

FOR THE PEOPLE ACT



For the People Act Section by Section

DIVISION A --- VOTING

TITLE I – ELECTION ACCESS

Subtitle A – Voter Registration Modernization

Part 1 – Promoting Internet Registration

- Requires each state to make available online voter registration, correction, cancellation and designation of party affiliation.

Part 2 - Automatic Voter Registration

- Requires chief state election officials to automatically register to vote any eligible unregistered citizens, while protecting from prosecution ineligible voters mistakenly registered.
- Deems state agencies and federal offices within a state as contributing agencies for the purposes of registration.

Part 3 – Same Day Voter Registration

- Requires states to permit voters to register on the day of a Federal election, including during early voting.

Part 4 – Conditions on Removal on Basis of Interstate Cross-Checks

- Limits the authority of states to remove registrants from the official list of eligible voters in elections for Federal office in the State on the basis of interstate voter registration cross-checks.

Part 5 – Other Initiatives to Promote Voter Registration

- Requires annual state reports on voter registration statistics to be provided to the Election Assistance Commission.

- Changes the pre-election registration deadline to avoid it falling on a holiday.
- Allows for the use of postal service change of address forms to remind customers about voting registration.

Part 6 – Availability of Help America Vote Act (HAVA) Requirement Payments

- Provides HAVA funds for purposes of implementing the voter registration modernization reforms.

Part 7 – Prohibiting Interference with Voter Registration

- Makes it unlawful to hinder, interfere or prevent an individual from registering to vote.
- Instructs the Election Assistance Commission to develop best practices for states to deter and prevent such violations.

Part 8 – Voter Registration Efficiency Act

- Requires applicants for motor vehicle driver's licenses in a new state to indicate whether the state serves as residence for voter registration purposes.

Part 9 – Providing Voter Registration Information to Secondary School Students

- Directs the EAC to carry out a pilot program where the Commission must provide funds to local educational agencies for initiatives to provide voter registration information to 12th grade secondary school students.

Subtitle B – Access to Voting for Individuals with Disabilities

- Requires states to promote access to voter registration and voting for persons with disabilities.
- Funds grants to improve voting for persons with disabilities and creates a pilot program to allow persons with disabilities to register and vote from home.

Subtitle C – Prohibiting Voter Caging

- Prohibits the use of returned non-forwardable mail as the basis for removing registered voters from the rolls.
- Prohibits challenges to eligibility from individuals who are not election officials without an oath of good faith factual basis.

Subtitle D – Prohibiting Deceptive Practices and Preventing Voter Intimidation

- Prohibits providing false information about elections to hinder or discourage voting and increases penalties for voter intimidation.
- Prescribes sentencing guidelines for those individuals found guilty of such deceptive practices.

Subtitle E – Democracy Restoration

- Declares the right of citizens to vote in federal elections will not be denied because of a criminal conviction unless a citizen is serving a felony sentence in a correctional facility.
- Requires states and the federal government to notify individuals convicted of state or federal felonies, respectively, of their re-enfranchisement.

Subtitle F – Promoting Accuracy, Integrity, and Security Through Voter-Verified Permanent Paper Ballot

- Requires states to use individual, durable, voter-verified paper ballots and that said ballots are counted by hand or an optical character recognition device.
- Provides the voter an opportunity to correct ballot should a mistake be made and requires that ballots are not preserved in any manner that makes it possible to associate a voter to the ballot.

Subtitle G – Provisional Ballots

- Requires that provisional ballots from eligible voters at incorrect polling places be counted.

Subtitle H – Early Voting

- Requires at least 15 consecutive days of early voting for federal elections.
- Requires that early voting locations be near public transportation, available in rural areas, and open for at least 10 hours per day with a uniform schedule having some hours outside of normal business hours.

Subtitle I – Voting by Mail

- Prohibits a state from imposing restrictions on an individual's ability to vote by mail.

Subtitle J – Absent Uniformed Services Voters and Overseas Voters

- Requires states to send absentee ballots at least 45 days before an election and allows civil penalty for failure.

Subtitle K – Poll Worker Recruitment and Training

- Requires the Election Assistance Commission to develop model training programs and award grants for training.

Subtitle L – Enhancement of Enforcement

- Allows individuals private rights of action and ability to file administrative complaints.

Subtitle M – Federal Election Integrity

- Prohibits state chief election officials from participating in federal campaigns.
- Prohibits using official authorities to affect the results of elections.

