



February 11, 2019

## **Key Vote NO on the Orwellian “For the People Act,” H.R. 1**

On behalf of FreedomWorks’ activist community, I urge you to contact your representative and urge him or her to vote NO on the so-called “For the People Act,” H.R. 1, introduced by Rep. John Sarbanes (D-Md.). The bill, which would be more appropriately titled the “Incumbent Protection Act,” includes several problematic provisions, many of which run roughshod over the freedom of speech and freedom of association protected by the First Amendment and privacy.

Rep. Sarbanes is promoting H.R. 1 with Orwellian rhetoric by claiming that it “will strengthen our democracy and return political power to the people.” In reality, certain aspects of this 571-page bill are designed to protect politicians from the people.

It will do this by threatening to expose the identities of private citizens who participate in the political process, thus opening them, and their businesses, to threats and intimidation. H.R. 1 would require that “all organizations involved in political activity” must disclose their donors. This provision hides under the guise of transparency but will discourage many American citizens from participating in the political process, and from dedicating their resources to it. This is hardly giving political power to the people. It is the opposite and will have a chilling effect on free speech.

The Supreme Court, in *Citizens United v. FEC* (2010), upheld that political donations are protected free speech under the First Amendment. Subtitle A of Title V of H.R. 1 actually goes as far as to declare that it is the sense of Congress that this decision is “detrimental to democracy” and that the Constitution should be amended to flout it. At least the supporters of this bill recognize that they need a constitutional amendment to regulate campaign finance. Yet, they unabashedly attempt to do so throughout this unconstitutional legislation.

Furthermore, 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 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.

As the internet grows, it is becoming a home for political activism and political speech. Congressional Democrats want to change that. H.R. 1 would expand the definition of “electioneering communications” to include online ads, which would limit the amount of legal communications to the electorate online. It also holds tech companies liable if illegal political ads slip through the cracks. This would drastically raise the prices of online ads, and ensure that fewer Americans can contribute their voice in this meaningful way.

H.R. 1 also finds that Washington, D.C. should become the 51st state. Article 1, Section 8 of the Constitution is clear that Congress has exclusive jurisdiction over the federal district that serves as the seat of government, and that such a district shall be composed of land cessions from existing states. It is clear that by no means is the seat of government to rest in an existing state. Only a constitutional amendment may change this fact, not a provision jammed into a 571-page bill.

FreedomWorks will count the vote on H.R. 1 when calculating our Scorecard for 2019 and reserves the right to weight any 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 'Adam Brandon', with a stylized, flowing script.

Adam Brandon  
President, FreedomWorks