

encourage all dairy farmers in New York's 19th Congressional District to begin making coverage decisions.

The Dairy Margin Coverage program is retroactive until the beginning of the year, with applicable payments following soon after enrollment.

As dairy farmers continue to face low prices and increased market consolidation, I hope this program will provide much-needed support during this challenging farm economy.

As a member of the Agriculture Committee, I am deeply committed to supporting our dairy farmers, and I will be closely following implementation of the Dairy Margin Coverage program. I will continue fighting to give our farmers the support and the certainty they need.

□ 0915

#### RECOGNIZING JUDY GENSHAFT

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Madam Speaker, today I rise to recognize Dr. Judy Genshaft, a truly outstanding leader whose contributions to the Tampa Bay area as the sixth president of the University of South Florida have been unmatched, in my opinion.

President Genshaft has completely transformed USF by helping it achieve elite status as a preeminent research university. The National Science Foundation has ranked USF as one of the Nation's top 25 research universities.

Under Judy's leadership, USF has nearly quadrupled its research portfolio to expand lifesaving research and develop cutting-edge technologies. The school's success has attracted some of the brightest young minds to the Tampa Bay area of Florida, growing enrollment by 40 percent, and USF's graduation rate has tripled with Dr. Genshaft at the helm.

Summarizing the many accomplishments of President Genshaft in just 1 minute is impossible. She is a remarkable woman who has made the Tampa Bay region a better place. As she prepares to retire, it is my honor to say congratulations to her.

Go Bulls.

#### CARING FOR THE CHILDREN

(Ms. DEAN asked and was given permission to address the House for 1 minute.)

Ms. DEAN. Madam Speaker, there is a Gospel reading I like: Matthew 25: "For I was hungry and You gave me food, I was thirsty and You gave me drink, a stranger and You welcomed me, naked and You clothed me, ill and You cared for me, in prison and You visited me."

That spirit of welcoming and compassion is a part of what defines us as Americans. In fact, we have enshrined it in our legal code, including laws re-

quiring safe and sanitary conditions for migrant children. Yet right now, children are imprisoned in appalling and unconscionable conditions.

These children have not been welcomed in the spirit of Matthew. Instead, they are in cages, in prison without adequate food, clean clothing, clean diapers, toothbrushes, access to showers, and a comfortable place to lay their head.

"Whatever you did unto the least of these, you did unto me."

Madam Speaker, we will be judged as a nation, as a government, and a people for our failure to look out for the least of these. May this imprisonment end.

#### SECURING AMERICA'S FEDERAL ELECTIONS ACT

Ms. LOFGREN. Madam Speaker, pursuant to House Resolution 460, I call up the bill (H.R. 2722) to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 460, in lieu of the amendment in the nature of a substitute recommended by the Committee on House Administration printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-20, modified by the amendment printed in part A of House Report 116-126, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2722

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

##### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Securing America's Federal Elections Act" or the "SAFE Act".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

##### Sec. 1. Short title; table of contents.

#### TITLE I—FINANCIAL SUPPORT FOR ELECTION INFRASTRUCTURE

##### Subtitle A—Voting System Security Improvement Grants

##### PART 1—PROMOTING ACCURACY, INTEGRITY, AND SECURITY THROUGH VOTER-VERIFIED PERMANENT PAPER BALLOT

###### Sec. 101. Short title.

###### Sec. 102. Paper ballot and manual counting requirements.

###### Sec. 103. Accessibility and ballot verification for individuals with disabilities.

###### Sec. 104. Durability and readability requirements for ballots.

###### Sec. 105. Paper ballot printing requirements.

###### Sec. 106. Study and report on optimal ballot design.

###### Sec. 107. Effective date for new requirements.

##### PART 2—GRANTS TO CARRY OUT IMPROVEMENTS

###### Sec. 111. Grants for obtaining compliant paper ballot voting systems and carrying out voting system security improvements.

Sec. 112. Coordination of voting system security activities with use of requirements payments and election administration requirements under Help America Vote Act of 2002.

###### Sec. 113. Incorporation of definitions.

###### Subtitle B—Risk-Limiting Audits

###### Sec. 121. Risk-limiting audits.

###### Sec. 122. Funding for conducting post-election risk-limiting audits.

###### Sec. 123. GAO analysis of effects of audits.

##### TITLE II—PROMOTING CYBERSECURITY THROUGH IMPROVEMENTS IN ELECTION ADMINISTRATION

###### Sec. 201. Voting system cybersecurity requirements.

###### Sec. 202. Testing of existing voting systems to ensure compliance with election cybersecurity guidelines and other guidelines.

###### Sec. 203. Requiring use of software and hardware for which information is disclosed by manufacturer.

###### Sec. 204. Treatment of electronic poll books as part of voting systems.

###### Sec. 205. Pre-election reports on voting system usage.

###### Sec. 206. Streamlining collection of election information.

##### TITLE III—USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES

###### Sec. 301. Use of voting machines manufactured in the United States.

##### TITLE IV—SEVERABILITY

###### Sec. 401. Severability.

##### TITLE I—FINANCIAL SUPPORT FOR ELECTION INFRASTRUCTURE

##### Subtitle A—Voting System Security Improvement Grants

##### PART 1—PROMOTING ACCURACY, INTEGRITY, AND SECURITY THROUGH VOTER-VERIFIED PERMANENT PAPER BALLOT

###### SEC. 101. SHORT TITLE.

*This subtitle may be cited as the "Voter Confidence and Increased Accessibility Act of 2019".*

###### SEC. 102. PAPER BALLOT AND MANUAL COUNTING REQUIREMENTS.

(a) **IN GENERAL.**—Section 301(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is amended to read as follows:

###### "(2) PAPER BALLOT REQUIREMENT.—

###### "(A) VOTER-VERIFIED PAPER BALLOTS.—

"(i) **PAPER BALLOT REQUIREMENT.**—(I) The voting system shall require the use of an individual, durable, voter-verified paper ballot of the voter's vote that shall be marked and made available for inspection and verification by the voter before the voter's vote is cast and counted, and which shall be counted by hand or read by an optical character recognition device or other counting device. For purposes of this subclause, the term 'individual, durable, voter-verified paper ballot' means a paper ballot marked by the voter by hand or a paper ballot marked through the use of a nontabulating ballot marking device or system, so long as the voter shall have the option to mark his or her ballot by hand. The paper ballot shall be printed or marked in such a way that vote selections, including all vote selections scanned by voting systems to tabulate votes, can be inspected and verified by the voter without training or instruction or audited by election officials without the aid of any machine or other equipment.

"(II) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the permanent voter-verified paper ballot is preserved in accordance with clause (i).

"(III) The voting system shall not preserve the voter-verified paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote without the voter's consent.

**“(ii) PRESERVATION AS OFFICIAL RECORD.**—The individual, durable, voter-verified paper ballot used in accordance with clause (i) shall constitute the official ballot and shall be preserved and used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used.

**“(iii) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS AND AUDITS.**—(I) Each paper ballot used pursuant to clause (i) shall be suitable for a manual audit, and shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.

**“(II)** In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified paper ballots used pursuant to clause (i), and subject to subparagraph (B), the individual, durable, voter-verified paper ballots shall be the true and correct record of the votes cast.

**“(iv) APPLICATION TO ALL BALLOTS.**—The requirements of this subparagraph shall apply to all ballots cast in elections for Federal office, including ballots cast by absent uniformed services voters and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act and other absentee voters.

**“(B) SPECIAL RULE FOR TREATMENT OF DISPUTES WHEN PAPER BALLOTS HAVE BEEN SHOWN TO BE COMPROMISED.**—

**“(i) IN GENERAL.**—In the event that—

“(I) there is any inconsistency between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verified paper ballots used pursuant to subparagraph (A)(i) with respect to any election for Federal office; and

“(II) it is demonstrated by clear and convincing evidence (as determined in accordance with the applicable standards in the jurisdiction involved) in any recount, audit, or contest of the result of the election that the paper ballots have been compromised (by damage or mischief or otherwise) and that a sufficient number of the ballots have been so compromised that the result of the election could be changed, the determination of the appropriate remedy with respect to the election shall be made in accordance with applicable State law, except that the electronic tally shall not be used as the exclusive basis for determining the official certified result.

**“(ii) RULE FOR CONSIDERATION OF BALLOTS ASSOCIATED WITH EACH VOTING MACHINE.**—For purposes of clause (i), only the paper ballots deemed compromised, if any, shall be considered in the calculation of whether or not the result of the election could be changed due to the compromised paper ballots.”.

**(b) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.**—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting “(including the paper ballots required to be used under paragraph (2))” after “voting system”.

**(c) OTHER CONFORMING AMENDMENTS.**—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking “counted” and inserting “counted, in accordance with paragraphs (2) and (3)”; and

(2) in subparagraph (A)(ii), by striking “counted” and inserting “counted, in accordance with paragraphs (2) and (3)”; and

(3) in subparagraph (A)(iii), by striking “counted” each place it appears and inserting “counted, in accordance with paragraphs (2) and (3)”; and

(4) in subparagraph (B)(ii), by striking “counted” and inserting “counted, in accordance with paragraphs (2) and (3)”.

**SEC. 103. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.**

**(a) IN GENERAL.**—Section 301(a)(3)(B) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is amended to read as follows:

“(B)(i) ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verified paper ballot as for other voters;

“(ii) satisfy the requirement of subparagraph (A) through the use of at least one voting system equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired, at each polling place; and

“(iii) meet the requirements of subparagraph (A) and paragraph (2)(A) by using a system that—

“(I) allows the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote counting or auditing; and

“(II) allows the voter to privately and independently verify and cast the permanent paper ballot without requiring the voter to manually handle the paper ballot;”.

**(b) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.**—

**(1) STUDY AND REPORTING.**—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating section 247 as section 248; and

(B) by inserting after section 246 the following new section:

**“SEC. 247. STUDY AND REPORT ON ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.**

**(a) STUDY AND REPORT.**—The Director of the National Science Foundation shall make grants to not fewer than 3 eligible entities to study, test, and develop accessible paper ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including best practices for the mechanisms themselves and the processes through which the mechanisms are used.

**(b) ELIGIBILITY.**—An entity is eligible to receive a grant under this part if it submits to the Director (at such time and in such form as the Director may require) an application containing—

“(1) certifications that the entity shall specifically investigate enhanced methods or devices, including non-electronic devices, that will assist such individuals and voters in marking voter-verified paper ballots and presenting or transmitting the information printed or marked on such ballots back to such individuals and voters, and casting such ballots;

“(2) a certification that the entity shall complete the activities carried out with the grant not later than December 31, 2020; and

“(3) such other information and certifications as the Director may require.

**(c) AVAILABILITY OF TECHNOLOGY.**—Any technology developed with the grants made under this section shall be treated as non-proprietary and shall be made available to the public, including to manufacturers of voting systems.

**(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.**—The Director shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Director and Commission determine necessary to provide for the advancement of accessible voting technology.

**(e) AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry

out subsection (a) \$5,000,000, to remain available until expended.”.

**(2) CLERICAL AMENDMENT.**—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 247 as relating to section 248; and

(B) by inserting after the item relating to section 246 the following new item:

“Sec. 247. Study and report on accessible paper ballot verification mechanisms.”.

**(c) CLARIFICATION OF ACCESSIBILITY STANDARDS UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.**—In adopting any voluntary guidance under subtitle B of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable under the voluntary guidance adopted for accessible voting systems under such subtitle.

**(d) PERMITTING USE OF FUNDS FOR PROTECTION AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO ENFORCE ELECTION-RELATED DISABILITY ACCESS.**—Section 292(a) of the Help America Vote Act of 2002 (52 U.S.C. 21062(a)) is amended by striking “; except that” and all that follows and inserting a period.

**SEC. 104. DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.**

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)) is amended by adding at the end the following new paragraph:

**“(7) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.**—

**(A) DURABILITY REQUIREMENTS FOR PAPER BALLOTS.**—

**(i) IN GENERAL.**—All voter-verified paper ballots required to be used under this Act shall be marked or printed on durable paper.

**(ii) DEFINITION.**—For purposes of this Act, paper is ‘durable’ if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

**(B) READABILITY REQUIREMENTS FOR PAPER BALLOTS MARKED BY BALLOT MARKING DEVICE.**—All voter-verified paper ballots completed by the voter through the use of a ballot marking device shall be clearly readable by the voter without assistance (other than eyeglasses or other personal vision enhancing devices) and by an optical character recognition device or other device equipped for individuals with disabilities.”.

**SEC. 105. PAPER BALLOT PRINTING REQUIREMENTS.**

**(a) REQUIRING PAPER BALLOTS TO BE PRINTED ON RECYCLED PAPER MANUFACTURED IN UNITED STATES.**—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104, is amended by adding at the end the following new paragraph:

**“(8) PRINTING REQUIREMENTS FOR BALLOTS.**—All paper ballots used in an election for Federal office shall be printed in the United States on recycled paper manufactured in the United States.”.

**(b) EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to elections occurring on or after January 1, 2021.

**SEC. 106. STUDY AND REPORT ON OPTIMAL BALLOT DESIGN.**

**(a) STUDY.**—The Election Assistance Commission shall conduct a study of the best ways to design ballots used in elections for public office, including paper ballots and electronic or digital ballots, to minimize confusion and user errors.

**(b) REPORT.**—Not later than January 1, 2020, the Election Assistance Commission shall submit to Congress a report on the study conducted under subsection (a).

