



For the People Act: **Listening To The Needs Of Local Election Officials**

- Due to recent amendments in SB1/ HR1 many local election officials have not had the opportunity to keep up with the changes designed to help rural states like West Virginia.
- Recent [polling](#) has shown that 79% of West Virginia voters support the For the People Act.
- Before jumping to conclusions on the bill, it's important to fully understand the latest version of the legislation.

The For the People Act (H.R. 1/S. 1) is a critical package of reforms to protect our democracy by getting dark money out of politics, stopping billionaires from buying elections, cracking down on corruption, ending partisan gerrymandering, protecting the freedom to vote, and ensuring elections are safe, accurate, and accessible. Its policies have long been proven and effectively implemented and run by election administrators from both parties in states across the country.

Input received from election clerks and state and local elected officials from both parties has strengthened components of H.R.1/S.1 through the amendment process to provide important flexibility and support for local jurisdictions. Here are those changes:

Automatic Voter Registration (AVR): Expands the timeline and provides more flexibility for election officials to implement AVR systems whereby voters are registered to vote when they fill out forms at certain state agencies, like a DMV, unless they opt not to register.

- **Change:** States can obtain a waiver to delay the implementation of an AVR system at state agencies until 2025, with possibility to push that back to 2028 if needed.
- **Change:** States will no longer be required to do a one-time “look-back” of going through older records to register people who previously filled out forms at agencies designated as AVR sites.

Same-Day Voter Registration (SDR): Expands the timeline and provides more flexibility for states to implement SDR systems where voters can register and vote at the same time on Election Day and during early voting.

- Change: Kicks back the date by which states need to offer SDR at polling locations to 2024, and states can obtain a waiver to push back that date to 2026.
- Change: Federal guidelines and standards will be created to ensure states can purchase electronic poll books used for same-day voter registration by 2024.

Election Official And Voter Protections: Increases protections for election officials and voters.

- Change: Creates criminal penalties for the doxing of any election official, poll worker, or election volunteer.
- Change: Increases penalties for threatening election officials.
- Change: Provides more protections against mass voter challenges that can slow down election officials' vote certification processes.

Early Voting: Reduces early voting requirements for smaller, rural, and all-mail jurisdictions that do not need, and would struggle to afford, 15 days of early in-person voting.

- Change: Jurisdictions with fewer than 3,000 registered voters (47% of all jurisdictions) only need to hold early voting on just one Saturday and Sunday for eight hours per day.
- Change: Jurisdictions that run all-mail elections are also exempt from the 15 days requirement, and need to only hold early voting on at least one consecutive weekend.
- Change: States are no longer required to hold an early voting day on the Monday before the election, which election officials argued could strain resources prior to Election Day.
- Change: Creates more flexibility for hours of operation for mobile voting sites so that they can be available to voters at times of need.

Vote By Mail: Shortens the deadlines around the mail-in ballot process to not interfere with states' respective election certification deadlines; relieves states of some mail ballot responsibilities and costs; and reduces ballot box requirements for smaller jurisdictions.

- Change: Shortens the ballot curing process by requiring states to provide only three days for voters to respond to a notification to fix any errors identified with their ballots.
- Change: Changes the deadline by which voters must turn in mail ballot applications to 11 days before Election Day to ensure election officials can get them their ballots in time. Also reduces the number of days states must accept mail ballots postmarked by Election Day down to seven days after the election.
- Change: States are no longer required to provide self-sealing envelopes.
- Change: Allows the allocation of drop boxes to better meet jurisdictions' actual needs by requiring them to only provide one drop box, plus one more per 45,000 registered voters.

- Change: Removes the requirement for states to adopt a ballot tracking system, by instead having a federal ballot tracking system created that states can use. If a state or jurisdiction did not want to adopt this system, it can contract with a vendor.

Voter Roll Purges: Provides states with a way to accurately maintain their voter rolls while preventing improper purging of eligible and active voters.

- Change: States can send mailed notices for the purpose of purging voters, but they must also confirm that voters no longer live at that address--based on objective and reliable evidence--before purging them from the rolls.

Election Systems & Administration: Expands the timeline and provides more flexibility for states to make changes to their election systems and machines, based on new federal guidelines just released.

- Change: Gives states until 2026 to set up a system for voter verified paper ballots, with the option to file for a waiver to delay implementation of this guideline until 2030. A bipartisan amendment from Sen. Capito (R-WV) removes paper ballot requirements for military/overseas voters and some voters with disabilities.
- Change: Requires states to only have to submit their election systems to the federal Election Assistance Commission for review once when they are first put into operation.
- Change: Lessens the requirement that states use voting systems and paper ballots manufactured in the U.S. "to the greatest extent practicable," acknowledging that some existing voting systems parts and paper for ballots comes from outside of the U.S.
- Change: Removes the requirement that states conduct all recounts exclusively by hand, instead requiring that only for ballots that cannot be read by machine.

Fact Vs. Fiction

Claim: The drafters of For the People Act don't know how elections work/didn't speak to election officials.

Fact: Drafting the For the People Act legislation has been a yearslong process that has taken input from a broad spectrum of stakeholders, including election officials.

Claim: The For the People would require West Virginia to buy new voting machines on January 1.

Fact: The For the People Act addresses a vital need in America's elections: ensuring that every election has a voter-verifiable paper trail so that voters can be sure their elections are fair and secure.

As drafted, the legislation required voting machines to meet the most recent Election Assistance Commission guidelines by the 2022 elections. However, no systems currently meet those standards.

This is an issue that Secretary Mac Warner, among others, has brought up and has been addressed. The manager's amendment removes the recertification requirement giving states until up to 2030 to recertify. However, the legislation still requires voter verifiable paper-based voting systems so that voters can have transparent, secure elections.

Claim: The For the People Act would require jurisdictions without internet to implement same day voter registration.

Fact: Again, Congress has taken into account the input of stakeholders and simply requires jurisdictions to offer same day registration at a central location in 2022, but gives them until 2024 to offer same day registration at all polling places with the option for a waiver until 2026.

Claim: West Virginia's elections are already fine.

Fact: West Virginia's policies actually do align in many places with the minimum requirements involved in the FTPA. However, many clerks supported Bill 565, which reduced access to early voting, and now some claim that West Virginia's access shouldn't change.

There are attacks on the freedom to vote in states across the country, including West Virginia. That's one of the many reasons why the FTPA is so necessary.

Claim: The recent bipartisan amendments won't be included in the final version of the bill.

Fact: Senate procedure allows for the text of the manager's amendment to be the basis for the bill that is considered on the Senate floor.

The organizing resolution for the 117th Congress includes special procedures that allow the Majority Leader to discharge a bill from committee after a tie vote with a simple majority vote of the full Senate. The Majority Leader could file a discharge petition to get S.1 – the original version – out of the Rules Committee and onto the Senate calendar, with a plan to later amend the original version with the Committee's substitute amendment if/when the Senate proceeds to debate S.1.