



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."^[1] Evidence shows that restrictive voter laws also suppress turnout of the elderly,^[2] people with disabilities,^[3] and students.^[4]

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](#),"^[5] 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

[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

[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

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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.^[6] 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.^[7]

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

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

^[7] <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