**SEC. 107. EFFECTIVE DATE FOR NEW REQUIREMENTS.**

Section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)) is amended to read as follows:

## “(d) EFFECTIVE DATE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

## “(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

“(A) IN GENERAL.—Except as provided in section 105(b) of the Securing America’s Federal Elections Act and subparagraphs (B) and (C), the requirements of this section which are first imposed on a State and jurisdiction pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2019 shall apply with respect to voting systems used for any election for Federal office held in 2020 or any succeeding year.

“(B) DELAY FOR JURISDICTIONS USING CERTAIN PAPER RECORD PRINTERS OR CERTAIN SYSTEMS USING OR PRODUCING VOTER-VERIFIED PAPER RECORDS IN 2018.—

“(i) DELAY.—In the case of a jurisdiction described in clause (ii), subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to ‘2020’ were a reference to ‘2022’, but only with respect to the following requirements of this section:

“(I) Paragraph (2)(A)(i)(I) of subsection (a) (relating to the use of voter-verified paper ballots).

“(II) Paragraph (3)(B)(iii)(I) and (II) of subsection (a) (relating to access to verification from and casting of the durable paper ballot).

“(III) Paragraph (7) of subsection (a) (relating to durability and readability requirements for ballots).

“(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

“(I) which used voter-verified paper record printers attached to direct recording electronic voting machines, or which used other voting systems that used or produced paper records of the vote verifiable by voters but that are not in compliance with paragraphs (2)(A)(i)(I), (3)(B)(iii)(I) and (II), and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2019), for the administration of the regularly scheduled general election for Federal office held in November 2018; and

“(II) which will continue to use such printers or systems for the administration of elections for Federal office held in years before 2022.

“(iii) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES USING GRANDFATHERED PRINTERS AND SYSTEMS.—

“(I) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—The appropriate election official at each polling place that uses a printer or system described in clause (ii)(I) for the administration of elections for Federal office shall offer each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank pre-printed paper ballot which the individual may mark by hand and which is not produced by the direct recording electronic voting machine or other such system. The official shall provide the individual with the ballot and the supplies necessary to mark the ballot, and shall ensure (to the greatest extent practicable) that the waiting period for the individual to cast a vote is the lesser of 30 minutes or the average waiting period for an individual who does not agree to cast the vote using such a paper ballot under this clause.

“(II) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this clause shall be counted and otherwise treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for the precinct) and not as a provisional ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot.

“(III) POSTING OF NOTICE.—The appropriate election official shall ensure there is prominently displayed at each polling place a notice that describes the obligation of the official to

offer individuals the opportunity to cast votes using a pre-printed blank paper ballot.

“(IV) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under subclause (III), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank pre-printed paper ballot.

“(V) PERIOD OF APPLICABILITY.—The requirements of this clause apply only during the period in which the delay is in effect under clause (i).

“(C) SPECIAL RULE FOR JURISDICTIONS USING CERTAIN NONTABULATING BALLOT MARKING DEVICES.—In the case of a jurisdiction which uses a nontabulating ballot marking device which automatically deposits the ballot into a privacy sleeve, subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to ‘any election for Federal office held in 2020 or any succeeding year’ were a reference to ‘elections for Federal office occurring held in 2022 or each succeeding year’, but only with respect to paragraph (3)(B)(iii)(II) of subsection (a) (relating to nonmanual casting of the durable paper ballot).”.

## PART 2—GRANTS TO CARRY OUT IMPROVEMENTS

### SEC. 111. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

(a) AVAILABILITY OF GRANTS.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is amended by adding at the end the following new part:

### “PART 7—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

#### “SEC. 297. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

“(a) AVAILABILITY AND USE OF GRANT.—The Commission shall make a grant to each eligible State—

“(I) to replace a voting system—

“(A) which does not meet the requirements which are first imposed on the State pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2019 with a voting system which does meet such requirements, for use in the regularly scheduled general elections for Federal office held in November 2020, or

“(B) which does meet such requirements but which is not in compliance with the most recent voluntary voting system guidelines issued by the Commission prior to the regularly scheduled general election for Federal office held in November 2020 with another system which does meet such requirements and is in compliance with such guidelines;

“(2) to carry out voting system security improvements described in section 297A with respect to the regularly scheduled general elections for Federal office held in November 2020 and each succeeding election for Federal office; and

“(3) to implement and model best practices for ballot design, ballot instructions, and the testing of ballots.

“(b) AMOUNT OF GRANT.—The amount of a grant made to a State under this section shall be such amount as the Commission determines to be appropriate, except that such amount may not be less than the product of \$1 and the average of the number of individuals who cast votes in any of the two most recent regularly scheduled general elections for Federal office held in the State.

“(c) PRO RATA REDUCTIONS.—If the amount of funds appropriated for grants under this part is

insufficient to ensure that each State receives the amount of the grant calculated under subsection (b), the Commission shall make such pro rata reductions in such amounts as may be necessary to ensure that the entire amount appropriated under this part is distributed to the States.

“(d) SURPLUS APPROPRIATIONS.—If the amount of funds appropriated for grants authorized under section 297D(a)(2) exceed the amount necessary to meet the requirements of subsection (b), the Commission shall consider the following in making a determination to award remaining funds to a State:

“(1) The record of the State in carrying out the following with respect to the administration of elections for Federal office:

“(A) Providing voting machines that are less than 10 years old.

“(B) Implementing strong chain of custody procedures for the physical security of voting equipment and paper records at all stages of the process.

“(C) Conducting pre-election testing on every voting machine and ensuring that paper ballots are available wherever electronic machines are used.

“(D) Maintaining offline backups of voter registration lists.

“(E) Providing a secure voter registration database that logs requests submitted to the database.

“(F) Publishing and enforcing a policy detailing use limitations and security safeguards to protect the personal information of voters in the voter registration process.

“(G) Providing secure processes and procedures for reporting vote tallies.

“(H) Providing a secure platform for disseminating vote totals.

“(2) Evidence of established conditions of innovation and reform in providing voting system security and the proposed plan of the State for implementing additional conditions.

“(3) Evidence of collaboration between relevant stakeholders, including local election officials, in developing the grant implementation plan described in section 297B.

“(4) The plan of the State to conduct a rigorous evaluation of the effectiveness of the activities carried out with the grant.

“(e) ABILITY OF REPLACEMENT SYSTEMS TO ADMINISTER RANKED CHOICE ELECTIONS.—To the greatest extent practicable, an eligible State which receives a grant to replace a voting system under this section shall ensure that the replacement system is capable of administering a system of ranked choice voting under which each voter shall rank the candidates for the office in the order of the voter’s preference.

#### “SEC. 297A. VOTING SYSTEM SECURITY IMPROVEMENTS DESCRIBED.

“(a) PERMITTED USES.—A voting system security improvement described in this section is any of the following:

“(1) The acquisition of goods and services from qualified election infrastructure vendors by purchase, lease, or such other arrangements as may be appropriate.

“(2) Cyber and risk mitigation training.

“(3) A security risk and vulnerability assessment of the State’s election infrastructure which is carried out by a provider of cybersecurity services under a contract entered into between the chief State election official and the provider.

“(4) The maintenance of election infrastructure, including addressing risks and vulnerabilities which are identified under either of the security risk and vulnerability assessments described in paragraph (3), except that none of the funds provided under this part may be used to renovate or replace a building or facility which is used primarily for purposes other than the administration of elections for public office.

“(5) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part

of the State's election infrastructure or designates as critical to the operation of the State's election infrastructure.

“(6) Enhancing the cybersecurity and operations of the information technology infrastructure described in paragraph (4).

“(7) Enhancing the cybersecurity of voter registration systems.

**“(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS DESCRIBED.—**

“(1) IN GENERAL.—For purposes of this part, a ‘qualified election infrastructure vendor’ is any person who provides, supports, or maintains, or who seeks to provide, support, or maintain, election infrastructure on behalf of a State, unit of local government, or election agency, who meets the criteria described in paragraph (2).

“(2) CRITERIA.—The criteria described in this paragraph are such criteria as the Chairman, in coordination with the Secretary of Homeland Security, shall establish and publish, and shall include each of the following requirements:

“(A) The vendor must be owned and controlled by a citizen or permanent resident of the United States.

“(B) The vendor must disclose to the Chairman and the Secretary, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under this part, of any sourcing outside the United States for parts of the election infrastructure.

“(C) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

“(D) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

“(E) The vendor agrees to meet the requirements of paragraph (3) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under this part.

“(F) The vendor agrees to permit independent security testing by the Commission (in accordance with section 231(a)) and by the Secretary of the goods and services provided by the vendor pursuant to a grant under this part.

**“(3) CYBERSECURITY INCIDENT REPORTING REQUIREMENTS.—**

“(A) IN GENERAL.—A vendor meets the requirements of this paragraph if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided by the vendor pursuant to a grant under this part—

“(i) the vendor promptly assesses whether or not such an incident occurred, and submits a notification meeting the requirements of subparagraph (B) to the Secretary and the Chairman of the assessment as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred);

“(ii) if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the requirements of subparagraph (B) to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and

“(iii) the vendor provides all necessary updates to any notification submitted under clause (i) or clause (ii).

“(B) CONTENTS OF NOTIFICATIONS.—Each notification submitted under clause (i) or clause (ii) of subparagraph (A) shall contain the following information with respect to any election cybersecurity incident covered by the notification:

“(i) The date, time, and time zone when the election cybersecurity incident began, if known.

“(ii) The date, time, and time zone when the election cybersecurity incident was detected.

“(iii) The date, time, and duration of the election cybersecurity incident.

“(iv) The circumstances of the election cybersecurity incident, including the specific election infrastructure systems believed to have been accessed and information acquired, if any.

“(v) Any planned and implemented technical measures to respond to and recover from the incident.

“(vi) In the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.

**“SEC. 297B. ELIGIBILITY OF STATES.**

“A State is eligible to receive a grant under this part if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

“(1) a description of how the State will use the grant to carry out the activities authorized under this part;

“(2) a certification and assurance that, not later than 5 years after receiving the grant, the State will carry out voting system security improvements, as described in section 297A; and

“(3) such other information and assurances as the Commission may require.

**“SEC. 297C. REPORTS TO CONGRESS.**

“Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the appropriate congressional committees, including the Committees on Homeland Security, House Administration, and the Judiciary of the House of Representatives and the Committees on Homeland Security and Governmental Affairs, the Judiciary, and Rules and Administration of the Senate, on the activities carried out with the funds provided under this part.

**“SEC. 297D. AUTHORIZATION OF APPROPRIATIONS.**

“(a) AUTHORIZATION.—There are authorized to be appropriated for grants under this part—

“(1) \$600,000,000 for fiscal year 2019; and

“(2) \$175,000,000 for each of the fiscal years 2020, 2022, 2024, and 2026.

“(b) CONTINUING AVAILABILITY OF AMOUNTS.—Any amounts appropriated pursuant to the authorization of this section shall remain available until expended.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

**“PART 7—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS**

“Sec. 297. Grants for obtaining compliant paper ballot voting systems and carrying out voting system security improvements.

“Sec. 297A. Voting system security improvements described.

“Sec. 297B. Eligibility of States.

“Sec. 297C. Reports to Congress.

“Sec. 297D. Authorization of appropriations.

**SEC. 112. COORDINATION OF VOTING SYSTEM SECURITY ACTIVITIES WITH USE OF REQUIREMENTS PAYMENTS AND ELECTION ADMINISTRATION REQUIREMENTS UNDER HELP AMERICA VOTE ACT OF 2002.**

(a) DUTIES OF ELECTION ASSISTANCE COMMISSION.—Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended in the matter preceding paragraph (1) by striking “by” and inserting “and the security of election infrastructure by”.

(b) MEMBERSHIP OF SECRETARY OF HOMELAND SECURITY ON BOARD OF ADVISORS OF ELECTION ASSISTANCE COMMISSION.—Section 214(a) of such Act (52 U.S.C. 20944(a)) is amended—

(1) by striking “37 members” and inserting “38 members”; and

(2) by adding at the end the following new paragraph:

“(17) The Secretary of Homeland Security or the Secretary’s designee.”.

(c) REPRESENTATIVE OF DEPARTMENT OF HOMELAND SECURITY ON TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(c)(1) of such Act (52 U.S.C. 20961(c)(1)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph:

“(E) A representative of the Department of Homeland Security.”.

(d) GOALS OF PERIODIC STUDIES OF ELECTION ADMINISTRATION ISSUES; CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.—Section 241(a) of such Act (52 U.S.C. 20981(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “the Commission shall” and inserting “the Commission, in consultation with the Secretary of Homeland Security (as appropriate), shall”;

(2) by striking “and” at the end of paragraph (3);

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following new paragraph:

“(4) will be secure against attempts to undermine the integrity of election systems by cyber or other means; and”.

**(e) REQUIREMENTS PAYMENTS.—**

(1) USE OF PAYMENTS FOR VOTING SYSTEM SECURITY IMPROVEMENTS.—Section 251(b) of such Act (52 U.S.C. 21001(b)) is amended by adding at the end the following new paragraph:

“(4) PERMITTING USE OF PAYMENTS FOR VOTING SYSTEM SECURITY IMPROVEMENTS.—A State may use a requirements payment to carry out any of the following activities:

“(A) Cyber and risk mitigation training.

“(B) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part of the State’s election infrastructure or designates as critical to the operation of the State’s election infrastructure.

“(C) Enhancing the cybersecurity and operations of the information technology infrastructure described in subparagraph (B).

“(D) Enhancing the security of voter registration databases.”.

(2) INCORPORATION OF ELECTION INFRASTRUCTURE PROTECTION IN STATE PLANS FOR USE OF PAYMENTS.—Section 254(a)(1) of such Act (52 U.S.C. 21004(a)(1)) is amended by striking the period at the end and inserting “, including the protection of election infrastructure.”.

