



## H.R. 1

# THE FOR THE PEOPLE ACT OF 2019



## DIVISION A – VOTING

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### TITLE I – ELECTION ACCESS

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#### Subtitle A – Voter Registration Modernization

- Requires each state to make available online voter registration, correction, cancellation and designation of party affiliation.
- Requires chief state election officials to automatically register to vote any eligible unregistered citizens, while protecting from prosecution ineligible voters mistakenly registered. Deems state agencies and federal offices within a state as contributing agencies for the purposes of registration.
- Requires states to permit voters to register on the day of a Federal election, including during early voting.
- Limits the authority of states to remove registrants from the official list of eligible voters in elections for Federal office in the State on the basis of interstate voter registration cross-checks.
- Requires annual state reports on voter registration statistics to be provided to the Election Assistance Commission.
- Provides HAVA funds for purposes of implementing the voter registration modernization reforms.

- Makes it unlawful to hinder, interfere or prevent an individual from registering to vote. Instructs the Election Assistance Commission to develop best practices for states to deter and prevent such violations.
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#### Subtitle B – Access to Voting for Individuals with Disabilities

- Requires states to promote access to voter registration and voting for persons with disabilities. Funds grants to improve voting accessibility for persons with disabilities and creates a pilot program to allow persons with disabilities to register and vote from home.
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#### Subtitle C – Prohibiting Voter Caging

- Prohibits the use of returned non-forwardable mail as the basis for removing registered voters from the rolls. Prohibits challenges to eligibility from individuals who are not election officials without an oath of good faith factual basis.
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#### Subtitle D – Prohibiting Deceptive Practices and Preventing Voter Intimidation

- Prohibits providing false information about elections to hinder or discourage voting and increases penalties for voter intimidation. Prescribes sentencing guidelines for those individuals found guilty of such deceptive practices.
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#### Subtitle E – Democracy Restoration

- Declares the right of citizens to vote in federal elections will not be denied because of a criminal conviction unless a citizen is serving a felony sentence in a correctional facility. Requires states and the federal government to notify individuals convicted of state or federal felonies, respectively, of their re-enfranchisement.

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Subtitle F – Promoting Accuracy, Integrity, and Security Through Voter-Verified Permanent Paper Ballot

- Requires states to use individual, durable, voter-verified paper ballots and that said ballots are counted by hand or an optical character recognition device. Provides the voter an opportunity to correct ballot should a mistake be made and requires that ballots are not preserved in any manner that makes it possible to associate a voter to the ballot.

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Subtitle G – Provisional Ballots

- Requires that provisional ballots from eligible voters at incorrect polling places be counted.

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Subtitle H – Early Voting

- Requires at least 15 consecutive days of early voting for federal elections. Requires that early voting locations be near public transportation and open for at least 4 hours per day.

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Subtitle I – Voting by Mail

- Prohibits a state from imposing restrictions on an individual’s ability to vote by mail.

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Subtitle J – Absent Uniformed Services Voters and Overseas Voters

- Requires states to send absentee ballots at least 45 days before an election and allows civil penalty for failure.

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#### Subtitle K – Poll Worker Recruitment and Training

- Requires the Election Assistance Commission to develop model training programs and award grants for training.

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#### Subtitle L – Enhancement of Enforcement

- Allows individuals private rights of action and ability to file administrative complaints.

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#### Subtitle M – Federal Election Integrity

- Prohibits state chief election officials from participating in federal campaigns. Prohibits using official authorities to affect the results of elections.

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#### Subtitle N – Promoting Voter Access Through Election Administration Improvements

- Treats universities as voter registration agencies.
- Requires states to notify an individual, not later than 7 seven days before election, if the individual's polling place has changed.
- Requires states to allow voters to sign sworn affidavits to vote in lieu of presenting photo ID.
- Clarifies that absentee ballots shall be carried expeditiously and free of postage and allows States to use Help America Vote Act funds for the costs of establishing a program to establish an absentee ballot tracking program with respect to Federal elections.

