

Brennan Center Summary of Current Election Systems Security Proposals

Senate Proposals

[Amendment to the National Defense Authorization Act for Fiscal Year 2018 \(S. Amdt. 656\)](#), would amend the Help America Vote Act of 2002 to provide grants to States to implement improvements for election cybersecurity, securing voter registration data, and election audits, and for other purposes.”

Introduced and cosponsored by Senators Lindsey Graham [R-SC] and Amy Klobuchar [D-MN]

Agency responsibilities: EAC must develop best practices for cybersecurity and election audits; EAC must publish submitted state plans for grant use; DHS and DNI shall establish information sharing system with state and federal officials related to cybersecurity threats and vulnerabilities; and GSA and DNI shall determine a set of private sector organizations capable of providing cybersecurity services to States.

Paper Ballots/Software Independent Record?	No grant money may be used to purchase voting machines unless they produce voter-verified paper ballots.
Post-Election Audits?	States may use grants to fund “election audits,” pursuant to best practices developed by the EAC.
Risk Assessment for Voter Registration systems/Replacement of Aging IT infrastructure?	States may use grant funds to address vulnerabilities identified in Security Risk and Vulnerability Threat Assessment from DHS; Grants may also be used for technological upgrades identified by the [EAC] in their studies on best practices for cybersecurity and election audits.
Resources for Contingency Plans/Election Day Failsafes?	Only to the extent that such efforts comply with best practices developed by EAC.
Other	DHS and DNI shall establish information sharing system with state and federal officials related to cybersecurity threats and vulnerabilities.

[Intelligence Authorization Act for Fiscal Year 2018 \(S.1761\)](#), was introduced by Sen. Richard Burr [R-NC] “to authorize appropriations for fiscal year 2018 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.”

The Bill has no cosponsors. The bill has been reported to the Senate by Chairman Burr.

Agency responsibilities: DHS must submit a report to congress on cyberattacks and attempted cyberattacks in the 2016 presidential election; DNI must complete an after action review of the intelligence community’s efforts to analyze Russia’s efforts to interfere in the 2016 presidential election; DNI, in coordination with CIA, NSA, FBI, DHS, and other intelligence community members, shall complete an assessment of security vulnerabilities of State election systems; and DNI, DHS, FBI, CIA, the Secretary of State, the Secretary of Defense, and the Secretary of the Treasury, shall develop a whole-of-government strategy for countering the threat of Russian cyberattacks against U.S. electoral systems.

Paper Ballots/Software Independent Record?	Whole of government strategy must include auditable paper trails for voting machines, securing wireless and Internet connections, and other technical safeguards.
Post-Election Audits?	No specific mention.
Risk Assessment for Voter Registration systems/Replacement of Aging IT infrastructure?	No specific mention.
Resources for Contingency Plans/Election Day Failsafes?	No specific mention.
Other	DNI may share information, including reports, related to election system threats with chief election officials; Whole of government strategy must include Improvements in Federal Government communications with State and local election officials.

[Voter Empowerment Act of 2017 \(S.1437\)](#), was introduced by Sen. Kirsten Gillibrand [D-NY] “to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal Office, and for other purposes.”

Cosponsors: The bill is cosponsored by several other Democrats and no Republicans.

Agency responsibilities: National Science Foundation shall make grants to increase accessibility of paper ballot voting for individuals with disabilities; National Institute of Standards and Technology may review and approve states’ alternative mechanisms used to conduct audits; National Institute of Standards and Technology will adopt procedures for precinct selection for audits; EAC must publish the results of states’ audits; and EAC will pay for cost of audits.

Paper Ballots/Software Independent Record?	Amends HAVA to require “individual, durable, voter-verified, paper ballot” for voting machines.
Post Election Audits?	Requires post-election audits of federal elections, with size of audit dependent upon margin in contests.
Risk Assessment for Voter Registration systems/Replacement of Aging IT infrastructure?	No specific mention.
Resources for Contingency Plans/Election Day Failsafes?	No specific mention.
Other	

[Helping State and Local Governments Prevent Cyber Attacks \(HACK\) Act \(S.1510\)](#), was introduced by Sen. Amy Klobuchar [D-MN] “to amend the National Voter Registration Act of 1993 to provide for online voter registration and other changes and to amend the Help American Vote Act of 2002 to improve voting, to require the Election Assistance Commission to study and report on best practices for election cybersecurity and election audits, and to make grants to States to implement those best practices recommended by the Commission.”

Cosponsors: The bill is cosponsored by 9 other Democrats and no Republicans.

Agency responsibilities: EAC, in consultation with others, must develop best practices for cybersecurity and election audits; EAC must publish submitted state plans for grant use; and EAC shall submit a report to Congress on best practices for cybersecurity of Federal elections and for election audits.

Paper Ballots/Software Independent Record?	No requirement
Post Election Audits?	Grant recipients are required to perform “election audits,” pursuant to best practices developed by the EAC.
Risk Assessment for Voter Registration systems/Replacement of Aging IT infrastructure?	Grants can be used for technological upgrades identified by the [EAC] in their studies on best practices for cybersecurity and election audits; The EAC must consider the implications of the aging of voter equipment on cybersecurity in their analysis of best practices.
Resources for Contingency Plans/Election Day Failsafes?	Only to the extent that such efforts comply with best practices developed by EAC.
Other	

Key House Proposals

- [FAST \(Fair, Accurate, Secure, and Timely\) Voting Act \(H.R. 1398\)](#), was introduced by Rep. Gerald Connolly (D-VA) “to provide funds to give States incentives to invest in practices and technology designed to expedite voting at the polls and simplify voter registration, improve voting system security, and promote automatic voter registration, and for other purposes.”

- [SAFE \(Secure America’s Future Elections\) Act \(H.R. 1562\)](#), was introduced by Rep. Mark Pocan (D-WI) “to amend the Help America Vote Act of 2002 to improve the security of the information technology used to administer voter registration procedures and elections for Federal office, to promote the accuracy and integrity of the results of such elections, and for other purposes.”
- [Election Infrastructure and Security Promotion Act of 2017 \(H.R. 1907\)](#), was introduced by Rep. Henry “Hank” Johnson Jr. [D-GA] “to direct the Secretary of Homeland Security to conduct research and development to mitigate the consequences of threats to voting systems, to amend the Help America Vote Act of 2002 to require the voting systems used in elections for Federal office to comply with national standards developed by the National Institute of Standards and Technology for operational security and ballot verification, to establish programs to promote research in innovative voting system technologies, and for other purposes.”