

115TH CONGRESS
2D SESSION

H. R. 6564

To promote innovation in voting, including in voting technology and voter registration technology, election security, and increased voter participation through a challenge prize competition.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2018

Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. BLUMENAUER, Mr. DESAULNIER, Mr. GALLEG0, Mr. GRIJALVA, Mr. HASTINGS, Ms. SHEA-PORTER, Mr. KILMER, Mr. MCNERNEY, and Ms. SEWELL of Alabama) introduced the following bill; which was referred to the Committee on House Administration

A BILL

To promote innovation in voting, including in voting technology and voter registration technology, election security, and increased voter participation through a challenge prize competition.

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 “Voting Innovation
5 Prize Act of 2018”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) In May 2018, the Pew Research Center
2 found that the United States trails most developed
3 countries in voter turnout. Nearly 56 percent of the
4 United States voting-age population cast ballots in
5 the 2016 Presidential election. The Census Bureau
6 estimated that there were 245.5 million Americans
7 ages 18 and older in November 2016, about 157.6
8 million of whom reported being registered to vote.
9 Turnout calculations usually are based on the esti-
10 mated voting-age population (VAP). The 55.7 per-
11 cent VAP turnout in 2016 puts the United States
12 behind most of its peers in the Organization for
13 Economic Cooperation and Development (OECD),
14 most of whose members are highly developed, demo-
15 cratic states. Looking at the most recent nationwide
16 election in each OECD nation, the United States
17 placed 26th out of 32.

18 (2) Also in May 2018, the Pew Research Center
19 found that registered voters represent a much small-
20 er share of potential voters in the United States
21 than in most other OECD countries. Only about 64
22 percent of the voting-age population (and 70 percent
23 of voting-age citizens) was registered in 2016, ac-
24 cording to the Census Bureau report, compared with
25 91 percent in Canada (2015) and the UK (2017),

1 96 percent in Sweden (2014), and 99 percent in Slo-
2 vakia (2016).

3 (3) Historians and election experts have
4 catalogued a long history in the United States of ra-
5 cially suppressive voting measures such as poll taxes
6 and literacy tests, put in place under the guise of
7 stopping voter fraud that was not actually occurring
8 in the first place. The effects persist today. People
9 of color residing in States with a history of voting
10 discrimination had fewer places to vote in 2016, and,
11 on average, minorities, including Hispanics and Afri-
12 can Americans, experience longer wait times at the
13 polls than white voters. Strict voter ID laws dis-
14 proportionately burden voters of color, and purging
15 voter rolls unduly targets people of color.

16 (4) In 2013, President Obama established the
17 Presidential Commission on Election Administration
18 (PCEA) to identify best practices in election admin-
19 istration. The PCEA's mission was to identify best
20 practices in election administration and to make rec-
21 ommendations to improve the voting experience.
22 Since then, election officials and voters across the
23 United States have used PCEA's research, rec-
24 ommendations, and tools to improve elections. Upon

1 the submission of its final report in 2014, the PCEA
2 disbanded, per President Obama’s Executive Order.

3 (5) On January 22, 2014, President Obama
4 called on Congress and local jurisdictions to help put
5 the PCEA’s recommendations in place, saying, “No
6 American should have to wait more than half an
7 hour to vote. And they should know, they should be
8 confident that their vote is being properly counted
9 and is secure.”.

10 (6) In 2016, President Obama spoke at South
11 by Southwest, addressing the role of technology in
12 government and civic engagement. President Obama
13 cited low voter turnout as an area in which tech-
14 nology could improve citizens’ participation in gov-
15 ernment. He said it was “easier to order a pizza
16 than to vote” and said we need to think about how
17 to “redesign our systems so that we don’t have 50
18 percent or 55 percent voter participation in presi-
19 dential elections”, noting that he was interested in
20 “how can we create safe, secure, smart systems for
21 people to be able to vote much easier online”.

