

119TH CONGRESS  
2D SESSION

# H. R. 9349

To amend title 52 and title 18, United States Code, to ensure the integrity  
of voting systems.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2026

Mr. GOLDMAN of New York (for himself, Ms. ANSARI, Mr. KRISHNAMOORTHY, Ms. NORTON, Mr. JOHNSON of Georgia, Mr. MOULTON, Mr. DELUZIO, and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 52 and title 18, United States Code, to  
ensure the integrity of voting systems.

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 “Voting Systems Pro-  
5 tection Act”.

1 **SEC. 2. STATE OFFICIAL OVERSIGHT OF SEIZED ELECTION**  
2 **MATERIALS.**

3 (a) IN GENERAL.—Chapter 20 of title 52, United  
4 States Code, is amended by adding after section 20701  
5 the following new section:

6 **“§ 20702. State official oversight of federally seized**  
7 **election materials; warrant requirement**

8 “(a) REQUIREMENT OF STATE OVERSIGHT.—In any  
9 case in which the Federal Government, including any Fed-  
10 eral agency, department, bureau, or instrumentality there-  
11 of, seizes, takes custody of, or otherwise removes—

12 “(1) any voting machine, voting system, or  
13 component thereof;

14 “(2) any voter registration roll or voter file;

15 “(3) any ballot, whether cast, uncast, spoiled,  
16 or provisional;

17 “(4) any election equipment, software, hard-  
18 ware, or related technology; or

19 “(5) any election record, log, tally, or related  
20 documentation,

21 the Federal Government shall permit a designated State  
22 official to be present during and maintain continuous over-  
23 sight of the handling, transport, storage, examination, and  
24 chain of custody of all such seized materials for the dura-  
25 tion of Federal custody.

1       “(b) DESIGNATION OF STATE OFFICIAL.—The Sec-  
2 retary of State of the affected State, or an official des-  
3 igned in writing by the Secretary of State, shall serve  
4 as the State oversight official under subsection (a). In  
5 States without a Secretary of State, the chief State elec-  
6 tion official shall designate an appropriate official. The  
7 designated official—

8               “(1) shall have the right to observe all handling  
9 and processing of seized materials;

10              “(2) shall be provided access to all locations  
11 where seized materials are stored or examined;

12              “(3) may document, photograph, or otherwise  
13 record the condition and handling of seized mate-  
14 rials, subject to any applicable court order; and

15              “(4) shall countersign all chain-of-custody docu-  
16 mentation related to the seized materials.

17       “(c) WARRANT REQUIREMENT.—A Federal agency  
18 or entity may not conduct a seizure described under sub-  
19 section (a) except pursuant to a warrant duly issued by  
20 a court.

21       “(d) FEDERAL FACILITATION.—The Federal agency  
22 or entity conducting the seizure shall—

23              “(1) provide reasonable accommodations to en-  
24 able State official oversight under this section;

1           “(2) bear any reasonable costs associated with  
2           State official travel and access; and

3           “(3) not impede, obstruct, or delay the State of-  
4           ficial from exercising oversight functions under this  
5           section.”

6 **SEC. 3. CRIMINAL PENALTIES FOR TAMPERING WITH OR**  
7           **DESTRUCTION OF ELECTION MATERIALS BY**  
8           **FEDERAL OFFICIALS.**

9           (a) IN GENERAL.—Chapter 29 of title 18, United  
10          States Code, is amended by adding after section 594 the  
11          following new section:

12 **“§ 594A. Tampering with or destruction of seized**  
13           **election materials by federal officials**

14          “(a) OFFENSE.—It shall be unlawful for any Federal  
15          officer, employee, agent, or contractor, or any person act-  
16          ing under color of Federal law, to—

17                 “(1) tamper with, alter, damage, or destroy any  
18                 voting machine, voting system, voter roll, ballot,  
19                 election equipment, election software, or election  
20                 record that has been seized or taken into Federal  
21                 custody;

22                 “(2) intentionally mishandle or fail to maintain  
23                 the chain of custody of any such materials;

24                 “(3) falsify or alter any record, log, or docu-  
25                 mentation related to seized election materials; or

1           “(4) obstruct or interfere with State official  
2 oversight as required under section 20702 of title  
3 52.

4           “(b) PENALTIES.—Any person who violates sub-  
5 section (a)—

6           “(1) shall be fined under this title, imprisoned  
7 for not more than 10 years, or both, if the violation  
8 was committed knowingly and willfully;

9           “(2) shall be fined not more than \$250,000 if  
10 the violation was committed negligently or recklessly;  
11 and

12           “(3) shall be permanently disqualified from  
13 holding any Federal office or position of Federal em-  
14 ployment.

15           “(c) STATUTE OF LIMITATIONS.—Notwithstanding  
16 any other provision of law, a prosecution for a violation  
17 of this section may be commenced at any time within 9  
18 years after the commission of the offense.

19           “(d) CIVIL CAUSE OF ACTION.—Any State that suf-  
20 fers harm as a result of a violation of this section may  
21 bring a civil action in any United States district court for  
22 damages, including costs and reasonable attorney’s fees,  
23 and for any appropriate equitable relief.”