- Requires the Attorney General to develop a state-based response system and hotline that provides information on voting, including voter registration, location and hours of polling places, and how to obtain absentee ballots, and provides immediate assistance to individuals encountering problems with registering to vote or voting.
  - Reauthorizes Election Assistance Commission beginning in fiscal year 2019, eliminates the existing funding cap, requires each state to comply with any EAC request for post-election survey following any regularly scheduled general election for Federal office beginning in November 2020, directs the Election Assistance Commission to assess the security, cybersecurity, and effectiveness of the Commission's information technology systems and to review the effectiveness and efficiency of the State-based Help America Vote Act administrative complaint procedures for the investigation and resolution of allegations and violations, and repeals certain existing contracting exemptions for the Election Assistance Commission.
  - Amends the National Voter Registration Act of 1993 and the Help America Vote Act of 2002 to include the Commonwealth of the Northern Mariana Islands.
  - Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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#### Subtitle O – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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## TITLE II – ELECTION INTEGRITY

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### Subtitle A – Findings Reaffirming Commitment of Congress to Restore the Voting Rights Act

- Declares that Congress finds that the *Shelby County* decision ushered in a new era of voter suppression and that Congress should build a record of voter suppression since *Shelby*. Declares that, per the Supreme Court’s ruling in *Shelby*, Congress should restore the protections of the Voting Rights Act by updating the formula for determining which jurisdictions are subject to federal preclearance.
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### Subtitle B – Findings Relating to Native American Voting Rights

- Declares Congress’ intent to protect and promote Native Americans’ exercise of their constitutionally guaranteed right to vote, including voter registration and equal access to all voting mechanisms.
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### Subtitle C – Findings Relating to District of Columbia Statehood

- Declares Congress’ perspective that District of Columbia residents deserve full Congressional voting rights and self-government, which only statehood can provide.
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### Subtitle D – Territorial Voting Rights Task Force

- Establishes Congressional Task Force on Voting Rights of United States Citizen Residents of Territories of the United States.
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## Subtitle E – Redistricting Reform

- Requires states to adopt independent redistricting commissions for purposes of drawing Congressional districts.
- Bans mid-decade redistricting and requires states to use independent redistricting commissions to develop and enact congressional district maps.
- Establishes procedures to be followed by the nonpartisan agency, set up or designated by the state, and the Independent Redistricting Commission (IRC) for appointing a 15-member commission.
- Requires that a majority vote of the whole commission, that includes at least one member of each political affiliation subcategory (major party, minor party, unaffiliated) is required for the commission to take any action, such as publishing a draft or final redistricting plan.
- Requires IRC applicants to meet certain eligibility requirements.
- Directs IRCs to establish single-member congressional districts using criteria in the following order of priority: 1) comply with U.S. Constitution, including that they equalize total population 2) comply with the Voting Rights Act and all applicable Federal laws 3) provide all groups equal opportunity to participate in political process and not dilute or diminish ability to elect candidates of choice 4) minimize the division of communities of interests.
- Prohibits a plan that unduly favors or disfavors a political party on a statewide basis.
- Compels development and enactment of a redistricting plan by a 3-judge court, when triggered by states' failure to meet certain milestones in setting up IRCs or in developing or enacting plans.
- Clarifies that nothing in the subtitle may be construed to affect the manner in which a state carries out elections for state or local office, including state redistricting.
- States that the requirements shall apply to redistricting done pursuant to the 2020 decennial census and any subsequent decennial census.

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Subtitle F – Saving Eligible Voters from Voter Purging

- Responds to the *Husted* decision by clarifying that failure to vote is not grounds for removing registered voters from the rolls.

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Subtitle G – No Effect on Authority of States to Provide Greater Opportunities for Voting

- Clarifies that the provisions in this title set a floor, not a ceiling, for State’s actions on voting rights.

