



October 24, 2016

Dear Secretary of State:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, and the 88 undersigned organizations, we write to express our grave concern over the first presidential election in 50 years without the full protections of the Voting Rights Act (VRA). We urge you to develop a plan to ensure that no one in your state is disenfranchised in the upcoming election.

As you know, the VRA protected the voting rights of racial and ethnic minorities in several states and local jurisdictions where they had been historically discriminated against in voting. These jurisdictions were covered by Section 5 of the VRA, which required the Department of Justice (DOJ) to approve any changes to voting in specific states and localities. However, in 2013 the U.S. Supreme Court's devastating decision in *Shelby County v. Holder* negated the pre-clearance requirement and the DOJ's authority to send observers to covered jurisdictions. Following *Shelby*, numerous states have passed voting laws, which several federal courts agree have a disparate impact on people of color and language minorities. In the case of North Carolina, for example, the courts found that the state's massive bundle of voting restrictions, passed within weeks of the *Shelby* decision, targeted African Americans "with almost surgical precision."<sup>[1]</sup> Evidence shows that restrictive voter laws also suppress turnout of the elderly,<sup>[2]</sup> people with disabilities,<sup>[3]</sup> and students.<sup>[4]</sup>

And while some courts have taken action to block discriminatory laws in states like North Carolina and Texas, these decisions came only after years of costly litigation during which impacted citizens were blocked from voting in the 2014 elections and this year's primaries. Meanwhile, there is no way of knowing how many potentially discriminatory voting changes are being made by cities, counties, school boards, water boards and other local jurisdictions that were previously required to be precleared. According to "[Democracy Diminished](#),"<sup>[5]</sup> a report by the NAACP Legal Defense and Educational Fund, Inc., "more than 85% of preclearance work previously done under Section 5 was at the local level."

[1] [https://www.washingtonpost.com/politics/courts\\_law/inside-the-republican-creation-of-the-north-carolina-voting-bill-dubbed-the-monster-law/2016/09/01/79162398-6adf-11e6-8225-fbb8a6fc65bc\\_story.html](https://www.washingtonpost.com/politics/courts_law/inside-the-republican-creation-of-the-north-carolina-voting-bill-dubbed-the-monster-law/2016/09/01/79162398-6adf-11e6-8225-fbb8a6fc65bc_story.html)

[2] [https://www.washingtonpost.com/politics/courts\\_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-f14ca9de2972\\_story.html](https://www.washingtonpost.com/politics/courts_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-f14ca9de2972_story.html)

[3] <http://www.vox.com/2016/4/1/11346714/voter-id-laws-disabilities>

[4] <http://www.ibtimes.com/wisconsin-voter-id-law-could-hurt-college-students-participation-primary-general-2348030>

[5] [http://www.naacpldf.org/files/publications/Democracy%20Diminished-State%20and%20Local%20Voting%20Changes%20Post-Shelby%20v.%20Holder\\_4.pdf](http://www.naacpldf.org/files/publications/Democracy%20Diminished-State%20and%20Local%20Voting%20Changes%20Post-Shelby%20v.%20Holder_4.pdf)

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Since Congress has failed to pass a bill to restore the VRA, which has resulted in DOJ's lacking authority over voting changes in places that Congress determined in 2006 should continue to have federal oversight, we are extremely concerned that there will be widespread voter discrimination in the upcoming presidential election. This is exacerbated by the fact that there will be no DOJ observers holding jurisdictions accountable. In the 2012 general election, the Department of Justice sent 780 federal observers to 51 jurisdictions in 23 states.<sup>[6]</sup> Following the *Shelby* decision, DOJ has said it will not deploy election observers in 2016. The potentially detrimental effect of the absence of this critical voter protection tool cannot be overstated.<sup>[7]</sup>

Given the many recent examples of post-*Shelby* voting discrimination, we urge you to be vigilant regarding potential voter disenfranchisement in your state this November. If you have any questions regarding this letter, please contact Nancy Zirkin, Executive Vice President, at (202) 466-3311.

Sincerely,

9to5, National Association of Working Women  
A. PHILIP RANDOLPH INSTITUTE  
AFL-CIO  
African American Ministers In Action (AAMIA)  
American Association of People with Disabilities  
American Association of University Women (AAUW)  
American Civil Liberties Union  
American Constitution Society for Law and Policy  
American Federation of State, County and Municipal Employees  
American Federation of Teachers  
American Jewish Committee (AJC)  
American-Arab Anti-Discrimination Committee  
Americans for Democratic Action (ADA)  
Anti-Defamation League  
Asian American Legal Defense and Education Fund (AALDEF)  
Asian Americans Advancing Justice - AAJC  
Asian and Pacific Islander American Vote (APIAVote)  
Bazon Center for Mental Health Law  
Bend the Arc Jewish Action  
Black Women's Roundtable  
Black Youth Vote!  
Brennan Center for Justice  
Campaign Legal Center  
The Center for Popular Democracy  
Center for Women Policy Studies  
Common Cause  
Democracy Initiative  
Demos  
Disability Rights Education & Defense Fund

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<sup>[6]</sup> <https://www.justice.gov/opa/pr/justice-department-monitor-polls-23-states-election-day>

<sup>[7]</sup> <http://democracyjournal.org/arguments/discrimination-will-continue-but-who-will-notice/>



Fair Elections Legal Network  
Feminist Majority  
Franciscan Action Network  
Friends of the Earth - United States  
Human Rights Campaign  
Human Rights First  
IAWRTUSA  
Institute for Science and Human Values  
Jewish Council for Public Affairs  
Jobs With Justice  
LatinoJustice PRLDEF  
Lawyers' Committee for Civil Rights Under Law  
The Leadership Conference on Civil and Human Rights  
League of Women Voters of the United States  
MALDEF  
MoveOn.org  
NAACP  
NAACP Legal Defense and Educational Fund, Inc.  
NAACP-National Voter Fund  
NALEO Educational Fund  
National Action Network's Washington Bureau  
National Asian Pacific American Bar Association  
National Asian Pacific American Women's Forum  
National Association for Equal Opportunity in Higher Education (NAFEO)  
National Association of Social Workers  
National Center for Transgender Equality  
National Coalition on Black Civic Participation  
National Congress of American Indians  
National Council of Asian Pacific Americans (NCAPA)  
National Council of Churches  
National Council of Jewish Women  
National Education Association  
National LGBTQ Task Force  
National Urban League  
NETWORK Lobby for Catholic Social Justice  
OCA - Asian Pacific American Advocates  
OWL-The Voice of Women 40+  
People For the American Way Foundation  
People's Action  
Project Vote  
Public Citizen  
Rock the Vote  
Service Employees International Union (SEIU)  
Sikh American Legal Defense & Education Fund (SALDEF)  
Southern Coalition for Social Justice  
Southern Poverty Law Center  
U.S. Women and Cuba Collaboration  
Union for Reform Judaism



United Church of Christ, Justice and Witness Ministries  
United Food and Commercial Workers International Union  
US Human Rights Network  
Vote.org  
The Voter Participation Center  
VoteRiders  
Voting Rights Forward  
The Voting Rights Institute  
Voto Latino  
Women's Research & Education Institute  
World Without Genocide at Mitchell Hamline School of Law  
Young People For, a program of the People For the American Way Foundation