

Congress of the United States
Washington, DC 20515

August 23, 2021

The Honorable Nancy Pelosi
Speaker of the House
H-232, The Capitol
Washington, D.C. 20515

Dear Madam Speaker:

We write today to express our strong concern with and opposition to H.R. 4, the John Lewis Voting Rights Advancement Act. We urge you not to bring this bill up for consideration in the House next week. This bill is yet another highly partisan bill. It masquerades as a cure to end racial discrimination, but instead centralizes election control in the federal government, essentially enacting the worst aspects of H.R. 1. At the very least, you should hold an open Committee hearing on this legislation prior to scheduling a vote so the American people's representatives can debate it fairly and subject its dangerous provisions to greater scrutiny.

The 2020 election was a pivotal moment for election security in the United States. It is clear to us as members of Congress that our nation needs commonsense reforms to ensure fair, accurate, and transparent elections. We must take steps to restore the American people's confidence in the democratic process and address issues that were exposed in elections across the country.

This past March, you pushed through H.R. 1, the so-called "For the People Act," without any Republican involvement or support. In fact, this bill to fundamentally reshape elections in America was not even debated and marked up in its committees of jurisdiction. H.R. 1 is a purely partisan, unconstitutional power grab that would codify some of these worst policies from the 2020 election, while opening the floodgates for almost anyone, including ineligible voters, to be counted in future elections. H.R. 1 would ban common-sense voter ID laws from being enacted, permit convicted non-citizens and felons to vote, give away taxpayer dollars to fund campaigns, and dramatically expand automatic voter registration—a giveaway to political operatives seeking to boost their ballot harvesting operations. Put simply, this bill is a disaster for election integrity.

Fortunately, H.R. 1 does not have the votes to advance in the United States Senate. However, we write today to express our equally strong concern with H.R. 4. This bill, like H.R. 1, would federalize our election system, give more power to unelected career bureaucrats in Washington, and unconstitutionally erode the ability of states to oversee elections. For example, H.R. 4 would require states to seek permission from the federal government before making even minor changes to their election rules. The smallest change, such as moving a polling place across the street, could require the permission from career bureaucrats at the Department of Justice

(DOJ). Unelected officials at the DOJ would have veto power over good-faith decisions made by state and local governments, without ever providing a justification. This would unconstitutionally expand the federal government's ability to reject commonsense reforms enacted at the state level related to things like voter ID laws, absentee voting, maintenance of voter rolls, the location of polling places, and the hours of operation.

In addition, H.R. 4 would create an even more onerous formula for determining discrimination in voting rights than the one employed by the original Voting Rights Act. The bill would attempt to overturn the Supreme Court's 2013 decision in *Shelby v. Holder*, which struck down the Section 4(b) formula for utilizing Section 5 of the Voting Rights Act. House Democrats continue to claim that our current system suppresses minority voters, and that new legislation is needed that provides the federal government with even more expansive powers over state authorities. But this is just false. In April 2021, the Census Bureau concluded that the 2020 election attracted "the highest voter turnout of the 21st century". The census also found that minority groups registered and turned out to vote in the highest numbers ever in our history.

H.R. 4 legislation violates the principles of federalism and exceeds the powers granted to Congress by the Constitution. We therefore urge you not to bring this legislation up for consideration and instead work in a bipartisan fashion with Republicans on targeted election reforms that respect our Constitution as well as the primary role of states in administering elections. Moving from consideration of H.R. 1 to H.R. 4 is a classic bait and switch that will continue to undermine confidence in the democratic process and make elections less secure.

Sincerely,



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Member of Congress



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Member of Congress



ELISE STEFANIK
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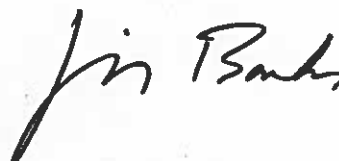
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