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Subtitle H – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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## TITLE III – ELECTION SECURITY

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### Subtitle A – Financial Support for Election Infrastructure

- Establishes standards for election vendors based on cybersecurity and company ownership and expands the Election Assistance Commission’s ability to issue grants to harden our nation’s election infrastructure.
- Directs the Election Assistance Commission to make available grants for states to replace voting machines that are not compliant paper ballot voting systems and carry out voting system security improvements.
- Requires “qualified election infrastructure vendors,” upon learning of a potential cybersecurity incident, to assess whether such incident occurred and to notify the Chair of the Election Assistance Commission and the Secretary of Homeland Security within three days.
- Requires the Election Assistance Commission to submit a report to the appropriate congressional committees on the activities carried out with the funds provided under this part.
- Authorizes \$1 billion for FY 2019. Authorizes \$175 million for FY 2020, 2022, 2024, and 2026.
- Requires States to undertake measures to prevent and deter cybersecurity incidents involving computerized voter registration databases.
- Authorizes grants to States for conducting risk-limiting audits of results of elections.
- Establishes a competitive grant program to award grants to eligible entities for research and development that could improve the security of election infrastructure.

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### Subtitle B – Security Measures

- Requires the Department of Homeland Security to maintain the designation of election infrastructure as critical.

- Requires the Department of Homeland Security to provide timely threat information to chief State election officials.
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#### Subtitle C – Enhancing Protection for United States Democratic Institutions

- Requires the President to produce a national strategy for protecting U.S. democratic institutions.
  - Creates National Commission to Protect United States Democratic Institutions to counter threats.
  - Requires the President to issue an implementation plan of the national strategy within 90 days.
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#### Subtitle D – Promoting Cybersecurity Through Improvements in Election Administration

- Requires the testing of voting systems nine months before the date of each regularly scheduled general election for Federal office.
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#### Subtitle E – Preventing Election Hacking

- Establishes the ‘Election Security Bug Bounty Program’ to encourage independent assessments of election systems by technical experts.
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#### Subtitle F – Miscellaneous Provisions

- Requires analysis of whether sufficient funds are provided for implementation of the bill.
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Subtitle G – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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# DIVISION B – CAMPAIGN FINANCE

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## TITLE IV – CAMPAIGN FINANCE TRANSPARENCY

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### Subtitle A – Findings Relating to Illicit Money Undermining Our Democracy

- Expresses Congress' intent to curb the use of shell companies and other illicit activities that allow foreign money to enter and undermine our democracy.
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### Subtitle B – DISCLOSE Act

- Strengthens foreign money ban by prohibiting foreign nationals from participating in decision-making about contributions or expenditures by corporations and other entities.
  - Requires super PACs, 501(c)4 groups and other organizations spending money in elections to disclose donors who contribute more than \$10,000. Shuts down the use of transfers between organizations to cloak the identity of the source contributor.
  - Requires a "covered organization" to file a disclosure report within 24 hours of making \$10,000 or more of "campaign-related disbursements".
  - Provides that donor information also need not be reported if such disclosure would subject the donor to serious threats, harassment or reprisals.
  - Provides that a "covered organization" is a corporation (other than a section 501(c)(3) charity), a limited liability corporation, a section 501(c) non-profit organization (other than a section 501(c)(3) charity), a labor organization, a "political organization" under section 527 of the tax code, and a Super PAC.
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### Subtitle C – Honest Ads

- Requires large digital platforms to maintain a public database of political ad purchase requests of more than \$500.
- Directs digital platforms to implement measures to prevent foreign nationals from directly or indirectly purchasing political ads.
- Adds “paid internet or paid digital communication” to the definition of public communication.
- Adds “qualified internet or digital communication” to the definition of electioneering communication.
- Requires online platforms to maintain and make public in machine readable format a complete record of any request to purchase qualified political advertisements made by a person whose aggregate requests on the online platform during the calendar year exceeds \$500.
- Requires broadcasters, providers of cable or satellite television and online platforms to make reasonable efforts to ensure that political advertising is not purchased by foreign nationals, directly or indirectly.

