

**AMERICAN CONFIDENCE IN ELECTIONS:
THE PATH TO ELECTION INTEGRITY
IN THE DISTRICT OF COLUMBIA**

JOINT HEARING

BEFORE THE
COMMITTEE ON OVERSIGHT AND
ACCOUNTABILITY
AND THE
COMMITTEE ON HOUSE ADMINISTRATION
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTEENTH CONGRESS

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Documents are available at: docs.house.gov.

**AMERICAN CONFIDENCE IN ELECTIONS:
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IN THE DISTRICT OF COLUMBIA**

Wednesday, June 7, 2023

HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
JOINTLY, WITH THE
COMMITTEE ON HOUSE ADMINISTRATION
Washington, D.C.

The Committee met, pursuant to notice, at 10:03 a.m., in room HVC–210, Capitol Visitor Center, Hon. Bryan Steil [Chairman of the Committee on House Administration] presiding.

Present for the Committee on House Administration: Representatives Steil, Loudermilk, Griffith, Bice, Morelle, Sewell, and Torres.

Present for the Committee on Oversight and Accountability: Comer, Grothman, Palmer, Higgins, Sessions, LaTurner, Armstrong, Timmons, Greene, Edwards, Langworthy, Raskin, Norton, Connolly, Khanna, Ocasio-Cortez, Porter, Bush, Brown, Stansbury, Robert Garcia of California, Frost, Balint, Lee of Pennsylvania, Crockett, and Goldman.

Mr. STEIL. The joint hearing of the Committee on House Administration and the Committee on Oversight and Accountability will come to order.

After conferring with Chairman Comer, we agreed that today's joint hearing will operate under the rules of the House Committee on House Administration.

I note that a quorum is present. Without objection, the Chairman may declare a recess at any time. Also, without objection, the meeting record will remain open for 5 legislative days so Members may submit any materials they wish to be included therein.

I will now recognize myself for the purpose of making an opening statement.

I would like to thank Chairman Comer and Members of the Oversight and Accountability Committee for joining today's Committee on House Administration for our joint hearing.

This is the third full Committee hearing in the Committee on House Administration's "American Confidence in Elections" series, leading up to the reintroduction of the American Confidence in Elections Act, or the ACE Act.

The ACE Act is the most conservative election bill to be considered in the House in over 20 years. It works to boost voters' confidence and uphold the Constitution by ensuring states maintain

primary control over elections, not the Federal Government. This is in stark contrast to House Democrats' efforts the last two Congresses, which would have nationalized our election system and centralized it in Washington, DC.

Voters' confidence in our election system is not a partisan issue, and I will note that voters from both parties have had questions in the past. The ACE Act will equip states with voluntary tools that they can implement to boost voter confidence and strengthen election integrity.

However, while the Constitution clearly reserved power over elections to the state, it explicitly gives Congress the responsibility to ensure the District of Columbia is governed effectively, including elections. That is why it is important to have today's hearing alongside the Oversight Committee.

The goal of today's hearing is to discuss how we can ensure elections and boost voter confidence in the District of Columbia by implementing key election reforms outlined in the ACE Act.

For years, D.C. elections have been mismanaged. In 2015, the Board of Elections sent verification postcards to 260,000 inactive voters, with nearly 40,000 of those returned as undeliverable. It is a big number.

In 2015, the D.C. Auditor reviewed a list of people who died the year before. Every single person reviewed was still on the voter rolls and eligible to vote.

D.C. failed its audit. It is a huge problem. When a person dies, they should be removed from the voter rolls. The ACE Act fixes this problem.

In 2020, D.C.'s bad decisions continued. During the primary, voters waited in line at some polling locations for hours and some never received mail-in ballots. D.C. then made the decision to allow voters to submit ballots by unsecured email. This raises serious concerns about election integrity and erodes confidence in our elections.

In the 2020 general election, the D.C. Board of Elections mailed every person on an unmaintained list a ballot. A post-election audit found that 11 percent of the 421,000 ballots sent were undeliverable. That is nearly 50,000 ballots.

Two years later, during the 2022 midterm, 508,000 ballots were mailed, and nearly 90,000 were undeliverable. That is on top of hundreds of voters who were mailed incorrect ballots.

Did D.C. work to address these errors? No. D.C. allows voting without a photo ID. D.C. allows ballot harvesting. D.C. allows non-citizens to vote. It is a huge problem. The ACE Act will fix it.

We already know that left-leaning organizations accept millions in foreign money intended to influence American politics. We should all work against foreign influence in our elections. But what will D.C. do?

Under a new local law, D.C. made elections more susceptible to foreign interference. After living here for just 30 days, embassy staff from Russia or China could cast a ballot in Washington, D.C. elections. This is beyond unacceptable.

American elections should be for American citizens. Our Nation's Capital should be a beacon of democracy and a national model for excellence in elections administration.

This is not about who wins or loses elections, but rather ensuring voters have confidence in our elections. That is why we need the ACE Act.

I am focused on using Congress' constitutional authority to bring commonsense election integrity reforms to the District and protect its voters.

The ACE Act takes D.C. from being the poster child on how not to run an election to being the model for states to follow.

The ACE Act will make ten essential reforms in D.C., including, one, requiring strong voter ID laws; two, prohibiting noncitizens from voting; three, requiring annual voter list maintenance; and four, stopping unsolicited mailing of ballots to unmaintained lists.

Contrary to what many on the left have said, including what I anticipate we will hear today, the data shows that states that have implemented commonsense election integrity laws have experienced increased voter turnout.

It is time to follow the facts and not the false narratives. If Democrats want to work together to encourage more people to vote, they can start by supporting the ACE Act to strengthen voter confidence right here in our Nation's Capital.

Thank you.

Mr. STEIL. And I now recognize the Chairman of the Committee on Oversight and Accountability, Mr. Comer, for the purpose of providing an opening statement.

Mr. COMER. Thank you, Mr. Chairman.

Today we gather with our friends at the Committee on House Administration to consider the election laws of the District of Columbia and the provisions of Title I, Subtitle D of the American Confidence in Elections Act, or the ACE Act.

The right to vote is a hallmark of our Republic. Americans' voices are heard when their ballots are cast. Americans must have confidence that our Nation's elections are free and fair.

Unfortunately, in recent years we have witnessed firsthand how a lack of safeguards delay election results, creating uncertainty.

Political operatives are abusing the practice of ballot harvesting in many jurisdictions across the country. Mail-in voting has been dramatically expanded without safeguards, hurting the voters' confidence in our election systems. For example, ballots are showing up at wrong or outdated addresses due to inaccurate voter lists. Ballots are even being sent to voters who have died.

The primary characteristics of the American voting system should be transparency and certainty, not confusion and doubt. The American people should be confident in our voting processes and confident that their vote counts. And that includes in our Nation's Capital.

That is why we are introducing the ACE Act. The ACE Act sets forth best practices to ensure a safe, accessible, and secure election system.

Our Nation's Capital, which falls squarely under Congress' jurisdiction, will adopt these best practices and serve as a model for the rest of the country. The system will require valid identification to vote, prohibit ballot harvesting by unrelated third parties, ensure public access to observe the election process, ensure security of mail-in ballots, prohibit non-U.S. citizens from voting in D.C. elec-

tions, and implement other commonsense reforms, like routine maintenance of official voter rolls.

This act also respects the Federalist approach to our election system enshrined in the Constitution. Instead of Federalizing our electoral system, as our Democrat colleagues tried to do last Congress, this Act respects the state to administer its elections in the best way for the voters of that specific state.

The reforms of the ACE Act will hopefully create a system that other states will look to as a model for a secure election system. Americans need to have faith that their elections are secure, and this legislation works to restore confidence in these systems.

I look forward to hearing the testimony of our witnesses and to discussing how this body can legislate commonsense reforms to elections in Washington, D.C. that the states can look to as a model for secure and fair elections.

Mr. Chair, I yield back.

Mr. STEIL. Thank you.

I now recognize the Ranking Member of the Committee on House Administration, Mr. Morelle, for the purpose of providing an opening statement.

Mr. MORELLE. Good morning. Thank you, Chairman Steil, for welcoming us today.

And thank you to Chair Comer and my good friend Ranking Member Jamie Raskin and my colleagues on the Oversight Committee for being with us today.

I would say this is becoming tedious, but I think we passed that point months ago. For at least the seventh time this Congress, in what is not even 6 months old, the Committee on House Administration has held an elections-related hearing to discuss the speculative, by all measures entirely unproven, lack of integrity Republicans claim exists in our elections. It appears the Committee on House Administration has turned into the Committee on Redundancy Committee.

The hyperfixation on the part of the majority concerns me. It concerns me because it appears my Republican colleagues refuse to believe the overwhelming conclusion reached by nonpartisan experts, by multiple Presidential administrations, including the Department of Justice under former President Trump, and by scores of witnesses under oath in front of congressional committees and grand juries: Our elections are secure.

Instead, the majority has taken us deeper down a rabbit hole, desperately seeking some justification for their unpopular policies that would restrict access to the ballot. Today they have really gone off the deep end.

Our colleagues in the majority have brought in our friends from the Committee on Oversight to see if maybe some new faces can help them find what the Trump Department of Justice, the FBI, thorough investigations and audits in Democratic-and Republican-led states, Federal and state courts across the country, and the Committee on House Administration have all failed to find: any evidence at all that our elections lack integrity.

But today's hearing is even more cynical than in the past because it has the voters of Washington, DC, who already lack full voting representation in Congress, in its crosshairs.

I want to be absolutely clear: Elections in Washington, D.C., are among the most accessible and democratic in our country. They are also among the most secure.

The conservative Heritage Foundation's election fraud cases database lists zero—let me repeat, zero—instances of voter fraud in Washington, DC, since 1979.

But if we are being honest, this hearing is not actually about Washington, DC. This hearing and the entire ACE Act is about giving Republicans a platform to impose extreme restrictions on voters across this country.

They know how unpopular these policies are. They also know these extreme restrictions are necessary for them to succeed electorally, because Republicans would prefer a world in which fewer people can easily vote, especially people they believe will not support their party's agenda.

Perhaps instead of trying to disenfranchise voters, they should spend more time trying to make themselves more appealing to a broader swath of Americans, which might best explain why they have lost every Presidential popular vote since 1988 but one.

For the Republican majority, these hearings about so-called election integrity are about the past, about how they cannot publicly accept the outcome of the 2020 election, even though they know it is the truth. But for Democrats, ideas about voter access and voting rights are about the future.

These are two different views of the world. One is cynical and seeks to exclude and impede, to build barriers and keep voters out of the voting booth. The other, the one House Democrats hold dear, is aspirational, optimistic, and inclusive.

We have a vision of the Constitution so many Americans have embraced since before the Civil War, Americans who saw the urgent necessity of extending the right to vote to formerly enslaved people, to women, and to so many others, Americans who labored and organized and fought to realize that vision.

My community of Rochester, New York, is an essential part of that legacy, the home and burial place of Frederick Douglass, who wrote *The North Star* from Rochester, New York. It is the location of Susan B. Anthony's historic vote in 1872's Presidential election where she was arrested for trying to participate in our democracy.

House Democrats are proud to continue in this tradition, to walk the long but always righteous path toward real, full enfranchisement that so many throughout our Nation's history have walked before. It is disappointing that our Republican colleagues have chosen a very different path.

Thank you, and I yield back.

Mr. STEIL. The gentleman yields back.

I now recognize the Ranking Member on the Committee on Oversight and Accountability, Mr. Raskin, for the purpose of making an opening statement.

Mr. RASKIN. Chairman Steil, thank you very much. Good morning to you and Chairman Comer and to my friend, Mr. Morelle, the Ranking Member of House Admin.

Good morning, everyone.

What do you know, it has been more than a week, so it must be time for another hearing designed to inflict insult and injury on 700,000 disenfranchised Americans living in the Nation's Capital.

Not only do our esteemed GOP colleagues want to block the statehood drive of our fellow Americans from Washington, D.C. and permanently deny them voting representation in the U.S. Senate and U.S. House, not only do they want to roll back home rule, micromanage the D.C. Council, and blame them for the problems caused by their second-class political status, now they want to lecture them about democratic elections and voting rights while making it far more difficult for D.C. residents to register and to vote in the elections that they do get to vote for, for the few offices open to them, like D.C. Council, school board, and Mayor.

So, while the GOP is pushing the ACE Act to empower states to clamp down on voting rights nationally, they also seek to directly impose this extreme anti-voter, anti-democratic legislation as a political straitjacket on the people of Washington, DC.

While Republicans claim to be advancing election integrity, the bill's obvious aim is to disenfranchise people and to make it more difficult to vote.

And there is a history of this. In "Democracy in America" Tocqueville observed that democracy in our country is always either shrinking and constricting under attack or it is growing and expanding. And surely, it is time for us to get back on the growth track and to stop these assaults on voting rights.

But Republicans have thrown away the legacy of President Lincoln and now embrace the big lies and electoral corruption and manipulation of Donald Trump, who runs their party like an authoritarian cult of personality.

Instead of bringing the people of Washington, DC, into the Union on an equal footing with the people of the 50 states, they seek to bring the disenfranchisement and political marginalization afflicting D.C. to people all across America with their proposals for tactical voter suppression, election repression, and registration depression.

And what is the justification for their sledgehammer attack on local elections in Washington today? There is none. D.C. already has free, fair, and secure elections for the public offices that are open to the people. In fact, D.C. has some of the most accessible and secure elections in the country.

Through its pro-voter laws, D.C. has one of the highest registered voter rates in the country. And the local noncitizen voting policy identified by the Chair is just for local elections, not for D.C.'s non-voting Delegate in the House of Representatives.

And this policy, by the way, follows up upon what was a central article of faith for the Republican Party in the 19th century: that people who come to the country as immigrants, who are on the pathway to citizenship, should have the right to vote and participate in local and school board elections.

And I would refer to my friend from Wisconsin a unanimous decision of the Wisconsin Supreme Court in 1863 called in re Wehlitz, unanimously upholding Wisconsin's longstanding practice of granting noncitizens the right to vote at every level of government in Wisconsin.

And, of course, President Lincoln, if you studied history, was a great champion of giving noncitizens the right to vote in our country, which is why a lot of people, his opponents, anti-immigrant opponents, argued that he was in public office illegitimately because of the immigrant vote in Illinois, Wisconsin, and New York.

But in any event, the Heritage Foundation's election fraud cases data base identifies zero instances of voter fraud in Washington, D.C., since 1979. That is no election fraud in the Nation's Capital in the last 44 years. And D.C.'s very strong pro-voter, pro-registration policies are clearly conducive to election integrity and have not led to any episodes of voter fraud that I am aware of, but perhaps the majority has some in mind.

The only plausible reason for this legislation today is for people who really know nothing about local Washington, DC, beyond Capitol Hill, to use D.C. as a whipping post, a guinea pig, and a sacrificial lamb in their effort to constrict the vote and depress participation nationally.

With this hearing, our friends in the GOP have moved from the macro suppression of representation, voting rights, and political voice in Washington to the micro suppression of local voting rights to keep people from even getting to the polls to cast ballots for candidates for the few offices that D.C. residents are actually allowed to fill.

This bill is unnecessary, unfair, undemocratic, and unworthy of this body.

Thank you, and I yield back.

Mr. STEIL. The gentleman yields back.

Without objection, all other Members' opening statements will be made part of the record if they are submitted to the Committee clerk by 5 p.m. today.

Pursuant to paragraph b of Committee Rule 6, the witnesses will please stand and raise your right hand.

[Witnesses sworn.]

Mr. STEIL. Let the record show that the witnesses have answered in the affirmative and may be seated.

I will now introduce our witnesses.

Our first witness, Mr. Ken Cuccinelli, serves as the National Chairman on the Election Transparency Initiative. Previously, Mr. Cuccinelli served in the Federal Government, first as Acting Director of the U.S. Citizenship and Immigration Services, and then as the Acting Deputy Secretary of the Department of Homeland Security.

Our next witness, Mr. Charles Spies, is a D.C. voter, has been providing strategic political law counsel at the highest levels for over two decades.

Our next witness, Ms. Monica Evans, serves as the Executive Director of the D.C. Board of Elections. Prior to joining the Board, Ms. Evans served as the Director of Grants Management at the U.S. Election Assistance Commission.

Our final witness, Ms. Wendy Weiser, directs the Democracy Program at the Brennan Center for Justice at the NYU School of Law.

We appreciate all of our witnesses being here today and look forward to your testimony. As a reminder, we have read your written statement, and it will appear in full in the hearing record. Under

Committee Rule 9, you are to limit your oral presentation to a brief summary of your written statements.

I now recognize Mr. Cuccinelli for 5 minutes for the purpose of making an opening statement.

**STATEMENT OF KEN CUCCINELLI
NATIONAL CHAIRMAN
ELECTION TRANSPARENCY INITIATIVE**

Mr. CUCCINELLI. Chairmen Steil and Comer and Ranking Members Morelle and Raskin, I am Ken Cuccinelli, chairman of the Election Transparency Initiative, where we work every day to help improve the transparency, security, and accessibility of elections in every state so that every American, regardless of color, creed, or party affiliation, has confidence in the outcome of every election.

Top of mind for today is the reintroduction of the ACE Act, which we support, and its second pillar concerning the election administration in the Nation's Capital.

Obviously, Congress can do this under article I, section 8, clause 17, which gives Congress power to exercise exclusive legislation in all cases whatsoever over the District.

The ACE Act, which features a host of state-based election integrity reforms that Congress can enact at their discretion, preserves this constitutionally prescribed balance by requiring reforms in D.C. but allowing states to choose.

Let me be clear: The ACE Act does not mandate changes to state election laws, and this is an important factor in ETI's support for the ACE Act. We view Congress in a role similar to a state legislature as it relates to the Nation's Capital, but only the Nation's Capital.

D.C. should be the gold standard for fair and honest elections in which every legal vote is cast and counted openly, equally, and with the highest standard of integrity.

But how is the administration of D.C. elections going?

Well, these distressing details are contained in my written testimony, and the Chairman walked through some recent examples. But, without question, D.C. elections are in profound disarray and have been poorly administered.

Thankfully, Congress can and should exercise its responsibility over D.C. to repair its self-inflicted broken system.

Current D.C. election laws are fraught with a host of anti-election integrity procedures and practices which, unfortunately, do more to sow doubt, confusion, and mistrust than they do to inspire confidence.

For example, same-day voter registration and automatic voter registration. And I would stress, registering to vote should be an affirmative act taken by an elector, not an automated command between differing systems and data bases.

Allowing preregistration of eligible 16-year-old residents, who are then automatically registered to vote upon turning 18.

Inflating the voter rolls with potentially ineligible voters that are then ripe for mismanagement, abuse, and even fraud.

No-excuse absentee voting with a permanent absentee voting list.

No ID requirement to vote after the voter has voted once in a previous election, just proof of residence, no photo required.

Unsecured and unguarded drop boxes.

And D.C.'s infamous noncitizen voting law, which would allow green card holders and residents or those here illegally to vote, so long as they are 18 or older and have been in D.C. for at least 30 days.

That is right, noncitizens, including foreign nationals who have pledged loyalty to other countries, such as Russia or China, would be allowed to vote in D.C., thanks in part to Senator Schumer and Senate Democrats who refused to preserve citizen-only voting when they had the chance.

Even The Washington Post recognizes that elections in our Nation's Capital should not be decided by the votes of Russian and Chinese nationals working at their country's embassies or noncitizens in the country illegally.

Ranking Member Raskin, who I sit before today, was asked during a February 6 Rules Committee hearing if he supported "allowing noncitizen staff of the Embassy of the Russian Federation the right to vote in D.C. elections."

He replied: "I have opposed Vladimir Putin's massive social disinformation campaign against American democracy, and I am opposed to Russian subversion of democracy all over the world. So, if they asked me my advice, I would say, 'Vote against that!'"

And now you will all have the chance to do just that with the introduction of the ACE Act.

The ACE Act would address D.C. elections through proven, fundamental, commonsense reforms rooted in ballot and voter integrity, beginning with voter ID for in-person and mail-in voting.

Voter ID, and particularly photo ID, is overwhelmingly popular among virtually every voting demographic, regardless of party, race, or where a man or woman lives, because it protects the right to vote in elections that are secure and fair.

Congress has work to do to fix D.C.'s elections and the problems referenced in my testimony today and my obviously longer submitted statement. These problems are America's problems, and the Election Transparency Initiative stands ready to assist in fixing them so the barriers to honest and accurate elections are replaced with those helping to guarantee certainty, trust, and confidence.

Thank you.

Mr. STEIL. Thank you, Mr. Cuccinelli.