22 (7) The Brennan Center has documented at
23 least two known cyberattacks on non-American vot-
24 ing systems in recent decades. In 2014, Ukraine’s
25 presidential vote was targeted by cyber attackers,

1 who deleted enough files to make the country’s vot-
2 ing system inoperable days before the election. Offi-
3 cials were able to restore the system from backups
4 and the election went forward. Shortly before the re-
5 sults were to be announced, however, experts exam-
6 ining computers at the Ukrainian Central Election
7 Commission discovered a virus designed to falsely
8 declare an ultra-nationalist party as the victor with
9 37 percent of the vote. Russia was implicated in a
10 hack against Bulgaria’s Central Election Commis-
11 sion during a referendum and local elections in
12 2015. While that attack did not impact the systems
13 used to total votes, it did hit the commission’s
14 website, “which provided updates on voter turnout”.

15 (8) According to the Department of Homeland
16 Security (DHS), hackers targeted the election infra-
17 structure of 21 States during the 2016 elections.
18 The failing security and vulnerabilities in national
19 election infrastructure were later confirmed and
20 highlighted by the hacking community in a report
21 issued in September 2017, after the DEFCON 25
22 conference in Las Vegas, Nevada.

23 (9) In a January 2017 assessment, the Central
24 Intelligence Agency, the National Security Agency,
25 the Federal Bureau of Investigation, and the Office

1 of the Director of National Intelligence concluded
2 that Russia interfered in the 2016 Presidential elec-
3 tion. Officials across the United States Intelligence
4 Community (IC) have affirmed the report’s findings.

5 (10) In January 2017, DHS designated election
6 systems as part of our Nation’s critical infrastruc-
7 ture, meaning that our election systems must be se-
8 cured to safeguard our Nation’s democratic process.

9 (11) The Congressional Task Force on Election
10 Security’s January 2018 report and the Brennan
11 Center’s 2017 report on securing elections from for-
12 eign interference found that—

13 (A) the Federal Government should pro-
14 vide funds to help States replace aging, vulner-
15 able voting machines with paper ballots;

16 (B) States should conduct risk-limiting
17 post-election audits;

18 (C) the Federal Government should pro-
19 vide funds to help States upgrade and maintain
20 information technology (IT) infrastructure, in-
21 cluding voter registration databases;

22 (D) election technology vendors must se-
23 cure their voting systems;

1 (E) the Federal Government should de-
2 velop a national strategy to counter efforts to
3 undermine democratic institutions;

4 (F) the Intelligence Community should
5 conduct pre-election threat assessments well in
6 advance of Federal elections;

7 (G) DHS should maintain the designation
8 of election infrastructure as a critical infra-
9 structure subsector;

10 (H) Federal agencies should be empowered
11 to be effective partners in pushing out nation-
12 wide security reforms;

13 (I) DHS should establish clear and effec-
14 tive channels for sharing threat and intelligence
15 information with election officials; and

16 (J) States should prioritize cybersecurity
17 training in the administration of elections.

18 (12) The Strategy for American Innovation, an-
19 nounced by the White House in September 2009,
20 urged Federal agencies to increase their ability to
21 promote innovation with tools such as prizes and
22 challenges.

23 (13) Challenge.gov, launched in September
24 2010, is a listing of challenge and prize competitions
25 that are run by more than 102 agencies across the

1 Federal Government. These problem-solving events
2 include idea, creative, technical and scientific com-
3 petitions in which Federal agencies invite the
4 public's help to solve perplexing mission-centric
5 problems. A list of ongoing and completed prize
6 challenges offered by these agencies is available at
7 challenge.gov. The Federal Government has run
8 more than 825 challenges since challenge.gov
9 launched in 2010, but competitions date back sev-
10 eral centuries. To date, more than 250,000 solvers
11 from all States and over 180 congressional districts
12 have participated in Federal challenge and prize
13 competitions.

14 **SEC. 3. SENSE OF CONGRESS.**

15 It is the sense of Congress that:

16 (1) American elections should be secure and
17 free of misconduct.

18 (2) It is important to conduct regular full as-
19 sessments of threats to our voting and voter reg-
20 istration systems, in light of the constant evolution
21 of technology and cyber threats.

22 (3) Increasing voter participation is of vital im-
23 portance to the strength of our democracy.

