

**Statement of
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**Before Members of the House Committee on House Administration Shadow
Field Hearing On: “Election Security”**

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Ranking Member Morelle and Representatives Ross and Foushee, thank you for the opportunity to join you today to discuss such important, pressing topics alongside this group of distinguished speakers.

My name is John Hill and I am Senior Litigation Counsel at Citizens for Responsibility and Ethics in Washington, or CREW. At CREW, and over the course of my legal career, I’ve had the privilege to work in election protection and voting rights in several different roles, including as counsel representing state and local election administrators, voting rights organizations, privacy organizations, and individual voters, as well as in my position as a Senior Lecturing Fellow just down Tobacco Road at Duke Law.

All of those experiences have left me clear-eyed about the current threat landscape facing voters and elections administrators. Simply put, the current administration is waging a dangerous and unprecedented campaign to seize power over elections that it does not possess. Just by way of example:

- President Trump has tried to exercise control over elections through executive fiat, in the form of two clearly unconstitutional executive orders. One order attempted to unilaterally impose a documentary proof of citizenship requirement on the federal voter registration form. And the other tried to impose new hurdles on mail-in voting. In each instance, the courts have held that the government’s efforts to implement those directives were unlawful.
- Further, the administration has repeatedly and unlawfully attempted to compile voters’ purported citizenship information in furtherance of a false narrative about non-citizen voting. To start, there is no evidence of

widespread non-citizen voting. Time and again, when the federal government has claimed to find large numbers of non-citizens on voter rolls, they have quietly hedged those assertions after the fact.

- Finally, the Department of Justice (DOJ) is trying to build a national voter database by demanding non-public voter rolls—including voters' social security numbers and other highly sensitive information—from every single state that maintains such lists. So far, 25 out of 25 courts are all in agreement that DOJ's demands for voter rolls violate federal law.

And that's just the tip of the iceberg. Because with elections looming and the administration's incendiary rhetoric growing on a daily basis, there is good reason to believe that the worst may be yet to come.

Just as importantly, however, the courts have so far acted as a bulwark in upholding the rule of law. Because the U.S Constitution is clear: States are the primary source of law regulating the "time, places, and manner of elections," subject only to action by Congress. As a result, as courts have repeatedly held in scrutinizing the administration's recent actions, the Executive Branch has no standalone power over election administration and no authority to set election policy.

That is why I am proud of the work that CREW has done pushing back against executive overreach, including three lawsuits challenging the legality of the administration's attempts to federalize our elections, FOIA litigation that successfully secured thousands of pages of documents about DOJ's efforts to amass voter data, and our stewardship of a coalition of bipartisan former secretaries of state who CREW has represented as amici in scores of cases across the country. With advocates like the representatives convening this hearing and my fellow witnesses on this panel—who are fighting for free and fair elections, unafraid of speaking truth to power, and stalwartly defending democratic institutions and norms—the voters of North Carolina and the United States have reason to be confident that our democratic processes will be protected into the future.

Thank you again for having me here and I look forward to discussing these issues today.