

February 10, 2021

Washington, DC

Conservatives are united in opposing H.R. 1, the attempt by House and Senate Democrats to fundamentally undermine the American electoral system. We further oppose any effort to modify budget reconciliation rules to pass this legislation.

While they cloak the bill in terms of “restoring democracy” and “preventing corruption,” the legislation has one goal: to protect incumbents, at the expense of the First Amendment, federalism, and individual voter integrity.

**H.R. 1 undermines the First Amendment.** H.R. 1 undoes key Supreme Court cases that protect elections as fundamental to free speech. It would allow the Federal Election Commission to track and catalogue more of what Americans are saying, register even very small political donations, and make public those who donate to different charitable and nonprofit organizations. The legislation will subject private citizens to intimidation and harassment for their private and political beliefs, far broader than what was done in the IRS targeting scandal in 2013.

**H.R. 1 yanks election authority away from the states.** H.R. 1 reasserts the ability of the federal government to micromanage state elections through a process known as “preclearance.” Preclearance, which was previously overturned by the Supreme Court, requires states to get permission from the federal government for changes as small as modifying the hours of an election office, or moving a voting location from a school gym to the library. Critically, none of these practices would undo any fraud or corruption. Rather, these same practices result in incorrect registrations and inaccurate voter data, while failing to address actual corrupt practices like ballot harvesting. Moreover, they are all designed to eliminate the federalism that keeps elections transparent, local, and fair.

**H.R. 1 attacks individual voter integrity.** America was founded on the principle of “one person, one vote.” H.R. 1 turns this on its head by weaponizing every aspect of the political regulatory system. The Federal Election Commission, which is currently a neutral body, would be given a 3-2 makeup, guaranteeing a partisan outcome with little accountability toward the actual votes which are cast. H.R. 1 also includes a 600 percent government match for political donations, and authorizes even more public dollars to campaigns. The bill also wants to make Election Day a new paid holiday for government workers, with additional paid vacation given to bureaucrats to oversee the

polls. All of these changes are designed to distance the outcome of the election from those casting their votes.

H.R. 1 would also implement the following changes:

- Forces states to implement mandatory voter registration, removing civic participation as a voluntary choice, and increasing chances for error.
- Mandates that states allow all felons to vote.
- Forces states to extend periods of early voting, which has shown to have no effect on turnout.
- Mandates same-day voter registration, which encourages voter fraud.
- Limits the ability of states to cooperate to see who is registered in multiple states at the same time.
- Prohibits election observers from cooperating with election officials to file formal challenges to suspicious voter registrations.
- Criminalizes protected political speech by making it a crime to “discourage” someone from voting
- Bars states from making their own laws about voting by mail.
- Prohibits chief election officials in each state from participating in federal election campaigns.
- Mandates free mailing of absentee ballots.
- Mandates that states adopt new redistricting commissions.

H.R. 1 would cause sweeping and irrevocable damage to the free speech, privacy, and integrity that are central components to free and fair elections in America. We oppose H.R. 1 in the strongest terms and urge all conservatives to do likewise.

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