

AMENDMENT TO H.R. 1
OFFERED BY M .

Amend section 3 to read as follows:

1 SEC. 3. FINDINGS; SENSE OF CONGRESS.

2 (a) **GENERAL FINDINGS.**—Congress finds the fol-
3 lowing:

4 (1) States have the primary role in establishing
5 election law and administering elections. According
6 to article 1, section 4 of the Constitution, States
7 have the primary role in establishing “[t]he Times,
8 Places and Manners of holding Elections for Sen-
9 ators and Representatives”. Under the Constitution,
10 Congress has a purely secondary role in this space
11 and must restrain itself from acting improperly and
12 unconstitutionally. Federal election legislation should
13 never be the first step and must never impose bur-
14 densome, unfunded Federal mandates on State and
15 local elections officials. When Congress does speak,
16 it must devote its efforts only to resolving highly sig-
17 nificant and substantial deficiencies. State legisla-
18 tures are the primary venues to correct most issues.

19 (2) Eligible voters who choose to vote are given
20 the opportunity to do so, and that every lawful vote

1 should be counted according to State law. States
2 must balance appropriate election administration
3 structures and systems with convenient access to the
4 ballot box.

5 (3) Political speech is protected speech. The
6 First Amendment protects the right of all Americans
7 to state their political views and donate money to
8 the candidates, causes, and organizations of their
9 choice without fear of retribution.

10 (4) Redistricting decisions are best made at the
11 State level. States must maintain the flexibility to
12 determine the best redistricting processes for their
13 citizens' particular needs.

14 (b) FINDING RELATING TO 2020 FEDERAL ELEC-
15 TIONS.—Congress finds that through congressional field
16 observation during the 2020 general election, the following
17 problems were observed at various polling locations
18 throughout the United States:

19 (1) Many counties failed to secure ballots prop-
20 erly and counties should refer to the United States
21 Election Assistance Commission's clearinghouse of
22 best practices in election administration.

23 (2) Poll workers received little-to-no training,
24 which raises concerns on the proper handling of sig-

1 nature verification, ballot sorting and processing,
2 and ballot security.

3 (3) Ballot dropboxes may pose a national secu-
4 rity concern, which is increased when combined with
5 ballot harvesting, and it is difficult for counties to
6 ensure that no additional ballots are placed in the
7 dropboxes once the polls officially close.

8 (4) There were significant delays in reporting
9 election results because of increased absentee and
10 vote-by-mail ballots.

11 (5) Observers from the House of Representa-
12 tives experienced difficulties with accessing polling
13 locations for observation.

14 (c) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that Congress should defer to States on election law
16 and administering elections, while encouraging States to
17 consider the following reforms:

18 (1) That States should permit observers from
19 the House of Representatives to observe at polling
20 locations.

21 (2) That States should consider certain reforms
22 to ensure vote-by-mail voters have the same protec-
23 tions as in-person voters and are able to track their
24 ballots through the postal system and confirm re-
25 ceipt.

1 (3) That States, should they decide to utilize
2 dropboxes, should ensure the security of dropboxes
3 and confirm that no ballots have been submitted
4 after the polls officially close.

5 (4) That States should implement training for
6 poll workers, including on signature verification, bal-
7 lot sorting and processing, and ballot security.

8 (5) That States should consider reforms to sig-
9 nature matching and verification systems to promote
10 election integrity.

11 (6) That States should comply with Federal law
12 with respect to National Voting Rights Act list
13 maintenance requirements.

Strike section 1011(b)(1).

Strike section 1402.

Strike subtitle A of title II.

Strike subtitle B of title II.

Strike subtitle C of title II.

Strike section 2301.

Strike section 4001.

Strike section 4203.

Strike subtitle A of title V.

Strike section 5301(b).