Mr. Spies, you are now recognized for 5 minutes.

**STATEMENT OF CHARLES SPIES
POLITICAL LAW PRACTICE
DICKINSON WRIGHT**

Mr. SPIES. Thank you, Chairman and distinguished Members.

My name is Charlie Spies. I am in the Political Law practice at the Dickinson Wright law firm and have spent the past 25 years as an attorney in the election law arena. I have served as counsel to the Chairman of the FEC, election law counsel for the RNC, counsel to the D.C. Republican Party, and have done election law work in over 30 states. My wife and I are D.C. residents, and I have worked on multiple challenges before the D.C. Board of Elections.

If we can get reforms correct in D.C., it will be a model for states around the Nation.

We are facing a crisis of voter confidence in this country, with polls demonstrating that 37 percent of Democratic-leaning voters and 71 percent of Republican-leaning voters share concerns about the election system.

I want to be very clear: Free, fair, secure, well-run and transparent elections are a cornerstone of and certainly not a threat to democracy. Laws that create safeguards to ensure every legal vote is counted and increase transparency are not, to quote inflammatory rhetoric, so-called “Jim Crow 2.0.”

Effective election integrity efforts are not tedious, but instead they are important to increase confidence in our electoral process, which also results in increased voter participation.

Georgia and Florida recently passed commonsense reforms similar to the ACE Act here, and the result has been more participation and more confidence in the outcome of their elections.

The ACE Act will implement basic election reforms while also supporting states’ rights to manage their own election processes by making D.C. into a model for fair, secure, and transparent elections.

The two key principles of the ACE Act that will improve voter confidence are tools to make elections more effectively run and making elections more transparent.

Locally, the challenges with the administrations of elections in D.C. have been outlined by the Chairman and Mr. Cuccinelli.

The second component to improve voter confidence is transparency, which must include meaningful observation of all aspects of the voting process.

Multiple states recently used the pretext of COVID to thwart election observation efforts. And when you do not let poll workers see what is happening, or you do not have security or cameras on drop boxes, then people are going to question the process.

Transparency demonstrates that the process works and uncovers issues to be remedied in a timely manner. For example, Florida saw huge electoral turnout across all demographics in 2022 after implementing similar reforms to the ACE Act, and that should be our goal with D.C. reforms also.

The ACE Act contains numerous provisions to ensure D.C. elections are well-run and transparent: cleaning up voter rolls, adding voter ID requirements, prohibiting ballot harvesting, ending noncitizen voting, and expanding effective election observation.

Despite dishonest and divisive cries of voter suppression, the American people overwhelmingly support commonsense reforms like this to the election process.

Most of the reforms in the ACE Act have been tried in Florida and Georgia, and Florida’s S.B. 90 was a model for many of the safeguards.

The fact is that in Florida, despite assertions of suppression in 2022, turnout among all demographics was up, and the Court of Appeals to the 11th Circuit recently upheld the challenged provisions of it.

The same can be said about Georgia. After Senate Bill 202 was signed into law, Georgia received national backlash, but the reality

is that Georgia saw record-breaking turnout last November, and a University of Georgia survey of voters taken after the elections found that exactly zero percent of Black respondents reported a poor voting experience.

I am focused on Florida and Georgia because the ACE Act is based upon their commonsense reforms. And by bringing those here to Washington, DC, we can use it as a model for reform around the country.

Thank you for the invitation to discuss the opportunity to use D.C. as the model for electoral reform, and I look forward to answering your questions.

Mr. STEIL. Thank you very much, Mr. Spies.

Ms. Evans, you are now recognized for 5 minutes.

**STATEMENT OF MONICA HOLMAN EVANS
EXECUTIVE DIRECTOR
D.C. BOARD OF ELECTIONS**

Ms. EVANS. Thank you.

Chairman Steil, Ranking Member Morelle, Chairman Comer, Ranking Member Raskin, and Members of the Committees, I appreciate the opportunity to appear before you today to address the operations of the D.C. Board of Elections. I am here today in my role as Executive Director of the DCBOE, and today I would like to discuss the process of administering elections in the District.

The D.C. Board of Elections is a Charter independent agency comprised of a bipartisan three-board, who are each confirmed by the D.C. Council once nominated by the Mayor.

As the Executive Director, I am appointed by and serve at the pleasure of the Board. Along with a small but dedicated staff, I am responsible for carrying out the Board's mission.

My office does not introduce legislation, we do not pass legislation, nor do we opine on legislation. We do not comment on the policy decisions made or proposed by elected officials. We implement election laws as they exist or as they may be amended from time to time by elected officials. When needed, we comment to the D.C. Council regarding the administrative requirements and the fiscal impact of implementing pending legislation.

Similar to Congress, the D.C. Council solicits feedback from constituents and hosts public hearings prior to the enactment of any legislation.

As you know, in the District of Columbia there is also a 30-day congressional review period for all Council-enacted legislation. Once a D.C. law passes congressional review, we administer it with neutrality and independence.

Generally, DCBOE considers its efforts successful when all eligible individuals who wish to participate in the electoral process can do so simply, efficiently, and without barriers, and with confidence that their votes will be counted as they intended, and stakeholders have confidence in the management of the process and the result.

DCBOE works and collaborates with states and local elections offices through its participation in national organizations, including the Election Center, the National Association of Election Directors, and the National Association of Secretaries of state.

DCBOE interacts with the Election Assistance Commission. Our collaboration with the Federal Voting Assistance Program is to implement the online voter registration and absentee ballot request system for military and overseas voters. We are also pleased to work with inter-jurisdictional efforts that help us maintain our voter registration lists.

Through the Electronic Registration Information Center or otherwise, our goal is simply to maintain accurate voter rolls in our jurisdiction, which is, relative to states, more transient and constantly in motion.

We ensure the integrity of every election by putting measures and safeguards in place that warrant confidence in the elections process. We are transparent with our operations, and our reports are published on our website. Our operations are open and accessible to members of the public.

Prior to each election, DCBOE conducts logic and accuracy testing that is designed to verify the ballot counting program, prepare voting equipment, and certify that the voting equipment properly reads and tabulates votes. Tests are conducted prior to every election and may be observed by members of the public.

Further, DCBOE conducts a manual audit after primary and general elections. Members of the public are able to observe and verify that votes are correctly classified and tallied. The audit report must be completed before election results are certified.

We conduct 100 percent signature verification on all returned mail ballots. Trained employees review scanned signatures from ballots against signatures we have on file. If there is a signature mismatch or if there is no signature, we have a cure process. Voters certify that they are the individual who voted by signing a voter certificate.

DCBOE provides guidelines for poll watchers and election observers to ensure the orderly conduct of elections and to protect the rights of all participants in the voting process. We have also been awarded for our efforts.

In closing, DCBOE has a dedicated staff that administers elections effectively and with integrity. We work with other jurisdictions to share information and election practices. Simply stated, we are charged with adhering to and implementing election laws that pertain to the District of Columbia.

Mr. STEIL. Thank you very much, Ms. Evans.

Ms. Weiser, you are now recognized for 5 minutes.

**STATEMENT OF WENDY WEISER
VICE PRESIDENT, DEMOCRACY
BRENNAN CENTER FOR JUSTICE
NYU SCHOOL OF LAW**

Ms. WEISER. Thank you, Chairman Steil, Chairman Comer, Ranking Member Morelle, and Ranking Member Raskin.

Free and fair elections are the cornerstone of American democracy, but they are facing serious and, in many ways, unprecedented threats.

The problem is not voter fraud. We have just had two of the most secure Federal elections in American history.

The problem is a sustained, anti-democratic push to reduce access to voting, meddle in election administration and equipment, and create a climate of fear around elections while underinvesting in real access and security needs.

This push has been driven by false claims and election denial, and it threatens to undermine the freedom to vote and election integrity in future Federal elections.

At the Brennan Center for Justice, a nonpartisan think tank and law center, we are tracking four kinds of threats.

First, Americans are facing a more concerted effort to restrict access to voting than we have in generations. Last year, voters in 20 states faced 33 new laws making it harder to vote, and this year we are on a similar track.

These laws especially target voters of color. And it is not the case that turnout is up equally across all demographics. In fact, nationally, the turnout gap between White and non-White voters was larger in 2022 than in any Federal general election since at least 2000, and it is growing.

Second, our elections face elevated levels of harassment and threats of violence. Election officials in particular have been targeted relentlessly, but voters and even elected officials have not been spared.

Third, we are seeing increasing efforts to sabotage election administration and outcomes, from attempts to prevent certification of valid results to new laws making it easier for partisans to interfere in election counting and election administration.

Fourth, there are increased threats of infiltration of election systems, along with risks from aging and less secure equipment.

These problems are not specific to the District of Columbia. They are national problems that require a strong national response. And I submit that response is the Freedom to Vote: John R. Lewis Act, which came achingly close to becoming the law last year, and Congress should pass that now.

Today's hearing on the ACE Act underscores the central role that Congress ought to play in ensuring that every eligible American can cast a ballot and have that ballot securely counted.

The U.S. Constitution gives Congress extremely broad authority to set baseline national standards for voting and election administration in Federal elections.

Unfortunately, the ACE Act's mandates for Washington, DC, fail to meet this moment. Rather than improving voting access and election integrity, it would roll back critical pro-voter advances that are working well in the District and across the country.

For example, it would repeal same-day registration and impose one of the earliest registration deadlines in the country, transforming D.C.'s registration system from one of the most accessible in the country to one of the least.

And although Congress has the authority to make laws for D.C., it should afford the District the same opportunity as other jurisdictions to set its own local election rules, subject to whatever baseline pro-voter election standards that Congress sets for the Nation.

At bottom, the ACE Act would restrict voting access for D.C.'s hundreds of thousands of voters, none of whom have voting representation in the Congress considering this bill, and that is unfair.

The people of the District of Columbia deserve the same local sovereignty that other Americans have. They also deserve the full representative citizenship that can only be obtained via statehood.

D.C. has a larger population than Vermont or Wyoming, and its citizens pay more taxes than those of 22 states. D.C. voters overwhelmingly voted in favor of statehood. For the District's majority non-White population, this is not just a matter of self-determination, but also an essential civil rights issue.

So rather than focusing solely on D.C. and trying to make the District a model for others, we urge Congress to address the urgent threats facing our national elections. Congress should pass sensible pro-voter, pro-democracy baseline standards that apply equally across the country, the standards in the Freedom to Vote: John R. Lewis Act. Our democracy can not wait.

Thank you.

Mr. STEIL. Thank you very much.

I will begin our questions today, followed by Ranking Member Morelle. We will then alternate between parties, and because this is a joint hearing, alternate between membership of each Committee by seniority, respectively.

We have 57 Members here, about one-eighth of the House of Representatives, and so I will hold us quite tightly to the 5 minutes.

I will now recognize myself for the purpose of questioning our witnesses.

Ms. Evans, if I can start with you. You are the current Executive Director of the D.C. Board of Elections. You do not make election law, but you implement election policy. Is that correct?

Ms. EVANS. That is correct.

Mr. STEIL. And so, in Washington, DC, if you are a D.C. resident, you would need a photo ID to board an airplane. You would need a photo ID to buy a six-pack of beer.

Do you need a photo ID to vote in a D.C. election?

Ms. EVANS. When an individual shows up to a vote center, they do not need to submit a voter identification.

Mr. STEIL. So you do not need photo ID if you are voting in Washington, DC.

Ms. EVANS. That is correct.

Mr. STEIL. Although you would need it to buy a six-pack of beer, you would need it to board an airplane.

Ms. Evans, did D.C. just pass a law that would allow noncitizens to vote in D.C. elections?

Ms. EVANS. In D.C. local elections, that is correct.

Mr. STEIL. So, starting in 2024, next year, noncitizens will be allowed to vote in D.C., correct?

Ms. EVANS. In local elections, that is correct.

Mr. STEIL. So, Mr. Cuccinelli, if I can, Ms. Evans said not only does D.C. allow noncitizens to vote, they do not require photo ID to vote in D.C. elections.

Doesn't that mean that people who are not eligible could vote in D.C. elections?

Mr. CUCCINELLI. Yes, particularly when you have a system that is not running very well in the first place. Yes.

Mr. STEIL. So, isn't it important that people are who they say they are when they show up to the polls, and photo ID would help ensure that?

Mr. CUCCINELLI. Absolutely. And that is actually the phrasing I recall Vice President Harris using in a BET interview about 2 years ago.

Mr. STEIL. So, Mr. Cuccinelli, let me shift gears slightly. Under D.C.'s kind of crazy new noncitizen voting law, doesn't that mean that embassy staff at the Russian Embassy or the Chinese Embassy, after being in Washington, DC, for just 30 days, could vote in D.C. elections?

Mr. CUCCINELLI. That is exactly what it means.

Mr. STEIL. And so, if Washington, D.C., implemented photo ID for voting and allowed noncitizens to vote, an individual working at the Russian Embassy could pull out a Russian Embassy passport and vote in our Nation's Capital?

Mr. CUCCINELLI. That is exactly right.

Mr. STEIL. That is ridiculous.

The ACE Act—

Mr. CUCCINELLI. That is also exactly right.

Mr. STEIL. It is ridiculous. This is the Nation's Capital. We should not have Russian Embassy or Chinese Embassy staff voting in our elections. In fact, only U.S. citizens should be voting in American elections.

Mr. Cuccinelli, the ACE Act is the strongest conservative election integrity legislation to be considered in the House in a generation. But the left kind of comes at it with these visceral attacks, the same attacks that they tried to use in Georgia when Georgia passed their voter integrity provisions. In fact, last night the Committee on House Administration Democratic Twitter account said the ACE Act directly threatens the District and our democracy.

Does photo ID threaten the District and our democracy?

Mr. CUCCINELLI. No, it protects it.

Mr. STEIL. Does prohibiting noncitizens from voting, is that a threat to democracy?

Mr. CUCCINELLI. It protects the democracy and the value of U.S. citizenship.

Mr. STEIL. Does maintaining clean voter rolls, is that a threat to democracy?

Mr. CUCCINELLI. No. It is a protection for democracy.

Mr. STEIL. So, what are they talking about?

Mr. CUCCINELLI. They are talking about a 20-year-old narrative where they attack anything that makes elections cleaner and more secure and more transparent. It is not a new attack. It has been going on for a long time. This is just the modern version of it.

We heard the "Jim Crow 2.0." Charlie Spies touched on this. And Georgia was the center point of this over the last 2 years. That is where the real explosion took place.

Mr. STEIL. And after all this hyperbole in Georgia, the President of the United States leans in, makes false claims. The Washington Post comes back, gives four Pinocchios to the President. The false narrative is driven. Major League Baseball removes the All-Star Game from Atlanta off this false narrative.

Then we get to the election. What happens in Georgia? Was the narrative, was the Democratic narrative proven true?

Mr. CUCCINELLI. No, they had record turnout. The narrative was proven completely false. And one of the universities down there, obviously from the left side of the spectrum politically, polled after and found that zero percent—zero percent—of Black voters had a bad voting experience. And the Black and White report of good voting experience was within tenths of a percent of one another, over 72 percent of both populations.

Mr. STEIL. Which shows that putting in place good election integrity laws actually increases voter confidence and increases voter turnout across demographic groups.

I think that is important. That is what the ACE Act does. I appreciate your comments here.

And I yield back.

I will now recognize the Ranking Member, Mr. Morelle, for 5 minutes for the purpose of asking questions.

Mr. MORELLE. Thank you, Mr. Chairman.

Let me begin.

Mr. Cuccinelli, did Joe Biden win the 2020 Presidential election?

Mr. CUCCINELLI. Well, he is the President today, so, yes.

Mr. MORELLE. Yes, he did win the election?

Mr. Spies—that is your answer, he did win the election?

Mr. CUCCINELLI. He is the President today. So, yes, he won the election.

Mr. MORELLE. Well, the question of whether or not he is the President and the question of whether or not he won the election are actually two different questions.

In your opinion, did he win the election?

Mr. CUCCINELLI. He is the President today and he got the—and it is because he won that election, yes.

Mr. MORELLE. OK.

Mr. CUCCINELLI. And he won that election because the Hunter Biden story was suppressed and because of Zuckerbucks.

Mr. MORELLE. Wow.

Mr. Spies, did Joe Biden win the 2020 Presidential election.

Mr. SPIES. George Bush won the 2000 and 2004 election. Donald Trump won the 2016 election. Brian Kemp won the 2018 election. And Joe Biden won the 2020 election. All were challenged.

Mr. MORELLE. OK. Ms. Holmes, did Joe Biden win the 2020 election?

Ms. EVANS. I am assuming you are addressing me, Ms. Evans. And, yes, that is correct.

Mr. MORELLE. I am sorry. Ms. Evans, my apologies, yes.

Ms. Weiser, did Joe Biden win the 2020 election?

Ms. WEISER. Yes, he did.

Mr. MORELLE. I would like to stick with you, Ms. Weiser.

In the aftermath of the 2020 election, the threats to election workers rose significantly, many election workers targeted by internet rumors, public officials, even by the then President of the United States. And yet they are a key element in our democratic process. Commonsense rules are needed to ensure election workers can keep their workplace safe and secure.

And I would love your opinion. First of all, can more be done to protect poll workers and others who facilitate and support our elections? And then does the ACE Act do enough, in your opinion, to support safety and security of election workers?

Ms. WEISER. Thank you for your question.

Absolutely, more can and must be done to protect election workers in America. The Brennan Center has been actually surveying local election officials for the past several years, and we have documented an alarming spike in threats and harassment of election officials.

Just earlier this year, we found that nearly one in three election officials have been threatened, harassed, or abused for doing their jobs. Forty-five percent fear for the safety of their colleagues, and more than one in five are concerned about being assaulted on the job. And the concerns are actually the highest for election officials that are serving communities of color in America.

In addition to facing these threats, they have too few resources to address them. And across the country, election officials are reporting that they do not have the resources to ensure the physical safety and security of their election workers, of their polling places, and of their homes, and this is something that Congress can assist.

But, in addition, we need to have clear standards that ensure that election officials have the same protections as voters and others against harassment and intimidation. We need to protect their privacy and against doxxing. And we need to have baseline national standards that actually reduce the incentive to threaten and harass election officials and depoliticize election administration.

These are critical reforms, most of which are in the Freedom to Vote: John R. Lewis Act. They are not in the ACE Act, which does not at all address the safety concerns of election officials.

To the contrary, actually. It has some provisions that increase risks of election officials by empowering partisan polling place observers and preventing election officials from being able to manage polling places to ensure the safety of election workers in the polling places.

Mr. MORELLE. Thank you.

Mr. Cuccinelli, the subject of the hearing concerns the confidence of the American public in the integrity of election process.

And I believe Americans, if they have any reason to be concerned, it would be about the efforts of the former President to overturn a fair and legitimate election to retain power and stop the peaceful transfer of power, which has been so fundamental to American democracy.

Richard Donoghue served as the second-highest ranking official at the Justice Department during the Trump Administration. He testified under penalty of perjury about a conversation former President Trump had with you on December 31, 2020. He testified the President asked you whether the Department of Homeland Security could seize voting machines—frankly, a desperate attempt to overturn the election.

I note that in your—my colleague Mrs. Torres has asked about your response, which is at significant odds with the testimony under perjury. I look forward to your response to her questions.

Mr. STEIL. The gentleman yields back.

The Chairman of the Committee on Oversight, Mr. Comer, is now recognized.

Mr. COMER. Thank you.

Mr. Cuccinelli, you have already stated that you are like a majority of Americans. You oppose allowing non-U.S. citizens the right to vote. Is that correct?

Mr. CUCCINELLI. Absolutely.

Mr. COMER. On January 31 of this year, I introduced House Joint Resolution 24, a resolution disapproving the D.C. Council's bill to allow noncitizens to vote.

Mr. Cuccinelli, would you have supported this bill?

Mr. CUCCINELLI. Absolutely.

Mr. COMER. I am glad you say that. I am also glad that 42 of my Democrat colleagues agreed with you and voted in favor of that legislation when it passed the House on February 9.

Mr. Cuccinelli, do you agree that allowing foreign nationals, including foreign nationals from countries that are openly hostile to the United States, to cast votes in the municipal elections of our Nation's Capital pose severe security risks?

Mr. CUCCINELLI. I certainly do, and find it a rather brazen invitation to foreign interference in a local election.

Mr. COMER. I have to state this, Mr. Chairman. The D.C. Mayor and City Council members play a crucial role in emergency preparedness for the city. And now foreign nationals will have a say in who holds those elected positions? That is something that we should all be very concerned about.

Mr. Cuccinelli, Title I, Subtitle D of the ACE Act would prohibit a noncitizen from voting in a D.C. election. Do you support such a provision?

