

Thank you, Chairman Buttterfield and Ranking Member Steil, for holding today's Member Day hearing. Ensuring integrity within our electoral process remains a critical concern of mine, and of my Republican colleagues testifying here today. The legitimacy of the democratic order rests on public confidence in the integrity of our elections. However, in recent years politicians on both sides of the partisan divide have sought to undermine that confidence to advance their personal or partisan aims. This erosion, combined with the difficulties of administering the 2020 election amidst a pandemic, have led to an acute crisis of confidence where baseless claims of voter fraud and voter suppression echo one another and produce the same disillusioning results. At this perilous moment in American democracy, the people in this chamber should seek to restore the faith of the voting public in the integrity of America's elections.

Instead we have HR 1. This bill does two things. First, it strips state and local governments of their ability to determine how best to administer their elections, choosing instead to make the *federal government*, the part of our federal system at the greatest remove from the voters, the main rulemaking body. Then it goes on to make the *federal agencies* responsible for administering those rules explicitly partisan by changing the structure of the FEC from a six member board to five-members. It goes even further by removing the requirement for bi-partisan agreement before the FEC initiates action. It also enables the IRS to discriminate in its issuance of fundraising permits on the basis of partisanship and issue focus, politicizing the tax authorities to boot.

Can you think of a system better designed to undermine public confidence in elections? Remove the rulemaking authority as far as you can from the public, and then make the enforcement mechanisms explicitly partisan. Even in the event that a partisan majority acted completely above board in pursuing some offence, it would be impossible for the FEC to defend itself from charges of partisanship because it would be partisan by definition given it's slanted structure. The conspiracy theories write themselves, and yet under this structure the conspiracy theories will be the least of our worries. As the drafting of HR 1 itself has shown, the temptations to abuse a partisan structure for partisan ends are more than most legislators can resist.

The overall structure of the bill is fatally flawed, but even in detail it is a fiasco. Given the limited time I have, I am unable to address the many, many deeply flawed provisions in the bill. But is it even necessary to discuss the obvious consequences of replacing voter ID with signed affidavits? Or the folly of dignifying the concept of fake "ten to one donor match by midnight" email scams with a six to one match from the very real taxpayers? Worst of all, I don't have time to delve into the incredible burden these mandates impose on state election administrators, and the wave of frivolous lawsuits and election challenges that those burdensome mandates will produce, achieving, once again, the polar opposite of the stated aim of HR1.

This is the real tragedy of HR 1. The COVID-19 pandemic created an organic nationwide experiment in election administration procedures, and Americas election administrators performed heroic work under trying circumstances. In some cases, these changes created unintended consequences that undermined voter confidence, while in others they enhanced voter confidence through innovative solutions that improved access and turnout. The 117th Congress had both a unique opportunity and an imperative obligation to work together to sort through these changes to secure the trust of the electorate. That work may yet be done, but it will not be accomplished through the partisan bills we have before us.