24 (4) Election security is a global issue as well as
25 a national priority for the United States. The United

1 States plays a vital role in supporting and strength-
2 ening democratic institutions worldwide. As the
3 United States bolsters its own election system, it can
4 better serve partner and ally countries through shar-
5 ing of best practices, and it can also share best prac-
6 tices through its democracy promotion programs
7 worldwide.

8 (5) Innovation prizes are one tool that the Fed-
9 eral Government can use to engage the private, pub-
10 lic, and nonprofit communities in addressing vital
11 challenges to the health of our democracy and na-
12 tional security.

13 (6) In light of these findings, consistent and
14 sustained funding for election support is important
15 to ensure that American elections are secure and
16 free of misconduct.

17 (7) This Act should be one part of a broader
18 strategy at the Federal, State, and local level to bol-
19 ster innovation in election security and voting.

20 **SEC. 4. VOTING TECHNOLOGY CHALLENGE PRIZE.**

21 (a) IN GENERAL.—The Election Assistance Commis-
22 sion (hereafter referred to as the “Commission”), acting
23 through the Technical Guidelines Development Committee
24 of the Commission (hereafter referred to as the “Com-

1 mittee”), shall, in consultation with the Director of the
2 National Institute of Standards and Technology—

3 (1) identify the elements of voting equipment,
4 election systems, and voting technology which are in
5 the most critical need of innovation, with a par-
6 ticular emphasis on the need for accessibility and se-
7 curity;

8 (2) conduct an annual prize competition to ac-
9 celerate the development of cost-effective tech-
10 nologies which will address the elements identified
11 under paragraph (1) while improving and simpli-
12 fying the procedures for voting and voter registra-
13 tion; and

14 (3) define a measurable set of performance
15 goals for participants in the prize competitions to
16 demonstrate their solutions on a level playing field
17 while making a significant advancement over the
18 current state of the art.

19 (b) AUTHORITY OF COMMISSION.—In carrying out
20 subsection (a), the Commission may—

21 (1) enter into a grant, contract, cooperative
22 agreement, or other agreement with a private sector
23 for-profit or nonprofit entity to administer the prize
24 competitions;

1 (2) consult with the National Science Founda-
2 tion, other Federal agencies, and relevant persons in
3 the field of election administration and security to
4 provide advice and assistance in the design or ad-
5 ministration of the prize competitions; and

6 (3) promulgate such regulations as may be nec-
7 essary to carry out this Act.

8 (c) NO QUORUM OF COMMISSION REQUIRED.—The
9 Commission may carry out this Act without regard to
10 whether or not a quorum exists at any time in the mem-
11 bership of the Commission.

12 (d) AMOUNT OF AWARDS.—For each fiscal year for
13 which amounts are appropriated pursuant to the author-
14 ization under section 6, the Commission shall award an
15 aggregate amount of \$25,000,000 to winners of the prize
16 competitions.

17 **SEC. 5. TIMETABLE FOR COMPETITION.**

18 (a) PUBLICATION OF CRITERIA.—Not later than 90
19 days after the date of enactment of this Act, the Commis-
20 sion shall publish a technical paper establishing the cri-
21 teria for the design of the prize competitions under this
22 Act, based on the factors and needs identified under sec-
23 tion 4(a)(1).

24 (b) INITIATION OF COMPETITION.—Not later than 90
25 days after publishing the paper required under subsection

1 (a), the Commission shall initiate the first prize competi-
2 tion, and shall publish notice of the competition on the
3 official public website of the Commission and on the chal-
4 lenge.gov website.

5 (c) REPORTS.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the end of each fiscal year during which the Com-
8 mission conducts the prize competition under this
9 Act, the Commission shall submit to Congress a re-
10 port on the results of the competition, including the
11 identification of the winners, a description of the
12 technologies developed under the competition, and
13 the amount of the awards.

14 (2) POSTING INFORMATION ON WEBSITES.—
15 The Commission shall post on the official public
16 website of the Commission and on the challenge.gov
17 website each report submitted under this subsection,
18 and shall ensure that information regarding the win-
19 ners of all of the prize competitions under this Act
20 and the amount of their awards is presented on such
21 websites in a searchable manner.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated for each of
3 the fiscal years 2019 through 2023 such sums as may be
4 necessary to carry out this Act.

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