Mr. CUCCINELLI. Absolutely.

Mr. COMER. So, the ACE Act uses what it considers to be best practices and implements them within the District, which falls under the jurisdiction of the U.S. Congress, to have our Capital become a poster child for safe, secure, and accessible elections.

Mr. Cuccinelli, do you believe the reforms contemplated by the ACE Act would bring us closer to this goal?

Mr. CUCCINELLI. Much closer. Yes, Congressman.

Mr. COMER. Thank you.

Mr. Chairman, I yield back.

Mr. STEIL. The gentleman yields back.

Mr. Raskin, the Ranking Member on the Committee on Oversight, is recognized for 5 minutes.

Mr. RASKIN. Thank you.

I am charmed by my colleagues' sudden interest in Russian subversion of American elections, something that they used to describe as the Russian hoax.

If only they had shown a fraction of the interest in stopping Donald Trump's sellout of the American Government to Vladimir Putin on everything from NATO to Syria to Ukraine as they are showing about the possibility that a handful of Russian diplomats could sway an advisory neighborhood commission election in Dupont Circle, America would be in a much stronger position today.

Mr. Spies, several provisions of the ACE Act seek to shield or limit donor disclosure, masking the true source of funding in our

elections and hampering the ability of the FEC to enforce the foreign national prohibition. The ACE Act could lead to millions of dollars in hidden foreign spending hitting our airwaves and influencing our elections.

Now, I want to talk about this kind of foreign interference. As you know, it is unlawful for any person to solicit, accept, or receive a contribution or donation from a foreign national.

Do you agree it is important to ensure that foreign nationals do not make a contribution or donation of money or something else of value in connection with a Federal, state, or local election?

Mr. SPIES. Yes.

Mr. RASKIN. And you are counsel to the super-PAC Right to Rise USA. Is that right?

Mr. SPIES. Yes.

Mr. RASKIN. In Matter Under Review 7122, the FEC fined Right to Rise USA and American Pacific International Capital, APIC, a California corporation controlled by two foreign national Chinese citizens, \$940,000, at the time the third-largest penalty the FEC had ever issued. The penalty followed reporting that identified two illegal APIC donations totaling \$1.3 million to Right to Rise.

Now, as I am sure you remember, Mr. Spies, you were also fined by the FEC in this matter as the treasurer of Right to Rise.

This incident is a concrete example of actual foreign interference in our elections. Shouldn't Congress be doing everything in its power to stop concrete actual foreign interference, like strengthening the ban on foreign national money and promoting disclosure of the true sources of election-related spending?

Mr. SPIES. Almost everything you just stated there was factually incorrect. I would suggest the staffer who wrote that for you should research what happened there.

Long story short, what you are talking about is an American subsidiary under the control of U.S. citizens that gave money to a super-PAC. Everybody—

Mr. RASKIN. So, what was the fine for?

Mr. SPIES. There was a conciliation agreement, which means that you settle with the Commission. And the PAC paid—

Mr. RASKIN. Because of foreign money, right?

Mr. SPIES. It was not. There was never foreign money. The allegation was that it was U.S. money, but that a foreign national was the counsel at the foreign company.

By having legal review of whether it was permissible to contribute, that meant that you had a foreign citizen allegedly involved in the contribution, but it was never alleged to be foreign money. This was U.S. money, but there was a foreign lawyer involved in it.

Mr. RASKIN. OK. I am going to have to cut you. Send us a memo about the rest of it.

Mr. SPIES. So, you can—

Mr. RASKIN. All I have got is the FEC decision. OK, forgive me. I am reclaiming my time.

Mr. SPIES. So, it was just—

Mr. RASKIN. I am reclaiming my time, Mr. Chairman. It is my time.

Ms. Weiser, we just went through the unprecedented agony of a President of the United States trying to overthrow a Presidential election, trying to get the Vice President of the United States to step outside of his constitutional role and to declare the President who lost the victor in the election. We heard people not far from here chanting, “Hang Mike Pence, hang Mike Pence,” driving him out of the body. There was an attempt to substitute the loser for a winner in a Presidential election.

We experienced a violent insurrection. There have been hundreds of convictions. People have just been convicted of seditious conspiracy, which means conspiracy to overthrow the government.

And now, instead of dealing with that reality, which poses a serious threat to the Union, a dagger pointed at the throat of the United States of America, instead our colleagues come forward with legislation to try to impose a photo ID on local elections in the District of Columbia.

Do you see something as strange or perverse about this response to the actual threats to democracy in America?

Ms. WEISER. Thank you. Thank you for your question.

I do agree that the ACE Act does not address these critical threats that are urgent, and that Congress needs to address as quickly as possible heading into Federal elections and instead focuses on actually rolling back voting rights solely in the District of Columbia.

Mr. RASKIN. Thank you.

I yield back, Mr. Chairman.

Mr. STEIL. The gentleman yields back.

The gentleman from Georgia, Mr. Loudermilk, is recognized for 5 minutes.

Mr. LOUDERMILK. Well, thank you, Mr. Chairman.

And before I get in my questions, I just want to bring up something that I had heard earlier. And I am a bit surprised that the minority is criticizing this committee for having so many hearings on a piece of legislation that is very important to Americans.

Look, debate, careful consideration, and transparency is the hallmark of American legislative process. I look out at the crowd here and I can see people who are probably on both sides of this issue. However, it is testimony that this many people are here to hear logical debate and consideration.

Now, I probably should not be surprised, because in the last Congress this Committee was handed an 884-page election overhaul bill that was rushed through by the Democrats—884 pages long. We had two hearings, two short hearings, and no markup before it was rushed to the House Floor.

This bill is one-sixth of the size of that bill. We have had seven hearings, including today. We have got more scheduled to come.

I do not see that as a problem. I see that as doing things the right and proper way.

Mr. LOUDERMILK. Now, with that said, Mr. Cuccinelli, article 1, section 4, of the Constitution grants primary authority to states to run elections how they see fits and gives Congress purely a secondary role.

Why is that important?

Mr. CUCCINELLI. Well, I would add one item as to why it is important that gets rarely discussed, which comes from my old DHS hat, and that is the simple matter of, you know, we have had comments, from myself included, about election interference. If you have 51 different elections, picking your President—we will take the one national election—it is the security equivalent of a diversified financial portfolio. If you hack a state, you have hacked one state.

If H.R. 1 and H.R. 4 of the previous Congress had become law, you would have had one big election system. You hack one election system; you can actually affect outcomes much more easily.

The more you hack, more states, the more likely you are to get caught. That is a high, high deterrent for a nation-state. So that is a very little discussed benefit to the states running elections. They are all done differently, District of Columbia included. And that is a real benefit for American security.

Mr. LOUDERMILK. But, under our current Constitution, and I know some want to change this, the District of Columbia is subject to congressional authority. Correct?

Mr. CUCCINELLI. Yes.

Mr. LOUDERMILK. And I want to divert a little bit because of something that was asked earlier. We were talking—the Chairman was talking about foreign nationals, you know, that live here. Now they can vote in D.C.

Mr. Cuccinelli, I know you are an attorney. Do we have foreign nationals that do live in the United States that are not citizens?

Mr. CUCCINELLI. Millions of them.

Mr. LOUDERMILK. Do we have those that have permanently made the United States their residency or their domicile that are not U.S. citizens?

Mr. CUCCINELLI. Millions of them.

Mr. LOUDERMILK. Let me read to you what the qualifications for the office of Mayor in the District of Columbia currently are: No person shall hold the office of Mayor unless he is a qualified elector.

Would someone that we described, the Chairman described earlier, that may be a foreign national, that worked at the Russian Embassy but now just decided to stay in D.C., and because our current status of not—just allowing anybody to come to the country and stay here would not force them to leave, is that a scenario that is possible? And would that person be a qualified elector?

Mr. CUCCINELLI. Under the current definition.

Mr. LOUDERMILK. Second qualification: Has resided and domiciled in the District for 1 year immediately preceding the day on which the general or special election for Mayor is to be held.

Is that scenario possible, that someone who is a former employee of the Russian or Chinese Embassy decided to stay in the United States, is qualified to vote in the District of Columbia, could run for Mayor of the District of Columbia?

Mr. CUCCINELLI. Absolutely.

Mr. LOUDERMILK. Has not been convicted of a felony while holding the office.

And then it talks about various types of employment.

Now I am not an attorney, but I can read some legal documents. And, from what I am seeing here—I could be wrong. This could be something else in the code book for the District of Columbia. But what I am reading right here directly off the District of Columbia’s qualifications is that someone who is—has worked for an adversary to the United States could run and become Mayor of the District of Columbia.

Is that what you read?

Mr. CUCCINELLI. Yes.

Mr. LOUDERMILK. I will submit my other questions for the record, Mr. Chairman.

I yield back.

Mr. STEIL. The gentleman yields back.

Ms. Holmes Norton is recognized for 5 minutes.

Ms. NORTON. Thank you, Mr. Chairman.

The D.C. Statehood bill is clearly constitutional. As leading constitutional scholars said in a letter to Congress, and I am quoting: There is no constitutional barrier to passing the bill.

In the 116th and 117th Congresses, the House passed the D.C. Statehood bill. This Congress, the bill has 193 cosponsors in the House and 45 in the Senate.

The bill would admit the state of Washington Douglass Commonwealth and reduce the size of the Federal District, also known as the District of Columbia.

The state would consist of 66 of the 68 miles of the current Federal District, and the reduced Federal District over which Congress would retain plenary authority would consist of the other 2 square miles. There is no precedent for Congress admitting new states and reducing the size—there is precedent for Congress admitting new states and reducing the size of the Federal District.

The Constitution’s Admissions Clause gives Congress the power to admit new states. Congress has admitted all 37 new states into the Union by simple legislation since the original 13 states. The Constitution’s District Clause gives Congress plenary authority over the Federal District. Congress used this authority to reduce the size of the Federal District by 30 percent in 1846.

Not only is the D.C. Statehood bill constitutional, the state of Washington Douglass Commonwealth would meet the three traditional criteria Congress has used in evaluating prospective states, namely, support for statehood, commitment to democracy, and sufficient population and resources.

In particular, in 18—I am sorry—in 2016, 86 percent of D.C. residents voted for statehood.

Ms. Weiser, why do you think D.C. residents overwhelmingly support statehood?

Ms. WEISER. Thank you very much for your question.

D.C. residents, like all citizens, desire and deserve political self-determination, a say over what happens in their community, and a voice in the national government over what happens in the country, as well.

Ms. NORTON. There is nothing preventing Congress from passing legislation tomorrow to admit the state of Washington, Douglass Commonwealth, other than partisanship, spurious and specious arguments, and dog whistles like the statement from a Republican

Senator that the new state, which would be majority Black and Brown, would not be, and I am quoting, a well-rounded working-class state, end quote.

I urge my colleagues to pass the D.C. State bill and to keep their hands off of D.C.

Ms. RASKIN. Will the gentlelady yield?

Ms. NORTON. I yield to the gentlelady from Maryland.

Mr. RASKIN. Thank you kindly, Ms. Norton.

I just wanted to correct the record about this.

Mr. Spies seemed to deny what I asserted. I would like to submit for the record the conciliation agreement in the matter of Right to Rise USA, which specifically says on page 4: Right to Rise USA violated 52 U.S.C. 30121(a)(2) when its agent, Neil Bush, solicited a foreign national for a political contribution.

Mr. RASKIN. Right to Rise USA violated 52 U.S.C. 30121(a)(2) by accepting APIC's contributions. Respondents will cease and desist and will pay a civil penalty to the Commission in the amount of \$390,000.

And this was signed by—for the respondents by you, Mr. Spies, on February 13, 2019.

Do you deny any of that?

Mr. SPIES. I would be happy to explain, if you would like to give me more time.

Mr. RASKIN. Sure. And we can also explain it by entering into the record how a Chinese-owned firm entered U.S. Presidential politics August 3, 2016.

Enter that, Mr. Chairman.

Mr. STEIL. Without objection.

Mr. RASKIN. Thank you.

Mr. STEIL [continuing]. The gentleman may answer—

Mr. RASKIN. Please.

Mr. STEIL [continuing]. The question.

Mr. SPIES. What you just read is that somebody solicited, that the conciliation agreement agreed that Mr. Bush solicited foreign—a foreign national. And what that meant is that he spoke with the counsel of a foreign parent company about whether it was permissible for domestic money to be contributed. No foreign money was contributed to the super PAC.

Mr. RASKIN. No—

Mr. SPIES. It was—

Mr. RASKIN. It says you accepted APIC's contributions. If it was American money, why would you be entering into an agreement to embrace your own guilt in the matter?

Mr. SPIES. I was the counsel for an organization that found it was better to conciliate than continue to litigate.

Mr. RASKIN. OK. So, you did plead guilty to it.

Mr. SPIES. I did not plead guilty. The organization did not plead guilty.

Mr. STEIL. The gentleman's time is up.

Mr. SPIES. You are misunderstanding how it works.

Mr. STEIL. The gentleman yields back.

The gentlelady's time has expired.

Mrs. Bice is now recognized for 5 minutes.

Mrs. BICE. Thank you, Mr. Chairman.

And I appreciate the witnesses for being here today.

First, let me say that I come from the great state of Oklahoma. And, in Oklahoma, we have some of, if not the most, secure election laws in the entire country.

And, as such, in 2010, we passed a voter initiative to require voter ID or voter verification at the polls. It passed by almost 75 percent. And I believe that, if you were to put a ballot initiative together nationally to ask if citizens should be required to verify proof of identification at the polls, that you would see an overwhelming number of individuals would support that initiative.

Ms. Weiser, I want to start with you. You earlier mentioned that the—I am sorry. When—in 2020 and 2022, there were mail-in ballots submitted across the District of Columbia and mailed out to every single general election voter. Is that right?

Ms. WEISER. Yes, I believe that is correct.

Mrs. BICE. And, in 2020, wasn't it true that there were ballots that were not accepted and/or voters that were not able to vote, and because of that, there was the opportunity for email ballots? Is that correct?

Ms. WEISER. I am not familiar with the email ballot, with whether or not there were email ballots.

Mrs. BICE. Ms. Evans, would you like to address that?

Ms. EVANS. During the 2020 primary election, individuals did not receive their mail ballots. And due to health reasons, we utilized the platform we have for military and overseas voters. And so, we did follow the guidelines as far as acceptance of those ballots through that—through that channel.

Mrs. BICE. Do you believe, Ms. Weiser, that accepting email ballots is—diminishes voter confidence?

Ms. WEISER. We believe that internet voting is not yet secure nationally as a standard to roll out across the country. And let me just—

Mrs. BICE. Mr. Spies—yes or no, it is not confident. There is a lack of voter confidence.

Ms. WEISER. In a number of circumstances, a small number of ballots can be done securely. We would not recommend expanding that.

Mrs. BICE. Mr. Spies, if I can ask you the same question. Do you believe that email ballots would diminish voter confidence?

Mr. SPIES. Yes.

Mrs. BICE. Mr. Cuccinelli?

Mr. CUCCINELLI. Absolutely.

Mrs. BICE. And why is that?

Mr. CUCCINELLI. Well, because we are all, in our own lives, all too familiar with the hacking of our own email systems, much less everyone else's. And so, when you are reliant on that form for voting, especially in an arrangement where there is no identification even required, much less attempted, it guts confidence in the outcome.

Mrs. BICE. And isn't that a reason why we actually asked for proof of identification when we go to the polls, Mr. Spies? We want to be able to ensure that the individual that is submitting their ballot is actually who they say they are. Is that correct?

Mr. SPIES. That is exactly right. And I would just note that the 75 percent statistic you noted in terms of voter ID for Oklahoma is very similar to all the national polling out there, which shows over 75 percent support for voter ID.

Mrs. BICE. And currently voter ID is not required for mail-in ballots. Is that correct, Ms. Evans?

Ms. EVANS. That is correct.

Mrs. BICE. And you mentioned in your testimony that signature verification is used. How confident are you in signature verification?

And, if I can ask, do you sign your signature the same way today that you did 20 years ago?

Ms. EVANS. I am confident in signature verification in the District of Columbia. We have trained individuals who have numerous signatures for which they can use to verify—

Mrs. BICE. Where do you get the signature information—

Ms. EVANS. We get—

Mrs. BICE [continuing]. That you are utilizing?

Ms. EVANS. We get some of it from the Department of Motor Vehicles. We get some of it from actual voter registration applications. And, when individuals vote in person, they sign the poll pads. And those signatures are captured. So, we have a number of signatures we can use to verify signature.

In the event that we are unable to verify signature, because, as you mentioned, signatures do change over years, and if an individual cannot verify that signature, it is elevated to another level of review.

If the second level of review still cannot verify, we have a cure process where we reach out to the voter and we get a signature and we get a certification that indicates that that is that signature.

Mrs. BICE. Thank you. My time is limited. So, I want to make sure I get the last question in.

And that is, in regard to the mailed ballots that were done in 2020 and 2022, every voter received a mail-in ballot for the general election. But there was a significantly high amount of return ballots: 11 percent in 2020 and 17 percent in 2022.

What are you doing to ensure that you are providing due maintenance on the voter lists in the District of Columbia?

Ms. EVANS. Actually, the returned mailed ballots assist us in our list maintenance process. Once we get those ballots, that will serve as the first mailer in that process. And that will lead us to our process where we can move voters to an inactive status.

Mr. STEIL. The gentlelady yields back.

Mrs. Torres is recognized for 5 minutes.

Mrs. TORRES. Mr. Cuccinelli, during your April 27, 2023, appearance, I asked you about your January 6th Select Committee transcribed interview, specifically about the several instances where various Trump officials approached you on the ability of the Department of Homeland Security, where you served as Acting Deputy Secretary, to seize voting machines.

This included a series of attempts, including a December 31, 2020, call, which was 58 days after the election and only 7 days before the attack on the Capitol, from former President Trump regarding seizing voting machines.

You testified before the January 6th Select Committee and this Committee that the former President asked you about seizing voting machines. However, your prior testimony was inconsistent with Mr. Donoghue's recollection of a call from President Trump. You said that Mr. Donoghue's recollection might be a misunderstanding.

This Committee and I look forward to hearing from you, Mr. Cuccinelli, by next Wednesday as we seek clarity about exactly when after the election the former President asked you about DHS authority to seize voting machines, particularly after you informed his campaign that DHS and DOJ lacked such authority.

Mr. Chair, I seek unanimous consent to include the following items in the record: The Select Committee to Investigate the January 6th Attack on the U.S. Capitol transcribed interview of Richard Donoghue and the June 23, 2020—2022, hearing on the January 6th investigation record, both of which include former—Mr. Donoghue's testimony regarding former President Trump's call to Mr. Cuccinelli regarding seizing voting machines and the Select Committee to Investigate the January 6th Attack on the United States Capitol transcribed interview by Ken Cuccinelli from December 7, 2021.

Mr. STEIL. Without objection.

Mrs. TORRES. Thank you, Mr. Chair, because witnesses' credibility matters to this Committee.

Ms. Evans, you know, Republican majority states have shown their voter priorities, first, by redistricting practices, gerrymandering every community that does not agree with their extreme agenda; two, shutting down polling locations in communities that do not agree with their extreme agenda; three, purging voters simply because they missed an election; and four, promoting disinformation in districts that are represented by Members of Congress that do not agree with their extreme agenda.

To all of the D.C. residents that are here, let me apologize to you for what has been put on the record about you and your right to be a citizen of a state, of a community where you live and pay taxes. I do not know a better example of taxation without representation than what you go through every single day under this extreme majority.

Ms. Evans, please tell us a little bit about how D.C. makes pro-voter policies, how they put those policies in place to improve voter access, specifically how you reach out to voters who may feel disconnected when they hear disinformation, and they see that there has been no progress in them being able to cast their votes for representatives that truly represent their community.

Please tell us about these processes.

Ms. EVANS. Thank you.

Our processes are really around voter education and outreach, and we have a very robust division at D.C. Board of Elections. And we make information available in several different formats. We use print media. We use television/radio media. We attempt to address the digital divide by sending material to residents in the District of Columbia, yard signs, door hangers. All of those are mechanisms that we use to get information to the residents and voters in the District of Columbia.

In addition to that, we hold roundtables and townhalls to receive feedback. And, as far as the passage of legislation and laws, District Council and the Mayor do the same.

Mrs. TORRES. Thank you, Ms. Evans.

And I yield back.

Mr. STEIL. The gentlelady yields back.

Mr. Higgins is recognized for 5 minutes.

Mr. HIGGINS. Thank you, Mr. Chairman.

