

117TH CONGRESS
1ST SESSION

H. R. 1294

To amend the Help America Vote Act of 2002 to prohibit the participation of foreign entities in the administration of elections for Federal office.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2021

Mr. GOHMERT introduced the following bill; which was referred to the Committee on House Administration

A BILL

To amend the Help America Vote Act of 2002 to prohibit the participation of foreign entities in the administration of elections for Federal office.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; SENSE OF CONGRESS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Foreign-Free Elections Act”.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) because Federal elections decide the future
9 of American citizens, it is unacceptable to have any
10 foreign participation in these elections; and

1 (2) elections in the United States should be car-
2 ried out with the highest degree of integrity and
3 safeguards to ensure legality and United States con-
4 trol, in order to prevent the disenfranchisement of
5 legal voters.

6 **SEC. 2. PROHIBITING PARTICIPATION OF FOREIGN ENTI-**
7 **TIES IN ADMINISTRATION OF FEDERAL ELEC-**
8 **TIONS.**

9 (a) PROHIBITION.—Title III of the Help America
10 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

11 (1) by redesignating sections 304 and 305 as
12 sections 305 and 306; and

13 (2) by inserting after section 303 the following
14 new section:

15 **“SEC. 304. PROHIBITING PARTICIPATION OF FOREIGN EN-**
16 **TITIES IN ADMINISTRATION OF ELECTIONS.**

17 “(a) PROHIBITION.—Each State shall ensure that no
18 foreign entity carries out any role in the administration
19 of elections for Federal office in the State, including pro-
20 viding, maintaining, programming, operating, storing, or
21 compiling any of the equipment, software, supplies, or in-
22 formation used in the administration of the election.

23 “(b) ROLE OF NONPROFIT ORGANIZATIONS.—A non-
24 profit organization may not carry out any activities related

1 to voting or elections for public office in a State if the
2 organization accepts any funds from a foreign entity.

3 “(c) FOREIGN ENTITY DEFINED.—In this section,
4 the term ‘foreign entity’ means—

5 “(1) any individual who is not a citizen or na-
6 tional of the United States;

7 “(2) any person who is a foreign principal de-
8 scribed in section 1(b) of the of the Foreign Agents
9 Registration Act of 1938, as amended (22 U.S.C.
10 611(b));

11 “(3) any partnership, association, corporation,
12 or other business organization in which any indi-
13 vidual described in paragraph (1) or any person de-
14 scribed in paragraph (2) directly or indirectly owns
15 or controls any voting share or directly or indirectly
16 has any ownership interest; and

17 “(4) any person (including a citizen or national
18 of the United States) who, at the time of carrying
19 out any role requiring connection to or use of the
20 Internet in the administration of an election for
21 Federal office, is not present in a State, the District
22 of Columbia, the Commonwealth of Puerto Rico,
23 Guam, American Samoa, the United States Virgin
24 Islands, or the Commonwealth of the Northern Mar-
25 iana Islands.”.

1 (b) CONFORMING AMENDMENT RELATING TO EN-
2 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
3 is amended by striking “and 303” and inserting “303, and
4 304”.

5 (c) CLERICAL AMENDMENT.—The table of contents
6 of such Act is amended—

7 (1) by redesignating the items relating to sec-
8 tions 304 and 305 as relating to sections 305 and
9 306; and

10 (2) by inserting after the item relating to sec-
11 tion 303 the following new item:

“Sec. 304. Prohibiting participation of foreign entities in administration of elec-
tions.”.

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