



February 26, 2021

Key Vote NO on the “For the Politicians” Act, H.R. 1

On behalf of our activist community, I urge you to contact your representative and ask him or her to vote NO on the so-called “For the People” Act, H.R. 1. More appropriately titled the “For the Politicians” Act, H.R. 1 would have profoundly negative implications for the Constitution, free speech, and how states run elections. The rhetoric that congressional Democrats have used to promote H.R. 1 is disingenuous and, quite often, Orwellian.

There are a multitude of problems with H.R. 1. As the Heritage Foundation’s Hans von Spakovsky wrote about the iteration of the bill in the previous Congress, which is largely the same as the version on which the House will vote this week: “[M]any of the provisions of H.R. 1 are clearly unconstitutional. Others are redundant and unnecessary, covering areas and issues where existing federal law is more than sufficient to protect voters. Many of the provisions are just bad policy that will neither help voters nor election officials in administering a fair and secure voter registration and election process.”

The current iteration of H.R. 1, much like the last, would impose a number of mandates on states, dictating how they must run elections. This attempt to federalize elections is an undeniable attempt by congressional Democrats to, among other things, influence elections, voter qualifications, and redistricting, as well as even provide a match of public funds to certain candidates’ campaigns.

Although there are several provisions of H.R. 1 that are troubling, perhaps one of the most concerning provisions come in Division B, Title IV, Subtitles B and C. These two provisions are specifically designed to steamroll the Supreme Court’s decision in *Citizens United v. FEC* (2010) to stifle speech protected by the First Amendment.

Subtitle B is known as the DISCLOSE Act. This is a thinly veiled attempt to reveal the names of donors to 501(c)(4) organizations. In an era where the “cancel culture” mob has become the norm, it’s not at all difficult to see what the impact of the DISCLOSE Act will be.

There is no mandate that such speech be public. In fact, some of the most important political writings in our nation’s history were done under the cloak of anonymity. Alexander Hamilton, James Madison, and John Jay composed the Federalist Papers under the pseudonym, Publius.

Politician and judge Robert Yates defended the ratification of the Bill of Rights using the pseudonym Brutus. Unmasking private citizens in the manner that H.R. 1 proposes could dissuade generations of Americans from making the bold stands necessary to improve our nation.

This bill would further deter free expression by forcing groups that sponsor ads that promote, attack, support, or oppose a candidate or government official to file burdensome reports with the FEC. Congressional Democrats are trying to make it less worthwhile for groups in America to hold their elected officials accountable, and thus trying to insulate themselves from criticism. The U.S. federal government is one of the people, by the people, and for the people. It should not require mounds of paperwork to criticize or praise them online.

Subtitle C is the Honest Ads Act. The bill is being framed with careful messaging, such as stopping foreign influence in American elections through ad buys on social media platforms like Facebook and Twitter. The bill, however, is far broader.

For example, the bill would expand the definition of a “qualified political advertisement” to include “a message relating to any political matter of national importance,” such as mentioning “a candidate” or “a national legislative issue of public importance.”

The Honest Ads Act would require digital platforms like Facebook and Twitter to maintain, and make publicly available, a database of any request to purchase a “qualified political advertisement” that exceeds \$500. Again, this would include advertisements on legislative issues pending before Congress, which may not even mention a candidate. This public file would also include the contact information of the purchaser.

We must call this what it is. The federal government would be forcing tech companies to dox, or reveal, advertisers on a massive scale. This would open almost all political advertisers to widespread intimidation.

Not only will the Honest Ads Act allow for political threats and intimidation, but it will make it much easier for such threats to be direct. The public file will also include information about the audience for such advertisements, catching an even larger swath of American citizens in this web. We have seen public officials harassed at their homes and seen death threats made against the families of political appointees.

H.R. 1 is among the most dangerous pieces of legislation that Congress will consider over the next two years. It’s rife with unconstitutional provisions. It’s telling that this is one of the first major pieces of legislation that the House will consider this year. There will be absolutely no opportunity for healing the divides in the nation; they’re only planning to try to drive us further apart.

FreedomWorks will count the vote on H.R. 1 when calculating our 2021 Congressional Scorecard and reserves the right to score any related votes or amendments and to weight any such votes. The

scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes members of the House and Senate who consistently vote to support economic freedom and individual liberty.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Brandon', with a stylized flourish at the end.

Adam Brandon
President, FreedomWorks