Subtitle N – Promoting Voter Access Through Election Administration Improvements

Part 1 – Promoting Voter Access

- Requires improved information sharing including seven days' notice for polling site changes.
- Makes colleges and universities voter registration agencies.
- Requires the United States Postal Service to carry absentee ballots free of charge.
- Allows states to reimburse the USPS for revenue it would have earned from absentee ballots using Help American Vote Act funding.
- Requires the Election Assistance Commission to reimburse states for establishing absentee ballot tracking programs.
- Creates a voter information hotline.
- Allows voters to submit sworn written statements in lieu of required identification for voting.
- Prohibits states from requiring voters submitting sworn statements to cast provisional ballots.

Part 2 – Improvements in Operation of Election Assistance

- Reauthorizes the Election Assistance Commission.
- Requires States to work with the Election Assistance Commission to conduct post-election administration surveys.
- Requires National Institute of Standards and Technology to report on its use of Election Assistance Commission funds.
- Requires the Election Assistance Commission to carry out an assessment of the security and effectiveness of its information technology systems.
- Repeals existing contracting exemptions for the Election Assistance Commission.

Part 3 – Miscellaneous Provisions

- Clarifies, that unless specifically provided for, nothing in this title may be construed to impact existing voting law.

Subtitle O – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE II – ELECTION INTEGRITY

Subtitle A – Findings Reaffirming Commitment of Congress to Restore the Voting Rights Act

- Declares that Congress finds that the Shelby County decision ushered in a new era of voter suppression and that Congress should build a record of voter suppression since Shelby.
- Declares that, per the Supreme Court’s ruling in Shelby, Congress should restore the protections of the Voting Rights Act by updating the formula for determining which jurisdictions are subject to federal preclearance.

Subtitle B – Findings Relating to Native American Voting Rights

- Declares Congress’ intent to protect and promote Native Americans’ exercise of their constitutionally guaranteed right to vote, including voter registration and equal access to all voting mechanisms.

Subtitle C – Findings Relating to District of Columbia Statehood

- Declares Congress’ perspective that District of Columbia residents deserve full congressional voting rights and self-government, which only statehood can provide.

Subtitle D – Findings Relating to Territorial Voting Rights

- Declares Congress’ view that the right to vote is one of the most powerful instruments that residents of the territories of the United States have to ensure their voices are heard. Establishes Congressional Task Force on Voting Rights of United States Citizen Residents of Territories of the United States

Subtitle E – Redistricting Reform

- Requires states to adopt independent redistricting commissions for purposes of drawing Congressional districts.

Subtitle F – Saving Voters from Voter Purging

- Responds to the Husted decision by clarifying that failure to vote is not grounds for removing registered voters from the rolls.

Subtitle G – No Effect on Authority of States to Provide Greater Opportunities for Voting

- Clarifies that the provisions in this title set a floor, not a ceiling, for State’s actions on voting rights

Subtitle H – Residence of Incarcerated Individuals

- Ends the practice of prison gerrymandering where incarcerated prisons are counted in census population counts as residents of the jail and not their most recent residence.

Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE III – ELECTION SECURITY

Subtitle A – Financial Support for Election Infrastructure

- Establishes standards for election vendors based on cybersecurity and company ownership.
- Allows the Election Assistance Commission to issue grants to states for improving and maintaining election systems.
- Allows the Election Assistance Commission to issue grants to states for paper ballot systems.
- Allows the Election Assistance Commission to issue grants to states for risk-limiting audits after elections.
- Allows the Election Assistance Commission to issue grants for election infrastructure innovation.

Subtitle B – Security Measures

- Requires the Department of Homeland Security to maintain the designation of election infrastructure as critical.
- Requires the Department of Homeland Security to assess threats to election systems at least 180 days before an election and inform states of threats to election systems.

Subtitle C – Enhancing Protection for United States Democratic Institutions

- Requires the President to produce a national strategy for protecting U.S. democratic institutions.
- Creates National Commission to Protect United States Democratic Institutions to counter threats.

Subtitle D – Promoting Cybersecurity Through Improvements in Election Administration

- Requires the testing of voting systems nine months before the date of each regularly scheduled general election for Federal office.
- Defines electronic poll books as part of voting systems and requires pre-election reports on voting system usage.

Subtitle E – Preventing Election Hacking

- Establishes the ‘Election Security Bug Bounty Program’ to encourage independent assessments of election systems by technical experts.

Subtitle F – Election Security Grants Advisory Committee

- Establishes a fourth committee comprised of election security experts to review grant requests to ensure funds for election infrastructure are best spent.

Subtitle G– Miscellaneous Provisions

- Requires analysis of whether sufficient funds are provided for implementation of the bill.