(3) COMPOSITION OF COMMITTEE RESPONSIBLE FOR DEVELOPING STATE PLAN FOR USE OF PAYMENTS.—Section 255 of such Act (52 U.S.C. 21005) is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

“(b) GEOGRAPHIC REPRESENTATION.—The members of the committee shall be a representative group of individuals from the State’s counties, cities, towns, and Indian tribes, and shall represent the needs of rural as well as urban areas of the State, as the case may be.”.

(f) ENSURING PROTECTION OF COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a)(3) of such Act (52 U.S.C. 21083(a)(3)) is amended by striking the period at the end and inserting “, as well as other measures to prevent and deter cybersecurity incidents, as identified by the Commission, the Secretary of Homeland Security, and the Technical Guidelines Development Committee.”.

**SEC. 113. INCORPORATION OF DEFINITIONS.**

(a) IN GENERAL.—Section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141) is amended to read as follows:

**“SEC. 901. DEFINITIONS.**

“In this Act, the following definitions apply:

“(1) The term ‘cybersecurity incident’ has the meaning given the term ‘incident’ in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 659).

“(2) The term ‘election agency’ means any component of a State, or any component of a unit of local government in a State, which is responsible for the administration of elections for Federal office in the State.

“(3) The term ‘election infrastructure’ means storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology (including the technology used by or on behalf of election officials to produce and distribute voter guides to elections), including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

“(4) The term ‘State’ means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by amending the item relating to section 901 to read as follows:

“Sec. 901. Definitions.”.

**Subtitle B—Risk-Limiting Audits****SEC. 121. RISK-LIMITING AUDITS.**

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

**“SEC. 303A. RISK-LIMITING AUDITS.**

“(a) DEFINITIONS.—In this section:

“(1) RISK-LIMITING AUDIT.—The term ‘risk-limiting audit’ means, with respect to any election contest, a post-election process that—

“(A) has a probability of at least 95 percent of correcting the reported outcome if the reported outcome is not the correct outcome;

“(B) will not change the outcome if the reported outcome is the correct outcome; and

“(C) involves a manual adjudication of voter intent from some or all of the ballots validly cast in the election contest.

“(2) REPORTED OUTCOME; CORRECT OUTCOME; OUTCOME.—

“(A) REPORTED OUTCOME.—The term ‘reported outcome’ means the outcome of an election contest which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

“(B) CORRECT OUTCOME.—The term ‘correct outcome’ means the outcome that would be determined by a manual adjudication of voter intent for all votes validly cast in the election contest.

“(C) OUTCOME.—The term ‘outcome’ means the winner or set of winners of an election contest.

“(3) MANUAL ADJUDICATION OF VOTER INTENT.—The term ‘manual adjudication of voter intent’ means direct inspection and determination by humans, without assistance from electronic or mechanical tabulation devices, of the ballot choices marked by voters on each voter-verified paper record.

“(4) BALLOT MANIFEST.—The term ‘ballot manifest’ means a record maintained by each jurisdiction that—

“(A) is created without reliance on any part of the voting system used to tabulate votes;

“(B) functions as a sampling frame for conducting a risk-limiting audit; and

“(C) accounts for all ballots validly cast regardless of how they were tabulated and includes a precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

“(b) REQUIREMENTS.—

“(1) IN GENERAL.—

“(A) AUDITS.—

“(i) IN GENERAL.—Each State and jurisdiction shall administer risk-limiting audits of the results of all election contests for Federal office held in the State in accordance with the requirements of paragraph (2).

“(ii) EXCEPTION.—Clause (i) shall not apply to any election contest for which the State or jurisdiction conducts a full recount through a manual adjudication of voter intent.

“(B) FULL MANUAL TABULATION.—If a risk-limiting audit conducted under subparagraph (A) corrects the reported outcome of an election contest, the State or jurisdiction shall use the results of the manual adjudication of voter intent conducted as part of the risk-limiting audit as the official results of the election contest.

“(2) AUDIT REQUIREMENTS.—

“(A) RULES AND PROCEDURES.—

“(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the chief State election official of the State shall establish rules and procedures for conducting risk-limiting audits.

“(ii) MATTERS INCLUDED.—The rules and procedures established under clause (i) shall include the following:

“(I) Rules and procedures for ensuring the security of ballots and documenting that prescribed procedures were followed.

“(II) Rules and procedures for ensuring the accuracy of ballot manifests produced by jurisdictions.

“(III) Rules and procedures for governing the format of ballot manifests and other data involved in risk-limiting audits.

“(IV) Methods to ensure that any cast vote records used in a risk-limiting audit are those used by the voting system to tally the results of the election contest sent to the chief State election official of the State and made public.

“(V) Rules and procedures for the random selection of ballots to be inspected manually during each audit.

“(VI) Rules and procedures for the calculations and other methods to be used in the audit and to determine whether and when the audit of each election contest is complete.

“(VII) Rules and procedures for testing any software used to conduct risk-limiting audits.

“(B) PUBLIC REPORT.—

“(i) IN GENERAL.—After the completion of the risk-limiting audit and at least 5 days before the election contest is certified, the State shall publish a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly.

“(ii) FORMAT OF DATA.—All data published with the report under clause (i) shall be published in machine-readable, open data formats.

“(iii) PROTECTION OF ANONYMITY OF VOTES.—Information and data published by the State under this subparagraph shall not compromise the anonymity of votes.

“(c) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this section for the first regularly scheduled election for Federal office held more than 1 year after the date of the enactment of the Securing America’s Federal Elections Act and for each subsequent election for Federal office.”.

“(b) CONFORMING AMENDMENTS RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking “sections 301, 302, and 303” and inserting “subtitle A of title III”.

“(c) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after

the item relating to section 303 the following new item:

“Sec. 303A. Risk-limiting audits.”.

**SEC. 122. FUNDING FOR CONDUCTING POST-ELECTION RISK-LIMITING AUDITS.**

(a) PAYMENTS TO STATES.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 111(a), is amended by adding at the end the following new part:

**“PART 8—FUNDING FOR POST-ELECTION RISK-LIMITING AUDITS****“SEC. 298. PAYMENTS FOR POST-ELECTION RISK-LIMITING AUDITS.**

“(a) IN GENERAL.—The Commission shall pay to States the amount of eligible post-election audit costs.

“(b) ELIGIBLE POST-ELECTION AUDIT COSTS.—For purposes of this section, the term ‘eligible post-election audit costs’ means, with respect to any State, costs paid or incurred by the State or local government within the State for—

“(1) the conduct of any risk-limiting audit (as defined in section 303A) with respect to an election for Federal office occurring after the date of the enactment of this part; and

“(2) any equipment, software, or services necessary for the conduct of any such risk-limiting audit.

“(c) SPECIAL RULES.—

“(1) RULES AND PROCEDURES.—The Commission shall establish rules and procedures for submission of eligible post-election audit costs for payments under this section.

“(2) INSUFFICIENT FUNDS.—In any case in which the amounts appropriated under subsection (d) are insufficient to pay all eligible post-election audit costs submitted by States with respect to any Federal election, the amount of such costs paid under subsection (a) to any State shall be equal to the amount that bears the same ratio to the amount which would be paid to such State (determined without regard to this paragraph) as—

“(A) the number of individuals who voted in such Federal election in such State; bears to

“(B) the total number of individuals who voted in such Federal election in all States submitting a claim for eligible post-election audit costs.

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is hereby authorized to be appropriated to the Commission such sums as are necessary to carry out this part.

“(2) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 111(b), is further amended by adding at the end of the items relating to subtitle D of title II the following:

**“PART 8—FUNDING FOR POST-ELECTION RISK-LIMITING AUDITS****“Sec. 298. Payments for post-election risk-limiting audits.****SEC. 123. GAO ANALYSIS OF EFFECTS OF AUDITS.**

(a) ANALYSIS.—Not later than 6 months after the first elections for Federal office is held for which States must conduct risk-limiting audits under section 303A of the Help America Vote Act of 2002 (as added by section 121), the Comptroller General of the United States shall conduct an analysis of the extent to which such audits have improved the administration of such elections and the security of election infrastructure in the States receiving such grants.

(b) REPORT.—The Comptroller General of the United States shall submit a report on the analysis conducted under subsection (a) to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

**TITLE II—PROMOTING CYBERSECURITY THROUGH IMPROVEMENTS IN ELECTION ADMINISTRATION**

**SEC. 201. VOTING SYSTEM CYBERSECURITY REQUIREMENTS.**

(a) **BALLOT TABULATING DEVICES.**— Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104 and section 105, is further amended by adding at the end the following new paragraph:

“(9) **BALLOT TABULATING METHODS.**—

“(A) **IN GENERAL.**—The voting system tabulates ballots by hand or through the use of an optical scanning device that meets the requirements of subparagraph (B).

“(B) **REQUIREMENTS FOR OPTICAL SCANNING DEVICES.**—Except as provided in subparagraph (C), the requirements of this subparagraph are as follows:

“(i) The device is designed and built in a manner in which it is mechanically impossible for the device to add or change the vote selections on a printed or marked ballot.

“(ii) The device is capable of exporting its data (including vote tally data sets and cast vote records) in a machine-readable, open data standard format required by the Commission, in consultation with the Director of the National Institute of Standards and Technology.

“(iii) The device consists of hardware that demonstrably conforms to a hardware component manifest describing point-of-origin information (including upstream hardware supply chain information for each component) that—

“(I) has been provided to the Commission, the Director of Cybersecurity and Infrastructure Security, and the chief State election official for each State in which the device is used; and

“(II) may be shared by any entity to whom it has been provided under subclause (I) with independent experts for cybersecurity analysis.

“(iv) The device utilizes technology that prevents the operation of the device if any hardware components do not meet the requirements of clause (iii).

“(v) The device operates using software for which the source code, system build tools, and compilation parameters—

“(I) have been provided to the Commission, the Director of Cybersecurity and Infrastructure Security, and the chief State election official for each State in which the device is used; and

“(II) may be shared by any entity to whom it has been provided under subclause (I) with independent experts for cybersecurity analysis.

“(vi) The device utilizes technology that prevents the running of software on the device that does not meet the requirements of clause (v).

“(vii) The device utilizes technology that enables election officials, cybersecurity researchers, and voters to verify that the software running on the device—

“(I) was built from a specific, untampered version of the code that is described in clause (v); and

“(II) uses the system build tools and compilation parameters that are described in clause (v).

“(viii) The device contains such other security requirements as the Director of Cybersecurity and Infrastructure Security requires.

“(C) **WAIVER.**—

“(i) **IN GENERAL.**—The Director of Cybersecurity and Infrastructure Security, in consultation with the Director of the National Institute of Standards and Technology, may waive one or more of the requirements of subparagraph (B) (other than the requirement of clause (i) thereof) with respect to any device for a period of not to exceed 2 years.

“(ii) **PUBLICATION.**—Information relating to any waiver granted under clause (i) shall be made publicly available on the Internet.

(D) **EFFECTIVE DATE.**—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for the regularly scheduled election for Federal office in November 2024, and for each subsequent election for Federal office.”.

(b) **OTHER CYBERSECURITY REQUIREMENTS.**—Section 301(a) of such Act (52 U.S.C. 21081(a)), as amended by section 104, section 105, and subsection (a), is further amended by adding at the end the following new paragraphs:

“(10) **PROHIBITION OF USE OF WIRELESS COMMUNICATIONS DEVICES IN SYSTEMS OR DEVICES.**—

“(A) **IN GENERAL.**—No system or device upon which ballot marking devices or optical scanners are configured, upon which ballots are marked by voters (except as necessary for individuals with disabilities to use ballot marking devices that meet the accessibility requirements of paragraph (3)), or upon which votes are cast, tabulated, or aggregated shall contain, use, or be accessible by any wireless, power-line, or concealed communication device.

“(B) **EFFECTIVE DATE.**—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for the regularly scheduled election for Federal office in November 2020, and for each subsequent election for Federal office.

“(11) **PROHIBITING CONNECTION OF SYSTEM TO THE INTERNET.**—

“(A) **IN GENERAL.**—No system or device upon which ballot marking devices or optical scanners are configured, upon which ballots are marked by voters, or upon which votes are cast, tabulated, or aggregated shall be connected to the Internet or any non-local computer system via telephone or other communication network at any time.

“(B) **EFFECTIVE DATE.**—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for the regularly scheduled election for Federal office in November 2020, and for each subsequent election for Federal office.”.

(c) **SPECIAL CYBERSECURITY RULES FOR CERTAIN BALLOT MARKING DEVICES.**—

(1) **IN GENERAL.**—Section 301(a) of such Act (52 U.S.C. 21081(a)), as amended by section 104, section 105, and subsections (a) and (b), is further amended by adding at the end the following new paragraph:

“(12) **BALLOT MARKING DEVICES.**—

“(A) **IN GENERAL.**—In the case of a voting system that uses a ballot marking device, the ballot marking device shall be a device that—

“(i) is not capable of tabulating votes;

“(ii) except in the case of a ballot marking device used exclusively to comply with the requirements of paragraph (3), is certified in accordance with section 232 as meeting the requirements of subparagraph (B); and

“(iii) meets the requirements of clauses (iii) through (viii) of section 301(a)(9)(B).

“(B) **REQUIREMENTS.**—

“(i) **IN GENERAL.**—A ballot marking device meets the requirements of this subparagraph if, during a double-masked test conducted by a qualified independent user experience research laboratory (as defined in section 232(b)(4)) of a simulated election scenario which meets the requirements of clause (ii), there is less than a 5 percent chance that an ordinary voter using the device would not detect and report any difference between the vote selection printed on the ballot by the ballot marking device and the vote selection indicated by the voter.

