

37 Things to Know About H.R. 1, 'For the People Act'

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March 4, 2021

Here are 37 key points:

- 1. Federal control over congressional elections:** The bill begins by declaring that “Congress finds that it has broad authority to regulate the time, place, and manner of congressional elections under the Elections Clause of the Constitution.” The Constitution actually gives primary authority to the States, but allows Congress to “make or alter such Regulations.” The House Democrats interpret this provision as dramatically as possible to override the states.
- 2. Declaring that “States and localities have eroded access to the right to vote”:** The bill declares that photo ID, “burdensome” voter registration procedures, purges of ineligible voters, restrictions on vote-by-mail, rules against felons voting, and other measures that states and municipalities have taken to guarantee the integrity of elections are, in fact, “restrictions on the right to vote.” It also suggests these are forms of “racial discrimination” and “systemic racism.”
- 3. Restricting challenges to H.R. 1 to the federal court system in D.C.:** The bill declares that the *only* courts with jurisdiction to hear challenges to its constitutionality, or to the validity of regulations promulgated under the law, are courts within Washington, D.C. — a notoriously Democrat-friendly jurisdiction. That minimizes the chances that any challenges could be brought to more conservative courts, or to judges appointed by past Republican presidents.
- 4. Automatic and online voter registration:** The bill requires every state to make sure “all eligible citizens are registered to vote in elections for Federal office” unless individuals opt out. It also requires states to make voter registration available online. It allows voters who have no other signatures on file with the state to supply their signatures when requesting a ballot. The state may not request more than the last four digits of the applicant’s Social Security number.
- 5. Protection for illegal aliens who are registered to vote:** The bill protects non-citizens from prosecution if they are registered to vote automatically and never made an affirmative declaration that they were U.S. citizens. Agencies that register voters are not required to keep records of who declined to affirm their citizenship.
- 6. Changing personal information at polling places:** Voters are allowed to change their address and other information at polling places, other than on Election Day itself, and are allowed to cast regular, not provisional, ballots on that basis.

7. **Same-day voter registration:** “Each State shall permit any eligible individual on the day of a Federal election and on any day when voting, including early voting, is permitted for a Federal election—to register to vote in such election at the polling place ... [and] to cast a vote in such election.” The provision includes a clause that requires same-day voter registration to be implemented in time for the upcoming elections in 2022 — when Democrats fear losing the House.
8. **Preventing states from purging ineligible voters from rolls:** One section of the bill is called the “Stop Automatically Voiding Eligible Voters Off Their Enlisted Rolls in States Act,” whose acronym is the “SAVE VOTERS Act.” It restricts the criteria that states may use to strike voters from the roll, and requires that voters and the public be notified first. The bill also makes it more difficult for states to remove voters from the rolls through “cross-check” with other states unless they have extensive information corroborating the voter’s identity. It also restricts “third parties” from challenging voters’ eligibility unless they have “personal knowledge” of ineligibility — and punishes challenges with up to one year in prison for each violation. The U.S. Postal Service is also required to remind people who fill out a “hard copy change of address form” to update their voter registration.
9. **Registration for minors (under 18):** States must register citizens to vote, voluntarily or automatically, as long as they are over 16 (even though they cannot vote yet). Automatic registration will apply to students who register for courses at college. The bill provides funds for “States to carry out a plan to increase the involvement of individuals under 18 years of age in public election activities in the State.” High schools are also required to provide voter registration information to students before graduation.
10. **Prohibiting the publication of misleading information:** The bill makes it a federal crime to “communicate or cause to be communicated information” that is knowingly false about an election, and designed to discourage voting, within 60 days of and election. The sentence: up to five years. The bill also makes it a crime to claim a false political endorsement.
11. **Reducing prison funds to states unless they register ex-convicts to vote:** Under what it calls the “Democracy Restoration Act,” the bill says that all felons can vote unless they are “serving a felony sentence in a correctional institution or facility at the time of the election.” Ex-convicts have to be notified of their eligibility to vote up to six months before their release. All federal funds for building or improving prisons can be withheld if states do not comply.
12. **Mandatory early voting:** “Each State shall allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, in the same manner as voting is allowed on such date.” Early voting must begin no later than 15 days before Election Day, including weekends, and must allow for 10 hours of voting each day, including some hours before 9 a.m. and after 5 p.m.