Subtitle H– Use of Voting Machines Manufactured in the United States

- Requires states to seek to ensure that any voting machine used for purposes of a federal election, by 2022 is manufactured in the United States

Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

DIVISION B – CAMPAIGN FINANCE

TITLE IV – CAMPAIGN FINANCE TRANSPARENCY

Subtitle A – Findings Relating to Illicit Money Undermining Our Democracy

- Expresses Congress’ intent to curb the use of shell companies and other illicit activities that allow foreign money to enter and undermine our democracy.

Subtitle B – DISCLOSE Act

Part 1 – Regulation of Certain Political Spending/Foreign Money Ban

- Strengthens foreign money ban by prohibiting foreign nationals from participating in decision-making about contributions or expenditures by corporations and other entities
- Clarifies the prohibition on participation by foreign nationals in election-related activities
- Requires and Audit and report on illicit foreign money in Federal elections
- Prohibits contributions and donations by foreign nationals in connections with ballot initiatives and referenda

Part 2 – Reporting of Campaign-Related Disbursements/Dark Money Disclosure

- Requires super PACs, 501(c)4 groups and other organizations spending money in elections to disclose donors who contribute more than \$10,000.
- Shuts down the use of transfers between organizations to cloak the identity of the source contributor.

Part 3 – Other Administrative Reforms

- Sets forth and clarifies rules governing court challenges to campaign finance law.

Subtitle C – Honest Ads

- Requires large digital platforms to maintain a public database of political ad purchase requests of more than \$500.
- Directs digital platforms to implement measures to prevent foreign nationals from directly or indirectly purchasing political ads.

Subtitle D – Stand By Every Ad

- Expands “stand by your ad” disclosure requirements to leaders of corporations, unions and other organizations purchasing political ads.

Subtitle E – Secret Money Transparency

- Repeals existing prohibition on the IRS from promulgating rules to bring clarity to rules governing 501(c) political activity.

Subtitle F – Shareholder Right-to-Know

- Repeals existing prohibition on the Securities and Exchange Commission from finalizing rules to afford shareholders the opportunity to know about the political spending of publicly traded companies.

- Require shareholder authorization before a public company may make certain political expenditures.

Subtitle G – Disclosure of Political Spending by Government Contractors

- Repeals existing prohibition on the Executive Branch from promulgating rules to require government contractors to disclose all of their political spending.

Subtitle H – Limitation and Disclosure Requirements for Presidential Inaugural Committees

- Requires Presidential Inauguration Committees to disclose their expenditures, limits aggregate contributions and restricts funds being used on purposes unrelated to the inauguration.

Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE V – CAMPAIGN FINANCE EMPOWERMENT

Subtitle A – Findings Relating to Citizens United Decision

- Expresses that Congress finds that the Citizens United decision is detrimental to democracy and that the Constitution should be amended to clarify Congress' and the States' authority to regulate campaign contributions and expenditures.

Subtitle B – Congressional Elections

- Expresses that Congress should authorize small-donor incentive programs, such as small-dollar voucher programs, to expand the universe of small-dollar contributors.
- Establishes a voluntary public financing system for qualified Senate candidates that provides 6-1 matching funds on small-dollar donations up to \$200, grants, and media vouchers.

Subtitle C – Presidential Elections

- Establishes a publicly financed 6-1 matching system on the first \$200 of a contribution to the presidential campaign of a participating candidate.

Subtitle D – Personal Use Services as Authorized Campaign Expenditures

- Expands authorized campaign expenditures to include child care, elder service care, payments of rent or mortgage, professional development and media training, and payments of health insurance costs in an effort to make it easier for candidate of modest means to run and win office.

Subtitle E – Empowering Small Donor Donations

- Incentivizes political party committees to prioritize small dollar donations (up to \$200) to provide enhanced support for candidates.

Subtitle F – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE VI – CAMPAIGN FINANCE OVERSIGHT

Subtitle A – Restoring Integrity to America’s Elections

- Restructures the Federal Election Commission to have five commissioners, in order to break gridlock.
- Makes permanent FEC’s civil penalty authority.

Subtitle B – Stopping Super PAC-Candidate Coordination

- Defines prohibited coordination between campaigns and super PACs.
- Creates “coordinated spender” category to ensure single-candidate super PACs do not operate as arms of campaigns.

Subtitle C – Disposal of Contributions or Donors

- Federal office holders or candidates for office must resolve their campaign contributions within 6 years of leaving office or the campaign.

