

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4617  
OFFERED BY MR. DAVIS**

Insert after title III the following (and conform the succeeding title accordingly):

**1 TITLE IV—PROHIBITING FOR-  
2 EIGN NATIONAL ACCESS TO  
3 ELECTION INFRASTRUCTURE**

**4 SEC. 401. PROHIBITION ON ACCESS TO ELECTION INFRA-  
5 STRUCTURE BY FOREIGN NATIONALS.**

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

9 **“SEC. 303A. PROHIBITION ON ACCESS TO ELECTION INFRA-  
10 STRUCTURE BY FOREIGN NATIONALS.**

11 **“(a) IN GENERAL.—**No person who is a foreign na-  
12 tional shall—

13 **“(1) physically handle—**

14 **“(A) ballots used in an election for Federal  
15 office; or**

16 **“(B) voting machines; or**

17 **“(2) have unmonitored access to—**

1           “(A) a storage facility or centralized vote  
2           tabulation location used to support the adminis-  
3           tration of an election for public office; or

4           “(B) election-related information or com-  
5           munications technology, including voter reg-  
6           istration databases, voting machines, electronic  
7           mail and other communications systems (includ-  
8           ing electronic mail and other systems of vendors  
9           who have entered into contracts with election  
10          agencies to support the administration of elec-  
11          tions, manage the election process, and report  
12          and display election results), and other systems  
13          used to manage the election process and to re-  
14          port and display election results on behalf of an  
15          election agency.

16          “(b) FOREIGN NATIONAL DEFINED.—The term ‘for-  
17          eign national’ has the meaning given that term in section  
18          319 of the Federal Election Campaign Act of 1971 (52  
19          U.S.C. 30121).”.

20          (b) CONFORMING AMENDMENT RELATING TO EN-  
21          FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)  
22          is amended by striking “and 303” and inserting “303, and  
23          303A”.

1           (c) CLERICAL AMENDMENT.—The table of contents  
2 of such Act is amended by inserting after the item relating  
3 to section 303 the following new item:

“Sec. 303A. Access to election infrastructure by foreign nationals.”.

