



Eight ways S.1 is wrong for the states and wrong for Americans

The 2020 election revealed several problems in our processes, including loopholes that make it easy for bad actors to cheat the system. As states are moving to fix this problem through local policy changes, S.1, the so-called For the People Act, would wrest control of elections away from their jurisdiction. Instead of closing elections loopholes that have eroded public confidence in elections, S.1 will expand on the many problems of the 2020 election and make them permanent fixtures.

There are many reasons that S.1 is a problem for the country, but there are eight especially troubling provisions Americans should know about. These provisions disenfranchise eligible voters and usurp the control over elections to unelected bureaucrats in D.C. Without the opportunity for state legislative oversight, the Biden administration can bully and penalize state legislatures for budgeting, planning, and running elections at the local level, even if their actions are done with integrity, fairness, and equal access for all.

PROBLEM #1

Section 305 usurps power over elections from elected state officials and puts it into the hands of unelected federal officials who aren't directly accountable to the people.

S.1 empowers a single political appointee in power for four years—the U.S. Attorney General—to direct unelected bureaucrats to: (1) pick and choose to whom they grant waivers of the law; (2) collude in lawsuits filed by political parties and activist groups who have no standing, but cherry pick judges for favorable rulings; and (3) bind states to consent decrees on which they have no input. Inconceivably, S.1 claims that this approach will protect the voting rights of persons with disabilities.

Instead states should, and are moving to, further empower state legislatures with tools to uphold election laws because (1) they are held accountable by regular elections; (2) they are closer to the people at state levels of government; (3) they protect the rights of minorities in their state who are not represented in D.C.; and (4) power is separated among many legislators instead of in the hands of a single person.

PROBLEM #2

Section 1041 halts state voter enrollment updates six months before the general election.

The best practice for states is to review data three months before the general election to ensure that the rolls contain only legitimate voters. Doubling the deadline time means opening wider the door to voter fraud. Bad actors can easily manipulate elections by doing an internet search of real estate purchased, marriage announcements, and obituaries and cast a ballot for that person. Many states already use the Employer Resource Information Center (ERIC) system to share birth and death certificates and property records and have additional criteria to cross-reference the data. With this six-months provision, these data sharing activities would be far less effective.

PROBLEM #3

Section 310 takes away states' ability to utilize available state identification to protect the right to vote from bad actors who look to steal votes.

Voter identification helps states determine if a ballot is requested by the actual voter by including basic identification. A bad actor can easily forge a written signature attestation (and S.1 does not require a third-party witness or notary to verify the request) on a document directing a ballot to go to a different address, where it could be filled out by a bad actor without the actual knowledge or consent of the voter. Voters may only realize what happened when at the polling place they see their ballots were already requested and cast before Election Day.

PROBLEM #4

Section 310 takes away states' ability to have a witness on absentee ballot requests or casting votes.

Requiring a witness to an absentee/mail-in ballot helps protect voters from bad actors requesting and filling out a ballot without their knowledge or consent. This is one more step that states take to ensure integrity in the mail-in ballot process. Just as laws requiring witnesses for loans protect honest Americans from theft, election laws protect Americans from those who want to steal their votes. S.1 seeks to strip this protection away from states.

PROBLEM #5

Section 1019 allows non-government parties to contract with state and local election officials to disseminate information about elections.

Election officials should run elections, not private parties or big money interest groups. Giving election officials the option to contract with activist groups opens the door to rogue election officials abusing their authority to grant contracts. In 2020, election officials applied for grants to facilitate training and voter registration drives—all bankrolled by billionaire and social networking monopolist Mark Zuckerberg, with most of the \$400 million dollars of “Zuckerbucks” flowing to heavily Democrat areas.

PROBLEM #6

Section 1906 compels every election precinct to provide ballot drop boxes, but provides little to no protection against ballot stealing, box tampering, and ballot stuffing.

Counties and states should retain the flexibility to decide whether to use drop boxes at all. Ballot boxes may not be necessary, as state and local government polling locations are already required by law to offer accessible services for individuals with disabilities, or with reasonable accommodations such as curbside voting for persons with mobility impairments or sign language interpreters for those who need translation. Leaving the discretion how to regulate drop boxes in the hands of bureaucrats in D.C. assumes there is a one-size-fits-all approach to every community in every state. This is a costly and burdensome assumption, especially for counties that have well-managed election administrators who use close-circuit 24-7 television monitoring, secure cyber technology to scan votes, and staff their precincts with non-partisan election judges who know who the residents in their district are. States want to use the best technology to meet the needs of their voters, not another edict and regulation or guidance from Washington telling them how to spend their taxpayer funds..

PROBLEM #7

Section 1015 prohibits putting voter roll data (besides names, addresses, and birthdays) online.

Putting voter roll data online allows individuals to check if they are properly enrolled and allows nonpartisan groups and allows others to review the veracity of state data. This also creates excellent transparency and accountability for secretaries of state to ensure that voter rolls are well maintained. More robust data such as driver's license numbers and other information can help nonpartisan groups double check lists and verify between two John Smiths born on the same day in different states. S.1 bans this good state practice and would limit access to this pertinent info to only wealthy activist groups and political parties with the means to pay their way to that information. It would also allow blue states to hide this information from FOIA requests by the federal government and conservative election integrity groups.

PROBLEM #8

Section 1031 would compel all states to allow same-day voter registration, leaving state officials no time to verify that everyone who is voting on Election Day is eligible to do so.

States need to be able to give their elections officials adequate time, 30 days ideally, to prepare for elections by ensuring that their voter rolls are up to date and that they have enough ballots, staff, machines, translators, and other voting assistance resources needed. Giving elections officials Adequate time also helps prevent bad actors from manipulating the voter registration process to disenfranchise vulnerable communities by canceling out eligible voters' ballots. For this reason, many states require that voters register at least 30 days prior to an election. S.1 would strip this commonsense protection away from states, forcing local government to abandon this best practice and allow people to register on Election Day—giving no time for verification processes before votes are cast.

CONCLUSION

Voters support commonsense election integrity reforms at the state level. Provisions in S.1, such as forcing states to use same-day voter registration has 85 percent bipartisan opposition. Not all states or precincts are equipped to handle that volume of processing, and voters know it. Overwhelming poll workers is just another ingredient in the recipe for election fraud. Voters want to protect the nation's time honored tradition of voting. We should be making poll workers' jobs easier, not more difficult. Sixty-eight percent of voters want to close those loopholes that put extra strain on election processes. When people don't have to prove who they are at the polls, it causes voters to lose faith in the results. Sixty-four percent of voters support election reforms when they know it could help improve voter ID laws. In the end, we need to restore trust in our democracy and 70 percent of voters agree with that. They also agree, to the tune of 58 percent, that Congress should not take power away from the states in their efforts to make their elections more "secure." The policy changes found in S.1 are an affront to the states, and the will of the American people.

SOURCES

1. <https://solutionsproject.org/polls/hr1-for-the-people-act/>
2. <https://solutionsproject.org/polls/voters-support-ensuring-election-integrity/>