previously reported under
14 paragraph (1).

15 (b) CIVIL PENALTY FOR FAILURE TO REPORT.—If
16 an election service provider fails to submit a report re-
17 quired under subsection (a), the Attorney General may,
18 after notice and opportunity for hearing, impose a civil
19 fine of \$10,000.

20 (c) DEFINITIONS.—In this section:

21 (1) COMMISSION.—The term “Commission”
22 means the Election Assistance Commission.

23 (2) ELECTION SERVICE PROVIDER.—The term
24 “election service provider” means any person pro-
25 viding, supporting, or maintaining an election sys-

1 tem on behalf of an election agency, such as a con-
2 tractor or vendor.

3 (3) ELECTION SYSTEM.—The term “election
4 system” means a voting system, an election manage-
5 ment system, a voter registration website or data-
6 base, an electronic pollbook, a system for tabulating
7 or reporting election results, an election agency com-
8 munications system, or any other information sys-
9 tem (as defined in section 3502 of title 44, United
10 States Code) that the Secretary, in consultation with
11 the Commission, identifies as central to the manage-
12 ment, support, or administration of a Federal elec-
13 tion.

14 (4) FEDERAL ELECTION.—The term “Federal
15 election” means a general, special, primary, or run-
16 off election for the office of President or Vice Presi-
17 dent, or of a Senator or Representative in, or Dele-
18 gate or Resident Commissioner to, the Congress that
19 is conducted by an election agency.

20 (5) SECRETARY.—The term “Secretary” means
21 the Secretary of Homeland Security.

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