

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2722  
OFFERED BY M . LOUDERMILK**

Strike subtitle B of title I and insert the following:

**1 Subtitle B—Risk-Limiting Audits**

**2 SEC. 121. FUNDING TO IMPLEMENT RISK-LIMITING AUDIT  
3 SYSTEM.**

4 (a) AVAILABILITY OF FUNDING.—Subtitle D of title  
5 II of the Help America Vote Act of 2002 (52 U.S.C.  
6 21001 et seq.), as amended by section 111(a), is further  
7 amended by adding at the end the following new part:

**8 “PART 8—FUNDING TO IMPLEMENT RISK-  
9 LIMITING AUDIT SYSTEM**

**10 “SEC. 298. GRANTS TO STATES TO IMPLEMENT RISK-LIM-  
11 ITING AUDIT SYSTEM.**

12 “(a) AVAILABILITY OF GRANTS.—The Commission  
13 shall make grants to each eligible State to implement a  
14 post-election, risk-limiting audit system under which, in  
15 accordance with rules and procedures established by the  
16 chief State election official of the State, if the reported  
17 outcome of the election is incorrect, there is at least a pre-  
18 determined percentage chance that the audit will replace  
19 the incorrect outcome with the correct outcome as deter-

1 mined by a full, hand-to-eye tabulation of all votes validly  
2 cast in that election that ascertains voter intent manually  
3 and directly from voter-verified paper records.

4       “(b) ELIGIBILITY OF STATES.—Subject to the suc-  
5 ceeding provisions of this part, a State is eligible to receive  
6 a grant under this part if the State submits to the Com-  
7 mission, at such time and in such form as the Commission  
8 may require, an application containing a description of  
9 how the State will use the grant to carry out the activities  
10 under this part, together with such other information and  
11 assurances as the Commission may require.

12       “(c) AMOUNT OF GRANT.—

13           “(1) IN GENERAL.—The amount of a grant  
14 made to a State under this section with respect to  
15 a fiscal year shall be such amount as the Commis-  
16 sion determines to be appropriate.

17           “(2) PRO RATA REDUCTIONS.—If the amount  
18 of funds appropriated for grants under this part  
19 with respect to a fiscal year is insufficient to ensure  
20 that each State receives the amount of the grant cal-  
21 culated under paragraph (1), the Commission shall  
22 make such pro rata reductions in such amounts as  
23 may be necessary to ensure that the entire amount  
24 appropriated under this part is distributed to the  
25 States.

1 **“SEC. 298A. REQUIRING ELECTION SERVICE PROVIDERS TO**  
2 **REPORT ELECTION CYBERSECURITY INCI-**  
3 **DENTS.**

4 “(a) REQUIREMENT.—A State may not use a grant  
5 under this part to obtain goods or services from any elec-  
6 tion service provider unless the election service provider  
7 agrees to meet the requirements of section 297C(b) with  
8 respect to any known or suspected election cybersecurity  
9 incidents involving any of such goods and services.

10 “(b) DEFINITION.—In this section, the term ‘election  
11 cybersecurity incident’ has the meaning given such term  
12 in section 297E(2).

13 **“SEC. 298B. AUTHORIZATION OF APPROPRIATIONS.**

14 “(a) AUTHORIZATION.—There are authorized to be  
15 appropriated for grants under this part \$20,000,000 for  
16 each of the fiscal years 2019, 2021, 2023, 2025, and  
17 2027.

18 “(b) CONTINUING AVAILABILITY OF FUNDS.—  
19 Amounts appropriated pursuant to the authorization of  
20 appropriations under this section shall remain available  
21 until expended.”.

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

“PART 8—FUNDING TO IMPLEMENT RISK-LIMITING AUDIT SYSTEM

“Sec. 298. Grants to States to implement risk-limiting audit system.

“Sec. 298A. Requiring election service providers to report election cybersecurity incidents.

“Sec. 298B. Authorization of appropriations.”.