Subtitle D – Recommendations to Ensure Filing of Reports Before Date of Election

- Requires the FEC to report to Congress within 180 days on how to ensure financial disclosure for PACs and Super PACs established before Election Day but whose first disclosure would occur after Election Day, as well as their use of debt that is paid off after Election Day for disbursements made before Election Day.

Subtitle E – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

DIVISION C – ETHICS

TITLE VII – ETHICS STANDARDS

Subtitle A – Supreme Court Ethics

- Requires the development of a code of ethics for Supreme Court justices.

Subtitle B – Foreign Agents Registration

- Increases resources for FARA office, creates FARA investigation and enforcement unit in Department of Justice and provides authority to impose civil penalties.
- Requires Foreign Agents to disclose transactions involving things of financial value conferred on officeholders.

Subtitle C – Lobbying Disclosure Reform

- Clarifies that counseling in support of lobbying contacts is considered lobbying under the Lobbying Disclosure Act and therefore triggers registration.
- Requires lobbyists to disclose status as lobbyists upon making any lobbying contacts.

Subtitle D – Recusal of Presidential Appointees

- Requires all Presidential appointees to recuse themselves from any matter in which a party is the President, the President’s spouse, or an entity in which the President or President’s spouse has a substantial interest.

Subtitle E – Clearinghouse on lobbying Information

Requires a single lobbying information disclosure portal that combines information currently held and made available to the public by House, Senate, and DOJ

Subtitle F – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE VIII – ETHICS REFORMS FOR THE PRESIDENT, VICE PRESIDENT AND FEDERAL OFFICERS AND EMPLOYEES

Subtitle A – Executive Branch Conflict of Interest

- Prohibits incentive payments from corporations to individuals entering government service.
- Prohibits federal procurement officers from accepting any compensation from a contractor to which the officer awarded a contract for two years after leaving government service.

Subtitle B – Presidential Conflicts of Interest

- Requires the President and Vice President to file a new financial disclosure report within 30 days of taking office.
- Requires the President and the Vice President to file a new financial disclosure report within 30 days of taking office.
- Treats the President and Vice President the same as Members of Congress by prohibiting them from contracting with the United States Government.

Subtitle C – White House Ethics Transparency

- Mandates that Executive Branch ethics waivers be disclosed to the Office of Government Ethics and the public.

Subtitle D – Executive Branch Ethics Enforcement

- Reauthorizes the Office of Government Ethics.
- Enhances the Office of Government Ethics' enforcement mechanisms.

Subtitle E – Conflicts from Political Fundraising

- Require individuals nominated or appointed to Senate-confirmed positions and certain other senior government officials to disclose contributions by, solicited by or made on behalf of an individual. Also requires disclosure of certain types of gifts to these individuals or their families.
- Requires the Office of Government Ethics to issue rules on addressing conflicts of interest identified in these disclosures.

Subtitle F – Transition Team Ethics

- Requires Presidential candidates and Presidents-elect to develop ethics plans that apply to members of the transition.

Subtitle G – Ethics Pledge for Senior Executive Branch Employees

- Codifies the Obama-era Executive Branch ethics pledge.

Subtitle H – Travel on Private Aircraft by Senior Political Appointee

- Prohibition on use of funds for travel on private aircraft.

Subtitle I – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE IX – CONGRESSIONAL ETHICS REFORM

Subtitle A – Requiring Members of Congress to Reimburse Treasury for Amounts Paid as Settlements and Awards Under Congressional Accountability Act

- Prohibits Members of Congress from using taxpayer funds to settle any case of employment discrimination acts by the Members.

Subtitle B – Conflicts of Interest

- Prohibits Senators from serving on boards of for-profit entities (codifies Senate Rule).
- Codifies rules prohibiting Members and staff from using official position to further their financial interests or the financial interests of their immediate families.

Subtitle C – Campaign Finance and Lobbying Disclosure

- Requires the online linking of Federal Election Commission reports and Lobbying Disclosure Act reports.

Subtitle D – Access to Congressionally Mandated Reports

- Requires that all reports from federal agencies mandated by Congress be published online in a searchable and downloadable database.

Subtitle E – Severability Clause

- Clarifies that if any provision of this Title or amendment made by this Title is held unconstitutional, the remainder of the Title shall not be affected by the holding.

TITLE X – PRESIDENTIAL TAX TRANSPARENCY

Subtitle A – Presidential Conflicts of Interest

- Requires the disclosure of individual and certain business tax returns by Presidents and Vice Presidents, as well as candidates for the Presidency and Vice-Presidency.
- Specifies that such tax returns shall be publicly released by the Federal Election Commission.

★ ★ ★
FOR THE
PEOPLE
★ ACT ★