Americans watching this are asking themselves, what is the problem with picture ID, and what is the problem with photo ID? Why not have photo ID to present when you cast your vote in the United States of America?

Americans watching are wondering, regarding mail-in ballots, why would there be an automatic mechanism to deliver mail-in ballots or absentee ballots to every registered voter? Americans are watching and wondering, why would anyone expect that an election system that was designed to encourage fraud, why would you expect it to not experience fraud? Because corruption is born in the heart of man, ladies and gentlemen, not in the mechanisms of man.

And Republicans in Congress are carefully and judiciously addressing the very serious concern of election integrity by focusing on D.C. election mechanisms for two primary reasons. One, the Constitution grants every sovereign state the right to determine the means by which elections will take place within that sovereign state. But Congress has unique authority over D.C. because it is our Nation's Capital.

And election integrity is indeed a national concern. So, we must address this concern but do so within the parameters of our constitutional authority. This is why we are focused on D.C.

To my D.C. citizens, brothers and sisters, you live in a beautifully unique city, the Capitol of the Nation that stands as the beacon of hope for the entire world. It is a Capital City that belongs to all the people, and the people of American are concerned about election integrity.

So, we put forth legislation through our constitutional authority as Congress for Washington, DC. that could stand as a model for the entire Nation, for the sovereign states that have the authority to determine the means by which elections take place within that state. And these commonsense proposals of photo ID, legitimate photo ID to cast a vote, it is difficult to comprehend how anyone would oppose such a measure.

The commonsense proposal of limiting the numbers of ballots that are uncontrolled, delivered to homes across that voting area, collected in unsecured ballot boxes, it is common sense to control that.

Might I suggest that we take a step back, all of us, and recognize the work that has been done by Republicans in this Congress to address this very serious issue carefully and judicially by allowing and conducting hearing after hearing after hearing with significant debate, as one of my colleagues stated earlier.

Ms. Holman Evans, you strike me as a good lady with beautiful intent to serve her community. I sense that you are very serious about doing your job, and I commend you for that. And I would ask you candidly here before the entire country, is there any single

measure of the legislation proposed that you would consider to be a commonsense control that should be enacted to help us secure our elections in your jurisdictional authority? Is there any measure here?

Ms. EVANS. In my role as the Executive Director, I do not provide opinions.

Mr. HIGGINS. I am asking for your opinion. I am giving you the opportunity, good lady. I recognize—

Ms. EVANS. Thank you.

Mr. HIGGINS. I respect you as an American. I have stated as such. I am asking you, is there not one commonsense measure within this where we could seek concurrence and agreement? This is the diplomatic way.

Ms. EVANS. Thank you for the question.

As I mentioned, I am here in my official capacity as the Executive Director of D.C. Board of Elections.

Mr. HIGGINS. So, you are going to decline this opportunity to opine is the way I am reading that.

Well, let me say—

Mr. STEIL. The gentleman—

Mr. HIGGINS [continuing]. We are going to move forward. We are going to move forward as a body.

Mr. Chairman, my time has expired.

Mr. STEIL. Thank you very much.

The gentleman's time has expired.

Ms. Sewell is recognized for 5 minutes.

Ms. SEWELL. Thank you, Mr. Chairman.

As a daughter of Selma, Alabama, and the Ranking Member of the Election Subcommittee on House Administration, as well as the author of the John Robert Lewis Voting Rights Advancement Act, ensuring that elections are safe, secure, and accessible is something that I take very deeply personal.

Voting is a cornerstone of our democracy. And far too often the integrity of our elections is undermined by misinformation, false claims, and voter fraud during the election administration process.

In the 2020 election, there was no evidence of a voting system being deleted, votes not counting, votes lost, or votes being compromised in anyway. A recent study by the Brennan Center revealed that voter fraud is a very rare occurrence. Voter impersonation is virtually nonexistent. And the few cases of voter fraud came from mistakes made by the voter or election administrators.

Allegations of widespread voter fraud are attempts to distract voters from the implementation of restrictive voter policies that limit access to the ballot box. Contrary to what my Republican colleagues have asserted about the ACE bill being a model for the rest of the Nation, the ACE bill is a dangerous policy that would have a severe impact on the rights of voters and on voting rights and access, especially to the District of Columbia.

Washington, D.C., has the highest voter registration rate in the Nation. D.C. voters can vote early, by mail, or drop ballot—or drop box. Voting in D.C. is accessible to voters with disability and non-speaking—non-English-speaking voters.

D.C. has implemented pro-voter policies that has made voting very accessible to its residents. Even the Conservative Heritage

Foundation's election fraud cases data base list zero incidents of voter fraud in the D.C.—in the District of Columbia since 1979. D.C. is a model and an example of the implementation of pro-voter policies that the entire Nation should look at.

However, the ACE bill is egregiously attempting to further disenfranchise D.C. voters by removing proactive voter policies that make their elections some of the most accessible elections in this Nation.

To be clear, D.C. voters deserve the same right to political self-determination as other Americans. The ACE Act would restrict voter access to D.C.'s hundreds of thousands of voters, none of whom have voting representation in this body, Congress. It would do so, despite the fact that Congress has long delegated its authority over D.C.'s elections and local governance to the D.C. Council under the D.C. Home Rule Act of 1997—of 1973. Sorry.

Ms. Weiser, you spoke very eloquently of why it is so important that we give greater voter access. Can you talk a little bit about why prohibiting same-day registration and any registration in the 30 days prior to elections would transform not only D.C. voter registration into one of the least accessible but that would be detrimental to take on as a model?

Ms. WEISER. Thank you very much for this question.

The same-day registration provision that is in place in D.C. and has been for 10 years is in place in 22 other states. It has been working well. And these are—include red states, blue states.

Ms. SEWELL. It does not include my state of Alabama, unfortunately, and I know my constituency would love to have more pro-voter policies and better access to the ballot box.

Ms. WEISER. Indeed. It actually provides better options for voters to register to vote. It works well. It is secure. And it actually has been shown to significantly improve voter participation and especially voter participation among voters of color who are disproportionately voting at much lower rates right now.

Ms. SEWELL. Not only do I agree with you, I would say that what we should be focused on is passing the Freedom to Vote Act and the John Robert Lewis Voting Rights Advancement Act and not this ACE bill.

Thank you, and I yield the balance of my time.

Mr. STEIL. The gentlelady yields.

Ms. Ocasio-Cortez is now recognized for 5 minutes.

Ms. OCASIO-CORTEZ. Thank you.

You know, I want to be clear about what is happening here. The D.C. City Council has passed and enacted a number of pro-voting policies to increase voting accessibility and to protect the right to vote.

Now what we are seeing here introduced by the other side of the aisle is to pass legislations that would—legislation that would strip the D.C. government and its residents of their ability to determine the rules that govern their elections.

So, let us take a look at the policies that the District of Columbia has passed that are now under threat.

Ms. Weiser, D.C. residents can register on the same day and vote. Correct?

Ms. WEISER. That is correct.

Ms. OCASIO-CORTEZ. And how long has same-day registration been in place in the District of Columbia?

Ms. WEISER. I believe it has been in place for a decade.

Ms. OCASIO-CORTEZ. Ten years, a decade.

And, in 2020, the D.C. General Auditor found that in its audit of the 2020 election that same-day registration came with, quote, no evidence of fraud or glitches. Yet, despite this, the legislation before us would eliminate same-day registration.

And, in your testimony, you stated that eliminating same-day registration after 10 years of successful use would serve no valid purpose.

So, I ask you, given that the legislation here being presented by the Republican side of the aisle would be to eliminate it, what possible reason could we—could there be to eliminate same-day registration when it has been so successful and so devoid of fraud?

Ms. WEISER. I can not think of any valid reason to eliminate this pro-voter reform that is working well in states across the country and has been working well in D.C. for a decade.

Ms. OCASIO-CORTEZ. There is no valid reason.

In fact, this ACE Act, as Republicans are calling it, eliminates this provision. And we are also seeing that they—that D.C. recently passed a provision to send mailed ballots to voters to improve voter access while maintaining the security of their elections. They want to eliminate that as well. And, at you testified today, D.C.'s most recent elections have been among the best run in the Nation.

So, what potential reason could there to be eliminate sending mail-in ballots to voters?

Ms. WEISER. There is no good reason to eliminate that, as well. D.C.—there are eight other states that have this policy in place and some for decades. This has also been shown to be fraud-free and provide voters with reasonable options and convenience in voting. And it has led to both greater voter turnout and more secure elections.

Ms. OCASIO-CORTEZ. So, we have heard from experts that there is no valid reason to be eliminating same-day registration, mail-in ballots.

If there is no valid reason, I think it stands to conclude that the only real reason that we see this push is political. It is a political reason.

And, in one of the Blackest cities of America, to have—and to even have the idea of proposing the Federal Government strip voting rights in one of the Blackest cities in this country, that has a history of enslavement, a history of that enslave—a history of freed people seeking refuge here and then being punished with disenfranchisement, this cuts to the core of not just the present moment but American history.

I think what is striking about this is how afraid the other side of the aisle is of free and fair elections. And last year Republicans were so afraid of a fully representative democracy in the District of Columbia that they insisted on denying the people of D.C. Statehood.

Today Republicans are so afraid of democracy that they want to disenfranchise predominantly Black voters who have been

disenfranchised for as far back as when Black people were enslaved in the United States of America.

This has nothing to do with election integrity. This is about racial control. And this is not new. We have to look no further than an explanation from Senator John Tyler Morgan of Alabama, a former Confederate slave holder, who said at the time: “In the face of this influx of a Black population from the surrounding states, Congress found it necessary to disenfranchise every man in the District of Columbia in order thereby to get rid of this load of ‘Black suffrage’ that was flooded in upon them.”

That is the true statement. History cannot be reversed. No man can misunderstand it. Straight, verbatim from history, and it is shameful to see that recreated today.

I yield back.

Mr. STEIL. The gentlelady yields back.

For what purpose does the gentlewoman from Oklahoma seek recommendation?

Mrs. BICE. I ask unanimous consent to enter a *Wall Street Journal* article dated 6–3 of 2020, “D.C. Lets Voters Submit Via Email After Mail Problems,” to the record.

Mr. STEIL. Without objection, so ordered.

Mr. STEIL. The gentleman from Texas, Mr. Sessions, is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, thank you very much.

And I appreciate each of you, not only your service to this issue but really trying to work at this to where there is a larger consensus built about not just what is fairness but really who fits where: what the responsibility is for local people and what the responsibility is for the Federal Government.

Ms. Evans, you primarily are probably in the middle by virtue of being in D.C. You have our help and the help from your own elected officials.

What information is publicly available or available to those who would wish to have data and information on not just mail-in ballots but the time a ballot is requested, the day it is mailed out, the day it is received back, the day it is—is this trans—is this available to a person or persons who would wish to gain access to the data and follow the data and be aware of that?

Ms. EVANS. Thank you for the question.

And we do have information on our website as far as the number of mailed ballots, the number of individuals who voted in person. We also have an after-action report that we publish on our website after each election. We also have information regarding all of the Freedom of Information Act requests that we have received. That is available on our website.

We make every effort to ensure our process is transparent. And, even while we are conducting elections and conducting a post-election audit, we have those processes open to members of the public to come in and view those for themselves.

Mr. SESSIONS. OK. Thank you.

The thing that I would like to see if you would be open to receiving is actually real transparency where you had a data base that you worked within that you would make available that says this person requested a ballot, this person was mailed a ballot.

This is, I am sure, what is available to you internally to where you are able to effectively run your operation. But it is not unusual where this information is available in other locations to where, if someone wanted a snapshot, I suppose that you would maybe form a different file if someone wanted to know who has requested a ballot.

Do you then have separate information that you make available to people on a daily basis, or do you segment this? How do you provide that information?

Ms. EVANS. Under the Elections Modernization Amendment Act in the District of Columbia, voters do not actually have to request a mail ballot. We send a mail ballot to all registered voters. And so that information would be consistent with registered voters as far as who receives a mail ballot.

Mr. SESSIONS. So, the day before—2 weeks before an election or 3 weeks before an election, you would have a list of all the registered voters. That would be available to anyone that would choose to get that list, or is it available to candidates? Or how is that made available?

Ms. EVANS. Lists of registered voters are made available. You can even go inside of your public library, and we do post those lists of registered voters in the District of Columbia.

Mr. SESSIONS. Why inside a public library? Is that transparency?

Ms. EVANS. That is one place, not the only place.

Mr. SESSIONS. Is it available if a person were to, say, please give me a list of all the registered voters in Washington, DC, by precinct?

Ms. EVANS. It is.

Mr. SESSIONS. So that—that you would then they would come and purchase, or would you send them the data?

Ms. EVANS. It is not something we sell. They have access to the data. We would correspond with the individual as far as the best format to get that information to them.

Mr. SESSIONS. So, it could be they would receive it by via email or come to a data base and then download it?

Ms. EVANS. We have secure mechanisms to forward large data files to individuals. So, when we have large data files, we do have to follow protocols to ensure that we are adequately able to get that information to the requestor.

Mr. SESSIONS. So, moving back to this question of when a person mails in their ballot, is there notification given to—or a person can ask for it at the time they receive a mail—that you receive a mail-in ballot?

Ms. EVANS. Are you speaking about the personal individual, the personal voter?

Mr. SESSIONS. I am talking about any individual that mailed back their ballot to—

Ms. EVANS. Yes, we do have mail ballot tracker with intelligence.

Mr. SESSIONS. That is available to where people would be available.

Ms. EVANS. Yes, sir.

Mr. SESSIONS. Thank you.

Mr. Chairman, I yield back my time.

Mr. STEIL. Thank you very much.

The gentleman yields back.

Mr. Connolly's recognized for 5 minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman.

I feel like I am in "Alice in Wonderland" listening to all this.

Ms. Evans, Ms. Evans, Ms. Evans, over here.

Loud and clear now, I want you to really be heard. So, I am listening to the two people to your left. And, my God, I am worried. It sounds like D.C.'s a mess. It sounds like everything's broken. It sounds like people are cheating. They do not know where to go. They do not know how to vote. They do not know who to vote for.

And it is all your fault, and D.C.'s doing a terrible job that has discredited elections and really eroded confidence, especially that word "confidence."

Is that your view?

Ms. EVANS. It is not. I suggest—

Mr. CONNOLLY. Loud and clear, Ms. Evans. Is that—did he accurately describe D.C.'s voting situation?

Ms. EVANS. The processes in the D.C. elections, not accurately.

Mr. CONNOLLY. Not accurate.

How about like not accurate at all? Or should I be worried? I Lynch in Fairfax right across the river where Mr. Cuccinelli used to live.

And, by the way, I am delighted to hear a former Trump member—Trump Administration member express concern about Russian interference in elections. I think that is really a good thing. We have been saying that since 2016.

So, confidence or not?

Ms. EVANS. Confidence.

Mr. CONNOLLY. Should I be confident?

Ms. EVANS. Confidence, several measures and safeguards in place to ensure confidence.

Mr. CONNOLLY. Ms.—is it Weiser?

Ms. WEISER. Weiser.

Mr. CONNOLLY. Weiser. Excuse me.

Ms. Weiser, do you know when the Constitution was adopted?

Ms. EVANS. Yes. 1787.

Mr. CONNOLLY. 1787. Very good. Well, actually it was written in 1787.

Ms. WEISER. Yes.

Mr. CONNOLLY. It was adopted in the next year.

Ms. WEISER. Yes.

Mr. CONNOLLY. And Mr. Cuccinelli cited Article 1 about the powers of Congress over the Capital.

What was the Capital in the Constitution in 1787 or 1788? Do you know.

Ms. WEISER. I believe there was no Capital in the Constitution.

Mr. CONNOLLY. There was no Capital. They had not yet decided where the Capital was going to be. Is that correct?

Ms. WEISER. That is my understanding.

Mr. CONNOLLY. And do you know when the Capital, when we finally did decide to be a Capital and where it would be?

Ms. WEISER. I believe it was in 1801.

Mr. CONNOLLY. Well, 1790 but 1802 we established, like, a local government procedure.

Ms. WEISER. Yes.

Mr. CONNOLLY. And the primary author and driver of the Constitution, James Madison of our home state of Virginia, he wrote in the Federalist Paper 1 year after he wrote the Constitution, and I quote, Federalist Paper No. 42, that the Federal District would have a municipal legislature for local purposes derived from their own suffrages.

What do you think he meant by that?

Ms. WEISER. I believe he was expressing the same values of local self-determination that we have been talking about today and that the residents of D.C. have been asking for.

Mr. CONNOLLY. What percentage—you are with the Brennan Center. What percentage of Americans do not vote in the Presidential election?

Ms. WEISER. What percentage—

Mr. CONNOLLY. Do not vote in the Presidential election.

Ms. WEISER. Well, the—all Americans are entitled to vote in a Presidential election.

Mr. CONNOLLY. Not my question.

Ms. WEISER. How many do not vote?

Mr. CONNOLLY. About 40 percent. Right?

Ms. WEISER. It is—

Mr. CONNOLLY. What percentage of Americans commit voter fraud every year?

Ms. WEISER. It is an infinitesimally small percentage.

Mr. CONNOLLY. Right. So, if I say to you I have got a problem that affects 40 percent of Americans and I have got another problem that affects almost no Americans, where would you put your investment?

Ms. WEISER. I would certainly put my investment—

Mr. CONNOLLY. Right.

Ms. WEISER [continuing]. In ensuring free—

Mr. CONNOLLY. But the—

Ms. WEISER [continuing]. And fair access to elections.

Mr. CONNOLLY. The two gentlemen to the left of Ms. Evans and many of my colleagues on the other side of the aisle want to somehow persuade us the real problem is that infinitesimally small, almost nonexistent fraud problem.

And that is why we have got to restore confidence. We have got to restore integrity, which the bigger problem is suppression of voting, barriers to voting. Why not make it easier so 100 percent of Americans participate in their Presidential elections and not only 60 percent?

But, of course, that is not what they want. And they are doing all of this not because they are worried about process and integrity. They are worried about outcomes. And that is what this is all about. And so, when you can not win elections, try to—try to select who gets to vote. It is an old practice and a reprehensible one.

And that is why I feel like I am in “Alice in Wonderland” here, not addressing the real problem and manufacturing a problem that is designed to deny Americans their franchise, especially in the District of Columbia.

I yield back.

Mr. STEIL. The gentleman yields back.

The gentleman from the great state of Wisconsin, Mr. Grothman, is recognized.

Mr. GROTHMAN. Very good.

First of all, I would like to enter into the record an article by Martin Austermuhle in the—from NPR, an article regarding mail ballots and the number that were undeliverable in the 2020 election.

And second, I would like to enter into the record an article from the D.C. list, again, a lot of mail ballots going out that were undeliverable, this in the 2022 election.

Mr. STEIL. Without objection, so ordered.

Mr. GROTHMAN. OK. I have been a long opponent of excessive use of mail ballots for two reasons. One, I do not think the mail ballots, unlike when I show up in person, we know for sure who filled them out. I do not know how—I realize you might have a witness on there, but it seems to me there is no way to do follow up or make sure the person who says is on the ballot really filled out the ballot.

And, second, I do not know if we can make sure, like, again, when I vote, we know I am all alone in the town of Greenbush. Somebody's not whispering in my ear as to who to fill out the ballot. When that is filled out at home or a mail ballot, from what I can tell, there is no guarantee that that person has not been coached.

Mr. Cuccinelli, in these areas in which we use absentee ballots, what efforts are being made to make sure that the person who filled out the ballot is not being coached by, say, their spouse, by their roommate, by their—somebody from their union, you know, boyfriend, girlfriend? How do we know that that person is not being coached in the current system?

Mr. CUCCINELLI. Well, we—we do not.

Mr. GROTHMAN. We do not know they are not being—

Mr. CUCCINELLI. We do not know that.

Mr. GROTHMAN [continuing]. Coached?

Mr. CUCCINELLI. There is no way to know that.

Mr. GROTHMAN. Well, if we had nothing but absentee ballots going out to people and we were, say, in a country, a Communist state, say North Korea, what would we say about election results in North Korea if all the ballots were being filled out perhaps in the presence of a member of the Communist Party? What would we say about an election like that?

Mr. CUCCINELLI. That it is not a real election.

Mr. GROTHMAN. Have there been any nonpartisan groups in the past commenting on the idea of ballots being returned when you do not know if that—returned on absentee ballots?

Mr. CUCCINELLI. That has happened frequently, and I would point that your email concern—

Mr. GROTHMAN. Didn't Jimmy Carter—

Mr. CUCCINELLI [continuing]. And the Carter-Baker—

Mr. GROTHMAN. Wasn't he part of a—

Mr. CUCCINELLI [continuing]. Commission. You are thinking the same thing I was. Back in 2005, they raised this as one of the areas of greatest vulnerability.