1 **SEC. 4. NOTIFICATION REQUIREMENTS PRIOR TO FEDERAL**  
2 **SEIZURE OF ELECTION MATERIALS.**

3 (a) 48-HOUR ADVANCE NOTIFICATION TO STATE  
4 OFFICIALS.—Not fewer than 48 hours before any Federal  
5 seizure of election materials described in section 20702(a)  
6 of title 52, the Federal agency or entity seeking to conduct  
7 the seizure shall provide written notification to the Sec-  
8 retary of State, or equivalent chief election official, of the  
9 affected State. Such notification shall include—

10 (1) the specific categories and description of the  
11 materials to be seized;

12 (2) the legal authority and factual basis for the  
13 seizure;

14 (3) the anticipated duration of Federal custody;

15 (4) the Federal agency or entity conducting the  
16 seizure and the designated Federal contact official;

17 (5) the planned location or locations of storage  
18 and examination; and

19 (6) any court order or judicial authorization au-  
20 thorizing the seizure, if applicable.

21 (b) SIMULTANEOUS NOTIFICATION TO CONGRES-  
22 SIONAL COMMITTEES.—At the same time notification is  
23 provided to State officials under subsection (a), the Fed-  
24 eral agency or entity conducting the seizure shall notify—

1           (1) the Chair and Ranking Member of the Com-  
2           mittee on House Administration of the House of  
3           Representatives;

4           (2) the Chair and Ranking Member of the Com-  
5           mittee on the Judiciary of the House of Representa-  
6           tives;

7           (3) the Chair and Ranking Member of the Com-  
8           mittee on Rules and Administration of the Senate;  
9           and

10          (4) the Chair and Ranking Member of the Com-  
11          mittee on the Judiciary of the Senate.

12          (c) FORM AND DELIVERY.—All notifications required  
13          under this section shall be—

14               (1) in writing;

15               (2) transmitted via electronic means and con-  
16               firmed by certified mail; and

17               (3) transmitted simultaneously to all required  
18               recipients.

19          (d) EMERGENCY EXCEPTION.—In the event that exi-  
20          gent circumstances prevent provision of advance notifica-  
21          tion under subsection (a), the Federal agency or entity  
22          shall—

23               (1) provide notification to all required recipients  
24               as soon as practicable, but in no case later than 6  
25               hours after the seizure is initiated; and

1           (2) include in such notification a detailed writ-  
2           ten explanation of the emergency circumstances that  
3           necessitated immediate action.

4           (e) FAILURE TO NOTIFY.—Any Federal official who  
5           willfully fails to provide required notifications under this  
6           section shall be subject to the penalties described in sec-  
7           tion 594A(b) of title 18, United States Code.

8           **SEC. 5. RESTRICTION ON FEDERAL SEIZURE OF ELECTION**  
9                           **MATERIALS IN PROXIMITY TO A FEDERAL**  
10                          **ELECTION.**

11          (a) RESTRICTED PERIOD DEFINED.—For purposes  
12          of this section, the term “restricted period” means the pe-  
13          riod beginning 120 days before any Federal election and  
14          ending 120 days after such election.

15          (b) GENERAL PROHIBITION.—During any restricted  
16          period, no Federal agency, department, bureau, instru-  
17          mentality, officer, or employee of the United States may  
18          seize, take custody of, or otherwise remove any election  
19          material described in section 20702(a) of title 52 from any  
20          State, county, municipality, or election jurisdiction.

21          (c) EXCEPTION FOR IMMINENT HARM.—The prohibi-  
22          tion under subsection (b) shall not apply if—

23                 (1) there is clear and convincing evidence of an  
24                 imminent threat of harm to the integrity of the Fed-  
25                 eral election, public safety, or national security aris-

1 ing directly from the specific election materials to be  
2 seized;

3 (2) a Federal district court judge has issued an  
4 order, upon application supported by affidavit, spe-  
5 cifically authorizing the seizure during the restricted  
6 period upon a finding of such imminent harm;

7 (3) the Federal agency seeking the seizure has  
8 made a good-faith effort to provide the notifications  
9 required under section 5 of this Act, notwith-  
10 standing any reduced timeframe necessitated by the  
11 emergency; and

12 (4) the scope of the seizure is narrowly tailored  
13 to address the specific imminent harm identified.

14 (d) JUDICIAL REVIEW.—Any State, or the Secretary  
15 of State of any State, may seek expedited judicial review  
16 of any seizure, taking of custody, or removal of election  
17 material in violation of subsection (b) in a Federal district  
18 court of any seizure occurring during a restricted period.

19 The court shall have authority to—

20 (1) issue a temporary restraining order or pre-  
21 liminary injunction halting or limiting a seizure  
22 pending full hearing;

23 (2) order the return of seized materials if the  
24 court finds the seizure was not authorized under this  
25 section; and

1           (3) award attorney’s fees and costs to a pre-  
2           vailing State party.

