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March 25, 2021

TO: Chairman Veda and Members of the Senate Government and Veterans Affairs Committee
FR: Jim Silrum, Deputy Secretary of State on behalf of Secretary of State Al Jaeger
RE: HCR 3047 – Urging Congress not to adopt H.R. 1 of the 117th Congress

This is perhaps the most important action relating to elections that could be taken by this 67th Legislative Assembly of North Dakota. As it stands, H.R. 1 is 886 pages of election changes that would make future elections barely recognizable from what they are today. Here are a few examples:

1. The votes in all recounts of a federal office must be counted by hand. This is the least accurate method of counting votes.
2. All counties will need to provide early voting polling places during each of the 15 days before election day (including Sundays) and those early voting polling places must be open for voting a minimum of 10 hours each day. All campuses of higher education in the state must have an early voting polling place.
3. The state may not require an absent voter to provide a form of identification when applying for an absentee or mail ballot.
4. Absent voters would have 10 days to cure their ballot after notification that their ballot will be rejected because the signatures on the application and the return envelope of the ballot do not match. In some cases, this 10-day period would be 10 days after the final county canvass of votes.
5. Every active voter must be sent by mail an application for an absentee or mail ballot no later than 60 days before each election.
6. A self-sealing return envelope with postage must be included from the election official whenever an application or a ballot is sent to a voter.
7. North Dakota's voter ID law would need to be updated so that any individual could declare themselves eligible to vote by nothing more than a self-certifying voter's affidavit, which has not been allowed in our state since 2013.
8. North Dakota would be required to allow curbside voting, which means that the voter parks outside the polling place and the poll workers must bring the electronic pollbook and the ballot marking device out to the car for the voter to mark and cast their ballot.
9. Election day would become a federal holiday.
10. Washington DC would become the 51st state, which would add 2 more Senators.
11. The voting system North Dakota just purchased and used for the first time in 2020 would be required to be replaced by 2022 with a new voting system that has not yet been developed.

The 11 items listed above are only a few of the election items covered by this bill and these are listed within the first 310 of the 886-page bill. The broad scope of H.R. 1 is amplified by the fact that the first 122 pages of the bill deal with voter registration, which does not apply to us in North Dakota.

H.R. 1 has already been approved by the US House of Representatives and is now in the US Senate where it must go no further.

On behalf of the Secretary of State and his election team, I request the committee to vote for a **DO PASS** recommendation when you send it to the full membership of the Senate.