Mr. GROTHMAN. Right. It could be something like North Korea where there is a person sitting next to the person who fills out the

ballot, dealing with an apathetic person, an apathetic boy, you know, girlfriend, apathetic member in a sorority or fraternity, whatever. Right?

And there is no protection that we can make to make sure that someone is not coaching that person. Right?

Mr. CUCCINELLI. Not unless we are prepared to send someone from the government into every house, no.

Mr. GROTHMAN. Well, that—that is horrible.

And how do we even know that person filled out the form? I realize, at least in Wisconsin, there is a place for a—a witness. I think in some—other states in which you do not even need a witness.

Mr. CUCCINELLI. There are.

Mr. GROTHMAN. My goodness. No witness at all? Which states are they?

Mr. CUCCINELLI. Well, there are a number of them. I do not have them memorized, but it is not—it is not a small number.

Mr. GROTHMAN. Wow. So there—so when we come down to a Presidential election, there are states in which somebody returns a ballot, and we do not even know for sure if that person filled them out. Right?

Mr. CUCCINELLI. There are plenty of those, yes.

Mr. GROTHMAN. How can that be a fair election? That sounds like something you would do in North Korea or Communist China. That is going on right here in the United States. People are filling out ballots. It is not like when I go to the town of Greenbush Town Hall and people know Glenn Grothman is filling out Glenn Grothman's ballots. Right? That is going on in the United States. And we claim we have fair elections?

Mr. CUCCINELLI. The only way to achieve the goal you are talking about is in-person voting.

Mr. GROTHMAN. Oh, my goodness. Well, that is—that is kind of shocking.

And, again, we have situations in which we can have the head of the sorority, the abusive boyfriend filling out that person's ballot. And we have no idea, no idea when we count those ballots at the end that that is the way. Why wouldn't we go back to the system of having as many people as possible vote in person? Or if they are in a nursing home, have members of both parties watch that person fill it out, so we know that person's filling it out and we know that person is not being coached.

Why wouldn't we do that if we wanted an honest election?

Mr. CUCCINELLI. Well, if you wanted an honest election, that is a good way to do it.

Mr. GROTHMAN. Well, do you feel that these past elections can be described as honest elections if there are states in which the electoral votes are determined by votes that we do not know who filled them out or we do not know even if the right person filled it out, if they were not being coached? Can we call those honest elections? Would we call those honest elections if that was what was going on in, say, North Korea?

Mr. CUCCINELLI. Certainly not North Korea I do not think we would ever do that. But—but there is a confidence problem with many of the systems you have described, even in our own elections.

Mr. GROTHMAN. Well, hopefully eventually Congress steps in and solves this flaw.

Mr. STEIL. The gentleman's time has expired.

Ms. Brown is recognized for 5 minutes.

Ms. BROWN. Thank you, Mr. Chairman.

Once again, we find ourselves in the middle of an attempt to undermine the rights of the District of Columbia and its residents.

My colleagues on the other side of the aisle consistently choose to focus on local D.C. matters instead of the problems facing the entire Nation like the cost of healthcare, addressing gun violence, and protecting reproductive rights and the LGBTQ community.

However, if the majority is choosing to focus on elections in D.C., I would be remiss not to bring up the voting rights of D.C. residents. The 700,000 residents of the District of Columbia lack the political representation given to America—Americans in all 50 states.

So, let us not beat around the bush. The failure to grant D.C. Statehood is disenfranchisement of local community, many of which are Black and Brown, plain and simple.

Congress should never turn a blind eye to the voting rights of every person in this Nation. That is why I am a proud cosponsor of Congresswoman Holmes Norton's bill, H.R. 51, which would grant D.C. Statehood and which Democrats passed in the 117th Congress and will work to pass every session until it becomes law.

In his testimony in 2021 before the Oversight Committee, Wade Henderson, the President of the Leadership Conference on Civil and Human Rights, expressed strong support for D.C. Statehood and the bill. He rightly observed that: Until D.C. has voting representation in Congress—and I quote—the effort of the civil rights movement will remain incomplete.

Ms. Weiser, do you think that the racial demographics of the District's residents have played a role in the campaign against their disenfranchisement?

Ms. WEISER. Thank you very much for your question.

I do agree that the disenfranchisement of the 700,000 residents of D.C. does disproportionately impact voters of color in America who disproportionately make up the bulk of D.C.'s residents. And historically it—the historical record is very clear that race discrimination was—certainly played an important part in disenfranchising those citizens.

Ms. BROWN. Thank you.

D.C. Statehood and home rule are matters of racial justice. If D.C. were admitted as a state, it would have the highest percentage of Black residents of any state. It is time for this majority to stop its selective interference in local politics and spend its time more wisely, protecting the votes and voices of D.C. residents. It is time to make D.C. a state.

And, while we are at it, let us take a long—let us take long overdue objection to protect the voting rights of all Americans.

And, with that, I would like to yield the balance of my time to the Ranking Member.

Mr. RASKIN. I would like to thank Ms. Brown for her courtesy and for that powerful statement.

I would like to ask Ms. Weiser: In the course of statehood admissions over the development of American history, there have been 37 states admitted from the original 13. Are you familiar with the kinds of objections that were raised to certain states being admitted? It was said, for example, that Hawaii and Alaska were not contiguous; therefore, they could not be admitted. Texas was a foreign country; therefore, it could not be admitted. West Virginia used to be part of Virginia; therefore, it could not be admitted. And so on.

Are you familiar at all with that record of objections?

Ms. WEISER. I am not very familiar, but I have read that.

Mr. RASKIN. Well, today it is said that Congress does not have the authority to modify the boundaries of the District of Columbia, even though in 1846 Congress modified the boundaries of the District of Columbia in order to retrocede to Virginia Alexandria, Arlington, and Fairfax County, when Virginia slave masters were afraid that Congress was about to abolish the slave traffic in the District of Columbia, which, in fact, it did in the middle of the Civil War. So they were prescient about that.

But it established the precedent that Congress has the authority modify the boundaries of the District of Columbia. Article I, section 8, clause 17 says: Congress shall exercise exclusive legislation over that District to become the seat of government ceded by various states not more than 10 miles square. It establishes a maximum area but not any kind of minimum area for the state.

Would it be in the history of the enlargement of democracy and the treatment of all citizens equally to admit Washington as a state today?

Ms. WEISER. Absolutely.

Mr. RASKIN. And I yield back. Thank you.

Mr. STEIL. Thank you. The gentleman yields back. The gentleman yields back.

Mr. LaTurner is now recognized for 5 minutes.

Mr. LATURNER. Thank you, Mr. Chairman.

I would like to enter into the record an article from NBC Washington dated 10/1/20 entitled "D.C. Residents Concerned After Mail-in Ballots Left Unsecured."

Mr. STEIL. Without objection.

Mr. LATURNER. Thank you, Mr. Chairman.

Elections are the bedrock of our constitutional Republic. It is crucial that Americans everywhere are confident that their vote is properly counted, and their voices heard at the ballot box.

Most voters support commonsense election reforms, provisions like voter ID, ballot counting oversight, and prohibiting breaks or pauses in ballot counting until the vote tabulation is complete.

We also need to make it easier for our troops serving abroad to vote and prevent outside third-party groups from influencing our electoral process.

Ms. Weiser, do you believe convicted felons should have the right to vote?

Ms. WEISER. Thank you for your question.

We do support restoration of voting rights, full restoration for people upon completion of their time of incarceration.

Mr. LATURNER. Does that include convicted murderers?

Ms. WEISER. That includes anyone who is released from incarceration and has been deemed to be fit to be a member of the community.

Mr. LATURNER. Mr. Cuccinelli, I appreciate you being here today. D.C. has experienced many issues with outdated voter rolls and a lack of routine list maintenance.

Why are accurate voter rolls so important for the administration of an election? And how does the ACE Act's requirement of maintaining accurate voter rolls assist in running elections?

Mr. CUCCINELLI. Well, they are—voter rolls serve as the foundation of who may legitimately participate. When you have circumstances like an 11 percent failure rate in the 2020 statistics related earlier here, in the voter rolls in terms of returns to D.C., particularly when you are mailing out actual ballots, you are literally sending—in D.C.'s case, that is over 50,000 ballots that are hitting mailboxes or post offices without a legitimate eligible recipient, based on their own system.

That is 50,000 ballots that are floating around out there that were never requested by a voter and can be snatched up and voted on by others, particularly when you have an unsecured drop box system to receive them.

Mr. LATURNER. I have long been a proponent of the Federalist model of government.

Do you believe that it is the best electoral system for our Nation? And expound if you might on what role should the Federal Government be playing.

Mr. CUCCINELLI. Certainly, the Federal Government should be making it easier for states to clean up their rolls instead of getting in the way, as much current Federal law or at least court rulings lead to, unfortunately.

I also believe, as I noted earlier, that separate elections by state provide an additional level of security for us as a Nation against potential foreign interlopers and that that is a tremendous benefit to us, though it does mean that the rules and laws, as you go from one state to another, will be different, as is allowed under the Constitution and has been practiced for 250 years, 240 years in this country.

Those are all benefits for the United States of state-by-state type of elections.

Mr. LATURNER. This is an important hearing today, and it is important that we draw attention to it. There are millions of Americans across the country that are concerned that their vote do not count. They are concerned. They want to make certain that when they see a result—less and less commonly on election night—they want to have confidence that the person that got the most votes actually won.

So, this is an important issue for us to discuss. What you are hearing from the other side of the aisle is that there is nothing to see here, there is no problem. And we know that that is just not true, and we know that the majority of the American people support commonsense regulations in this regard.

I think my home state of Kansas has some of the most secure elections in the country and serve as an example for other states,

commonsense things like voter ID, that you prove that you are who you say you are, that we are able to have ballot counting oversight.

This is commonsense stuff. The American people expect us to be talking about it and leading on it here in Washington, DC.

Mr. Chairman, I yield back my time.

Mr. STEIL. The gentleman yields back.

Ms. Lee of Pennsylvania is recognized for 5 minutes.

Ms. LEE. Thank you, Mr. Chairman.

Welcome back to all of the folks who have been continuing to stand up for the cause of keeping hands off of D.C. I see you and I recognize you.

To jump right back in it, Washington, DC, has not had a single modern instance of voter fraud. The Republicans' own Heritage Foundation election fraud cases data base lists zero instances of voter fraud in D.C. since 1979.

Three D.C.-based hearings in—and I can only think of one reason why we are here yet again to give and conduct all of this oversight on this one midsize city that does not have a state or any representation.

We are not seeing this oversight over conservative areas. We are not seeing this oversight over majority White areas or White states. So, it must be that D.C. has over 45 percent of Black folks with a very suppressible vote, because that is the real goal here, to disenfranchise Black and Brown voters.

Republicans know that when people are able to vote freely and without odd constraints, like too long lines and places that they cannot access, or rules that suppress their ability to access the ballot and to vote, when they can vote, they do not win elections, so they make it as difficult as possible and outright deny the right to many Americans.

And the disenfranchise is not just limited to continental United States.

Ms. Weiser, are the people residing in the U.S. territories, such as Puerto Rico or Guam or the U.S. Virgin Islands, able to vote for the President?

Ms. WEISER. I believe they are.

Ms. LEE. Those same people are United States citizens, correct?

Ms. WEISER. That is correct.

Ms. LEE. Millions of residents of the five U.S. territories, 98 percent of whom are people of color, are denied full voting rights despite paying nearly 4 billion in Federal taxes and having a population equivalent to that of the five smallest U.S. states combined.

We are perpetuating a system of colonialism and paternalism. These folks do not have full voting rights in Congress or the Senate.

Earlier this year, Senate Republican Leader Mitch McConnell took to the Floor of the Senate and said that quote, "It is about time the Federal Government provides some adult supervision for D.C."

Let me just say, the folks who are duly elected to represent the city of D.C. are not children. The voters, the folks of voting age, they are not children. The last two hearings on D.C. were entitled "Overdue Oversight of the Capital City." They are not even trying to play down the dog whistles anymore.

I was going to ask some semi-rhetorical questions to Ms. Evans to highlight the absurdity of this third D.C. hearing on disenfranchisement. I will answer them myself, though.

I was going to ask about the 535 voting Members of Congress, of how many of those Members did D.C. get to vote for. The answer was zero.

I was then going to ask, of those 535 voting Members of Congress, do any of them know more about or care more about D.C. and its nearly 700,000 residents than D.C.'s locally elected officials? This is, of course, conjecture, but I think you would probably say that these 535 of my colleagues do not know or care more about the day-in and day-out needs or desires of the people of D.C.

My Republican colleagues seem to subscribe to this belief that D.C. residents are incapable of self-government and that D.C. residents need Members of Congress from faraway places to regulate their conduct. It is beyond offensive, and it is un-American.

I will yield the remainder of my time to Ranking Member Raskin.

Mr. RASKIN. Thank you very much to the distinguished gentlelady and for her trenchant comments there.

Mr. Spies, I think you have given me an idea for some legislation as I read more into your case. I understand you entered into the conciliation agreement with the Federal Election Commission because you were working with a wholly owned subsidiary of a foreign company and a foreign national directed the contribution into Mr. Bush's super-PAC, and that was why you had to enter into it.

But if the foreign national had not directed it but it had just come from a domestic subsidiary of a foreign national, I think—you can correct me if I am wrong—that would be permissible under the law today. And I do not think that should be the case. I think a wholly owned corporate subsidiary in America should not be able to give money in our elections.

Do you agree with that?

Mr. SPIES. I agree with your reading of the law that a domestic subsidiary that is under American citizen control, using funds generated in the United States, is allowed to contribute.

Mr. RASKIN. OK. Thank you.

Yield back to Ms. Lee.

Mr. STEIL. The time has expired.

Mr. Goldman is now recognized for 5 minutes.

Mr. GOLDMAN. Thank you very much, Mr. Chairman.

Here we are again, yet another hearing, our third one in the Oversight Committee, on the 700,000 residents of the District of Columbia, which represents 0.002 of the total American population.

Now, the subtitle of this hearing is "The Path to Election Integrity in D.C."—"election integrity," a term that we hear all the time from our Republican friends, and it is a term that is used all the time around the country to justify voter restriction laws in numerous states with Republican legislatures.

Ms. Weiser, since 2020, how many states have passed laws to restrict voter access?

Ms. WEISER. Thank you very much for your question.

Last year, before the election, there were 20 states that had passed 33 new laws restricting access to the vote.

This year, I believe we are—I will send you the—we are about to put out new numbers of how many have passed—

Mr. GOLDMAN. What is the general justification for these voter restriction laws?

Ms. WEISER. Virtually all of these are justified under the purported need to stop voter fraud, many of them using the same disinformation about election denialism and the 2020 election.

Mr. GOLDMAN. So, let us talk about voter fraud.

Ms. EVANS, how many cases of voter fraud have ever been proved in the history of Washington, DC?

Ms. EVANS. I do not have statistics as far as the history of D.C., but as far as—

Mr. GOLDMAN. Are you aware of any?

Ms. EVANS. There have been cases that have been brought to our attention of suspected voter fraud. As far as proven voter fraud, I have no information. However, based on what has been brought to my attention, the numbers are less than one percent, closer to zero percent.

Mr. GOLDMAN. Well, let me just tell you that, according to the Heritage Foundation, the answer is zero.

Ms. EVANS. Yes.

Mr. GOLDMAN. And you are correct that the percentage of voter fraud across the country is infinitesimal.

But let us talk a little bit more about voter fraud.

Mr. SPIES, do you know what the last congressional—which congressional election last had to be redone because of widespread voter fraud? Do you know where that was?

Mr. SPIES. Indiana—

Mr. GOLDMAN. No.

Mr. SPIES [continuing]. I assume.

Mr. GOLDMAN. Well, maybe. But are you aware of North Carolina 9 in 2018?

Mr. SPIES. Yes. And I am also aware of Louisiana, Indiana, North Carolina.

Mr. GOLDMAN. Right. Well, in North Carolina 9, as I am sure you know, there was a massive voter fraud scheme perpetrated by Republicans.

And so, what we have here is essentially a circular vacuum where Republicans are talking about voter fraud that does not exist—and, when it exists, it is perpetrated by Republicans—to justify voter restriction laws passed by Republican legislatures based on phantom and false information about voter fraud.

That is ultimately the problem that we have here. And really it is, as Ms. Weiser said, complete disinformation. Voter fraud is not a thing. It is not a thing that affects elections.

Mr. Cuccinelli, let us talk about the 2020 election, which I know you worked in the Trump Administration in a senior level at Department of Homeland Security.

What is CISA?

Mr. CUCCINELLI. CISA is one of the eight agencies of the Department of Homeland Security. It has been so since 2018.

Mr. GOLDMAN. And it oversees our election security, correct?

Mr. CUCCINELLI. No. That is not accurate. The states oversee that. CISA networks the states together to stay in touch with one another about threats to their elections.

Mr. GOLDMAN. OK. I am not sure of the difference. But you are aware that the head of CISA in 2020, who worked in the same Department of Homeland Security as you did, stated that the 2020 election was the most secure in our history, are you not?

Mr. CUCCINELLI. I am familiar with the quote to which you are referencing, yes.

Mr. GOLDMAN. Right. And do you have any basis, factual basis, to disagree with that assessment from the head of our election security agency in the Department of Homeland Security?

Mr. CUCCINELLI. So that is not an election security agency, and he had no factual basis to make the statement. That is the province of the states.

Mr. GOLDMAN. Interesting.

Mr. STEIL. The gentleman's—

Mr. GOLDMAN. All right. Glad we have that on the record.

I yield back.

Mr. STEIL. The gentleman's time has expired.

Mr. Palmer is recognized for 5 minutes.

Mr. PALMER. Thank you, Mr. Chairman.

Mr. Cuccinelli, does the allegation of no or few charges of election fraud indicate that there is no election fraud?

Mr. CUCCINELLI. No. No, sir.

Mr. PALMER. I thank you for that answer.

I want to ask you about the ACE Act and requiring the presentation of a photo ID before casting a ballot in person.

Would that lessen the probability of election fraud?

Mr. CUCCINELLI. It would.

Mr. PALMER. Is that used in other states?

Mr. CUCCINELLI. It is used all over the country and for many more things than merely elections. I have a list of about 100 different things we require IDs for—including, by the way, in the District of Columbia.

Mr. PALMER. Right. Before you can do a number of things.

Mr. CUCCINELLI. Adopt a pet, yes.

Mr. PALMER. Yes.

I also want to talk a little bit about the integrity of voter files. I think it was about 10 years ago, maybe a little bit longer, that the Pew Research Center published a report and said there are 24 million Americans improperly registered. I think they said 2.7 million of them are registered in multiple states, 1.8 million of them are deceased.

For instance, the state of Michigan, according to information from another group that is involved in voter integrity, is 105 percent registered to vote.

Now, for some of my people who do not quite understand the math on that, that means there are five percent more people registered to vote than are actually old enough or qualified to vote in the entire state of Michigan.

Is that a problem?

Mr. CUCCINELLI. That sort of circumstance would be a huge problem, yes.

Mr. PALMER. How about over 800,000 inactive voters still on the rolls in Pennsylvania?

Mr. CUCCINELLI. Any time you have a large inactive voter roll that is not being cleaned, it is a problem.

Mr. PALMER. 1.5 million more people registered to vote in Los Angeles County than live in the county who would be eligible to vote?

Mr. CUCCINELLI. Yes. And I believe a court ordered them just recently to remove 1.2 million ineligible or dead or gone voters.

Mr. PALMER. Right. So, there are things—

Mr. CUCCINELLI. That is just the one county, Congressman.

Mr. PALMER. That is just one county. That is Los Angeles County.

By the way, in the state of Michigan there are 16 counties that are over 110 percent registered to vote, including one that is 119 percent. And I believe in citizenship and patriotism, but don't you think that is going a little bit too far?

Mr. CUCCINELLI. Yes, sir.

Mr. PALMER. I think the thing that we need to do is recognize that there is a large percentage of the population that has lost confidence in our elections, and we need to make sure that every individual citizen who is eligible to vote knows their vote counts.

The old saying in politics, perception is reality, I think that is true in other issues, particularly with election fraud. And it may be, as some have said, that there is little to no election fraud. But, from my perspective, there should be zero election fraud.

How do you feel about that?

Mr. CUCCINELLI. I certainly agree with you. And I would note, just as a lawyer, we talk about not just justice, but the appearance of justice, and I would say the analogy applies in elections.