13. **Nationwide vote-by-mail, without photo ID:** States are required to provide for absentee vote by mail in elections for Federal office — and “may not require an individual to provide any form of identification as a condition of obtaining an absentee ballot.” A signature can be required — but not a witness signature. And once an individual applies for vote-by-mail once, he or she must be considered to have applied for vote-by-mail forever.
14. **Unlimited “ballot harvesting”:** States “shall permit a voter to designate any person to return a voted and sealed absentee ballot to the post office, a ballot drop-off location, tribally designated building, or election office so long as the person designated to return the ballot does not receive any form of compensation based on the number of ballots” and “may not put any limit on how many voted and sealed absentee ballots any designated person can return.”
15. **Allowing 10 days for ballots to be accepted after Election Day:** The bill requires States to accept any mailed ballots postmarked before, or on, Election Day, if they arrive within ten days of the election. It allows states to expand that deadline.
16. **Paying for postage for mailed ballots:** The bill provides that “the State or the unit of local government responsible for the administration of the election involved shall prepay the [return] postage on any envelope provided” for an application to register to vote, an application for an absentee ballot, or the return of the ballot itself. All election materials are to be treated as first-class mail, regardless of the postage paid.
17. **Prohibiting state election officials from campaigning in federal elections:** The bill prevents “a chief State election administration official to take an active part in political management or in a political campaign with respect to any election for Federal office over which such official has supervisory authority.” This provision appears aimed squarely at states like Georgia, where the involvement of secretaries of state in elections has been controversial in recent years.
18. **Creating “Campus Vote Coordinators” at colleges and universities:** The bill requires colleges and universities to hire an official whose responsibility would be to inform students about elections and encourage voter registration. Those institutions that “have demonstrated excellence in registering students to vote in elections for public office” will be eligible to receive additional grants from the Department of Education as an incentive to boost registration efforts.
19. **Gutting photo ID requirements:** The Bill requires states to substitute photo ID requirements by allowing would-be voters, in person or by mail, to submit a “sworn written statement, signed by the individual under penalty of perjury, attesting to the individual’s identity and attesting that the individual is eligible to vote in the election.” Such voters are to be allowed to cast regular ballots, just like voters who present photo ID — not required to cast provisional ballots.

20. **Making absentee voter boxes available for 45 days:** “In each county in the State, each State shall provide in-person, secured, and clearly labeled drop boxes at which individuals may, at any time during the period described in subsection (b), drop off voted absentee ballots in an election for Federal office.” Subsection (b) is 45 days before an election. The boxes must be “available to all voters on a non-discriminatory basis” and “during all hours of the day.”
21. **Mandatory curbside voting:** States may not “prohibit any jurisdiction administering an election for Federal office in the State from utilizing curbside voting as a method by which individuals may cast ballots in the election.”
22. **Restoring federal supervision of states under Voting Rights Act:** The bill declares: “The 2018 midterm and 2020 general elections provide further evidence that systemic voter discrimination and intimidation continues to occur in communities of color across the county. (The “evidence” is not provided.) It goes on to say Congress should restore those provisions of the Voting Rights Act of 1965 that were struck down in 2014 by the Supreme Court.
23. **Encouraging statehood for DC, and representation for territories:** The bill complains that D.C. is not yet a state, adding: “The United States is the only democratic country that denies both voting representation in the national legislature and local self-government to the residents of its Nation’s capital.” The bill also appoints a commission to study the “disenfranchisement” of the U.S. territories, pushing for congressional representation and presidential votes.
24. **Federal control of congressional district maps through “independent” commissions:** Notwithstanding evidence that “independent” redistricting commissions are actually run by Democrats for their own partisan advantage, the bill makes it mandatory for states to redraw their congressional districts through such commissions, not through state legislatures. Commissions are required to show “racial, ethnic, economic, and gender” diversity, as well as geographic diversity.
25. **“National Commission to Protect United States Democratic Institutions”:** The bill creates a commission to study elections and produce a report after 18 months with recommendations for improving elections. The commission will consist of ten members, only four of whom would be selected by the minority party, allowing Democrats to dominate.
26. **New reporting requirements for companies:** The bill identifies limited liability companies (LLCs) as a potential conduit for foreign donations to domestic super PACs, and suggests Congress require LLCs to identify their owners.
27. **Candidates required to report “foreign contacts”:** “Not later than 1 week after a reportable foreign contact, each political committee shall notify the Federal Bureau of Investigation and the [Federal Elections] Commission of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.” The FBI would then notify the House and Senate intelligence of these “foreign contacts.” The provision does not apply to foreigners who are part of an effort to observe U.S. elections as a part of international monitoring.