“(ii) **SIMULATED ELECTION SCENARIO.**—A simulated election scenario meets the requirements of this clause if it is conducted with—

“(I) a pool of subjects that are—

“(aa) diverse in age, gender, education, and physical limitations; and

“(bb) representative of the communities in which the voting system will be used; and

“(II) ballots that are representative of ballots ordinarily used in the communities in which the voting system will be used.

“(C) **EFFECTIVE DATE.**—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for the regularly scheduled election for Federal office in November 2022, and for each subsequent election for Federal office.”.

(2) **PROCEDURE FOR TESTING.**—

(A) **IN GENERAL.**—Subtitle B of title II of the Help America Vote Act of 2002 (52 U.S.C. 20971 et seq.) is amended by adding at the end the following new section:

**SEC. 232. TESTING AND CERTIFICATION OF BALLOT MARKING DEVICES.**

“(a) **IN GENERAL.**—Any State or jurisdiction which intends to use a ballot marking device (other than a ballot marking device used exclusively to comply with the requirements of section 301(a)(3)) in an election for Federal office may submit an application to the Commission for testing and certification under this section.

“(b) **APPLICATION, ASSIGNMENT, AND TESTING.**—

“(1) **IN GENERAL.**—An application under subsection (a) shall be submitted not later than 18 months before the date of the election for Federal office in which the ballot marking device is intended to be used and shall contain such information as the Commission requires.

“(2) **ASSIGNMENT.**—Upon receipt of an application for testing under this section, the Commission shall contract with a qualified independent user experience research laboratory for the testing of whether the ballot marking device intended to be used by the State or jurisdiction meets the requirements of section 301(a)(12)(B).

“(3) **REQUIREMENTS FOR TESTING.**—Any contract described in paragraph (2) shall require the qualified independent user experience research laboratory to—

“(A) not later than 30 days before testing begins, submit to the Commission for approval the protocol for the simulated election scenario used for testing the ballot marking device;

“(B) use only protocols approved by the Commission in conducting such testing; and

“(C) submit to the Commission a report on the results of the testing.

“(4) **QUALIFIED INDEPENDENT USER EXPERIENCE RESEARCH LABORATORY.**—For purposes of this section:

“(A) **IN GENERAL.**—The term ‘qualified independent user experience research laboratory’ means a laboratory accredited under this subsection by the Election Assistance Commission in accordance with standards determined by the Commission, in consultation with the Director of the National Institute of Standards and Technology and the Secretary of Homeland Security.

“(B) **CRITERIA.**—A laboratory shall not be accredited under this subsection unless such laboratory demonstrates that—

“(i) no employee of, or individual with an ownership in, such laboratory has, or has had during the 5 preceding years, any financial relationship with a manufacturer of voting systems; and

“(ii) any group of individuals conducting tests under this section collectively meet the following qualifications:

“(I) Experience designing and running user research studies and experiments using both qualitative and quantitative methodologies.

“(II) Experience with voting systems.

“(C) **REVIEW BY INDEPENDENT BOARD.**—

“(1) **IN GENERAL.**—The Commission shall submit for approval to an independent review board established under paragraph (3) the following:

“(A) Any protocol submitted to the Commission under subsection (b)(3)(A).

“(B) Any report submitted to the Commission under subsection (b)(3)(C).

“(2) **FINAL APPROVAL.**—Not later than the date that is 12 months before the date of the election for Federal office in which a State or jurisdiction intends to use the ballot marking device, the independent review board shall report to the Commission on whether it has approved a report submitted under paragraph (1)(B).

“(3) **INDEPENDENT REVIEW BOARD.**—

(A) **IN GENERAL.**—An independent review board established under this paragraph shall be composed of 5 independent scientists appointed by the Commission, in consultation with the Director of the National Institute of Standards and Technology.

“(B) QUALIFICATIONS.—The members of the independent review board—

“(i) shall have expertise and relevant peer-reviewed publications in the following fields: cognitive psychology, experimental design, statistics, and user experience research and testing; and

“(ii) may not have, or have had during the 5 preceding years, any financial relationship with a manufacturer of voting systems.

“(4) PUBLICATION.—The Commission shall make public—

“(A) any protocol approved under this subsection;

“(B) any report submitted under subsection (b)(3)(C); and

“(C) any determination made by an independent review board under paragraph (2).

“(d) CERTIFICATION.—If—

“(1) a ballot marking device is determined by the qualified independent user experience research laboratory to meet the requirements of section 301(a)(12); and

“(2) the report submitted under subsection (b)(3)(C) is approved by a majority of the members of the independent review board under subsection (d)(2),

then the Commission shall certify the ballot marking device.

“(e) PROHIBITION ON FEES.—The Commission may not charge any fee to a State or jurisdiction, a developer or manufacturer of a ballot marking device, or any other person in connection with testing and certification under this section.”

(B) CONFORMING AMENDMENTS.—

(i) Section 202(2) of the Help America Vote Act of 2002 (52 U.S.C. 20922(2)) is amended by inserting “and ballot marking devices” after “hardware and software”).

(ii) The heading for subtitle B of title II of such Act is amended by inserting at the end “**Ballot Marking Devices**”.

(iii) The table of contents of such Act is amended—

(I) by inserting “; Ballot Marking Devices” at the end of the item relating to subtitle B of title II; and

(II) by inserting after the item related to section 231 the following:

“Sec. 232. Testing and certification of ballot marking devices.”.

**SEC. 202. TESTING OF EXISTING VOTING SYSTEMS TO ENSURE COMPLIANCE WITH ELECTION CYBERSECURITY GUIDELINES AND OTHER GUIDELINES.**

(a) REQUIRING TESTING OF EXISTING VOTING SYSTEMS.—

(1) IN GENERAL.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971(a)) is amended by adding at the end the following new paragraph:

“(3) TESTING TO ENSURE COMPLIANCE WITH GUIDELINES.—

“(A) TESTING.—Not later than 9 months before the date of each regularly scheduled general election for Federal office, the Commission shall provide for the testing by accredited laboratories under this section of the voting system hardware and software which was certified for use in the most recent such election, on the basis of the most recent voting system guidelines applicable to such hardware or software (including election cybersecurity guidelines) issued under this Act.

“(B) DECERTIFICATION OF HARDWARE OR SOFTWARE FAILING TO MEET GUIDELINES.—If, on the basis of the testing described in subparagraph (A), the Commission determines that any voting system hardware or software does not meet the most recent guidelines applicable to such hardware or software issued under this Act, the Commission shall decertify such hardware or software.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to the regularly scheduled general election for Federal

office held in November 2020 and each succeeding regularly scheduled general election for Federal office.

(b) ISSUANCE OF CYBERSECURITY GUIDELINES BY TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended by adding at the end the following new paragraph:

“(3) ELECTION CYBERSECURITY GUIDELINES.—Not later than 6 months after the date of the enactment of the Securing America’s Federal Elections Act, the Development Committee shall issue election cybersecurity guidelines, including standards and best practices for procuring, maintaining, testing, operating, and updating election systems to prevent and deter cybersecurity incidents.”.

**SEC. 203. REQUIRING USE OF SOFTWARE AND HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.**

(a) REQUIREMENT.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by sections 104, 105, 201(a), 201(b), and 201(c), is amended by adding at the end the following new paragraph:

“(13) REQUIRING USE OF SOFTWARE AND HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.—

“(A) REQUIRING USE OF SOFTWARE FOR WHICH SOURCE CODE IS DISCLOSED BY MANUFACTURER.—

“(i) IN GENERAL.—In the operation of voting systems in an election for Federal office, a State may only use software for which the manufacturer makes the source code (in the form in which will be used at the time of the election) publicly available online under a license that grants a worldwide, royalty-free, non-exclusive, perpetual, sub-licensable license to all intellectual property rights in such source code, except that the manufacturer may prohibit a person who obtains the software from using the software in a manner that is primarily intended for or directed toward commercial advantage or private monetary compensation that is unrelated to carrying out legitimate research or cybersecurity activity.

“(ii) EXCEPTIONS.—Clause (i) does not apply with respect to—

“(I) widely-used operating system software which is not specific to voting systems and for which the source code or baseline functionality is not altered; or

“(II) widely-used cybersecurity software which is not specific to voting systems and for which the source code or baseline functionality is not altered.

“(B) REQUIRING USE OF HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.—

“(i) REQUIRING DISCLOSURE OF HARDWARE.—A State may not use a voting system in an election for Federal office unless the manufacturer of the system publicly discloses online the identification of the hardware used to operate the system.

“(ii) ADDITIONAL DISCLOSURE REQUIREMENTS FOR CUSTOM OR ALTERED HARDWARE.—To the extent that the hardware used to operate a voting system or any component thereof is not widely-used, or is widely-used but is altered, the State may not use the system in an election for Federal office unless—

“(I) the manufacturer of the system publicly discloses online the components of the hardware, the design of such components, and how such components are connected in the operation of the system; and

“(II) the manufacturer makes the design (in the form which will be used at the time of the election) publicly available online under a license that grants a worldwide, royalty-free, non-exclusive, perpetual, sub-licensable license to all intellectual property rights in the design of the hardware or the component, except that the manufacturer may prohibit a person who obtains the design from using the design in a manner that is primarily intended for or di-

rected toward commercial advantage or private monetary compensation that is unrelated to carrying out legitimate research or cybersecurity activity.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections for Federal office held in 2020 or any succeeding year.

**SEC. 204. TREATMENT OF ELECTRONIC POLL BOOKS AS PART OF VOTING SYSTEMS.**

(a) INCLUSION IN DEFINITION OF VOTING SYSTEM.—Section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21081(b)) is amended—

(1) in the matter preceding paragraph (1), by striking “this section” and inserting “this Act”;

(2) by striking “and” at the end of paragraph (1);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following new paragraph:

“(2) any electronic poll book used with respect to the election; and”.

(b) DEFINITION.—Section 301 of such Act (52 U.S.C. 21081) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e); and

(2) by inserting after subsection (b) the following new subsection:

“(c) ELECTRONIC POLL BOOK DEFINED.—In this Act, the term ‘electronic poll book’ means the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—

“(1) to retain the list of registered voters at a polling location, or vote center, or other location at which voters cast votes in an election for Federal office; and

“(2) to identify registered voters who are eligible to vote in an election.”.

(c) EFFECTIVE DATE.—Section 301(e) of such Act (52 U.S.C. 21081(e)), as amended by section 107 and as redesignated by subsection (b), is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following new paragraph:

“(3) SPECIAL RULE FOR ELECTRONIC POLL BOOKS.—In the case of the requirements of subsection (c) (relating to electronic poll books), each State and jurisdiction shall be required to comply with such requirements on or after January 1, 2020.”.

**SEC. 205. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.**

(a) REQUIRING STATES TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 301 the following new section:

**SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.**

“(a) REQUIRING STATES TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Commission containing a detailed voting system usage plan for each jurisdiction in the State which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system.

“(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to the regularly scheduled general election for Federal office held in November 2020 and each succeeding regularly scheduled general election for Federal office.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 301 the following new item:

“Sec. 301A. Pre-election reports on voting system usage.”.

**SEC. 206. STREAMLINING COLLECTION OF ELECTION INFORMATION.**

Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended—

(1) by striking “The Commission” and inserting “(a) IN GENERAL.—The Commission”; and  
 (2) by adding at the end the following new subsection:

“(b) WAIVER OF CERTAIN REQUIREMENTS.—Subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for purposes of maintaining the clearinghouse described in paragraph (1) of subsection (a).”

**TITLE III—USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES****SEC. 301. USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES.**

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104, section 105, section 201(a), 201(b), 201(c), and section 203(a), is further amended by adding at the end the following new paragraph:

“(14) VOTING MACHINE REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2022, each State shall seek to ensure that any voting machine used in such election and in any subsequent election for Federal office is manufactured in the United States.”

**TITLE IV—SEVERABILITY****SEC. 401. SEVERABILITY.**

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on House Administration.

The gentlewoman from California (Ms. LOFGREN), and the gentleman from Illinois (Mr. RODNEY DAVIS) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

**GENERAL LEAVE**

Ms. LOFGREN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 2722.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 2722. The SAFE Act is critical legislation to invest in and upgrade the machinery of American democracy. It will help us combat the national emergency facing our country. It will improve the resilience of election infrastructure used in Federal elections.

Aging equipment, under-resourced jurisdictions, and interference by foreign entities or non-state actors leaves the system vulnerable to exploitation that can undermine confidence in election

outcomes. Ineffective and vulnerable equipment can also discourage participation in Federal elections.

It comes to the floor after the Committee on House Administration held three hearings in the first 6 months of this year that addressed the integrity of our elections. In February the committee held the “For the People: Our American Democracy” hearing, where the integrity of our democracy—including critical steps to improve the security and reliability of our election infrastructure—was addressed.

On May 8 the committee held an election security hearing where we heard testimony about the urgent need to upgrade our election infrastructure and the lack of ongoing investment in the wake of new threats.

And on May 21 the committee held an oversight hearing of the Election Assistance Commission, an agency that plays a central role in supporting election administration in this country.

I will remind this House that earlier this year, the Director of National Intelligence published a report stating that our adversaries and strategic competitors “probably already are looking to the 2020 U.S. elections as an opportunity to advance their interests.

“They may also use cyber means to directly manipulate or disrupt elections systems—such as by tampering with voter registration or disrupting the vote tallying process—either to alter data or to call into question our voting process.”

Last year he said that “the warning lights are blinking red” . . .

