

117TH CONGRESS
1ST SESSION

H. R. 5037

To amend the Help America Vote Act of 2002 to clarify the requirement that the paper records produced by voting systems used in elections for Federal office shall be used as the official ballots for purposes of audits and recounts conducted with respect to such elections, to prohibit the connection of such systems to the internet, to require States to remove individuals who are ineligible to vote in elections for Federal office in the State from the Statewide voter registration list, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 13, 2021

Ms. VAN DUYNE 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 clarify the requirement that the paper records produced by voting systems used in elections for Federal office shall be used as the official ballots for purposes of audits and recounts conducted with respect to such elections, to prohibit the connection of such systems to the internet, to require States to remove individuals who are ineligible to vote in elections for Federal office in the State from the Statewide voter registration list, and for other purposes.

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.**

4 This Act may be cited as the “Safe and Certain Elec-
5 tions Act”.

6 **SEC. 2. REQUIREMENTS FOR VOTING SYSTEMS USED IN**
7 **ELECTIONS FOR FEDERAL OFFICE.**

8 (a) CLARIFICATION OF USE OF PAPER RECORD OF
9 VOTES FOR AUDITS AND RECOUNTS.—Section
10 301(a)(2)(B)(iii) of the Help America Vote Act of 2002
11 (52 U.S.C. 21081(a)(2)(B)(iii)) is amended by striking
12 “shall be available as an official record for any recount”
13 and inserting “shall be preserved and used as the official
14 ballot for purposes of any recount or audit”.

15 (b) PROHIBITING CONNECTION OF VOTING SYSTEMS
16 TO INTERNET.—

17 (1) PROHIBITION.—Section 301(a) of such Act
18 (52 U.S.C. 21081(a)) is amended by adding at the
19 end the following new paragraph:

20 “(7) PROHIBITING CONNECTION OF SYSTEM TO
21 THE INTERNET.—

22 “(A) IN GENERAL.—No system or device
23 upon which ballots are programmed or votes are
24 cast or tabulated shall be connected to the pub-
25 lic internet at any time.

1 “(B) PROHIBITING ACCEPTANCE OF BAL-
2 LOTS TRANSMITTED ONLINE.—The voting sys-
3 tem may not directly tabulate any voted ballot
4 which is transmitted to an election official on-
5 line.

6 “(C) RULE OF CONSTRUCTION.—Nothing
7 contained in this paragraph shall be deemed to
8 prohibit the Commission from conducting the
9 studies under section 242 or to conduct other
10 similar studies under any other provision of law
11 in a manner consistent with this paragraph.”.

12 (2) EFFECTIVE DATE.—The amendment made
13 by paragraph (1) shall apply with respect to elec-
14 tions occurring on or after January 1, 2022.

15 **SEC. 3. MANDATORY REMOVAL OF INELIGIBLE VOTERS**
16 **FROM REGISTRATION LIST PRIOR TO ELEC-**
17 **TION.**

18 (a) CLARIFICATION OF RESPONSIBILITY OF
19 STATES.—Section 8(c)(2)(A) of the National Voter Reg-
20 istration Act of 1993 (52 U.S.C. 20507(c)(2)(A)) is
21 amended—

22 (1) by striking “shall complete” and inserting
23 “shall carry out and complete”; and

1 (2) by striking “any program the purpose of
2 which is to systematically remove the names” and
3 inserting “a program to remove the names”.

4 (b) **EFFECTIVE DATE.**—The amendments made by
5 subsection (a) shall apply with respect to elections occur-
6 ring on or after January 1, 2022.

7 **SEC. 4. STUDY OF USE OF BLOCKCHAIN TECHNOLOGY TO**
8 **IMPROVE SECURITY OF ELECTIONS.**

9 (a) **STUDY.**—The Election Assistance Commission
10 shall conduct a study of the potential uses of blockchain
11 technology to improve the security of elections for Federal
12 office.

13 (b) **REPORT.**—Not later than 1 year after the date
14 of the enactment of this Act, the Commission shall submit
15 to Congress a report on the study conducted under sub-
16 section (a), and shall include in the report such rec-
17 ommendations as the Commission considers appropriate.

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