28. **New disclosure for corporations:** The bill codifies the DISCLOSE Act, long a pet project of Sen. Chuck Schumer (D-NY), who aimed to restrict corporate participation in elections. The section requires corporations to certify that their political activities are free from foreign interference, including showing that those involved in political contributions are U.S. citizens or permanent residents. (Notably, these restrictions on corporations are far more strict than the rules pertaining to citizenship in voter registration.) Corporations spending more than \$10,000 in an election cycle must file detailed disclosures, including for independent expenditures that are not coordinated with campaigns.
29. **Oversight of online political advertising:** Citing the supposed influence to Russian trolls on the 2016 election, the bill expands disclaimers for online political advertising, under a provision called the “Stand By Every Ad Act.” Online platforms are also required to maintain detailed records of attempts to purchase political advertising space on the platform. Foreigners are prohibited from political ads. The bill requires the Federal Elections Commission to conduct “an independent study and report on media literacy with respect to online political content consumption” to determine whether Americans can be fooled by political advertising. The bill also prohibits the use of “deepfakes” — digital impersonations — in campaigns, without disclosures to the public that the relevant media have been manipulated.
30. **Deportation for “aliens” who violate election laws:** Using the term “alien,” which Democrats have tried to outlaw in other contexts, the bill defines foreigners who have tried to interfere in American elections as “deportable.”
31. **Removing restrictions on IRS targeting:** The bill appears to reverse provisions that restrained the Internal Revenue Service from targeting tax-exempt organizations and their donors, which were applied after the IRS scandal of 2013.
32. **Attacking *Citizens United* and free speech for corporations:** The bill declares the Supreme Court’s decision in *Citizens United* to be “erroneous,” adding: “The Supreme Court’s misinterpretation of the Constitution to empower monied interests at the expense of the American people in elections has seriously eroded over 100 years of congressional action to promote fairness and protect elections from the toxic influence of money.” It recommends “the Constitution should be amended so that Congress and the States may regulate and set limits on the raising and spending of money.”
33. **Gift cards and reimbursements for political donations:** Under a pilot program called “My Voice,” the bill creates a federally-funded voucher program that gives individuals \$25 to donate to the candidates of their choice. It also provides for federal matching funds of 600% of the amount candidates for federal office receive in small-dollar donations.

34. **Allowing politicians to use campaign funds for personal use:** Under a provision called the “Help America Run Act,” the bill legalizes what had previously been considered a violation of federal law, and allows candidates for federal office to use campaign donations for personal expenses such as child care — as long as they do not already hold federal office.
35. **Changing the composition of the FEC to become partisan:** The bill reduces the membership of the Federal Elections Commission (FEC) from six to five members. Only two members can be associated with a particular political party, meaning that the fifth member is theoretically independent — though nominated by a president associated with a party. Several former FEC members have written to Congress warning about this change and other related provisions.
36. **Changing conflict of interest rules to bar Donald Trump from running:** Though “Trump” is not mentioned, the bill tightens rules around conflicts of interest for the president and vice president that would make it hard for Trump to run again. It requires the president or vice president to divest all financial interests that could pose a conflict of interest for them, their families, or anyone with whom they are negotiating or who is seeking employment in their administration.
37. **Changing FEC rules to require Trump (or other presidential candidates) to provide their tax returns:** “Not later than the date that is 15 days after the date on which an individual becomes a covered candidate, the individual shall submit to the Federal Election Commission a copy of the individual’s income tax returns for the 10 most recent taxable years for which a return has been filed with the Internal Revenue Service.”

(Note: this list was organized with reference to the thread by Twitter user “Oilfield_Rando,” who posted about the bill.)

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