We want the best run, cleanest, most accessible elections. We also want them to be clearly, cleanly run and with integrity. So, the appearance is important to the confidence in the outcome as well as actually doing the job well.

Mr. PALMER. I have done quite a bit of work on this. And again, going back to the District of Columbia, in 2022, there was reporting that the District of Columbia was at risk—is at risk of being formally removed from the ERIC program, which assists multiple states in keeping clean voter rolls. This is due to D.C.'s inconsistency in reporting on its own data—not somebody else's data, their own data.

Can you explain how the ERIC system works and how this potential removal would affect D.C. elections? And is that a problem?

Mr. CUCCINELLI. So, the ERIC system has its own controversy.

Mr. PALMER. I understand.

Mr. CUCCINELLI. But the idea is that, because states that run their own elections and the District of Columbia, that when individuals might otherwise show up on two voter rolls, the two states work via the ERIC system to remove that person from the appropriate voter roll from which they should be removed. That does not often happen, which is one of the problems, even in making the ERIC system useful even in that way.

Mr. PALMER. Do you think we need to add another criteria, that proof of citizenship—that states and the District of Columbia

should be allowed to require proof of citizenship in order to vote? I mean, when we passed the 1993 National Voter Registration Act, then Member Nancy Pelosi went to the microphone and argued that it would protect us from voter fraud.

Would you agree with that?

Mr. CUCCINELLI. I absolutely think citizenship requirements are appropriate and the Federal Government should get out of the states' way in allowing them to enforce that.

Mr. PALMER. Thank you, Mr. Chairman. I yield back.

Mr. STEIL. The gentleman yields back.

Ms. Stansbury is recognized for 5 minutes.

Ms. STANSBURY. Thank you, Mr. Chairman.

I want to thank all of our witnesses for being here today.

And I want to just take this opportunity to say that there is one thing that I agree about on this Committee hearing this morning, which is that there is an unprecedented attack on our democracy and elections happening across the Nation right now. But it is not as our friends across the aisle would have us believe in this hearing this morning.

In fact, the greatest threat to our democracy right now is the systematic erosion of voting rights across the United States. In fact, in 2021, more than 400 anti-voter measures were put forward by state legislatures and by this body, by the current majority in this body, that would put into place discriminatory voter ID laws, restrictions on polling locations that could lead to hours-long waits, the elimination of early voting, bans on mail-in voting, and gerrymandering.

These efforts not only undermine our democracy, they are a systematic attack on the voting rights of poor people and people of color in communities across this country.

So, it should not be of any surprise to us that the only jurisdiction, local jurisdiction, that this body has any purview over, that the majority would haul our Capital City in front of us to talk about your amazing and progressive voting rights legislation, which has actually protected the people of D.C. and their voting rights.

I am shocked. I am disgusted. The bill that is being talked about this morning would continue that systematic erosion at the Federal level and contribute to the disenfranchisement not only of the people in this city, but in communities across the country that have historically been disenfranchised generation after generation.

We have seen this undermining of voting rights in the Supreme Court with the gutting of the Voting Rights Act and the failure across our Capitol in the Senate for the Senate to act to protect voting rights.

Luckily, here in the House we have a strong group of Democrats who have been fighting to protect the voting rights of the people of this country and to carry forth the vision of Dr. Martin Luther King and of course the great John Lewis and the rights that they marched for across our communities.

But in spite of these systematic efforts to undermine voting rights across the United States, there are shining lights.

In fact, in my home state of New Mexico we just passed voting rights legislation to protect and expand voting rights in our Tribal

communities, to expand opportunities for our communities to access the ballot box.

And one of those shining lights is actually the Capital City, Washington, DC, which has some of the most important and progressive voting rights laws on the books.

And I want to thank Ms. Evans for your work and the work of your folks who are making sure that the people of D.C. have access to the ballot box here in this city.

But I think it is important—I know we have heard a lot this morning about the impacts that these voting rights restrictions have had on communities across the country, but it is also important to talk about the things that we can do at the local level, whether that is in Washington, DC, in states, or Tribal communities like mine.

And so, Ms. Weiser, I know you have talked about this in your testimony, but I was struck in particular by some of the notes that you provided about important things that we can do to shore up our voting rights system.

So, could you talk to us a little bit about the recommendations that you have for protecting voter rights?

Ms. WEISER. Thank you very much for the question.

I will start by saying, most of the recommendations that we have for shoring up voting rights are actually—have been passed by this body in the Freedom to Vote: John R. Lewis Act.

They include policies to modernize voter registration, make it secure and accessible for everyone, automatic voter registration, online registration, same-day registration.

They include ensuring baseline national standards so that everyone can access early voting and has opportunities also to engage in mail voting.

It includes the restoration of voting rights for citizens who are formerly incarcerated to give them a second chance once they return to their community.

It includes protections for election officials. It includes safeguards against interference in our elections.

So, these are critical threats, and Congress can actually put in place commonsense measures to both expand access to voting while ensuring election integrity.

And if I may, can I just correct one misstatement I said before? I was asked about the voting rights of individuals—citizens in the territories. And they can vote in Presidential primaries, but not in the general election. And that is actually not only a violation of policy, but I believe a constitutional problem.

Ms. STANSBURY. Thank you.

And I will just conclude by saying that it should be no surprise that the party of the big lie on January 6 is hauling—

Mr. STEIL. The gentelady's—

Ms. STANSBURY [continuing]. Our Capital City in front of this body—

Mr. STEIL. The gentelady's time has expired.

Ms. STANSBURY [continuing]. To further undermine a population that is already disenfranchised—

Mr. STEIL. The gentle—

Ms. STANSBURY [continuing]. And that has already—

Mr. STEIL. The gentelady's time has—

Ms. STANSBURY [continuing]. Had their voting—

Mr. STEIL. The gentelady's time has expired.

The gentelady's time has expired.

Ms. STANSBURY. So, Mr. Chairman, while I appreciate—

Mr. STEIL. The gentelady's time has expired.

The gentleman from North Dakota is recognized for 5 minutes.

Ms. STANSBURY [continuing]. That we address the voting rights—

Mr. STEIL. The gentelady's time has expired. The gentelady's time has expired.

The gentleman from North Dakota is recognized for 5 minutes.

Mr. ARMSTRONG. Ms. Weiser, I would like to talk to you a little bit about some of your written testimony on ballot collection restrictions.

I mean, our hearing today is about the District of Columbia, and I do not think it would be a surprise to anybody that North Dakota and D.C. are two very different places.

In my home state, sometimes you have to drive several hundred miles to access a post office, but that is not the case in D.C., and your written testimony implies that restrictions on ballot collection disproportionately harm voters in rural areas with post offices and very different things. But, again, we are talking about D.C.

Do you know how many post offices are located in D.C.?

Ms. WEISER. I do not.

Mr. ARMSTRONG. I think it is 60.

Do you know how many square miles D.C. is?

Ms. WEISER. I do not.

Mr. ARMSTRONG. It is just under 70, 68.3.

That would mean, by—I mean, that there is essentially a post office every 1.13 square miles in Washington, D.C. And I can, again, I can talk about the difficulty accessing post offices in rural areas and how to solve that. We have had that discussion in—actually, in this Committee over since my entire time being in there.

But when you are telling me that there is a problem with ballot collection in the District of Columbia, a city with a post office every 1.13 square miles, it sounds to me like—I mean, to my constituents, that is laughable. And I would be really interested in what you would tell me to tell my constituents at home.

Ms. WEISER. Well, thank you.

So, I was addressing the policy nationally. But in D.C. it is voters with disabilities and elderly voters, even if they have post offices nearby, may need assistance in actually—they might not be able to use the benefit of mail balloting if they lack mobility and do not have that assistance.

Mr. ARMSTRONG. But that is not unique to D.C.

Ms. WEISER. No.

Mr. ARMSTRONG. I mean, we have—I mean, it is everybody. And at least in D.C. you have a post office every 1.13 miles.

Ms. WEISER. That is not unique to D.C., but in most places actually, ballot assistance is, in fact, permitted. And members of both political parties engage in it. It is a secure way of providing voters with assistance, especially those voters with disabilities, limited mobility, or voters who are very far from post offices.

Mr. ARMSTRONG. All right. I am going to switch gears a little bit. And outside of the policy involved around letting foreign nationals vote, which I find fascinating, I have some questions on what safeguards exist in that space.

I do not know how many foreign nationals are in D.C. at any given time, but I would assume that, comparatively, because we are embassies, we are the seat of the government in the United States, that it is significantly higher than the population as a whole.

Mr. Cuccinelli, I think you and I would agree that allowing foreign nationals to vote in an election is a bad idea.

Mr. CUCCINELLI. True.

Mr. ARMSTRONG. But even if you and I agree that that policy is a bad idea, it exists, right? It is about to implement that.

Mr. CUCCINELLI. In D.C. and a few other places, yes.

Mr. ARMSTRONG. What safeguards are in place to make sure they are not voting at home?

Mr. CUCCINELLI. Well, none yet.

Mr. ARMSTRONG. OK. What safeguards should be put in place to make sure?

Mr. CUCCINELLI. Well, I mean, the—

Mr. ARMSTRONG. I mean, you can take a foreign passport and say, "I am going to vote in a D.C. municipal election. I work at the Norwegian"—my wife is from Oslo, Norway—"Norwegian Embassy." Are we checking with the Norwegian Government if they are voting in two elections at once?

Mr. CUCCINELLI. No. I do not think we care, honestly. I mean, we might care if the other election was in Maryland or Virginia and D.C.

Mr. ARMSTRONG. Well, of course.

Mr. CUCCINELLI. But we clearly do not care if it is D.C. and Norway.

Mr. ARMSTRONG. I mean, I think that—but we should care. I mean, every state with a university deals with these issues. I mean, North Dakota has the easiest ballot. We are the only state in the country without voter registration. We have a 30-day residency requirement. You go to school at the University of North Dakota. You go to the school at NDSU. You are from Minnesota. You are from Illinois. You are from Iowa. We want you to be able to vote in North Dakota provided you are not voting in Iowa.

Why aren't we setting up those safeguards here?

Mr. CUCCINELLI. That is an excellent question, Congressman. I do not have an answer to that.

Mr. ARMSTRONG. I mean, I do not know what the closest D.C. election has been in the last 10 years, but I am assuming there has been something that has been fairly close.

Mr. CUCCINELLI. Probably primaries, yes.

Mr. ARMSTRONG. Yes. I mean, and—

Mr. CUCCINELLI. And I would note, I am hearing occasional allegations that are partisan in nature, like the Republicans are trying to change outcomes in D.C. That is not going to happen.

Mr. ARMSTRONG. Well, you know who I do not want to change the outcome in any U.S. election? Foreign citizens that are voting at home.

I mean, voting is a sacred right. It is a sacred right in North Dakota. It is a sacred right in Minnesota. It is everywhere. But when you are voting in one place, you are not voting in another place. I mean, that is how this is supposed to work, particularly in the Nation's Capital.

Mr. CUCCINELLI. That is not a requirement in the D.C. noncitizen voting allowance.

Mr. ARMSTRONG. Well, outside of being terrible policy, I think the safeguards in place absolutely do not exist, and what you are telling me is that is true.

Mr. CUCCINELLI. Correct.

Mr. ARMSTRONG. All right. I yield back.

Mr. STEIL. The gentleman yields back.

We have been going strong for two and a half hours, and so we are going to provide our witnesses and our staff to take a 10-minute recess, and then we will reconvene.

The Committee stands in recess.

[Recess.]

Mr. STEIL. The Committee will reconvene and come to order. We will continue with our questions.

Ms. Bush is now recognized for 5 minutes.

Ms. BUSH. Thank you, Mr. Chairman.

And thank you to our witnesses for being here.

St. Louis and I are here today in opposition to Republicans' continuing assault on our democracy and in support of political self-determination for the residents of Washington, D.C.

Let us get one thing straight at the top. The idea that Republicans care about election integrity in D.C. is a joke. Just 2 years ago, I was barricaded in my office right here in D.C. This is the party of insurrection, whose supporters attacked the Capitol in an attempt to overthrow what? A democratic election.

When Republicans talk about election integrity, they are really talking about voter suppression. They are talking about carrying on the legacy of slavery and Jim Crow by actively disenfranchising Black and Brown communities through legislation like the American Confidence in Elections Act to undermine voter access and fair and impartial election administration.

And they are talking about maintaining anti-democratic control over D.C., which has had a significant Black population since its creation, was majority Black from the late 1950's through 2011, and remains majority non-White.

The United States is the only democracy in the world that denies the residents of its Capital voting representation in the national legislature.

D.C. residents have been demanding voting representation in Congress for more than 200 years. And in a 2016 referendum, 86 percent of D.C. residents voted for statehood.

Republicans want to pretend that D.C. Statehood is a power grab for the Democrats, a power grab for the Democratic Party. They say it is a political, a ploy to gain seats in the Senate.

But that does not—it just does not really make sense.

So, Ms. Weiser, if D.C. became a state, would Republicans be forbidden from running in its congressional elections?

Ms. WEISER. Absolutely not.

Ms. BUSH. Ah, OK. So, they can still run. OK. Got it.

Let me ask you, Ms. Weiser, in a democracy, should political rights be controlled—be conditioned on who voters might elect?

Ms. WEISER. No, absolutely not. That would be inappropriate.

Ms. BUSH. It would be inappropriate. Thank you.

So, D.C. Statehood is not about one party or the other. It is about freedom and it is about political self-determination. It is about overcoming the White supremacist violence of voter suppression in this here historically Black city. It is about the voices of real people whose lives and whose struggles matter.

So, Republicans should stop the hypocrisy.

Again, I remember being barricaded in my office trying to figure out how to protect my staff. And my words were: If they come to this door, we bang until the end. And I meant that, if you touch my staff. Because they did not sign up for this. They did not sign up to be in a position to where their bodies are on the line. They signed up to do a work for the people of St. Louis.

So, stop the hypocrisy. Stop talking about don't tread on me, when that is exactly what that party is doing to the people of D.C. Stop trampling on their lives. Stop trampling on their freedoms. Stop trampling on our democracy. Stop holding D.C. hostage and let Congress, once and for all, grant the people of D.C. what they have been long demanding: statehood.

Thank you, and I yield back.

Mr. RASKIN. Will the gentlelady yield? Will the gentlelady yield?

Ms. BUSH. OK. If you have still got it, go. Yes.

Mr. RASKIN. Oh, I am sorry. Were you still questioning?

Ms. BUSH. I started saying it, so—

Mr. RASKIN. I yield back to you.

Ms. BUSH. OK. Well, I yield back to you.

Mr. RASKIN. Well, you are very kind.

I was struck by the gentlelady from St. Louis' remarks. The violent insurrection that took place on January 6, 2021, was a reflection of a sentiment that a White majority in the country can not lose a Presidential election. And I think a lot of the legislation today proceeds on the same theory, that there has got to be something wrong with the elections if they are not headed in the direction of Donald Trump and his team.

So, I thank you for giving us that juxtaposition, and I yield back.

Mr. STEIL. Time has expired.

Mr. Langworthy is recognized for 5 minutes.

Mr. LANGWORTHY. Thank you, Mr. Chairman.

I ask unanimous consent to enter into the record a letter from Christopher Arps of Americans for Citizens Voting, an email of support from 6/6/23.

Mr. STEIL. Without objection.

Mr. LANGWORTHY. And I also ask for unanimous consent to enter into the record the Migration Policy Institute's profile of the unauthorized population within Washington, DC, dictating that over 20,000 noncitizens live in the District.

Mr. STEIL. Without objection.

Mr. LANGWORTHY. I would like to thank our witnesses for being here today to speak about the sacred right to vote in free and fair elections.

I will put it bluntly. Allowing noncitizens to vote in American elections is a slap in the face to every American who fought and sacrificed for this right.

In 2021, New York City became the largest municipality in the country to allow noncitizens to vote in local elections. However, even former Mayor Bill de Blasio, a committed progressive, he refused to sign this legislation when it came to his desk. Even he agreed that there is a value to American citizenship and the right to vote.

While I was Chairman of the New York State Republican Party, I sued New York City's Council, and the courts ruled against the city allowing noncitizens to vote, deeming it unconstitutional.

Allowing those who are not American citizens to vote in our elections, whether it is here in the Nation's Capital or in any locality or state, it threatens the integrity and the security of our elections and devalues what it truly means to be an American citizen.

Mr. Cuccinelli, Congress is given tremendous authority over the government in the District of Columbia, and this includes authority over elections within the District. On the other hand, Congress' role in the state and local elections is generally quite limited.

What actions could Congress take to ensure that other municipalities do not follow the lead of New York City and open their municipal elections to noncitizens?

Mr. CUCCINELLI. Well, what you are doing here with the ACE Act is obviously a good step, because in the area you have the greatest authority, the District of Columbia, you are—you would be advancing protection of citizenship.

And I agree with you, Congressman, on the value of citizenship itself is devalued when noncitizens vote, and appreciate, frankly, the role you played in New York in dealing with the city of New York's attempt to massively devalue its U.S. citizens' own votes in that city.

This is a problem across the country. It is being dealt with state by state. You mentioned an article by Chris Arps of St. Louis, if I recall correctly. He has been a leader in advancing this bipartisan position, by the way, of going state by state to try to reinforce what most Americans always assumed to be the case, and that is that only Americans get to vote in American elections.

Mr. LANGWORTHY. Absolutely.

D.C.'s radical proposal to allow noncitizens to vote in D.C. elections has rightfully received a tremendous amount of attention. I mean, frankly, I mean, we have welcomed employees of Vladimir Putin and President Xi to vote in our District elections here, people that are here on a permanent basis.

But I suspect that that is not the only anti-election integrity measure that has been adopted by the D.C. Council in recent years. Can you talk about what else in D.C.'s election law compromises election integrity and should be fixed?

Mr. CUCCINELLI. So, it has been mentioned here repeatedly that the Heritage Election Fraud Data base does not contain any D.C. cases. I would note that—no personal offense to my fellow witness here—but D.C.'s administration of its elections over the years is so sloppy and careless they do not have the measures in place to catch fraudulent activity. They do not have the desire to do it. And even

if they did, the D.C. Counsel's office, it would be nearly a miracle to see the D.C. Counsel's office actually advance a prosecution.

And when you have that behind you, I know as a former attorney general, and you are on the front lines, you do not bother putting the cases together, because you know they are not going to go forward.

Mr. LANGWORTHY. What other anti-election integrity measures do you envision that they could attempt to enact in the months ahead?

Mr. CUCCINELLI. Well, certainly what is contained in the ACE Act. Photo ID is the most obvious, including its application to mail-in ballots so far as they are allowed.

Perhaps the next large-scale change that would be beneficial in terms of confidence and reducing the prospect for fraud is stopping the mailing out—unsolicited mailing out of ballots—not applications, but ballots themselves.

Mr. LANGWORTHY. Thank you.

And I will say it again. Allowing noncitizens to vote in American elections is a slap in the face to every American who fought and sacrificed for this sacred right. Our Nation's Capital and many other cities around the country should never throw away centuries of progress and sacrifice.

I have fought this for years dating back to my time as a state-wide leader in New York, and I will continue to fight for American values here in Congress. It is not only a national security threat, it is a slap in the face to American citizens who cherish our freedom.

And, Mr. Chairman, I yield back.

Mr. STEIL. The gentleman yields back.

I believe this mic is working? Yes? No? I know we had some technical difficulties before.

All right. We will continue on, and I will get the mike going, though.

But Mr. Garcia is now recognized for 5 minutes.

Mr. GARCIA. Thank you, Mr. Chairman.

And I just wanted to just start off by saying that I take voting very seriously. I appreciate all the discussion around voting.

I am an immigrant, and so, for me, the day I raised my right hand and took an oath to our country and Constitution and earned the right to vote—I was in my twenties—it was, to this day, the most transformational moment of my life, and it is something that is incredibly important to me personally. And so, I just want to thank everyone's work on voting rights.

Now, I consider myself a patriotic immigrant. I am also a former mayor and someone who cares deeply about democracy. And like many of our conversations in this Committee, I find today's conversation deeply disturbing and offensive in so many ways.

Now, this Committee has now for the third time chosen to waste our time on working and trying to figure out local laws and what D.C. should or should not be doing. I loved my time in local government and as mayor of my community and when I served on the council, but I oftentimes feel like I am back on my city council whenever we bring up the District of Columbia here in D.C.

And I encourage my House colleagues that, if they want to get so involved in local government, they should run for office here in Washington, DC. There are plenty of City Council seats that are open. There are plenty of positions to be appointed to. And they should stop making D.C. their partisan playground for attacking elections, attacking mostly non-White voters, and attacking our democracy.

