



Written by [Bob Adelman](#) on March 8, 2021

## 20 State AGs Threaten Legal Action if H.R. 1 passes

Indiana Attorney General Todd Rokita drafted a letter decrying the attempted congressional overreach into state election laws represented by H.R. 1, the so-called *For the People Act of 2021*. After obtaining the signatures of 19 other states' attorney generals last Wednesday, he sent the letter to Nancy Pelosi, the Speaker of the House, and Chuck Schumer, the Majority Leader of the U.S. Senate.

The 20 state AGs declared:

The Act betrays several Constitutional deficiencies and alarming mandates that, if passed, would federalize state elections....

Under ... the Constitution ... States have principal - and with presidential elections, *exclusive* - responsibility to safeguard the manner of holding elections. The Act would invert that constitutional structure ... and erode faith in our elections and systems of governance.



Indiana Attorney General Todd Rokita (AP Images)

They also provided a cram course in the U.S. Constitution for the leading Democrats:

The Electors Clause [of the United States Constitution] “convey[s] the broadest power of determination” and “leaves it to the [state] legislature *exclusively* to define the method” of the appointment of electors....

[That means that] Congress may not force states to permit presidential voting by mail or curbside voting, for example.

Those Democrat leaders' intentions are clear, said the AGs:

By mandating mail-in voting, requiring states to accept late ballots, overriding state voter identification (“ID”) laws, and mandating that states conduct redistricting through unelected commissions.... Congress is not acting as a check but is instead overreaching by seizing the role of principal election regulator.

The AGs summed up the Act's deficiencies: dismantling state voter ID laws, mandating automatic voter registration and Election Day registration, requiring states to undertake congressional redistricting



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through the use of so-called “independent” commissions and requiring political speakers to disclose their donor lists.

That last requirement, according to the AGs, “reflects an objective to name, shame, and blacklist those with differing or minority views. In other words, the goal is to censor those with whom the authors of the bill disagree.”

Said the AGs: “It is difficult to imagine a legislative proposal more threatening to election integrity and voter confidence.” Accordingly, “Should the Act become law, we will seek legal remedies to protect the Constitution, the sovereignty of all states, our elections, and the rights of our citizens.”

In a separate statement to *Fox News* Indian AG Rokita called H.R. 1 a “monstrosity”:

This monstrosity of a bill betrays the Constitution, dangerously federalizes state elections, and undermines the integrity of the ballot box.

As a former election officer, and now an Attorney General, I know [enactment of this bill] would be a disaster for election integrity and confidence in the processes what have been developed over time to instill confidence in the idea of “one person, one vote.”

Rep. Brian Babin (R-Texas) went even further: H.R. 1, he wrote, “is packed full of mandates to guarantee Democrats control future elections – all under the guise of ‘election reform’”, adding:

This bill undermines protections for free speech, destroys the nonpartisan Federal Election Commission, and nationalizes elections, paying no mind to the Constitution or the 10<sup>th</sup> Amendment....

It would silence all discussion about election fraud, voting irregularities, and the countless issues that left half of the country so dissatisfied with the execution and results of the 2020 election.

Former Vice President Mike Pence told *The Daily Signal* that the massive 800-page bill “would increase the opportunities for election fraud, trample the First Amendment, further erode confidence in our elections, and forever dilute the votes of legally qualified eligible voters.”

He added:

HR 1 mandates the most questionable and abuse-prone election rules nationwide, while banning commonsense measures to detect, deter, and prosecute election fraud.

The bill would force states to adopt universal mail-in ballots, early voting, same-day voter registration, online voter registration, and automatic voter registration for any individual listed in state and federal government databases, such as the Department of Motor Vehicles and welfare offices, ensuring duplicate registrations and that millions of illegal immigrants are quickly registered to vote.

States would be required to count every mail-in vote that arrives up to 10 days after Election Day. States must also allow ballot harvesting—where paid political operatives collect absentee ballots from places such as nursing homes—exposing our most vulnerable voters to coercion and increasing the risk that their ballots will be tampered with.



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At the same time, state and local election officials would be stripped of their ability to maintain the accuracy of voter rolls, barred from verifying voter eligibility, and voter ID would be banned from coast to coast.

Congressional districts would be redrawn by unelected, unaccountable bureaucrats. Illegal immigrants and law-abiding American citizens would receive equal representation in Congress. Felons would be able to vote the moment they set foot out of prison.

Pence charged:

Every single proposed change in HR 1 serves one goal, and one goal only: to give leftists a permanent, unfair, and unconstitutional advantage in our political system.

A companion bill has been introduced in the Senate. If it passes, and Biden signs it into law, the AGs signing the letter will file suit, leading the issue ultimately to be resolved by the Supreme Court.



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