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### Subtitle D – Stand By Every Ad

- Expands “stand by your ad” disclosure requirements to leaders of corporations, unions and other organizations purchasing political ads.

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### Subtitle E – Secret Money Transparency

- Repeals existing prohibition on the IRS from promulgating rules to bring clarity to rules governing 501(c) political activity and repeals recent guidance limiting information provided to the IRS by these groups.

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#### Subtitle F – Shareholder Right-to-Know

- Repeals existing prohibition on the Securities and Exchange Commission from finalizing rules to afford shareholders the opportunity to know about the political spending of publicly traded companies.

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#### Subtitle G – Disclosure of Political Spending by Government Contractors

- Repeals existing prohibition on the Executive Branch from promulgating rules to require government contractors to disclose all of their political spending.

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#### Subtitle H – Limitation and Disclosure Requirements for Presidential Inaugural Committees

- Requires Presidential Inauguration Committees to disclose their expenditures, limits aggregate contributions and restricts funds being used on purposes unrelated to the inauguration.

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#### Subtitle I – Severability Clause

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## TITLE V – CAMPAIGN FINANCE EMPOWERMENT

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### Subtitle A – Findings Relating to *Citizens United* Decision

- Expresses that Congress finds that the *Citizens United* decision is detrimental and the Constitution should be amended accordingly.

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### Subtitle B – Congressional Elections

- Establishes a publicly financed 6-1 matching system on small-dollar donations up to \$200 for House candidates who demonstrate broad-based support and reject high-dollar contributions.
- Establishes state-based pilot demonstration of \$25 My Voice voucher (per election cycle) for political giving to candidates for the U.S. House of Representatives.
- Defines a “qualified small dollar contribution” as a donation of \$1-200 per election from an individual or segregated small-dollar account of a political committee.
- Requires participating candidates to raise at least \$50,000 in qualified small dollar contributions from at least 1,000 individuals during the Small Dollar Democracy qualifying period.
- Restricts the sources from which participating candidates can raise funds to qualified small dollar contributions, matching funds, nonqualified contributions of up to \$1,000 per election, personal funds up to \$50,000 and certain political committees.
- Requires candidates to return unspent matching funds within 180 days of an election.
- A candidate who qualifies for enhanced support receives an additional 3-to-1 match on qualified small dollar contributions raised during the enhanced support qualifying period. A candidate cannot receive more than \$500,000 in enhanced matching funds.
- Establishes the Freedom From Influence Fund to provide matching funds to qualified candidates. No appropriated funds shall be used for the Freedom From Influence Fund.

- The Freedom From Influence Fund will be funded by an assessment paid on federal fines, penalties, and settlements for certain tax crimes and corporate malfeasance. Fines, penalties, and settlements paid by natural persons will not be subject to the assessment, except for those paid by certain executive-level officers or equivalent officers.
  - In the event the balance of the Freedom From Influence Fund is found to be insufficient to cover the projected costs of the matching funds, the Federal Election Commission will reduce the proportional match rate for purposes of the upcoming election cycle to ensure the Fund can meet projected match payments.
  - Prohibits participating candidates from using contributions for anything other than authorized expenditures.
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#### Subtitle C – Presidential Elections

- Establishes a publicly financed 6-1 matching system on the first \$200 of a contribution to the presidential campaign of a participating candidate.
  - Provides that a “matchable contribution” is a “direct contribution” made to a candidate by an individual in an aggregate amount of no greater than \$1,000.
  - Provides that all payments shall come from the Freedom From Influence Fund.
  - Applies with respect to 2028 Presidential election.
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#### Subtitle D – Personal Use Services as Authorized Campaign Expenditures

- Expands authorized campaign expenditures to include child care, elder service care, and payments of health insurance costs.
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Subtitle E – Severability Clause

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## TITLE VI – CAMPAIGN FINANCE OVERSIGHT

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### Subtitle A – Restoring Integrity to America’s Elections