Now, D.C. residents are Americans who deserve the same rights and privileges as anyone else. Folks here are working hard to ensure that people have access to the ballot box. And we do not need House Republicans pushing voter suppression and a voter suppression campaign on D.C. I remind us that D.C. has the highest voter registration rate, I believe, in the Nation.

Now, let us start with some facts.

There is no crisis of American confidence in elections except for when Donald Trump created one across the country.

Now, many people rightly fear for the integrity of our elections when Trump welcomed the Russian support and interference in 2016.

This whole rant about elections and the destruction of our democracy starts with former President Donald Trump.

Now, let us be real clear. Joe Biden won the last election, as much to the dismay of Donald Trump and many House Republicans, by earning 7 million more votes and 74 more electoral college votes than Donald Trump.

Now, it was Donald Trump's ego, disregard for the Constitution and the rule of law, and his pathological fear of being a loser that led him to lie to the American people. Many people knew then and know now that he continues to lie and repeat this great lie to cover for him and his loss.

Now, there is no evidence of voter fraud in D.C. or anywhere else. The District of Columbia mailed each registered D.C. voter a mail ballot for the 2020 election, and there were 200,000 residents voted by mail with no evidence of voting fraud.

Now, this legislation that Republicans are discussing and want to promote will actually make it harder to vote in D.C. and will have less of a voice for the American people.

So I just want to repeat that, despite the fact that it keeps being mentioned, there is no voter, some widespread voter fraud happening in D.C.

Ms. Weiser, can you remind us how common in-person voter fraud actually is?

Ms. WEISER. An American is more likely to be struck by lightning than to commit in-person voter fraud, according to multiple studies over decades.

Mr. GARCIA. Absolutely. Thank you.

And if voter ID laws do not actually work or solve any problems, their impact is really about making it harder for Americans to vote.

And so, we should be clear. Voter ID requirements disproportionately affect non-White voters. That is clear, and I think that has been studied.

Ms. Weiser, can you remind the Committee what happened after the passage of the Texas 2021 voter suppression omnibus bill,

which required the presentation of driver's licenses, absentee ballot applications? What happened then?

Ms. WEISER. The Brennan Center actually studied the impact of just one of the provisions in this massive voter restriction bill, which is the requirement that voter ID numbers be provided with absentee ballots and absentee ballot applications.

We found that tens of thousands of ballots were rejected, 10 percent of those mail ballots, and that it was disproportionately African-American voters and Latino and Asian voters. Nineteen percent of Latino and Asian ballots were rejected, and 16 percent of African-American ballots.

Mr. GARCIA. We should be holding hearings about that travesty. We should be holding hearings about disenfranchising non-White voters across this country that is happening in state legislature after state legislature.

So, I just want to thank you for your work. I want to thank and once again restate my position that Washington, D.C., should be a state and the people here deserve the same rights as anybody else in this country. And I want to thank you for your time.

And, with that, Mr. Chairman, I yield back.

Mr. STEIL. The gentleman yields back.

The gentleman from Virginia, Mr. Griffith, is recognized for 5 minutes.

Mr. GRIFFITH. Thank you, Mr. Chairman.

Let me just touch on a couple of points first.

One, I thought everybody had agreed that the Russian interference alleged in the 2016 campaign had pretty much been debunked, but apparently not. I heard it here today just a few seconds ago.

Mr. RASKIN. Will the gentleman yield for a second?

Mr. GRIFFITH. I will not yield.

I will say in addition that the mail ballots in D.C.—I have a friend who lives up here. As you might know, several of us do. And they received multiple opportunities to vote. They obviously did not exercise that.

And in that regard, I would ask General Cuccinelli, we have heard today that the Heritage Election Fraud Data base shows no cases of fraud in D.C.

Do you have an explanation why that might be?

Mr. CUCCINELLI. I certainly do. The nature of the system in D.C. is very poor, so catching it in the first place is much more difficult. There are other jurisdictions that do a much better job of that.

But I will also tell you, as a former attorney general, that no one bothers to put those cases together when you have an office like the D.C. Counsel's office, which it would take a near miracle for them to bring a voter fraud case. So, when you do not have a prosecutor behind you who will actually bring the case, you do not put the case together.

So, people need to understand that context.

Mr. GRIFFITH. All right.

Let me switch gears, because I have heard all about D.C. Statehood.

As those who study history know, D.C. was originally created to form a city that did not or a location for the Federal Government

to locate that would not give advantage to any one state. And it was created out of land from both Maryland and the Commonwealth of Virginia, our home state, Attorney General.

And so, I have thought about this problem, because the city is a lot larger than it was when it was originally founded and there are a lot of permanent residents.

And so, for a number of years now I have introduced a retrocession bill, because when Virginia took back or when the people in Virginia decided they did not want to be a part of D.C. and everybody thought that was OK, they were given back to the Commonwealth of Virginia. And so, Alexandria and parts of Arlington were originally a part of D.C.

So, I have had a retrocession bill in for some time, and I have one that would then take everything except the Federal complexes and put it into the state of Maryland.

Is this something that you think is appropriate?

And while you are at it, let us talk about the constitutionality, because I have questioned whether the Virginia retrocession was constitutional. And, clearly, if it was, then a retrocession of the territory currently located within the District of Columbia that had originally belonged to Maryland could be also retrocessed or given back to the state of Maryland, and then all of those folks would have the opportunity to vote for a congressional person and would no longer have the feeling that they have been cut out.

Because I think they have got some legitimate concerns there, except that it was never intended to create a new state. It was always supposed to have been coming out of these two territories. And so that, to me, seems to be the better historical and constitutional answer.

Would you agree and opine on that?

Mr. CUCCINELLI. Yes. I agree on both counts, first of all, that it is constitutional; second of all, that it is not only appropriate by opinion, it is appropriate by history. That is what happened on the Virginia side of the river. That is what should happen on the Maryland side of the river.

And the Founding generation that put the law in place to originally establish the ten-mile-by-ten-mile District of Columbia is viewed by courts as more—because they also wrote the Constitution, James Madison was noted as being involved in the formation of the District of Columbia where it is, also wrote the Constitution—the courts view laws passed at that time as more closely connected to the Founding and, thus, more likely constitutional, and the acts of this body start with a presumption of constitutionality to begin with.

So, then you fast forward to 1846 when Virginia got its property back, if you will, or its portion of the land back, and with no challenge. And so that is, in my view, would be a lay-up constitutionally for your bill to pass constitutional muster as it has already been done in both directions.

Mr. GRIFFITH. But I would be correct, if it were deemed by the Supreme Court not to be constitutional, then you would have to take those portions of Virginia and put them back into the District of Columbia before you moved forward.

Mr. CUCCINELLI. Yes. It is all or nothing, yes.

Mr. GRIFFITH. That is correct. So, if they were to create statehood, it would only be appropriate that Alexandria and parts of Arlington would be returned to D.C. for statehood purposes as well, would it not?

Mr. CUCCINELLI. Logically, yes, but the more historically appropriate course is for each state to get its territory back minus the Federal buildings.

Mr. GRIFFITH. And let me just clarify on the challenge that we heard earlier, challenges to electors in the bodies based on law and the 12th Amendment.

And it is interesting because there is a statement from Abraham Lincoln when electors were challenged in 1865 from the 1864 election and that many people on both sides of the aisle have voted for challenges over the years, including my colleague who raised the issue.

And I do not know what the folks who were storming the Capitol were thinking, but there were many of us who believed that what we were doing was following the Constitution, and so did the unanimous Supreme Court.

I yield back.

Mr. STEIL. The gentleman yields back.

Mr. Frost is recognized for 5 minutes.

Mr. FROST. Thank you, Mr. Chairman.

Well, here we go again. Committee Republicans are so adverse to actual oversight that they are trying to reinvent two of their most tired narratives.

First off, Republicans act like the voters of D.C. are incapable of self-governance. So much for the party of small government.

And second, Republicans cry out about rampant voter fraud to explain away the fact that they can not win over the majority of Americans when we talk about the people who are going to vote.

The truth is that voter fraud incidents are scattered and amount to less than a rounding error in election results. We know that to be true. We heard a witness say you are more likely to be struck by a bolt of lightning to find a legitimate voter fraud case.

The truth is that the D.C. election system is among the most accessible and secure in the Nation.

And so, the truth is that Republicans are holding this hearing to try to push the ACE Act as part of their far-right extremist fantasy of election restrictions to help them hold power.

For people listening at home who do not know what is in this, let me tell you. Annual voter roll purges. Restrictions on ballot drop boxes. An outright ban on same-day voter registration. An outright ban on ballot mailing programs that will disproportionately harm elderly people and folks with disabilities. Throwing away countless mail-in ballots even if they are sent days before the polls close. And, for now, stops just short of a poll tax and literacy test.

Ms. Weiser, you are a Yale-educated attorney. You have taught at NYU Law. You have founded and directed the Voting Rights and Elections Project at the Brennan Center. And you have spent your career focused on this issue. So, I want to ask your opinion on a few questions.

Ms. Weiser, in your opinion, are there any legitimate reasons for Americans to believe that American elections, whether in 2016, 2020, or last year, are not secure?

Ms. WEISER. There is no legitimate reason to believe that there is any significant voter fraud in American elections. There are some threats to election integrity that Congress should address, but they are not voter fraud.

Mr. FROST. And when we talk about election integrity and we are talking about the ability for Congress to ensure that people can vote—that it is accessible, that it is simple, and that it is easy—is that what you mean by election integrity?

Ms. WEISER. An election with integrity is indeed an election where every eligible American can cast a ballot. It is an election that has protections against efforts to sabotage and interfere with election outcomes and interfere in election administration. It is an election free of violence and intimidation and an election with adequate security protections against cybersecurity threats.

Mr. FROST. Republican officials want to use hysteria and disinformation to justify stifling turnout because it seems like when more people vote they end up losing. And, to me, it seems like there is something wrong with your platform when you have got to keep people from voting in order to win.

But, Ms. Weiser, in your opinion, why might Americans believe that our elections—specifically, the 2020 election—lacked integrity?

Ms. WEISER. Unfortunately, we have seen a real aggressive wave of dis-, mis-, and mal-information about the integrity of the 2020 election. Court case after court case, election expert after election expert, and government agency after government agency have all found that there was no significant fraud or misconduct, that it was one of the most secure—it was the most secure election in American history. And yet, that is not what many Americans are hearing through their disinformation channels.

Mr. FROST. Have you heard some of that disinformation on the Committee today?

Ms. WEISER. I have heard some false statements about the integrity of our elections.

Mr. FROST. You know, every day I feel like I see my colleagues on the other side of the aisle mimicking what is going on in my state where—and I worked for the ACLU and knocked doors for this—to restore voting rights to over 1.4 million returning citizens in the state of Florida.

And a large group of these folks who served their time went to register to vote and, by election officials, were given a card that said you are registered to vote. Then months later, to have a knock at their door, to be arrested, and put in jail by Ron DeSantis and the Republican Party in Florida that has created an election police force to arrest people.

Do things like that stifle turnout and mess with the integrity of our elections?

Ms. WEISER. We are deeply concerned with those kinds of official intimidation efforts. We do believe that it is harming turnout. It is intimidating voters, not just returning citizens who are eligible to vote but—

Mr. FROST. But all voters.

Ms. WEISER [continuing]. Other people in their community as well.

Mr. FROST. And you want to know the thing that really gets to me. I cried when I saw those videos. There were things that were in common here. They were either Black, Latino, or poor.

I yield back.

Mr. STEIL. The gentleman yields back.

Ms. Balint is recognized for 5 minutes.

Ms. BALINT. Thank you, Mr. Chair.

We certainly have work to do to overcome the dark sordid past of suppressing voting in the United States. Poll taxes, literacy tests, use of the Grandfather Clause, women being denied the right to vote, violence against Black citizens who have attempted to vote. We have work to do to overcome this horrible history.

And, like the District of Columbia, my home state of Vermont has been working hard to make sure that we implement common-sense strategies to make sure every eligible voter can vote. And one of those strategies is allowing same-day voter registration.

So, Ms. Weiser, does same-day voter registration increase the number of eligible voters participating in our elections?

Ms. WEISER. Yes, it does. There are a long string of studies that show that it increases voter participation from as much as—from three to nine percent.

Ms. BALINT. And is there any indication that same-day voter registration increases voter fraud?

Ms. WEISER. There is no—there is no evidence of increase in voter fraud in states that have same-day registration. Their voter fraud rates are just as low as those in the rest of the country.

Ms. BALINT. Can you say that one more time, because I think this is really, really important.

Ms. WEISER. There is no factual connection between same-day registration and increased voter fraud that has been demonstrated anywhere in the country.

Ms. BALINT. So, when a state like Vermont or District of Columbia makes a decision that one of the most important things that we can do as elected officials is to make sure anyone who is legally able to vote is easily able to vote, that is something that we should all be striving for, correct? I mean, we should be wanting more people to vote, not restricting people who are eligible to vote from voting.

Ms. WEISER. I agree with that. And I should note that the states that do have same-day registration have multiple layers of protection in place to ensure that it does not increase any risk of voter fraud.

Ms. BALINT. That is right. You know, one of the other things I was sitting here thinking about is that, you know, when you look at what is going on right now in this hearing and the issues that people of color have had to face throughout our history, and are still facing just in being able to cast legal ballots, it is similar to the struggles that rural voters have had as well.

And, as a former middle school teacher, I think a lot about the students that I have had over the years that have been born into rural poverty in my state and may be born into a family that does not have a high level of education.

And I was—in preparation for this hearing, I did some digging into the numbers. And over 18 million Americans who did not complete high school or only have a high school diploma do not have a driver's license. These are the people that are going to be turned away to vote because they do not have an ID.

And so, as my colleague Max Frost just said, it is about restricting people from voting, whether they are people of color, whether they are the poor, whether they are rural voters who do not have a high income or educational level of attainment.

And I can not understand why this is such a focus of my colleagues on the Republican side of the aisle to prevent Americans who are legally eligible to vote from voting. And can you help me understand this? What is going on here?

Ms. WEISER. I do support reasonable and nondiscriminatory ID requirements. Americans should certainly have to demonstrate they are who they say they are. But what we are seeing and what has been raising significant concerns are these overly restrictive ID requirements like what you are talking about, requiring people to show a driver's license to vote in a jurisdiction where large numbers of people do not have driver's licenses, that many Americans do not have.

And that risks disenfranchising huge swathes of the population, by our earlier research, up to 11 percent of Americans, and that is disproportionately in voters of color, voters with disability, elderly voters, young voters.

Ms. BALINT. And so, you know, my understanding is adults—make sure I get this right. Adults who earn less than \$30,000 a year are five times more likely not to have a driver's license than somebody that earns over \$100,000 or more.

Ms. WEISER. Right.

Ms. BALINT. I think it is really clear what is going on here. And I yield back.

Mr. STEIL. The gentlelady's time has expired.

Ms. CROCKETT is recognized for 5 minutes.

Ms. CROCKETT. Thank you, Mr. Chairman.

I do not really know where to begin. So, we are going to start with a few questions. I got a little quiz for you all. So, we have been talking about the right to vote. I just need a yes or no from each of the witnesses, and we will start with Ms. Weiser. Is voting a constitutionally protected Federal right?

Ms. WEISER. Yes, it is constitutionally protected through multiple provisions.

Ms. CROCKETT. OK. Ms. Evans, yes or no?

Ms. EVANS. Yes.

Ms. CROCKETT. Mr. Spies, yes or no?

Mr. SPIES. Yes.

Ms. CROCKETT. And, Mr. Cuccinelli, yes or no?

Mr. CUCCINELLI. It is constitutionally protected.

Ms. CROCKETT. OK, thank you.

We have heard a lot of talk today about things such as buying alcohol.

Ms. Weiser, is alcohol a federally protected constitutional right?

Ms. WEISER. It is not.

Ms. CROCKETT. Ms. Evans?

Ms. EVANS. It is not.

Ms. CROCKETT. Mr. Spies?

Mr. SPIES. No.

Ms. CROCKETT. Mr. Cuccinelli?

Mr. CUCCINELLI. Cuccinelli.

Ms. CROCKETT. Cuccinelli.

Mr. CUCCINELLI. You need an ID to buy it, but no.

Ms. CROCKETT. OK. All right.

And, finally, we like to talk about guns, or at least some people in this building love to talk about guns. Guns. Is there an amendment dealing with guns in our Federal Constitution?

Ms. WEISER. Yes.

Ms. CROCKETT. Ms. Evans?

Ms. EVANS. Yes.

Ms. CROCKETT. Mr. Spies?

Mr. SPIES. Spies. Yes.

Ms. CROCKETT. Spies. And yes, sir?

Mr. CUCCINELLI. Yes, there is, and you need an ID to buy it.

Ms. CROCKETT. OK. So, let us talk about it. So, I hail from the great state of Texas. And what is interesting to me is we always want to talk about privileges and compare what is required for a privilege versus comparing what is required for a constitutionally protected right under our Federal Constitution.

And it is interesting that, in this Chamber, we love to talk about the Second Amendment, and we want to make sure that everyone has guns. And we only have one amendment in our Constitution that deals with guns, and it is the Second Amendment.

And, Professor Weiser, you were just about to say, we have multiple provisions, so you were messing up my test a little bit. So, I am not going to let you answer the question. I am going to go down here to these experts. Let us start and go the other way.

Do we know how many amendments actually address voting in our Constitution?

Mr. CUCCINELLI. Well, it depends how you count them, but you could say three—14, 15—

Ms. CROCKETT. OK. Mr. Spies?

Mr. CUCCINELLI. Plus, the D.C. amendment.

Mr. SPIES. And maybe First.

Ms. EVANS. Yes, I would agree with that.

Ms. CROCKETT. OK, Professor, go ahead and break it down.

Ms. WEISER. I believe it is six.

Ms. CROCKETT. There we go. There we go. So, we got the 14th, we got the 15th, 17th—wait a minute, did I mess up—19th, 24th and 26th. There we go. All right. So, we have six amendments.

Mr. CUCCINELLI. Twenty-third.

Ms. CROCKETT. And every time we dealt with an amendment dealing with voting, we were expanding upon access. Is that not correct?

Ms. WEISER. That is correct. That is the history of this country, expanding—

Ms. CROCKETT. OK. The history is to expand, but obviously there are some folks that want to rewrite history and make sure we go back in time. So, let us also talk a little bit more about history for a couple of seconds.

There was this little thing called the Voting Rights Act. Are you familiar with that?

Ms. WEISER. Yes, I am.

Ms. CROCKETT. Are you also familiar with this thing called Bloody Sunday?

Ms. WEISER. Yes, indeed.

Ms. CROCKETT. OK. So, are you familiar with the fact that there are Black folk that died in this country to make sure that Black folk had access to the ballot box?

Ms. WEISER. Yes, that is correct.

Ms. CROCKETT. Are you also familiar with the fact that probably around 1913 or sometime around there was maybe a women's suffrage march?

Ms. WEISER. Yes.

Ms. CROCKETT. And that was a fight, again, for women to have access to the ballot box, was it not?

Ms. WEISER. Yes, it was.

Ms. CROCKETT. OK. So, we have had throughout history these fights to make sure that everyone is accessing the ballot box. But seemingly, when it comes down to, say, guns in this country, which is the No. 1 killer of children in this country, we have not had half as many hearings about guns as we have had on voting rights. And every time we seemingly have a hearing on voting rights, we are talking about the fact that people are cheating.

So, let us talk about who is cheating. I got a few articles. Are you familiar with the fact that there was recently a settlement with this little news company called FOX News?

Ms. WEISER. Yes.

Ms. CROCKETT. Oh, OK. That was for about \$780-something million. Was it because they were lying about the elections?

Ms. WEISER. Yes. It was for a—

Ms. CROCKETT. OK. There we go. I am running out of time so I am going to keep going.

There also was this article, because I do not want us to base anything on Georgia at all—please, Jesus, not Georgia—OK, because Georgia purged 87,000—

Ms. GREENE. Will the gentlewoman yield? I think Georgia matters.

Ms. CROCKETT. I will not yield. I am reclaiming my time.

All right. So, there were 87,000 people that were purged that were legitimate voters. So no, we do not want to copy off of Georgia.

Also, another GOP voter admits he committed fraud, another one in Pennsylvania, a man who admits he voted for Trump with his dead mom's name because he listened to too much propaganda.

Mr. STEIL. The gentlelady's time has expired.

The gentlelady from the state of Georgia, Ms. Greene, is recognized for 5 minutes.

Ms. GREENE. Thank you, Mr. Chairman.

I would like to remind everyone that Georgia's votes matter. And everyone should care about each state in the United States of America and voter rights.

