

Key Facts on the Freedom to Vote: John R. Lewis Act Updated January 19, 2022

On January 13, 2022, the U.S. House of Representatives passed the Freedom to Vote: John R. Lewis Act, named for the late congressman and civil rights leader. The Freedom to Vote: John R. Lewis Act is a package of reforms intended to ensure voters can cast their ballots safely and freely; end partisan gerrymandering tactics used to advantage parties' electoral prospects; prevent elections from sabotage; and curb the influence of corporate interests and dark money in politics. These reforms address the loopholes exploited by some in attempts to overturn the 2020 presidential election results and recent state-level efforts to make it harder to vote, as well as long-standing needs to ensure fair redistricting and curb dark money political spending.

The Freedom to Vote: John R. Lewis Act combines elements of S. 2747, the Freedom to Vote Act, and S. 4, the John R. Lewis Voting Rights Advancement Act. Below is a brief description of key provisions in the Freedom to Vote: John R. Lewis Act.

Protecting the Freedom to Vote

When the <u>Supreme Court gutted the Voting Rights Act</u> of 1965, it opened the door to <u>attacks on Americans' ability to make their voices heard</u> during elections. In 2021 alone, <u>34 bills that made voting more onerous were signed into law</u> in 19 states. The Freedom to Vote: John R. Lewis Act would require federal review of specific voting practices known to have been used to discriminate against voters of color; restore voters' ability to challenge racial discrimination in court; and pause discriminatory voting changes during judicial review.

The bill also aims to make elections safer and more accessible for all by enacting automatic voter registration for each state, requiring online and same-day voter registration, restoring the right to vote for returning citizens, and more. In addition, it allows all voters to vote by mail and sets guidelines to address states' efforts to restrict the practice. Currently, <u>only 34 states and the District of Columbia</u> allow all voters to vote by mail.

Ending Partisan Gerrymandering to Ensure Fair Representation

While the Constitution and the Voting Rights Act prohibit "racial gerrymandering"—drawing districts in a way that disenfranchises a racial minority group—<u>the Supreme Court ruled</u> in *Rucho v. Common Cause* that "partisan gerrymandering" cases are not within federal courts' jurisdiction and must be considered by state courts or addressed by Congress. The Freedom to Vote: John R. Lewis Act bans partisan gerrymandering explicitly—including in maps already finalized by the states for the 2022 midterm elections—and allows for expedited court consideration of maps that are challenged under the new law.

Preventing Election Sabotage

In the wake of partisan <u>efforts to overturn</u> the 2020 presidential election results, the Freedom to Vote: John R. Lewis Act establishes new protections to safeguard nonpartisan state and local officials who administer elections against partisan interference. It additionally requires states to use voter-verified paper ballots and sets standards for post-election audits. <u>According to Politico</u>, instituting such standards would help to avoid the "ad-hoc election reviews" undertaken in some states following the 2020 election.

The bill also creates a "duty to report" requiring federal campaigns to disclose foreign offers of campaign assistance. Ahead of the 2020 presidential election, the intelligence community told Congress that <u>the Russian government</u>, <u>which</u> <u>interfered in the 2016 election</u>, <u>was working to secure President Trump's reelection</u>.

Curbing the Influence of Corporate Interests and Dark Money

The Freedom to Vote: John R. Lewis Act requires groups that spend money in elections to disclose their top donors. Groups that advocate on behalf of or against federal judicial nominees, such as Supreme Court justices, would also have to reveal their funders. In addition, the bill would apply the same disclaimer requirements as broadcast ads to political ads sold online, ensuring voters can identify who funded the ads they see on the Internet.