

For immediate release: Wednesday, January 19, 2022

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National Right to Life on the So-Called “Freedom to Vote Act”

WASHINGTON, D.C.— On Wednesday, the U.S. Senate, by a vote of 49-51, the Democrats’ bill to overhaul voting and election laws did not advance. Pro-abortion Senator Chuck Schumer changed his vote to no for procedural reasons.

Also failing, by a vote of 52-48, was a proposed change to the Senate filibuster.

National Right to Life strongly condemned the passage of the so-called “Freedom to Vote Act,” H.R. 5746, which passed the House of Representatives on Thursday, January 13, with a party line vote of 220-203.

“This legislation has been pushed by pro-abortion leadership in the House and Senate and was carefully crafted to maximize short-term political benefits for the dominant faction of one political party,” stated Carol Tobias, president of National Right to Life. **“This legislation runs roughshod over First Amendment protections for political speech that have been clearly and forcefully articulated by the U.S. Supreme Court.”**

Enactment of H.R. 5746 would be an abuse of the lawmaking power by which incumbent lawmakers employ the threat of criminal sanctions, among other deterrents, to reduce the amount of private speech regarding the actions of the lawmakers themselves. The true purpose of the so-called “Freedom to Vote Act” would be to discourage, as much as possible, disfavored groups (such as National Right to Life) from communicating about officeholders. If passed, the law would expose citizens who support such efforts to harassment and intimidation.

“This legislation would redefine and codify a vague and expansive definition of ‘the functional equivalent of express advocacy,’” said Jennifer Popik, J.D., legislative director for National Right to Life. **“There would be little that an organization could say about a politician’s votes or policy positions that would not fall within this new and expansive definition.”**

H.R. 5746 also contains additional provisions that would place an unacceptable burden on the exercise of First Amendment rights. The so-called “Freedom to Vote Act” mandates burdensome disclaimers on television, radio, and online advertisements that are likely to bury the substantive message and make some advertising, especially online, functionally impossible.

Tobias added, **“This is pernicious, unprincipled, and constitutionally defective legislation and it is a blatant political attack on First Amendment rights. Pro-abortion Democrats should be ashamed of this unconstitutional attack on free speech.”**

Founded in 1968, National Right to Life (NRL) is a federation of 50 state affiliates and the District of Columbia with more than 3,000 local chapters nationwide. National Right to Life is the nation’s

oldest and largest grassroots pro-life organization. Recognized as the flagship of the pro-life movement, National Right to Life works through legislation and education to protect innocent human life from abortion, infanticide, assisted suicide and euthanasia.

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