3           (e) CIVIL PENALTY.—Any Federal official who know-  
4           ingly authorizes or conducts a seizure in violation of this  
5           section shall be subject to a civil penalty of not less than  
6           \$50,000 and not more than \$500,000 per violation, in ad-  
7           dition to any criminal penalties under applicable law.

8           **SEC. 6. RULEMAKING AND IMPLEMENTATION.**

9           (a) REGULATIONS.—Not later than 180 days after  
10          the date of enactment of this Act, the Attorney General,  
11          in consultation with the Secretary of Homeland Security  
12          and the Election Assistance Commission, shall promulgate  
13          regulations implementing this Act, including establishing  
14          standardized forms and procedures for notifications re-  
15          quired under section 5.

16          (b) TRAINING.—The Attorney General shall develop  
17          and implement mandatory training for all Federal law en-  
18          forcement personnel on the requirements and procedures  
19          established by this Act.

20          **SEC. 7. DEFINITIONS.**

21          In this Act:

22                (1) VOTING MACHINE; VOTING SYSTEM.—The  
23                terms “voting machine” and “voting system” mean  
24                any device, apparatus, software, firmware, or com-  
25                bination thereof used or intended for use in the cast-

1 ing, recording, tabulating, transmitting, or reporting  
2 of votes in a Federal election, including direct-re-  
3 cording electronic devices, optical scan systems, bal-  
4 lot marking devices, electronic poll books, vote tab-  
5 ulation systems, and any component, peripheral, or  
6 module integral to the operation of such devices or  
7 systems.

8 (2) ELECTION EQUIPMENT AND RECORDS.—

9 The term “election equipment and records” means—

10 (A) any voting machine or voting system  
11 as defined in paragraph (1);

12 (B) any voter registration roll, voter file,  
13 or poll book, whether in electronic or paper  
14 form;

15 (C) any ballot, whether cast, uncast,  
16 spoiled, provisional, or absentee;

17 (D) any tally sheet, canvass record, certifi-  
18 cation document, chain-of-custody log, or audit  
19 trail associated with a Federal election; and

20 (E) any software, database, server, storage  
21 media, or network infrastructure used exclu-  
22 sively or primarily in connection with the ad-  
23 ministration of a Federal election.

1           (3) IMMEDIATE HARM.—The term “imminent  
2           harm” means a specific, credible, and documented  
3           threat that—

4                   (A) is likely to occur imminently if the rel-  
5                   evant election equipment and records are not  
6                   seized;

7                   (B) would result in material harm to the  
8                   integrity of a Federal election, public safety, or  
9                   national security; and

10                  (C) cannot be adequately addressed  
11                  through less intrusive measures than physical  
12                  seizure of the relevant materials.

13           (4) RESTRICTED PERIOD.—The term “re-  
14           stricted period” means the period beginning on the  
15           date that is 120 days before any regularly scheduled  
16           Federal election and ending on the date that is 120  
17           days after such election. Where multiple Federal  
18           elections occur in close proximity, restricted periods  
19           shall be calculated independently for each election  
20           and shall not be merged unless they overlap.

21           (5) STATE OFFICIAL; CHIEF ELECTION OFFI-  
22           CIAL.—

23                   (A) The term “State official” means the  
24                   Secretary of State of a State, or, in States  
25                   without a Secretary of State, the officer des-

1           ignated by State law as the chief administrator  
2           of State elections, or any officer or employee ex-  
3           pressly designated in writing by such officer to  
4           act under this Act.

5           (B) The term “chief election official”  
6           means, with respect to a State, the State offi-  
7           cial as defined in subparagraph (A), and, with  
8           respect to a political subdivision, the highest-  
9           ranking election administrator of that subdivi-  
10          sion responsible for the administration of Fed-  
11          eral elections.

12          (6) SEIZURE; TAKES CUSTODY OF.—The terms  
13          “seizure” and “takes custody of” mean, in the case  
14          of any election equipment and records, any action by  
15          a Federal agency, department, instrumentality, offi-  
16          cer, or agent, whether pursuant to legal process or  
17          otherwise, by which the Federal Government obtains  
18          physical or constructive possession, control, or access  
19          to such election equipment and records, including—

20                 (A) physical removal of such materials  
21                 from State or local custody;

22                 (B) issuance of a hold, preservation order,  
23                 or other directive that restricts a State or local  
24                 official’s authority to access, use, or dispose of  
25                 such materials;

1 (C) execution of a search warrant, sub-  
2 poena, or civil investigative demand that results  
3 in the removal or imaging of such materials; or

4 (D) any other exercise of Federal authority  
5 that effectively deprives a State or local official  
6 of full control over such materials, whether tem-  
7 porarily or permanently.

8 **SEC. 8. SEVERABILITY.**

9 If any provision of this Act, or the application of such  
10 provision to any person or circumstance, is held to be un-  
11 constitutional, the remainder of this Act and the applica-  
12 tion of its provisions to any other person or circumstance  
13 shall not be affected thereby.

14 **SEC. 9. EFFECTIVE DATE.**

15 This Act shall take effect on the date that is 90 days  
16 after the date of enactment of this Act.

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