



— A Project of The Foundation for Government Accountability —

DOJ's "Guidance" Is an Attempt to Intimidate States

The Department of Justice's Voting "Guidance" is a Thinly Veiled Threat to States

On July 28, 2021, the Biden administration's Department of Justice (DOJ) released two "guidance" documents on federal election laws. This is a blatant attempt to bully states like Pennsylvania and Arizona who are actively considering or already pursuing audits in their election processes.



One covers "methods of voting" and **centers on absentee voting, early voting**, and more.



The other covers **post-election audits**.

Attorney General (AG) Garland warned states that **the DOJ will use all "authorities at its disposal" to "zealously" enforce this guidance.**²

Nothing To Do with Civil Rights, Everything To Do With Power and Intimidation

The Biden administration is using taxpayer resources to attack its political opponents, undermining the bedrock principles of separation of powers and federalism embodied in the Constitution. Even though they're channeling their attacks through the Civil Rights Division, that is just a thinly veiled maneuver that has nothing to do with Civil Rights.

The attorney general's office has been re-staffing and expanding the Civil Rights Division (CRD)—**doubling enforcement staff**.³

The Biden administration has requested more than \$183 million for the newly expanded CRD, **the largest budget increase since the division's creation**.⁴

This is a **thinly veiled threat to states** across the nation pursuing commonsense election reforms.

More Meritless Lawsuits Are on the Way

Conveniently, these "guidance" documents were released on the same day that the state of Georgia filed a motion to dismiss the lawsuit DOJ brought against the state at the end of June.

The Georgia lawsuit makes an unsubstantiated claim under Section 2 of the Voting Rights Act and is likely to be the **first of many baseless suits** the DOJ will file moving forward.⁵

BOTTOM LINE

Biden's DOJ is using taxpayer resources for political gain.

States should shake off this latest strong-arm effort by Biden's bullies and pursue commonsense election reform to restore voter trust in elections.

1. Justice Department Issues Guidance on Federal Statutes Regarding Voting Methods and Post-Election "Audits," DOJ Office of Public Affairs (Jul. 28, 2021), <https://www.justice.gov/opa/pr/justice-department-issues-guidance-federal-statutes-regarding-voting-methods-and-post>.

2. Ibid.

3. U.S. Department of Justice: Protecting the right to Vote, DOJ Office of Public Affairs (Jul. 28, 2021), <https://www.justice.gov/opa/press-release/file/1417806/download>.

4. Ibid.

5. Justice Department Files Lawsuit Against the State of Georgia to Stop Racially Discriminatory Provisions of New Voting Law, DOJ Office of Public Affairs (Jul. 25, 2021), <https://www.justice.gov/opa/pr/justice-department-files-lawsuit-against-state-georgia-stop-racially-discriminatory>.