Special Counsel Robert Mueller noted in Volume One of his report that the Russian military “targeted individuals and entities involved in the administration of the elections. Victims included U.S. State and local entities, such as State boards of elections, secretaries of State, and county governments, as well as individuals who worked for those entities. The GRU also targeted private technology firms responsible for manufacturing and administering election-related software and hardware, such as voter registration software and electronic polling stations.”

In April, FBI Director Christopher Wray called Russia’s interference efforts a “significant counterintelligence threat,” and said that the 2018 midterms were a “dress rehearsal for the big show” of the 2020 Presidential elections.

Early voters in Georgia in 2018 saw machines deleting votes and switching them to other candidates. The machines where voters saw this occur were purchased in 2002. During early voting in Texas in 2018 some electronic voting machines deleted votes and switched them between candidates. The machines were used in 78 of 254 Texas counties.

In June of 2016 the Russian GRU compromised the computer network of the Illinois State Board of Elections by exploiting a vulnerability in their

website. They gained access to a database with information on millions of Illinois voters and extracted data on thousands before the activity was detected.

H.R. 2722 responds to this emergency that we find ourselves in as a nation. We ought to be doing everything we can to bolster the security and integrity of our elections from interference and hacking.

The bill’s section 102 requires that States transition to voting systems that use individual, durable, voter-verified paper ballots, which means a paper ballot marked by the voter by hand or through the use of a non-tabulating ballot marking device or system. Voter-verified paper ballots are the best way to ensure that a voter’s ballot accurately reflects their choices and is counted as cast. Paper can be audited. In the last Presidential election, approximately 20 percent of registered voters cast their ballot on voting machines that do not have any kind of paper backup.

The National Academies of Sciences, Engineering, and Medicine concluded that paperless systems “should be removed from service as soon as possible.”

In at least 40 States, elections are carried out using machines that are at least a decade old. And like any technology, they are susceptible to increasing failure with age. One witness at our election security hearing, Lawrence Norden of the Brennan Center for Justice at NYU Law School, explained that some State officials have “had to turn to eBay to find critical components like dot-matrix printer ribbons, decades old storage devices, and analog modems.” Aging systems also frequently rely on unsupported software like Windows XP and 2000, which may not receive regular security patches and are thus more vulnerable to the latest methods of cyberattack.

This bill addresses many other cybersecurity best practices besides paper-based systems.

The bill in section 111 authorizes a \$600 million Election Assistance Commission grant program to assist States in securing election infrastructure. States may use the money to replace their aging equipment with voter-verified paper ballot voting systems, but also ongoing maintenance of election infrastructure, enhanced cybersecurity and operations of IT infrastructure, and enhanced cybersecurity of voter registration systems.

Originally, the bill, as introduced, would have authorized \$1 billion for this initial round of surge funding; however, during the Committee on House Administration’s markup, the committee approved an amendment in the nature of a substitute that authorized \$600 million instead. Combined with the \$380 million that Congress appropriated last year in election security grants, this funding reaches the \$1 billion that experts have said is necessary to implement these necessary protections.

The bill also provides in section 111 \$175 million in biennial maintenance funding. Cybersecurity threats will not dissipate, they will only evolve. State election officials have told us repeatedly they need more funding and a sustainable source of funding.

Section 103 of the SAFE Act fosters innovation for voters living with disabilities. It provides grant funding for the study, development, and testing of accessible paper ballot voting, verification, and casting mechanisms. It expressly requires States to ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces voter-verified paper ballots as for other voters.

The bill fosters accountability for election technology vendors. It would create a qualified election infrastructure vendor designation where the Election Assistance Commission, in coordination with the Department of Homeland Security, would craft criteria that vendors would follow to receive the qualified designation. This would include reporting any known or suspected cybersecurity incidents involving election infrastructure to both the EAC and DHS, as well as affected election agencies.

The bill in sections 201 and 203 also includes open-source provisions, requiring use of software and hardware for which information is disclosed by manufacturers. This will allow cybersecurity experts and the public to vet the security of election systems regardless of the technology used.

As amended in the committee, the bill in section 121 requires States to adopt risk-limiting audits. Risk-limiting audits are the gold standard of post-election audits. They involve hand counting a certain number of ballots using advanced statistical methods to determine with a high degree of confidence that the reported election outcome is accurate. The SAFE Act requires States to implement risk-limiting audits because they go hand in hand with paper ballots. We need audits to ensure that ballot marking devices or optical scanners were not hacked and that the reported results are accurate.

Second, as amended in committee, the bill in section 201 includes specific cybersecurity standards to apply to optical scanner voting systems and another set of standards to apply to ballot marking devices. These will apply equally to current and future technology. For example, H.R. 2722 prohibits the use of wireless communications devices and internet connectivity in voting systems upon which ballots are marked by voters or that otherwise mark and tabulate ballots.

Madam Speaker, H.R. 2722 is an essential step forward in shoring up our election infrastructure and investing in secure elections. I ask the House to pass this legislation and bolster the trust and confidence in our system that all Americans expect and deserve.

Every American—no matter what their choice in politics—should know that their vote will be counted as cast.

Madam Speaker, I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in the 2016 election, we saw a very real threat to our Nation when Russia interfered in our elections by using a misinformation campaign through social media and attacking voter registration databases. While this interference from Russia is unacceptable, I feel it is necessary to point out that there is no evidence that any voting machines were hacked in the 2016 or even in the 2018 elections.

However, this does not mean that there isn't a need for election and cybersecurity improvements for State election systems. On this point, I know my friends and colleagues on the other side of the aisle, including the distinguished chairperson of our Committee on House Administration, we all agree that no one—and I mean, no one—should interfere with our elections. Every Americans' vote should be counted and protected.

Last Congress \$380 million were appropriated to States to upgrade their election security. Also, election infrastructure was designated as critical infrastructure in response to the U.S. Intelligence Community's reports that the Russian Government attacked.

□ 0930

This allowed the Department of Homeland Security to begin providing additional cybersecurity assistance to State and local election officials.

Work has been done to help States improve their election security, and more work must be done. This is why our committee Republicans, all of us on the House Administration Committee, introduced H.R. 3412, the Election Security Assistance Act, to assist States in their election security strengthening efforts.

This realistic legislation provides \$380 million in Federal grants to States to update their aging and at-risk election infrastructure, while also requiring State and local officials to have some skin in the game. We require a 25 percent match to ensure that they understand they are getting the best equipment that is going to protect their voters' rights to have their votes counted and protected.

In addition, our bill is the only bill that creates the first ever Election Cyber Assistance Unit, aimed at connecting our State and local election officials with leading election administration and cybersecurity experts from across the country.

Our bill also empowers State officials by providing security clearances to our election officials to better facilitate the sharing of information and requiring the Department of Homeland Security to notify State election officials of cyberattacks and any foreign threats within the State.

It is common sense that if there is an attempt to hack a State election, the State election official should be notified, but they are currently not able to let a State know if it has been attacked. If DHS is the one that sees this attack from a foreign country, they can't notify State election officials because, in many cases, they don't have security clearance.

Our bill clears this up. Those State officials deserve the right to know who is trying to attack their elections in each State in this great Nation.

My good friend, Congresswoman TORRES, stated at the Rules Committee hearing on Monday night that she doesn't trust her State election officials in California to have security clearances. Personally, I don't feel that way, and I think other Members of Congress may agree with me.

State officials should know if there is a threat to their election system, and DHS should be the one telling them.

To sum up the Election Security Assistance Act, our solution provides much-needed election security improvements and reinforcements for local election officials, without overstepping the States' authority to determine and maintain their own elections.

Unfortunately, I can't say the same for the bill we are voting on today.

Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS), a member of the House Administration Committee.

Mrs. DAVIS of California. Madam Speaker, I rise in support of the SAFE Act.

No matter what my colleagues conclude about the Mueller report, I think we can all agree it shows our elections are under foreign attack.

What would happen if a foreign government actually succeeded in changing the results of a Federal election?

All bad actors have to do is break through the defenses of even one—even one—of the over 10,000 election administration jurisdictions in our country.

As we all know, questionable results in just one county can derail an entire Presidential election and throw our country into a tailspin.

Election security is national security. Election machinery is the machinery of democracy.

The SAFE Act gives States what they need to upgrade and maintain safe and resilient election infrastructure.

In the House Administration Committee, we debated whether paper ballots are the safest way to go. It does seem ironic that our answer to cybersecurity, in fact, is old school, but we know what works.

As Oregon's Secretary of State Dennis Richardson said, "You can't hack paper." We can recount and audit paper ballots with a certainty that we just don't have with machines.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield 2 minutes to

the gentleman from Indiana (Mr. BAIRD).

Mr. BAIRD. Madam Speaker, I thank the gentleman from Illinois for yielding me time.

Madam Speaker, keeping our elections safe from cyberattacks and fraud is not and should not be a partisan priority.

H.R. 2722 has been rushed to the House floor without giving the Science, Space, and Technology Committee the opportunity to hold even a single hearing on the bill or the subject matter.

The problem with rushing this bill through Congress is that it will have a significant negative impact on NIST's ability to work with State and local governments to identify standards and best practices for election security.

Our priority in Congress should be to develop useful tools that empower States and local officials to ensure their elections are secure, accessible, and accurate.

In fact, our secretary of state in Indiana, Ms. Connie Lawson, has done a remarkable job leading the effort to add safeguards to our elections process, ensuring it is completed with integrity.

Given the opportunity, I believe that our committee could come to an agreement, in a bipartisan manner, to update NIST's election and security activities.

Congress should focus on legislation that provides much-needed improvements and reinforcements for local officials without overstepping the States' authority to maintain their elections.

Madam Speaker, because of the lack of following regular order, the committee has never been given the opportunity to ensure those issues are addressed.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN), a member of the House Administration Committee.

Mr. RASKIN. Madam Speaker, I rise in support of the SAFE Act because Vladimir Putin conducted a sweeping and systematic campaign to disrupt and destabilize our Presidential election in 2016.

Some say we can't pass the SAFE Act to guarantee the security of our elections, that because of federalism, we should let the States work it out on their own.

But we are not the fragmented, divided States of America. We are the United States of America, and that is the way we were designed.

Article IV, Section 4 of the Constitution, Madam Speaker, says Congress "shall guarantee to every State in this union a republican form of government, and shall protect each of them against invasion."

What does it mean by "republican form of government"? It doesn't mean a Republican Party form of government. It means a representative form of government. That means we must have a system that accurately translates the popular will into the election of a Congress.

This is a massive technical challenge in a country of hundreds of millions of people, 50 States, and thousands of jurisdictions, especially in the computer age. We need voter-certified, paper-ballot voting systems in every State in the Union. We need risk-reducing audits. We need real accountability for election vendors. We need voting machines manufactured in the United States, where our democracy is created, too.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I certainly hope my good friend from Maryland (Mr. RASKIN) changes his mind and wants more Republican governments, but I don't think that is going to happen, even today, on the House floor.

Madam Speaker, I yield 1 minute to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Madam Speaker, I thank my friend from Illinois for yielding.

I rise today as a Member from the great State of Florida. We all recall the 2000 Presidential election. What happened in Palm Beach County turned into a national punch line, "the hanging chad."

The Democratic bill before us today would mandate paper ballots and make our elections a technology-free zone. I, too, am worried about malign actors like Russia and China when it comes to our cybersecurity network. However, let us not throw out the baby with the bath water.

Many of my colleagues submitted commonsense amendments that would improve the bill, amendments addressing ballot harvesting and ensuring State matching funds. Yet, Democrats, under another closed rule, are forcing passage on a one-sided bill with no prospect in the Senate and no chance of being signed by the President.

Madam Speaker, I sincerely hope we address these issues in a bipartisan manner that reflects well on this body and the American people.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from Georgia (Mrs. MCBATH), a new Member of Congress.

Mrs. MCBATH. Madam Speaker, I rise in support of H.R. 2722. Our elections are the foundation of our democracy, but they face increasing threats.

There is bipartisan agreement that we must do more to guard against these threats to our most fundamental democratic process. Our elections must allow us to truly hear the voices of every American voter.

My home State of Georgia has recently taken steps to safeguard its voting processes from cybersecurity threats, and this bill would provide necessary funding to support these efforts in Georgia and across our country.

This legislation will strengthen the partnership of the Election Assistance Commission, the Department of Homeland Security, and our State election officials.

Together, we must modernize our election infrastructure and ensure the security of our democracy.

Madam Speaker, I urge my colleagues to support this critical measure.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. WALTZ), another good friend of mine from the great State of Florida.

Mr. WALTZ. Madam Speaker, election security is especially significant to Floridians. Two Florida counties were breached in the 2016 election as a result of Russian spear phishing targeting county election officials.

As Members of Congress, obviously, we are not here to relitigate 2016 but to work toward bipartisan solutions to defend the 2020 elections from foreign intrusion.

I am disappointed that the majority is rushing this partisan proposal to the floor this week and has bypassed Republicans who have shown interest in working on election security. Just yesterday, the Science, Space, and Technology Committee held a hearing on election vulnerabilities and potential solutions. That hearing occurred after—after—this proposal had been introduced and a day before it will receive a vote on the House floor.

This proposal throws \$1.3 billion at the problem without careful consideration by the authorizing committees. This proposal also excludes bipartisan solutions, like the one I am drafting with Representative STEPHANIE MURPHY from Florida.

Our proposal, the ALERTS Act, would require Federal agencies to report to the Department of Homeland Security if an election intrusion is identified and require DHS to notify State and local officials of the breach, unless the information is deemed to compromise intelligence sources.

Federal, State, and local officials have a duty to notify voters in Florida and voters across the country impacted by election attacks, a duty that was not upheld by the FBI in the wake of the 2016 elections and a duty that the ALERTS Act, this bipartisan proposal, would require.