And I would also like to remind everyone that in order to buy a gun you have to have a valid ID. That is required, just like voters should have a valid ID.

Talking about the state of Georgia and the 2020 election, my ex-husband showed up to vote for President Trump and myself and other candidates that he wanted to support. And, when he showed up to vote, he was told that he had already voted by absentee ballot.

And he said: No, that is not true. I have not voted by absentee ballot. As a matter of fact, I did not even request an absentee ballot.

And they said: Well, Mr. Greene, it shows right here on the Secretary of State website that you have already voted by absentee ballot.

And he said: Well, that is not true. I have not voted. I would like to vote here in person. That is what I am doing.

And so, they made him sign a form surrendering a ballot that he never requested and never voted on so that he could vote in person. And he was deeply troubled by this. He was upset by it. But what bothered him even more is there was a whole line of voters there that day that were doing the same thing.

We carried on. And he had to go through quite a lengthy legal process to find out what happened. And he still has not found out why someone was able to vote with an absentee ballot in his name. He also never found out what happened to that absentee ballot, if it was thrown out, and who they voted for.

You see, there are problems in our elections, and it is important to remember. We saw many of them in the 2020 election. We saw suitcases pulled out from tables, suitcases of ballots. And then here we just saw in the news that a Postal Service released its final report, contract driver Jesse Morgan vindicated because he had been trying to say that he hauled a trailer of ballots from New York to Pennsylvania in late October 2020.

These things matter. And Democrats know they matter too because, in 2019, Democrat Senators Klobuchar, Warner, Reed, and Peters had all wrote a letter of how concerned they were because intelligence agents were saying that elections were in danger of being hacked by foreign nationals or foreign countries because election machines could be hacked. Now, I think that is problematic, and I think everyone can agree that we do not want foreign countries or foreigners meddling in our elections.

And so, my question would be, if this is such a deep concern, Ms. Weiser, Ms. Evans, Mr. Spies, Mr. Cuccinelli, one by one could you say yes or no if you agree that we do not want foreign actors meddling in our elections?

Ms. Weiser, we will start with you.

Ms. WEISER. That is correct, we do not want foreign actors meddling in our elections.

Ms. EVANS. As the director of D.C. Board of Elections, I make no opinion statements.

Ms. GREENE. That is a yes or no, Ms. Evans.

Ms. EVANS. I provide no opinions in my role as the Executive Director of the District of Columbia Board of Elections.

Ms. GREENE. So, you are unable to have—how do you do your job if you can not give an opinion or an answer? It seems like you would be unfit to serve in the job that you have if you are unable to provide a yes-or-no answer on foreign actors meddling in United States elections.

Ms. EVANS. My job is to administer the laws as they have been provided in the District of Columbia, and I perform my job with integrity, and I know my job well. And that is my responsibility.

Ms. GREENE. So, you are unable to say no, so we will take that as a yes, you agree with foreign actors meddling in United States elections.

Mr. Spies?

Mr. SPIES. Strongly oppose it.

Ms. GREENE. Mr. Cuccinelli?

Mr. CUCCINELLI. Also oppose it, including noncitizens voting.

Ms. GREENE. I agree. The House passed a resolution of disapproval, with 42 Democrats voting with Republicans about the D.C. law that was passed last year called Local Residents Voting Rights Amendment Act.

Local, you would think that would be United States of America residents, not noncitizens. But that allows—this law passed that you obviously support foreigners meddling in our elections is foreign diplomats, people that work at embassies, illegals, and foreign nationals allowed to vote in the District of Columbia elections.

You can tell that Democrats disagree with this because 42 Dems voted against it. Democrat Senators, again, four of them wrote a letter very concerned about foreign countries, and our intelligence agencies are concerned about this. And you know what? Most Americans are.

And that is a very serious, serious problem.

With that, my time has expired, and I will yield back. Thank you, Mr. Chairman.

Mr. STEIL. The gentlelady yields back.

Mr. RASKIN. Point of order.

The Chairman. The gentleman is recognized for the point of order.

Mr. RASKIN. Thank you. If a witness declines to answer a question on the grounds that he or she cannot answer the question, is it appropriate to state for the record that the answer is yes?

Because I would like to correct the record, because I think that cuts against everything we understand about the dynamics of hearings.

Mr. STEIL. The Ranking Member's comments are noted.

The gentlewoman's comments stand on the record.

Mr. RASKIN. OK. And the witness' comments will stand on their own.

Mr. STEIL. The witness is more than welcome to provide additional commentary in writing following the conclusion of the hearing.

Mr. RASKIN. OK. Thank you, Mr. Chairman.

Mr. STEIL. No further parliamentary inquiries.

The gentleman from South Carolina is recognized for 5 minutes, Mr. Timmons.

Mr. TIMMONS. Thank you, Mr. Chairman.

You know, one of the bedrock principles of a functioning democracy is confidence in the outcome of our elections. And, obviously, with COVID came a number of changes to state election laws that were done so in violation of the Constitution.

So, I guess I want to start by asking Ms. Evans, were changes made to the manner in which D.C. conducted its elections because of COVID?

Ms. EVANS. Yes.

Mr. TIMMONS. And how were those—was it a Council vote? Who approved and who authorized those changes?

Ms. EVANS. There were different changes made. I can not say there is a wholesale answer.

Mr. TIMMONS. Did City Council vote on those changes?

Ms. EVANS. There were changes that were made with the authority that the D.C. Board of Elections currently has.

Mr. TIMMONS. The D.C. Board of Elections do not have authority to change the election.

Ms. EVANS. Not change the election. I said decisions were made regarding the election. The D.C. Council did pass emergency legislation during the height of the pandemic, yes.

Mr. TIMMONS. Did any judge change your election laws?

Ms. EVANS. Not to my knowledge.

Mr. TIMMONS. OK. Well, you know, we have had a lot of issues with confidence in the outcome of the 2020 elections, because many unelected bureaucrats, some elected officials, and Federal judges and state judges and a wide variety of people made changes to election laws that are not allowed under the Constitution.

So, South Carolina—and, you know, I guess people do not realize this. People always say the Supreme Court turned down every argument, every case that was challenging the outcome of any election. That is actually not true. That is not true. One case was heard on the merits, and it was unanimously voted on by the Supreme Court as it relates to South Carolina's unconstitutional changes that were done by a Federal judge.

So, what happened is the General Assembly appropriately got together and said: We have a pandemic, and we want to keep people safe.

And they made changes to the state of South Carolina's election laws in accordance with the Constitution. And a group of people that did this across the country got together and tried to change our election laws in South Carolina.

And the Federal judge—I can guess—you can guess who appointed her—overturned the state's recently adopted COVID-friendly election laws. And it was kind of chaotic. Fourth Circuit originally overturned her, then overturned the initial ruling. And then the Supreme Court, nine to zero, said that the Federal judge was not entitled to make changes to South Carolina's election laws because that is just not how the system works.

So, the same thing happened in Arizona, in Georgia and Pennsylvania, and states all over the country. And that is why people did not trust the outcome of the election. Who knows whether those changes would have made a difference, but, you know, the Ninth Circuit Court of Appeals, the dissenting opinion said: We know for a fact that 15-plus thousand people voted that were not legally en-

titled to vote because a judge changed when the registration deadline was, and that was not within their purview to do.

So, you know, we have all these challenges across this country. And I hope that we can learn from them. I hope that we can learn from the mistakes that were made. I realize that the pandemic has justified so many decisions, so many decisions. And I think reasonable minds can differ at the time whether those were appropriate, but I think, in retrospect, many of the decisions made during the pandemic were not in the best interest of our citizenry and did, in fact, not help to push this country forward to overcome it.

So, you know, whether D.C. legally or unconstitutionally allowed everybody to vote that—I mean, you all had 50,000 ballots that were returned as undeliverable, is that right? 48,018, is that correct, Ms. Evans?

Ms. EVANS. Which election are you referencing?

Mr. TIMMONS. The 2020 election. The stat I am looking at here says that you sent out—

Ms. EVANS. Yes.

Mr. TIMMONS [continuing]. Four-hundred-twenty-one ballots, that universal mail-in voting does not work. It does not facilitate confidence. I would argue that the fact that 11.4 percent were returned as undeliverable is exactly why universal mail-in voting is ridiculous. But I guess reasonable minds can differ.

One last thing. I ask unanimous consent to enter into the record a 2016 report from the D.C. auditor showing that D.C. did, in fact, fail its own audit.

And, with that, Mr. Chairman, I yield back.

Mr. STEIL. Without objection.

Mr. STEIL. And the gentleman yields back.

In consultation with the Ranking Member, we would like to give each of our witnesses 2 minutes for closing remarks. Then the Ranking Member and I will each take 4 minutes for closing remarks. We will then gavel the Committee hearing closed.

We will start with you, Ms. Weiser, if you would like to say anything in conclusion in the hearing up to 2 minutes.

Ms. WEISER. Thank you very much for this hearing. I wanted to close where I started, by underscoring what I believe are serious risks to our elections heading into—going forward from disinformation that is sowing distrust about the elections, fueling vote suppression efforts, causing people to try to tamper with election equipment and meddle in election results and fueling a climate of harassment and even violence.

I think these are really serious risks. These are things that I really do hope Congress will take seriously and address nationally, not just focused on D.C. And I strongly urge this Congress to revisit and pass the Freedom to Vote, John R. Lewis Act, which actually would address each and every one of these problems.

And, as well, I want to make sure that Congress also ensures the local self-determination for D.C.'s residents and grant them full citizenship and statehood in this country. Thank you.

Mr. STEIL. Thank you very much. The gentlelady yields.

Ms. Evans, you are recognized for up to 2 minutes.

Ms. EVANS. Thank you. First of all, I would just like to say that in D.C. we take elections very seriously, and I take my job very seriously.

I have heard allegations that we have no desire to find fraud in the District of Columbia. That is untrue. We do have measures in place to address list maintenance. We not only have measures to be transparent, but we are increasing those efforts, including with the recently passed Elections Modernization Amendment Act, where we are developing a visualization data board that will be accessible and available to the public.

There has been testimony regarding what the citizens in the District of Columbia want. To my knowledge, I do not know that the residents of the District of Columbia have been asked, polled, or voted on the testimony items that have been provided today.

And, finally, I would just like to say again that, as far as my role as the Executive Director, D.C. Board of Elections, I do not introduce, pass, nor do I opine on legislation.

Thank you so much for the time.

Mr. STEIL. Thank you very much.

Mr. Spies, you are recognized for up to 2 minutes.

Mr. SPIES. I was pleased to hear Mr. Frost reference the Florida election reforms, and I think those are important to circle back to because those would have become effective in mid-2021 for the 2022 elections.

When those reforms were passed, the Brennan Center criticized them and used a lot of this rhetoric we are hearing about disenfranchising people. But the interesting thing about Florida is we have now seen the results. And we have seen that the results of those reforms was not to disenfranchise people but, in fact, to have record turnout across all demographics in Florida in a smoothly run election.

This is important because those reforms that were passed are largely the basis of what we are seeing with the ACE Act. And, if we can get that passed in D.C., that can then be a model for the rest of the country.

Mr. STEIL. The gentleman yields back.

Mr. Cuccinelli is recognized for 2 minutes.

Mr. CUCCINELLI. I would just dovetail Mr. Spies' comment and note that we have heard presumptions here today that your vote is almost determined by the tone of your skin color. And, in the Florida election of 2022, Ron DeSantis won 60 percent of the Hispanic vote after passing those election reforms and with the turnout that Mr. Spies referenced.

So, while Democrats may assume that skin color determines thought, I do not and nor do many others who believe in election integrity.

I would note Mrs. Torres raised a question challenging my integrity, whether explicitly or implicitly, and has sent a letter to me asking me about my prior testimony. I stand by all of my prior sworn testimony in response to her letter.

Congresswoman Bice referenced, and as did the witness to my right, Mr. Spies, the popularity of voter identification in polling. I would note that, in the Michigan ballot measure this year, that the side running the ballot measure, which gutted, it eliminated the ID

requirement, they passed that ballot measure, and they did it by telling voters, with millions of dollars, that it protected voter ID. That is how they passed it. They lied through their teeth. And, in doing so, they adopted the position that is included in the ACE Act. They suggested that the ballot measure would accomplish the same as the ACE Act in terms of voter identification.

And, last but not least, the whole talk of D.C. Statehood is a power play by the Democrat Party, with a 90 percent voter advantage in D.C. That is two more Senators. If they are true to history, they will just give the property back and the people will go back to Maryland, where they will have two Senators and they will have a Congressman and not a Delegate, as I keep hearing is desired.

Mr. STEIL. Thank you very much.

Ms. NORTON. Mr. Chairman, I ask unanimous consent to submit a statement into the record from the League of Women Voters of the United States and the League of Women Voters of the District of Columbia. Thank you.

Mr. STEIL. Without objection.

Mr. STEIL. I now recognize the Ranking Member, Mr. Raskin, for 4 minutes for closing remarks.

Mr. RASKIN. Thank you kindly, Mr. Chairman.

I also want to just cleanup a little bit of the debris, the flotsam and jetsam left over from this hearing, which you have presided over in admirable fashion, Mr. Chairman. So, thank you for that.

The first thing is Mr. Griffith, who I am afraid is not with us now, made the bizarre point that he thinks that we all agree that there was no Russian interference in our election in 2016. I think anybody who is paying attention, who has studied the historical record, determines the issue in exactly the opposite fashion.

More than a dozen different national security agencies, including the CIA, the FBI, the NSA, the Director of National Intelligence, the Department of Justice, the Department of Homeland Security, the House Intelligence Committee, the Senate Intelligence Committee, all determined that Vladimir Putin had a plan.

He had a whole operation in place, the Internet Research Agency, which they put hundreds of millions of dollars in, precisely to interfere in the American Presidential election and destabilize it.

Now, there is obviously dispute about to what extent Donald Trump coordinated with them. Some people think Donald Trump had nothing to do with it and when he said, "Russia, if you are listening, find me those 30,000 email," or when they met with Russian operatives at Trump Tower, that all of that was just accidental or whatever.

But, in any event, put that to the side. Nobody serious is doubting that there was a Russian campaign to interfere in election in 2016. So, I was alarmed that he was engaged in that degree of Orwellian whitewashing of our actual history. Here is Marco Rubio, the Republican Senator from Florida who was then acting Chairman of the Senate Intelligence Committee, who said: We found irrefutable evidence of Russian meddling in the 2016 election.

So, I wanted to clear that up, because these things have a way of changing people's minds for no reason.

Second, on the matter of noncitizen voting, which has become kind of a big deal in this hearing, I would just encourage everybody

to study the history of it. I have no dog in the hunt. This is up to the people of D.C. whether they want noncitizens to join the overwhelmingly citizen population of D.C. and vote in school board and ANC and City Council elections. That is up to them, just like it is up to the people of Little Rock or Juneau, Alaska, or Dallas, Texas. So, I have got no horse in that race.

But I will tell you that some people in this hearing were vehemently denouncing the practice as un-American, unconstitutional, and so on, without understanding remotely the history of this practice, which was pervasive throughout the 18th and 19th centuries precisely because the states wanted to welcome immigrants to their population and give them the right to vote as a way to get them interested in local affairs.

And I think Mr. Cuccinelli properly quoted me when someone said, well, what about, you know, Russian agents at the Russian Embassy? And I said, if I had a vote in D.C., which I do not, I would certainly vote to exclude them from participating, because it has been proven that they are up to no good and are trying to subvert our democracy. But it is up to the people of D.C. how they want to deal with the issue of their local elections.

Finally, about the matter at hand, the people of Washington, D.C., are the residents of the only national capital on planet Earth who are not represented in their own national legislature. These are tax-paying, draftable, law-abiding U.S. citizens, 700,000 of them, a population larger than that of two states, and yet they are completely excluded from voting representation in the Congress that makes decisions essential to their lives, about judicial nominations, about war and peace, about Federal budget and so on.

That is the critical voting rights issue. Everything else is a sideshow and a distraction from that. Let us get back to what we were doing the last Congress. Let us pass D.C. Statehood, and let us keep the march of democracy and freedom going in America.

Thank you, Mr. Chairman. I yield back.

Mr. STEIL. The gentleman yields back.

I appreciate all of our witnesses being here today. I think what we heard is the need to pass the ACE Act. Time and again we heard the challenges we face in Washington, DC, and across the country for lax voter integrity laws, and an opportunity to strengthen voter integrity.

We had testimony from our witnesses about the implications that strong voter integrity provisions have. We highlighted Florida. We highlighted Georgia. We reviewed the rhetoric from last year from the left, from President Biden and others, who called the Georgia voter integrity law Jim Crow 2.0, a whole host of flawed arguments.

And then the empirical data came forward, and it actually showed that by putting in place strong voter integrity provisions, what we actually got was higher participation and more people appreciating the process.

It is my firm belief that, when you have strong voter integrity provisions, what you actually do is enhance people's confidence in their elections. And when confidence is enhanced, more people are likely to vote.

And I think there is some real commonsense provisions that we put in this, in particular as it relates to Washington, DC. We talked about how you need a photo ID to buy a six-pack of beer if you are a resident of D.C., to board an airplane. We heard people talk about their Second Amendment rights and the need for a photo ID there. So, it is completely rational to think that putting forward photo ID for the right to vote actually enhances confidence in our elections.

It was brought up again by my colleague about the impact of noncitizens voting. Mr. Ranking Member, you noted that you would be happy to make sure that Russian and Chinese agents that are hostile to the United States' interests are not able to vote.

I would ask you to take a hard look at the ACE Act and consider supporting it, because what it does is it prevents Chinese and Russian agents from being able to vote in Washington, DC. I think that is a pretty commonsense thing.

I think it is absolutely ridiculous to think that somebody who works on the embassy staff of a foreign country is going to pull out a foreign passport and walk up and vote at a Washington, DC, election because they have been in the Nation's capital for 30 days.

There is an estimated 20,000 to 40,000 individuals who are 18 years of age who have been in D.C. for 30 days who are citizens of another country, a healthy chunk of them working for foreign countries while being here in the Nation's capital. I think it is pretty reasonable to make sure that those individuals are not voting.

We know that, in Washington, DC, in the 2022 election, 500 ballots were sent out that were incorrect. Well, it sure gives you a lot of pause when you realize that, in addition to that, we have voter rolls in Washington, DC, that are not as up to date as they could be. So, it is rational to think that, if you have noncitizens voting, that all sorts of things could go on and individuals who are on the voter rolls could find themselves able to vote in a Federal election, which is ridiculous.

The ACE Act provides the tools for Washington, DC, to be able to prevent that. We stop the sending of unsolicited ballots. We talked about the implications that that has had in Washington, D.C., where multiple ballots were sent in previous elections unsolicited by people on an unmaintained voter list. Those types of things do not enhance people's confidence in our elections. The ACE Act resolves that.

And our hearing opened with a comment from one of my colleagues that was disappointed we were even here having this conversation in the first place. If the cameras were flipped around and saw the attendance in this room, I would suggest it is a great idea to be having this conversation. We have got a lot of people here who are interested in this.

Instead of H.R. 1, which was shoved through with no amendments, two quick hearings, a Federal takeover of our election law, what we have done, starting before the 2020 election, began building this legislation so that we are in a position to discuss it, to amend it, to make it as strong as we can and ultimately to pass it, to have the most substantive and strongest election integrity bill pass the House of Representatives in over 20 years.

With that, I will yield to myself and say—and thank all of our witnesses for being here today. Appreciate your testimony. Appreciate the Ranking Member for working with me in this.

And each Member of the Committee may have some additional questions for our witnesses. We ask that you please respond in writing to those questions.

Without objection, each Member will have 5 legislative days to insert additional material into the record or to revise and extend their remarks.

Now, pursuant to paragraph (c) of House rule XIV—of rule 14 of the Committee on House Administration, I hereby appoint William Johnson Assistant Clerk of the Committee. And I will request unanimous consent that the letter appointing the Assistant Clerk be entered into the official record. A copy of the letter will be made available to all Members of the Committee.

And if there is no further business, I thank—

Mr. RASKIN. Mr. Chairman, could I just ask unanimous consent to enter two document into the record?

Mr. STEIL. The documents are?

Mr. RASKIN. A study by Professor Charles Stewart in the MIT Election Data and Science Lab on how we voted in 2022, discussing confidence going up in our elections; and a letter from Common Cause about how more secret dark money would be allowed in our elections under the legislation.

Mr. STEIL. Without objection.

Mr. RASKIN. Thank you very much.

Mr. STEIL. With no further business, I thank the Members for their participation.

Without objection, the Committee stands adjourned.

