COMMITTEE ON HOUSE ADMINISTRATION
REPUBLICANS
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Honest Elections Act

⇒ **The Honest Elections Act reforms existing laws that need updates for the 21st Century – the Foreign Agents Registration Act, the Federal Election Campaign Act, and the Help America Vote Act.**

⇒ **The goal of the Honest Elections Act is to target foreign actors on their own soil to prevent meddling in our nation's elections.**

Strengthens and Reforms the Foreign Agents Registration Act (FARA) to Combat Election Interference

Background – To effectively deter foreign meddling in our nation's elections, the Honest Elections Act would amend the Foreign Agents Registration Act (FARA), which requires agents of foreign principals to register with the DOJ, file detailed, regular reports with the DOJ, and post notices on disseminated information that their speech is foreign-sponsored. Failure to comply with these requirements would result in criminal liability.

- Honest Elections Act strengthens FARA by providing for territorial reach beyond the United States. FARA currently only applies within the U.S. and U.S. territories. Under the Honest Elections Act, FARA would now apply to foreign governments, corporations, and individuals which directed propaganda to the U.S. from outside of the country, as the Russians have done.
- Also, strengthens FARA by broadening the coverage of "political activities" to include election-influencing activities. This provision would capture the activity of Russia and other foreign countries directing their non-paid social media posts toward the U.S. with the intention of influencing an election.
- Updates the "press exemption" from the requirements of FARA, to a broader, more technologically updated "media exemption." This exemption would capture more communication, including social media sites in addition to more traditional media such as the New York Times or Washington Post.

Modernizes Online Political Ad Disclosure

Background – It is necessary for Congress to pass legislation updating disclosure and disclaimer requirements for online advertisements without infringing on free speech or requiring unworkable standards. A workable disclosure and disclaimer regime is essential for transparency in online political advertising, which would help to identify any nefarious foreign influence.

- Honest Elections Act codifies existing Federal Election Commission guidance clarifying that sponsorship disclosure is required on internet ads – i.e., who is paying for the ad, through a "click-through" option "one step away" from the ad which would allow the consumer to click on a link to detailed information about the ad purchaser.

- Specifies the parameters and requirements for internet ads, especially small digital ads such as cell phone ads, small screen banner ads, character-limited ads.

Increases Monitoring of Spending by Foreign Nationals in Elections

Background – More resources must be dedicated to identifying and exposing illicit spending by foreign nationals in elections.

- Honest Elections Act would require the FEC to conduct analysis and publish a report related to illicit foreign spending in elections.
- Expands prohibition on contributions and donations by foreign nationals in elections to include state and local ballot initiatives and referendums.

Bans Ballot Harvesting

Background – "ballot harvesting" is the process of collecting vote-by-mail ballots from voters' homes and turning them into a polling place or election office without the state or local officials keeping any chain-of-custody requirements. This process is already outlawed in many states due to the practice's inherent ripeness for fraud and coercion and was used by political operatives during the 2018 midterm election to dramatically swing races after election day.

- Honest Elections Act would require each state to forfeit any and all Help America Vote Act (HAVA) grant assistance unless the state bans ballot harvesting by individuals other than family members, household members, or caregivers of the voter, thereby helping to secure the integrity of absentee ballots and elections overall.

Prohibits Election Assistance Commission Funds to States Allowing Non-Citizen Voting

Background – Voting is a right that should be afforded only the citizens of the United States, but there is a recent trend of local governments allowing non-citizens the right to vote, including in San Francisco's school board elections. Further legislation has been introduced allowing non-citizens the right to vote in New York and Washington, D.C.

- Honest Elections Act provides that any state that allows non-citizens to vote would forfeit any and all HAVA grant assistance, which states rely on for the procurement of new election machines and infrastructure improvements.