At yesterday's Science, Space, and Technology Committee hearing, the secretary of Oklahoma's State Election Board recommended a State and local reporting requirement like the ALERTS Act.

So, testimony and a recommendation—both—were not considered by the authors of this bill.

Madam Speaker, I request that my colleagues oppose this bill, and immediately following this vote, I ask Democrats and Republicans to come together to work toward a bipartisan election security package.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 1 minute to the gentleman from Illinois (Mr. CASTEN).

Mr. CASTEN of Illinois. Madam Speaker, I rise today in support of H.R. 2722, the SAFE Act.

Among the many disturbing revelations in the Mueller report, we learned that Russian intelligence officers successfully infiltrated the computer network in my home State at the Illinois

State Board of Elections. They accessed the personal information of millions of voters and stole thousands of voter records before being detected.

As far as we know, this breach has not affected the results of any subsequent elections, but it desperately underscores the need for much greater election security moving forward.

Now, officials in my home State and others around the country have worked tirelessly to secure these vulnerabilities over the past 3 years, but without the help of the Federal Government, they can only do so much. It is past time that we step up and give States the resources they need to ensure our elections and our voters are safe in the upcoming election.

Our democratic system depends on the consent of the governed. That is far too fragile to take lightly. And our constituents' trust and the independence of our democracy depend on it.

Madam Speaker, for these reasons, I urge my colleagues to vote for the SAFE Act on the floor today.

□ 0945

Mr. RODNEY DAVIS of Illinois. Madam Speaker, look, I respect and agree with my good friend from Illinois (Mr. CASTEN), my colleague. We want to protect our home State. We saw intrusion into our Illinois State Board of Elections voter registration system. It is something that had to be addressed.

I am happy to report, after talking with the State Board of Election officials, they have been given resources already appropriated by a Republican majority Congress, Republicans in the Senate, and President Trump last year to effectively ensure that that information is not vulnerable again.

What we are debating here today is a bill that will put more unfunded and underfunded mandates on States like Illinois. That is not what our local election officials in my district asked for.

The reason Illinois was able to protect itself and ensure that it didn't happen again in the extremely high, historic turnout of the 2018 midterm election was because they were given the flexibility to spend the HAVA funds that Republicans in Congress ensured that the State of Illinois had, leading to a Democratic majority in the midterm elections.

No one is questioning the safety and security of our midterm elections. No one has told me that any foreign entity hacked into any institution, voter registration system, or machines. Maybe DHS hasn't called me, even though I think I have a security clearance, so they could.

But they can't call our local election officials, under this bill, if it happens again because they don't have security clearance. That is why our bill is a better choice.

The one that is on the floor today does not address the concerns of States like mine, and it certainly does not address the concerns of States like California.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Madam Speaker, as a Member from California, it is hard for me to believe that the majority could possibly propose an election security bill that doesn't address the major vulnerabilities related to ballot harvesting.

Ballot harvesting is where paid campaign operatives collect up to hundreds or even thousands of ballots and drop them off at polling places or an election office. The practice is ripe for fraud and a recipe for disaster. Any serious effort to secure elections would address it.

Let's be clear: We want to give people who need it an opportunity to vote by mail, and we want to look for ways to make it easier for disabled or elderly Americans to participate in our elections. My concern is inserting campaign operatives into the ballot-handling process without any safeguards.

In California, paid campaign staff can collect hundreds of ballots without having to disclose who they are working for. When they hand over those ballots to election officials, there is no requirement to even provide their name.

Some of my friends across the aisle claim that the real problem is bad actors committing fraud. But it is the very practice of ballot harvesting being the problem. The reality is this process is an open invitation for fraud. That is why most States have banned the practice.

Ignoring the most notable threat to election security is unacceptable in a so-called election security bill.

Madam Speaker, American voters deserve better. I urge my colleagues to oppose this bill until we can get serious about real threats to our democracy.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentlewoman from Virginia (Ms. WEXTON).

Ms. WEXTON. Madam Speaker, in 2016, Russian hackers tried to break into Virginia's election system. In response to this information, Virginia took active steps to secure the integrity of our elections. We sped up our transition to paper ballots to ensure that our elections were secure and the results could be verified and audited.

But it is not just about any one election or just about any one adversary. Passing the SAFE Act is about securing our elections from all threats, foreign or otherwise. These threats are coming for us in every State, red or blue, rural or urban.

In 2016, State election websites in Illinois and Arizona were hacked by intruders that installed malware and downloaded sensitive voter information.

In 2018, electronic voting machines in Georgia and Texas deleted votes for certain candidates or switched votes from one candidate to another.

In Johnson County, Indiana, e-poll books failed in 2018, halting voting entirely for 4 hours, with no extension of polling hours.

It is clear that Congress must take action. Passage of the SAFE Act will secure our elections by updating our election infrastructure, speeding up the transition to paper ballots, and making necessary investments in cybersecurity.

Every Member of Congress took an oath to protect this Nation from threats foreign and domestic, and I urge my colleagues to honor that oath. Let's protect our democracy while we still have one.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LOUDERMILK), my fellow House Administration Committee Republican and one of my good friends here in Congress.

Mr. LOUDERMILK. Madam Speaker, I thank my good friend from Illinois, an exceptional baseball player, as well, for yielding this time.

Look, this is something I am very passionate about, and I am a bit surprised that one of my colleagues from Georgia would speak against this bill or even support this bill.

Let's be frank. Yes, the Russians are bad. They are very bad. They seek to do harm to America, and they have been attempting to influence our elections for many years.

Yes, we need to be concerned about election security. But if you want to secure our election system, this is the exact opposite of what we should be doing.

The State of Georgia has recognized this. Just this year, our State legislature overwhelmingly passed a bill to spend \$150 million to upgrade our electronic voting machines so that they will produce a verifiable ballot that represents the way the person voted at the machine.

This is the direction we should be going, not to eliminate electronic ballots, not eliminate the efficiency that you get when you can walk in.

The verifiable aspect of it, a voter is given a card, after it is verified who the voter is. When a voter walks into a voting precinct, they fill out the paperwork and show their ID, and they are given a card that identifies that they have been certified. They insert that card and vote electronically, and then it will produce a printed receipt that they can verify that this is the way they voted. That receipt goes into a box that is used for a recount. That is a secure voting system that also embraces technology.

This bill would take us back decades. It is like when a student takes an SAT exam. They fill out the little bubbles, and then it runs through an electronic counter.

Look, even in our own hearing, the chief technologist at the Center for Democracy and Technology agreed when I brought this scenario forward, that we use the technology of DREs that then will print a verifiable ballot or a receipt. He said that those were absolutely safe.

Now, here is the problem. When we go to paper ballots, and everyone is going to fill out these paper ballots, we are talking long lines. We are talking about fewer people being able to get to the polls.

Madam Speaker, when we decide to vote on this bill, the last thing you are going to say from that rostrum is Members will cast their votes via electronic device. Why? It is efficient. We have a verifiable way of making sure that we can see the way we voted on this board up here or on a printed piece of paper we can get in the back. This is because of efficiency.

Madam Speaker, can you imagine if we had to do paper ballots or voice vote every one of the many amendments we have on these appropriations bills? We would never go home. We would be here 24 hours a day.

The American people expect us to live by the same laws that they have to live by. We should embrace technology and make it secure, not revert back decades to old technology.

Look, the reality is, this bill would subject us to the problem of people walking up with boxes full of preprinted ballots, all across the Nation, and they could drop those in at the last minute. We need to verify that people voting are who they are.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), my colleague from the House Judiciary Committee and Homeland Security Committee.

Ms. JACKSON LEE. Madam Speaker, I thank the gentlewoman from California for her leadership.

There is not a time that I go home that they don't ask me how we will secure our elections. I am proudly supporting the Securing America's Federal Elections Act, the SAFE Act, and I am asking why our colleagues are fighting against Americans having the right to vote.

The SAFE Act authorizes a \$600 million Election Assistance Commission grant program. It provides States with \$175 million in biannual sustainment funding to help maintain election infrastructure.

Voting machines are required to be manufactured in the United States. States are mandated to conduct risk-limiting audits.

Another very important feature of the SAFE Act is that it requires accountability for election technology vendors and sets cybersecurity standards.

As a member of the Subcommittee on Cybersecurity, recognizing what happened in 2016, I want to make sure that the Russian adversaries, the Russian military, are not our poll watchers, are not our secretaries of states, are not the vendors for our machines.

I want to make sure for minorities, every vote counts, and for every American, every vote counts.

I want to end voter suppression. The way we do this is to have safe elections.

I am very proud of this legislation, and I am proud of this Speaker, proud of the leadership, to say that we are going to be first on the line to tell America we believe in safe, equal, and fair elections.

I ask my friends to support this legislation.

Madam Speaker, as a senior member of the Committees on the Judiciary and Homeland Security, I rise in strong support of H.R. 2722, the "Securing America's Federal Elections Act" or SAFE Act.

I strongly support this legislation because the linchpin of representative democracy is public confidence in the political system, regime, and community.

That confidence in turn rests upon the extent to which the public has faith that the system employed to select its leaders accurately reflects its preferences.

At bottom, this means that all citizens casting a vote have a fundamental right and reasonable expectation that their votes count and are counted.

This concern is particularly salient because of the unprecedented interference by a hostile foreign power to secure victory for its preferred candidate in the 2016 presidential election and the determination of that hostile power to repeat its success in future American elections.

That is why it is necessary to pass H.R. 2722, the SAFE Act, so comprehensive election security reform measures can be implemented.

Specifically, the SAFE Act authorizes a \$600 million Election Assistance Commission (EAC) grant program to assist in securing election infrastructure and a \$5 million grant program to study and report on accessible paper ballot voting systems.

The bill provides grants to State and local election officials to replace aging voting machines with voter-verified paper ballot voting systems and grants to support hiring IT staff, cybersecurity training, security and risk vulnerability assessments, and other activities to secure election infrastructure.

The bill also provides states with \$175 million in biannual sustainment funding to help maintain election infrastructure and, to ensure States can maintain security gains, provides each State with no less than \$1 per voter who participated in the most recent election to maintain election security.

Under the legislation, voting machines are required to be manufactured in the United States and states are mandated to conduct risk-limiting audits, a critical tool to ensuring the integrity of elections.

These audits, which involve hand counting a certain number of ballots and using statistical methods to determine the accuracy of the original vote tally, are effective at detecting any incorrect election outcomes, whether caused by a cyberattack or something more mundane like a programming error.

The SAFE Act also directs the National Science Foundation to administer a \$5 million grant program to study and report on accessible paper ballot verification mechanisms, including for individuals with disabilities, voters with difficulties in literacy, and voters whose primary language is not English.

Madam Speaker, another salutary feature of the SAFE Act is that it requires accountability for election technology vendors and sets cy-

bersecurity standards and prohibits wireless and internet connectivity on systems that count ballots or upon which voters mark their ballots or systems are configured.

The SAFE Act also limits state expenditures on goods and services with grant monies provided under this Act to purchases from "qualified election infrastructure vendors."

The EAC, in coordination with DHS, establishes the criteria for achieving the status of "qualified election infrastructure vendor," which includes maintaining IT infrastructure in a manner consistent with the best practices provided by the EAC and agreeing to report any known or suspected security incidents involving election infrastructure.

Madam Speaker, there is compelling reason for the Congress to pass the SAFE Act by overwhelming margins in the House and Senate because to date the President and his Administration has shown little interest or inclination in taking effective action to deter and prevent interference by foreign powers in American elections.

Let us remember that the Intelligence Community Assessment ("ICA") of January 2017 assessed that Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election in which Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Democratic presidential candidate and implacable foe of Vladimir Putin, former Secretary of State Hillary Clinton, facilitate the election of Vladimir Putin's preferred candidate, Donald J. Trump.

Russia's interference in the election processes of democratic countries is not new but a continuation of the "Translator Project," an ongoing information warfare effort launched by Vladimir Putin in 2014 to use social media to manipulate public opinion and voters in western democracies.

Instead of supporting the unanimous assessment of the U.S. Intelligence Community, the President attacked and sought to discredit and undermine the agencies and officials responsible for detecting and assessing Russian interference in the 2016 presidential election as well as those responsible for investigating and bringing to justice the conspirators who committed crimes against the United States our law enforcement.

And to add shame to insult and injury, at a meeting in Helsinki, Finland, rather than embracing the conclusions of the U.S. Intelligence Community, the President of the United States sided with Russian President Vladimir Putin in heaping scorn on the IC's assessment regarding Russian interference and called the U.S. Justice Department investigation into Russia's interference led by Special Counsel Robert Mueller "the greatest political witch hunt in history."

As the Mueller Report concluded, "The Russian government interfered in the 2016 presidential election in sweeping and systematic fashion."

In his only public remarks made since he was appointed Special Counsel, Robert Mueller reiterated at his farewell press conference held at the Department of Justice on May 29, 2017, the "central allegation of our indictments—that there were multiple, systematic efforts to interfere in our election" and that "allegation deserves the attention of every American."

Madam Speaker, American elections are to be decided by American voters free from foreign interference or sabotage, and that is why I support and urge all my colleague to vote to pass H.R. 2722, the "Securing America's Federal Elections Act" or SAFE Act.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. PALMER), our Republican Policy Committee chair.

Mr. PALMER. Madam Speaker, I thank the gentleman from Illinois, who is also a good friend, for the work he is doing on this, trying to bring some transparency to what is really going on here.

There are numerous reasons that mandating paper ballots isn't workable. They are susceptible to fraud; they are inefficient; and they are antiquated. I have seen, over the years, where the joke was "one man, one vote," where it was "one suitcase, one vote," with people bringing in paper ballots. We have seen a situation around the country now where that is still a bit of a problem.

