



HR1 and the Federal Takeover of Elections

House Resolution 1 (HR1), otherwise named “For the People Act of 2019”, is the omnibus election law bill filed in the House of Representatives by its new liberal majority. The legislation is sweeping in nature, overturning the federalism foundation of the electoral process in the United States that has been in place for the past two centuries.

If the bill were ever to become law, every state in the nation would be required to significantly alter their means and methods of registration and voting. The legislation was drafted without the input and insight of state and local election officials who are responsible for administering elections in this country. Voting and registration have never been easier, and the real pressing need in elections is upgrading state voting equipment and election technology infrastructure across the country.

Here are the ten worst new federal mandates in HR1’s election administration section. These new requirements would apply to every state, regardless of existing state laws:

1. Automatic voter registration, including using many colleges and universities as voter registration agencies and registering 16- and 17-year-olds.
2. Abolish voter ID laws and only require a signature in the polling place to vote.
3. Online voter registration without protections to verify the eligibility of the voter.
4. Same day registration during early voting and on Election Day.
5. Fifteen days of early voting, including minimum hours and requirements for locations.
6. Restricting election officials’ efforts to maintain the accuracy of voter registration lists.
7. Automatically restoring the right of felons to vote after release from prison.
8. No-excuse absentee/mail voting with signature comparison verification available to all voters.
9. Provisional ballots cast outside a voter’s precinct must be counted.
10. Congressional redistricting done by an independent redistricting commission micromanaged by HR1’s provisions.

Many sections demonstrate the increasing federal control of elections in the bill: requiring federal control of election security, further centralizing election systems standards, and numerous new reporting requirements for election officials, including the gathering data on voters’ race and ethnicity. It would give more power over elections and oversight authority to the Election Assistance Commission, the Department of Homeland Security, and the Department of Justice.

Lawyers Democracy Fund has released a comprehensive analysis of the election administration provisions of HR1. Visit www.lawyersdemocracyfund.org/other-issues/hr-1/ to view the analysis.

30 New Federal Mandates in HR1

The 571-page bill includes over 30 significant new mandates placed on the states from the federal government and would reverse the current decentralized nature of elections by preempting state laws across the country and placing the control of election and voting policy within the federal government.

1. Requires All States to Implement Online Voter Registration
2. Requires States to Accept the Federal Registration Form Electronically; Preempts State Registration Laws on Signature
3. States Required to Implement Automatic Voter Registration
4. Preemption of State Registration Deadlines; Requires “Same Day Registration” in States During Early Voting/Election Day
5. Requires 15 Days of Early Voting in All States; Regulation of Early Voting Hours and Locations of Polling Sites
6. New Severe Restrictions on State Voter List Maintenance Activities
7. Endorses Restoring Section 5 of the Voting Rights Act to Require Federal Oversight of Elections
8. Requires States to Provide an Automated Telephone Based System to Register to Vote
9. New Federal Standards for State Registration Databases and Mandatory Annual Certification
10. Preempts State Laws on “Challenges” of Ineligible Voters
11. New Voter Registration Reporting Requirements by States
12. New 45-Day Deadline to Mail Ballots to Voters with Disabilities
13. New Federal Crimes for Deceptive Practices Related to Time, Manner of Elections
14. Requires States Allow Felons to Vote After Release from Prison
15. Requires States to Notify All Individuals Convicted of Felony or Misdemeanor of the Right to Vote
16. Requires All States to Vote on Paper Ballots and Require Counting of Ballots by Hand or Optical Scan Tabulation
17. Requires States to Count Provisional Ballots Cast Outside Precinct
18. Requires Every State to Implement No Excuse Vote by Mail with Signature Comparison
19. Requires States to Send “No-Excuse” Mail Ballots to Voters Two Weeks Prior to Federal Elections
20. Reporting Requirements from States in Administration of Elections
21. Makes Election Day a Federal Holiday
22. Requires Colleges and Universities to Serve as Voter Registration Agencies
23. Eliminates Photo ID/Non-Photo ID Prior to Casting a Vote
24. States Required to Reimburse USPS for Ballots Carried Free of Postage and Develop Mail Ballot Tracking System
25. State Chief Election Officials Prohibited from Taking Part in Federal Political Campaigns
26. Establishment of Voter Hotline and State-Based Response System
27. Requires States to Complete Federal Post-Election Surveys Requested by the Election Assistance Commission
28. Requires States to Establish Independent Redistricting Commissions for Congressional Redistricting
29. Requires Testing of State Voting System in Federal Labs Nine Months Prior to Each Federal Election
30. Federal Government to Establish Cybersecurity Standards for All Aspects of Elections