- Restructures the Federal Election Commission to have five commissioners, in order to break gridlock.
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### Subtitle B – Stopping Super PAC–Candidate Coordination

- Defines prohibited coordination between campaigns and super PACs.
  - Creates “coordinated spender” category to ensure single-candidate super PACs do not operate as arms of campaigns.
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### Subtitle C – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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# DIVISION C – ETHICS

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## TITLE VII – ETHICS STANDARDS

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### Subtitle A – Supreme Court Ethics

- Requires the development of a code of ethics for Supreme Court justices.
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### Subtitle B – Foreign Agents Registration

- Increases resources for FARA office, creates FARA investigation and enforcement unit in Department of Justice and provides authority to impose civil penalties.
  - Requires Foreign Agents to disclose transactions involving things of financial value conferred on officeholders.
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### Subtitle C – Lobbying Disclosure Reform

- Clarifies that counseling in support of lobbying contacts is considered lobbying under the Lobbying Disclosure Act and therefore triggers registration.
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### Subtitle D – Recusal of Presidential Appointees

- Requires all Presidential appointees to recuse themselves from any matter in which a party is the President, the President's spouse, or an entity in which the President or President's spouse has a substantial interest.
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Subtitle E – Severability Clause

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## TITLE VIII – ETHICS REFORMS FOR THE PRESIDENT, VICE PRESIDENT AND FEDERAL OFFICERS AND EMPLOYEES

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### Subtitle A – Executive Branch Conflict of Interest

- Prohibits incentive payments from corporations to individuals entering or leaving government service.
  - Prohibits federal employees from awarding contracts to former employers for two years after leaving company and from joining an industry they oversaw for two years after leaving government service.
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### Subtitle B – Presidential Conflicts of Interest

- Requires the President and Vice President, within 30 days of taking office, to divest financial interests that pose a conflict of interest or disclose information about his or her business interests.
  - Requires the President and the Vice President to file a new financial disclosure report within 30 days of taking office.
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### Subtitle C – White House Ethics Transparency

- Mandates that Executive Branch ethics waivers be disclosed to the Office of Government Ethics and the public.
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### Subtitle D – Executive Branch Ethics Enforcement

- Reauthorizes the Office of Government Ethics. Enhances the Office of Government Ethics' enforcement mechanisms.

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#### Subtitle E – Conflicts from Political Fundraising

- Require individuals nominated or appointed to Senate-confirmed positions and certain other senior government officials to disclose contributions by, solicited by or made on behalf of an individual.
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#### Subtitle F – Transition Team Ethics

- Requires Presidents-elect to develop ethics plans that apply to members of the transition.
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#### Subtitle G – Ethics Pledge for Senior Executive Branch Employees

- Codifies the Obama-era Executive Branch ethics pledge.
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#### Subtitle H – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.
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## TITLE IX – CONGRESSIONAL ETHICS REFORM

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### Subtitle A – Requiring Members of Congress to Reimburse Treasury for Amounts Paid as Settlements and Awards Under Congressional Accountability Act

- Prohibits Members of Congress from using taxpayer funds to settle any case of employment discrimination acts by the Members.
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### Subtitle B – Conflicts of Interest

- Prohibits Members from serving on boards of for-profit entities.
  - Codifies rules prohibiting Members and staff from using official position to further their financial interests or the financial interests of their immediate families.
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### Subtitle C – Campaign Finance and Lobbying Disclosure

- Requires the online linking of Federal Election Commission reports and Lobbying Disclosure Act reports.
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### Subtitle D – Access to Congressionally Mandated Reports

- Requires that all reports from federal agencies mandated by Congress be published online in a searchable and downloadable database.
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Subtitle E – Severability Clause

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## TITLE X – PRESIDENTIAL AND VICE PRESIDENTIAL TAX TRANSPARENCY

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- Requires the disclosure of individual and certain business tax returns by Presidents and Vice Presidents, as well as certain candidates for the Presidency and Vice-Presidency.
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