For argument's sake, though, let's just say that paper ballots were foolproof and didn't come with their own set of problems or security concerns. I would still be concerned about the impact this bill would have on the majority of our States.

The mandate, in and of itself, is troubling. Twenty-nine out of our 50 States, plus the District of Columbia, would have to completely revamp their current election systems. This is both costly and time-intensive. There is nearly zero chance this can be adopted by the 2020 elections. The funding in the bill makes it clear that they realize this is not enough money to pay for this and, if it is not, it would be on a pro rata share. That means it is an unfunded mandate in violation of the Unfunded Mandate Reform Act.

It is easy for Federal lawmakers here in D.C. to gloss over the impact this Federal mandate would have, but the numbers don't lie. Only 18 States currently use a paper-only voting system, as the bill would mandate. Not to mention, this bill would also impact those 18 States, including my home State of Alabama.

Just a few days ago, the House Committee on Science, Space, and Technology held a hearing on "Election Security: Voting Technology Vulnerabilities," where Oklahoma's Secretary of the State Election Board Ziriax pointed out that this bill would require the use of recycled paper, which would be impossible to use with Oklahoma's current paper ballot system because the fibers found in recycled paper would cause repeated false readings.

While this may seem like a small or silly detail, this is just one example of the great impact this bill will have on all States, with many considerations that have yet to be vetted properly.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RODNEY DAVIS of Illinois. I yield the gentleman from Alabama an additional 30 seconds.

Mr. PALMER. My colleagues on the other side continue to offer radical and unworkable policies to revamp our election system. Security risks do exist within our ballot boxes, but this bill is not the answer. This bill will just add to the existing risks, and I cannot support it.

I urge my colleagues to oppose the bill.

Ms. LOFGREN. Madam Speaker, may I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentlewoman from California has 14 minutes remaining. The gentleman from Illinois has 12½ minutes remaining.

Ms. LOFGREN. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. SARBANES).

□ 1000

Mr. SARBANES. Madam Speaker, I thank the gentlewoman for yielding.

I very strongly support the SAFE Act. This is something that the Democrats have been focused on from day one. Day one meaning, the day after the 2016 election, when we saw the attacks that had come in against our democracy, we realized we were very exposed, and we needed to take action.

This is our chance to stand up against interference from foreign adversaries who are trying to hack in, sow discord, undermine our elections, and create havoc here in our own country. This is fundamental to protecting our democracy.

So we were on the case from the beginning. We convened the Election Security Task Force, which was led by ZOE LOFGREN, Bob Brady, BENNIE THOMPSON and others. They looked at all of the best practices that we need to put in place to make sure that our elections are strong and sturdy, and how do we fortify them, and they produced those recommendations.

We then took those recommendations and we put them into H.R. 1, the For the People Act, and we passed those on March 8 of this year, because we knew that this was a priority and that there is no time to waste.

Now, our Republican colleagues, unfortunately, did not want to go along with those broad, sweeping reforms that were contained in H.R. 1, including election security measures. So we made it easy for them, we said, "Okay. We will start to break those things out. We will take the election security piece and we will bring it as a separate bill to the floor of the House." That is the SAFE Act. But we still, apparently, don't have their support.

This is their opportunity, this is their chance to stand up and show their patriotism, to defend our democracy, to protect our Constitution, to make sure that our elections are going to be safe.

So let's talk about what is in the SAFE Act, the Safeguarding America's Federal Elections Act.

We have significant resources that are going to be brought to bear to build up, to fortify the election security infrastructure of our country. This is what the public wants to see. They want to be ready for the 2020 election.

We have risk-limiting audits to make sure that States across the country are figuring out what is going on. Where do we make changes? How do we protect ourselves?

Paper ballots. We have had a lot of discussion about that today. Paper ballots are incredibly important in terms of boosting the confidence of the public that elections will be carried out in a way that you can verify the tally, people have the confidence that when they go to the ballot box, they put their ballot in there, that that vote will be counted.

We have no time to waste. We need to get this done now if we are going to be ready for the 2020 election.

Bob Mueller came along with his report and he said that the Russian interference was sweeping and systematic in 2016.

Every leader in our intelligence community has also echoed the fact that 2016 was a dress rehearsal. They are coming in 2020.

We need to be ready. We need to protect our elections. Let's support the SAFE Act.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself as much time as I might consume.

Madam Speaker, I agree with my good friend from Maryland. We as Republicans and Democrats need to do the patriotic thing and make sure that our elections are protected.

And I do agree that the Russians tried to interfere in our election process with misinformation campaigns. But I also want to ask my colleagues on the other side of the aisle, if their concentration on election security happened the day after the 2016 election, why in the world didn't the administration who was in the White House at the time when the intelligence analysts were talking about how other foreign entities, including Russia, were wanting to interfere in our elections, why didn't they do something about it?

Why are we here today?

Why didn't it happen before the 2016 election, when our intelligence analysts said nefarious activity was moving against the United States of America?

They did nothing. The Obama administration did nothing. They let it go.

Now we are here watching the new Democrat majority that was elected in 2018, after explosive turnout in our midterm elections, their first bill, H.R. 1, that every member of the Democratic majority cosponsored and supported, that is the solution?

The solution is to add millions of taxpayer dollars and then the first ever corporate dollars into their own congressional campaign accounts?

No one has ever said that is the solution to too much money in politics or

to election security. Not one time have I had a constituent say that to me.

Now, we have got to come together and do what is right.

We have yet to address any of the issues that were laid out in the Mueller report. This bill we are debating today does not address any of them. This is a discussion about what happened in 2016 without a discussion of what is needed in our States and local election authorities.

That is what is wrong with this bill, too. It is hypocrisy at its greatest.

Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentlewoman for yielding, the chair of the House Administration Committee, Congresswoman ZOE LOFGREN, of whom we are very proud in California. I thank her for leading us on this path of patriotism and respecting the oath of office we take.

Madam Speaker, it is just a joy to be having this opportunity to speak out for the sacred oath to vote, the sacred blessing, the right to vote as we leave to go on the Fourth of July break.

Madam Speaker, I thank the members of the House Administration Committee: Mr. BUTTERFIELD, whom we heard from yesterday; Mr. RASKIN; Mr. AGUILAR; Congresswoman SUSAN DAVIS, who presented to us earlier; and to all of you.

Madam Speaker, I thank Mr. SARBANES. He has been the face of the future. He has been speaking out against the misrepresentations that have happened, the propagandizing that has happened by foreign governments in our election.

Yes, we won the election. We won the election because the American people were sick and tired of what the Republicans were putting forth. We won the election in the most gerrymandered, voter suppressed political arena you could imagine, and yet the American people came forward.

One the biggest messages we had in the campaign was H.R. 1, to reduce the role of dark, special-interest money in politics, to stop the systemic intentional voter suppression by the Republicans across the country, to stop political gerrymandering on all sides.

Let's do it in a nonpartisan way. Let the chips fall where they may, and to do so in a way that we are taking a piece of it today to talk about protecting our electoral system.

In a short while, we will take up the Voting Rights Act that is also part of H.R. 1.

So this H.R. 1 was very supported by the Democrats, very publicized to the American people, and part of our For the People agenda: lower healthcare costs by lowering the cost of prescription drugs and protecting the pre-existing conditions benefit; bigger paychecks by building the infrastructure

of America in a green way; cleaner government by passing H.R. 1—one of the component parts of what we are coming together around today.

As we approach the Fourth of July, we must remember the oath that we take to support and defend the Constitution and to protect the American people, which demands that this House of Representatives take urgent action.

We must legislate, we must investigate, and we must litigate to protect our national security, defend our democracy for the people.

Special Counsel Robert Mueller's report revealed an all-out attack on our elections by the Russians, concluding that they "interfered in the 2016 Presidential election in sweeping and systemic fashion."

Top intelligence and security officials have made clear that these attacks continue. They are happening, and they are happening now.

This spring, FBI Director Chris Wray warned of a "365-day-a-year threat" from the Russians, explaining that their attacks in our elections were simply "a dress rehearsal for the big show in 2020."

This House has a patriotic duty to protect our democracy from these attacks. This is a matter of national security. That is why the Democrats first act in the majority was to advance, as I mentioned, H.R. 1, For the People Act, to secure our elections.

Today we are building on that progress with the Securing America's Federal Elections Act, which takes urgently needed action to further strengthen America's defenses.

This bill closes dangerous gaps in our election systems and brings our security into the 21st century.

I know that other Members have spoken about the provisions of the bill, but I just would really like to know from my Republican friends what is wrong with replacing outdated, vulnerable voting equipment? What is wrong with requiring paper ballot voting systems to ensure the integrity of our elections? What is wrong with enacting strong cybersecurity requirements for elections technology vendors and voting systems?

We must be relentless in the defense of our democracy, fighting on all fronts to keep America safe.

There is a reason why the Russians are interfering in our elections, and other countries may be too, but we can document with full confidence from the intelligence community that the Russians are. It is because they want to affect the outcome of the elections, so they can affect the policy.

I think it was really sad, I was sad to hear, and, hopefully, it will be retracted, that the President gave a green light to the Russians to do it again. Really? Really?

This week, we are advancing appropriations legislation that provides \$600 million for election security grants to States, and increases funding for the Election Assistance Commission, which

has been starved for funding for years, a couple of dollars for every person in our country to honor the vision of our Founders of a democracy where everyone who is eligible to vote can vote and everyone's vote is counted as cast.

Next month, we will advance further legislation to protect our national security and prevent foreign interference in our elections.

Madam Speaker, I commend the distinguished chairman of the Homeland Security Committee, Mr. BENNIE THOMPSON, for the great work that he has been doing with his task force and his committee and other members who are working with him as we go forward.

We are pleased that the administration has agreed to provide an all-Member briefing on election security that will happen in July, so we can get the facts. We have been trying to get the facts.

Some people around here may think that it is okay to just make policy without the facts. We are evidence-based, scientifically oriented, truth-and-knowledge based on how we go forward, and we look forward to that briefing.

We also look forward to July 17, when Special Counsel Robert Mueller will come forward and give testimony.

Our national security is being threatened, and the American people need answers.

This is not to be fearmongering. This is to be smart and to anticipate a known challenge that exists and to do something about it.

We can't just talk about the Mueller report and saying what it says about the Russian interference in our elections, unless we are ready to do something about it. Today we are, thanks to our distinguished chair, Chairwoman LOFGREN.

There is a need for bipartisan support for our critical commonsense action to secure our elections.

Unfortunately, Senator MCCONNELL, a self-described crepehanger, has vowed to kill our bills in the Senate, while the President openly declares that he sees no problem with foreign interference in our elections.

The GOP Senate and the White House are giving foreign countries the green light to attack our country, but the House will do our patriotic duty to protect America.

Madam Speaker, as we approach the Fourth of July holiday, I urge my colleagues to remember the oath we took and the democracy we defend, and to join me in a strong bipartisan vote to defend America's security.

This isn't about politics. It is about patriotism. As our Founders said at the beginning of the Constitution in its preamble, we do this for the people.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I agree with my distinguished colleague from California that we do need to have the ability for the Department of Homeland Security

and our intelligence officials to notify our State and local election officials if they see nefarious activity, but right now under the bill we are debating today, that would not be the case, because in many cases, DHS won't talk to local election officials or State election officials because they don't have security clearances.

Our bill, pushed by the Republicans on the House Administration Committee, would allow the communication to take place.

□ 1015

You know, we hear a lot of talk about patriotism coming up on the Fourth of July. I believe we are all patriots in this institution, but I believe, also, we have to govern together.

We were working on a bipartisan solution to election security, and all of the sudden, we were told no more negotiations. That is not how I thought this institution worked. I thought we could work together.

Well, I do want to respond to a couple of comments that my colleague from California made. She may have mentioned H.R. 1. H.R. 1 was the Democrats' attempt to address not only too much money in politics, they said; they also wanted to address election security.

Clearly, what H.R. 1 did was do nothing to affect the money that is coming into politics, and it is not doing enough to ensure that our elections are not impacted by foreign entities with nefarious intentions.

Our bill today that we hoped could have been debated but was voted down on a party-line vote in the House Administration Committee earlier this week, just a few days ago, we hoped we could have come up with that, that is a bipartisan solution that would have worked. What works, our last speaker said, was this. Clearly, that is not what works.

What works isn't voting for a bill like H.R. 1 that votes to put the first ever corporate money directly into every Member of Congress' campaign accounts. What works, clearly, is not taxpayer money to fix that problem when there are not enough corporate malfeasance funds. That is not what the American people wanted.

And what would have worked would have been the last administration, the Obama administration, listening to their intelligence agencies and doing something about nefarious activities before the 2016 election, not the day after, when Democrats decided to take this issue on.

And then all I ever hear is they are going to blame MITCH MCCONNELL. Well, I had no idea, before 2016, that the Obama administration ceded Presidential authority to the Senate majority leader. I had no idea that happened.

Everything is MITCH MCCONNELL's fault, right? He is the one who told the intelligence agencies to stand down. Are you kidding me?

And now we hear we should have done something. You are darn right we

should have done something. You are darn right the Obama administration should have done something. You are darn right they should have done it when they first heard about it before the 2016 election, and now here we are to fix it.

And today's bill is clearly not a fix.

We have got some issues, and it is really interesting to see my colleagues from California come up and not want to address a practice like ballot harvesting that is illegal in the State of North Carolina, where a Republican who did it is likely to go to jail for it, but the same process is legal in the State of California—disastrous.

