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One Hundred Seventeenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION

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November 1, 2022

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

We are writing to express our concerns with your false claims about election integrity legislation across the country. Despite overwhelming evidence to the contrary, you have even gone as far as to say states, like Georgia, have implemented “Jim Crow 2.0” or “Jim Crow in the 21st Century”.¹ Further, you made specific claims about the early voting provisions in Georgia’s Election Integrity Act that earned you four Pinocchios from the Washington Post.² It is now without question that those statements have no basis in fact. In the interest of ensuring American voters may have confidence in elections processes and outcomes, we demand you immediately cease spreading election misinformation, rescind your previous statements, and apologize to the American public.

Your party has made repeated and unsuccessful efforts to ram bills of questionable constitutionality through Congress that would nationalize our elections and centralize their administration in Washington, D.C. The Constitution clearly reserves to the states the primary role in determining election law and administering federal elections in this country, preserving to the Congress a federal fail-safe applicable only in extreme circumstances, none of which are applicable here.³ Your statements ignore Georgia’s sovereign interest in upholding its constitutional duty to maintain accurate elections, as confirmed last year by the United States Supreme Court in a major decision against the Democratic National Committee.⁴

Further, your claims of voter suppression have turned out to be completely inaccurate. As you may know, Georgia has seen record-breaking early voter turnout this election, a key factor under the ever-important Voting Rights Act of 1965 for determining whether untoward, malicious activity is occurring in elections. As of Monday, October 24, 2022, over 837,000 people had already voted in Georgia, the highest early voter turnout to date in state history.⁵ In fact, the number of Georgians who have voted early has outpaced the 2018 midterms and is at pace to exceed voter turnout for the 2020 Presidential election, both of which also saw record turnout.⁶ The surge in early voting has not

¹ Hannah Grossman, *Biden excoriated for suggesting blocking his agenda is ‘Jim Crow 2.0’: ‘just plain sick’*, Fox News (Jan. 19, 2022, 8:38 a.m. EST), <https://www.foxnews.com/media/biden-excoriated-twitter-insinuating-blocks-legislation-jim-crow-2-0>. See also Jessica Chasmar, *Biden ‘stands by everything he said’ in fiery Georgia speech that compared opponents to segregationists*, Fox News (Jan. 18, 2022, 2:34 p.m. EST), <https://www.foxnews.com/politics/biden-stands-by-everything-he-said-georgia-speech-segregationists>. Andrew Stiles, *Jim Crow on Steroids: Georgia Turnout Hits Record High After Democrats, Woke Corporations Blasted State’s ‘Voter Suppression’ Law*, Wash. Free Beacon (Oct. 18, 2022, 4:35 p.m.), <https://freebeacon.com/democrats/georgia-turnout-voter-suppression-scandal/>.

² Glenn Kessler, *Biden falsely claims the new Georgia law ‘ends voting hours early’*, Wash. Post (Mar. 30, 2021, 3:00 a.m. EDT), <https://www.washingtonpost.com/politics/2021/03/30/biden-falsely-claims-new-georgia-law-ends-voting-hours-early/>.

³ U.S. Const., Art. I, Sec. 4, cl. 1. See also Ranking Member Rodney Davis, Report: *The Elections Clause: States’ Primary constitutional Authority Over Elections* (Aug. 12, 2021), Comm. on H. Admin. (Republicans), <https://republicans-cha.house.gov/elections-clause-states-primary-constitutional-authority-over-elections>.

⁴ *Brnovich v. Democratic National Committee*, Slip Op., 594 U.S. ____ (2021). See also Isaac Schorr, *Georgia Secretary of State Says Brnovich Decision ‘Vindicated’ State’s Voting Law*, Nat’l Rev. (July 1, 2021) (republished at Yahoo! News (July 1, 2021), https://news.yahoo.com/georgia-secretary-state-says-brnovich-222150525.html?guccounter=1&guce_referrer=aHR0cHM6Ly9kdWNrZHVja2dvLmNvbS8&guce_referrer_sig=AQAAACZsd80MrS_SFbCACIRqHaTlilLtFvZ6DeWXA3W8j5IPXtAhv6UtvIQH6Fv2u_P45W9eAOeR4Rx9ArQMMnHAWCVjWwAA4RJFG9j0Q9F4vk3Jc35GHePJ4-rjdfAktANUhmwkw0OfUEKtRjXsMtDJOI4WmR0xzA10ddLzguENecBgR).

⁵ *Georgia early voting numbers continue shattering records* FOX 5 TV (Atlanta, Ga.) (Oct. 24, 2022, 8:13 a.m. EDT), <https://www.fox5atlanta.com/news/georgia-early-voting-numbers-record-first-week-midterm-election>.

⁶ Kevin Schaul, et al., *2020 turnout is the highest in over a century*, Wash. Post (Dec. 28, 2020, 4:29 p.m. EDT), <https://www.washingtonpost.com/graphics/2020/elections/voter-turnout/>; Grace Segers, *Record voter turnout in 2018 midterm elections*, CBS News (Nov. 7, 2018, 1:33 p.m.), <https://www.cbsnews.com/news/record-voter-turnout-in-2018-midterm-elections/>.

President Joseph R. Biden, Jr.

October 26, 2022

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been contained just to the general election: Georgia also saw record turnout in the primary election earlier this year. The high turnout numbers stand in stark contrast to the statements that you and others, like election denier and current gubernatorial candidate Stacey Abrams, had predicted when the law was put into place.⁷

Republicans believe every eligible American voter who wants to cast a ballot must be able to do so and that those ballots must be counted according to law. Our system must make it is easy to vote but hard to cheat. Georgia shows that when common-sense election integrity provisions are put in place, people respond positively because they know their vote will be counted accurately. Every state should follow Georgia's example to take steps to build faith in our elections. Instead of attacking key election integrity provisions, making unsubstantiated claims, and undermining the public's trust, we urge you to work with us to ensure Americans' confidence in our elections.

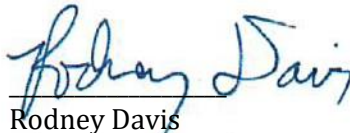
We look forward to your apology to the people of the State of Georgia.

Should you have questions, please contact Caleb Hays, Republican General Counsel & Deputy Staff Director, at caleb.hays@mail.house.gov.

Sincerely,



Bryan Steil
Ranking Member
Subcommittee on Elections
Committee on House Administration



Rodney Davis
Ranking Member
Committee on House Administration



Barry Loudermilk
Member
Committee on House Administration

⁷ Glenn Kessler, *Stacey Abrams's rhetorical twist on being an election denier*, Wash. Post (Sept. 29, 2022, 3:00 a.m. EDT), <https://www.washingtonpost.com/politics/2022/09/29/stacey-abramss-rhetorical-twist-being-an-election-denier/>; Timothy P. Carney, *Opinion: Stacey Abrams is still an election denier*, Wash. Examiner, (Oct. 18, 2022), <https://www.washingtonexaminer.com/opinion/stacey-abrams-is-still-an-election-denier>.