You want to talk about trying to determine the outcome of elections? We have put forth amendment after amendment to address ballot harvesting, with complete party-line votes against making sure the process that is illegal in North Carolina that a Republican operative will likely go to jail for is completely legal in States like California.

And you want to talk about determining the outcome of an election? Come on.

I yield 1 minute to the gentleman from Georgia (Mr. LOUDERMILK), my good friend.

Mr. LOUDERMILK. Madam Speaker, I thank my friend from Illinois for yielding this minute to me.

The distinguished Speaker talked about misinformation, and I agree. There is a lot of misinformation out there about elections and election security and a lot of that that goes on around here. Let's be factual here.

There has been zero solid evidence of voter suppression during the last election, which had the largest turnout in the history of this Nation. Our own committee held seven field hearings across the Nation, with zero solid evidence of voter suppression, but the only acts of voter suppression that they tried to bring up had to deal with purging voter rolls.

We actually had one hearing in Broward County. What is Broward County known for? Voter irregularities. Why? Many times, why? Because of paper ballots.

But yet this is the direction we are going in, and the distinguished Speaker said we are taking it into the 21st century. Show me how. How is this taking us into the 21st century? It is taking us back decades.

Look, if the Russians were actually physically invading our Nation with bombers and tanks, this bill would be the equivalent of giving our military pellet guns and paper airplanes to thwart the attack. This is taking us away from election security.

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD), a valued member of the House Administration Committee.

Mr. BUTTERFIELD. Madam Speaker, I thank the chair of our committee for yielding me time this morning.

Madam Speaker, I rise this morning in strong support of H.R. 2722. It is past time that this Congress act boldly in response to the foreign interference that took place in our 2016 elections, and that is exactly what this bill does.

The gentleman from Ohio, the ranking member of the committee, I say to him it is disingenuous to point the finger at the Obama administration. That may or may not be accurate, but let us look forward.

This legislation provides \$600 million in grants to State and local officials to secure election infrastructure and replace aging voting machines with voter-verified paper ballot voting systems; \$175 million to States every 2 years to maintain elections infrastructure. It requires States to implement risk-limiting audits; it prohibits internet accessibility or connectivity for devices on which ballots are marked or tabulated; and it sets long-needed cybersecurity standards for vendors.

I ask my colleagues, let us look forward. Let us protect the right to vote. Let us protect the ballot of every American citizen.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I really respect my colleague from North Carolina, and I do want to correct him a little bit.

I am from Illinois, not Ohio. I would never mistake the gentleman from North Carolina as being from someplace like South Carolina. But the gentleman from North Carolina is a good friend.

Look, we all have disagreements on this House floor, but that doesn't mean we are disagreeable when it comes to having good friendships, and I thank him for his courtesies and thank him for his friendship.

The State of North Carolina is a great example of why we need to do better, why we ought to go back to the drawing board.

Let's take this bill off the floor. Let's get back to bipartisan negotiations, because in States like North Carolina and States like Illinois where local election officials have bought machines, they bought machines, maybe they have current optical scan machines, but the requirement in this bill, as the Oklahoma secretary of state said, the requirement of this bill to have recycled paper through ballots, many of the already purchased optical scan machines that would be required for every local and State election official to purchase after the year 2022 may not be able to read the ballots on recycled paper. So you are going to have to reinvest hard-earned tax dollars where many local communities in our great States have already invested in updating their election security with the most secure election equipment that they felt was going to protect them.

Washington should not be telling our local officials what to buy, especially when there are provisions in this bill that make equipment that would fit

those guidelines illegal to use or are inoperable even if they have purchased it. We have got to do better.

We all want to protect this great Nation. We all want free and fair elections so that every vote is counted and protected. Let's do it together. Let's do it right.

Let's make sure we address some DHS concerns. Let's put a cybersecurity assistance unit together like we have tried to do.

Let's outlaw ballot harvesting, because I know we have got bipartisan support in working together on that issue, especially with my good friend from North Carolina, Mr. BUTTERFIELD. I look forward to working with him on this. I know he and I both have concerns about this process, and I thank him for his willingness to sit down and talk.

We can do better. The bill on the floor today is not better. Let's do it. Let's work together. Pull this bill off the floor. We have got a lot of other issues to debate today.

Madam Speaker, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, we have no additional speakers, so if the gentleman would like to yield back, I will close.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, how much time do I have left?

The SPEAKER pro tempore (Ms. JACKSON LEE). The gentleman from Illinois has 2½ minutes remaining. The gentlewoman from California has 9 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, well, clearly the timekeeper is wrong. I obviously thought I had more, but I am not able to debate that today. I will go ahead and close.

I do want to thank my colleague from California and also the members of the House Administration Committee, where we have an opportunity to come together, but this bill is just simply another partisan bill by the majority aimed at federally mandating election standards, like mandating that States exclusively use paper ballots, effectively banning any type of digital recording device that would have even a verified paper backup.

The committee even had one hearing on this issue with Commissioners from the EAC—remember, that agency that one speaker earlier said was getting a pittance of dollars, small amounts of dollars over the last few years. Only in this institution is \$380 million given by the Republican majority here in the House in the last Congress and signed into law by the President of the United States, only in this institution is \$380 million a little bit. A lot of that money still hasn't even been spent by our local election officials.

So here we are today debating a bill that is going to basically commit 1.3 billion taxpayer dollars toward so-

called election security. We still have not addressed the problem that if DHS, if our same intelligence officials who told the Obama administration that there was foreign interference in our 2016 elections and the Obama administration did nothing about it—because, why? Because of MITCH McCONNELL. It is MITCH McCONNELL's fault.

Seriously, come on. Get real here. We are legislators. We are an equal branch of government. There is absolutely no way any administration cedes authority to anybody in this legislative institution.

The Obama administration failed to address the problem of election interference in 2016, and here we are today trying to make sure that we fix it. This attempt to fix it is a partisan attempt at ensuring that our elections authorities and our States and our local election officials have a top-down, federally mandated approach that is going to potentially cost them millions of taxpayer dollars that they have already inserted into their own budgets over the last few years.

Our local officials have told us they want flexibility. Cybersecurity concerns are where they have invested much of the \$380 million that we put forth in the last Congress.

Let's make sure we spend the money that we have already appropriated; let's make sure we take a common-sense approach; and let's give our election officials, Republicans and Democrats from throughout this great Nation, the ability to address the concerns they know are weakest in their own system. Let's not have some bureaucrat out here in a concrete building determining what is going to work best in the State of Texas, in the State of Illinois, in the State of California, or anywhere else.

Madam Speaker, I yield back the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

I think it is important to address a few of the issues that have been raised in the course of this debate.

First, we are moving forward with the SAFE Act because of a sense of urgency that we have about the 2020 election. That sense of urgency was fueled by the Director of National Intelligence, and it was fueled by the Director of the FBI who told us that red lights, warning lights were flashing and that the 2016 election was just a prelude to what the Russians were going to do in the 2020 election. We feel a sense of urgency.

As has been mentioned by others, H.R. 1 included provisions about ballot security. But I introduced this bill, the SAFE Act, on May 14 because it was specifically addressing election security, and, also, we made some additional enhancements to H.R. 1 relative to cybersecurity and the like.

□ 1030

We drafted the bill with the assistance of the Parliamentarian so that it

was entirely within the jurisdiction of the House Administration Committee, with one exception. There was a line on page 11 of the committee mark that authorized a study by the NSF. The Science, Space, and Technology Committee waived jurisdiction on markup because it was just a study, and that was very clear.

This bill has proceeded in the regular order. It has been noticed according to our rules. And it brings us here today to test whether we are going to meet the challenge that faces us in ballot security: whether we are going to allow the Russians to attack our country by trying to steal our election next year or not.

Mention has been made about the need for bipartisanship. I work often on a bipartisan basis with Members of the other party. I will say that we have tried in vain to have the Republican Members buy into the need to require best practices for next year's election, and we couldn't reach agreement.

We decided that it is our responsibility to move forward, and that is why we are here today.

Just a mention on unfunded mandates, we are authorizing about \$1 billion. \$380 million was appropriated last year, and as the Speaker mentioned, we are appropriating this year an additional \$600 million for ballot security.

This bill authorizes the \$600 million that we are appropriating, and we think it is important that that money flow to the States to harden our systems so the election cannot be stolen by our enemies. It is ironic that some on the other side of the aisle have complained about unfunded mandates at the same time they tried to impose a 25 percent match requirement on States for receiving these funds that they need to get to harden our system.

Just a comment on DREs, DREs are not as unsafe as pure electronic voting, but they are not best practices.

Much has been mentioned about the State of Georgia. It is worth noting that the Georgia legislature ignored the advice they got from computer scientists that what they were doing did not meet best practices for ballot security.

A study published by Georgia Tech indicated that most voters did not actually look at the receipt when it was printed. They also point out that even though printed ballots, when voters do look at them, include the names of candidates, votes will be encoded in barcodes that humans can't authenticate and that are subject to hacking.

"There's nothing speculative about these vulnerabilities," said a Georgia Tech computer professor and former chief technology officer for Hewlett-Packard. "If exploited, it would affect the result of the election. It's not a secure system."

We need to fix these things not because it is partisan but because we need to protect America.

The idea that we would allow this just to be decided at a local level is

wrongheaded. If the Russians launched missiles at the counties of the United States, we wouldn't say, well, that is just a local issue. We would say, no, that is an attack on the United States of America.

We need to harden our systems and protect our country.

Madam Speaker, I strongly urge the adoption of this measure.

I would like to read from a letter that we received just yesterday from the NETWORK Lobby for Catholic Social Justice. In their last paragraph, the Catholics say:

In a secular democracy, elections are the closest thing we have to a sacrament. We know that nefarious foreign and domestic actors continue to meddle in our democratic systems, and we have been put on notice that previous efforts were only trial runs, presumably for our next election in 2020. The NETWORK Lobby for Catholic Social Justice considers our elections to be sacrosanct and that Congress must pass the SAFE Act to protect them.

This bill is supported by a broad sector of civil rights groups, including the NAACP and Common Cause. It deserves all of our support.

I urge my colleagues to support H.R. 2722 to ensure the security of our Nation's election infrastructure.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 460, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 2722 is postponed.

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PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 3401, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR HUMANITARIAN ASSISTANCE AND SECURITY AT THE SOUTHERN BORDER ACT, 2019

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 466 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 466

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 3401) making emergency supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or her designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 116-21. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and con-

trolled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

POINT OF ORDER

Mr. COLE. Madam Speaker, pursuant to section 426 of the Congressional Budget and Impoundment Control Act of 1974, I make a point of order against consideration of the rule, House Resolution 466.

Section 426 of the Budget Act specifically states that the Rules Committee may not waive the point of order prescribed in section 425 of that same act.

House Resolution 466 makes in order a motion "without intervention of any point of order." Therefore, I make a point of order, pursuant to section 426 of the Congressional Budget Act, that this rule may not be considered.

The SPEAKER pro tempore. The gentleman from Oklahoma makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule and the gentleman from Oklahoma and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Oklahoma.

Mr. COLE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the bill before us today provides no CBO cost estimate, so we literally have no idea as to whether or not there are additional unfunded mandates being imposed on the States. We do know that the States are already having to use their scarce resources to deal with this border crisis, and the legislation before us today does nothing to alleviate that.

Indeed, my colleague from Texas (Mr. BURGESS) made that very point and offered an amendment, which was rejected by the committee, to consider reimbursing the State of Texas over \$800 million for their expenses. Those same kinds of expenses—probably not to that magnitude—have been undertaken by other States. Madam Speaker, we don't think that we should proceed until we have that information and the House has a chance to consider that.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I claim time in opposition to the point of order.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 10 minutes.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, what we are trying to do here is bring a bill to the floor to help alleviate the suffering of children who, in my opinion, have been abused

under U.S. custody at our border. Everybody has read the news articles and everybody has seen the pictures. We have a moral obligation to move forward. To try to delay consideration of a bill to help these children I think is a mistake.

Madam Speaker, I reserve the balance of my time.

Mr. COLE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, actually, on that, we have a great deal in common with one another. We, too, think we ought to address this matter quickly.

As I am sure my friend recalls, we have tried on 16 different occasions over the last 8 weeks to bring legislation that would alleviate this problem to the floor. Our friends rejected that every single time.

We also have a bill that has been passed by the Senate 84-7: a bill where 35 Democrats—about three-quarters of the number of Democrats—supported, a bill that we know would solve, a bill that if we would bring to this floor we can pass immediately and it would go to the President's desk; it wouldn't have to go back to the Senate. So my friends, by not accepting an overwhelmingly bipartisan bill by the Senate and simply moving it on, are the ones who are actually imposing a delay here.

What they have got in front of us that we will consider later today, if they are successful, frankly, is something we know the Senate is unlikely to accept. I have not heard from the President, but given the scope of the changes inside the bill, these are all changes that, in some cases, failed yesterday in the Senate—reductions in spending for the military and for the Border Patrol—that the administration has already signaled they will reject.

There is a simple solution here. We could simply take the Senate bill up that has passed 84-7—overwhelming support on both sides of the aisle—get that bill down to the President, and the money could start flowing immediately. If we proceed as my friends want to proceed, we are simply going to be playing ping-pong back and forth.

Madam Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am surprised that my colleagues on the Republican side hold this institution in such low esteem. We are the House of Representatives. Our voice matters.

On this issue, the House voted first on a measure to try to help provide some assistance to these children at the border. Then the Senate passed a different version. The way it is supposed to work is we have a negotiation and we try to come to agreement and come up with a compromise bill. So the idea that somehow we don't matter in the House, that we shouldn't matter in the House, that we should just accept whatever the Senate does, to me, I find