June 30, 2015

Dear Member of Congress:

On behalf of the hundreds of thousands of members and activists of People For the American Way, we thank the members of Congress who have taken up the important work of addressing the realities of voting discrimination today, and we strongly urge all others to join them in restoring the Voting Rights Act of 1965 (VRA).

Fifty years ago, thousands of Americans risked their lives to challenge systems that prevented millions of Americans from exercising their right to vote. After continued protests by civil rights activists and everyday citizens over the gross disenfranchisement of African Americans – culminating in a violent confrontation in 1965 during an Alabama protest for voting rights – President Johnson signed the VRA into law. Since being enacted, its temporary provisions (Sections 5, 203, and 6-9) have been renewed and extended, always with broad bipartisan support. And until two years ago, this landmark law continued to ensure that all racial minorities in America had equal access to the ballot box.

On June 25, 2013, the United States Supreme Court ruled against a key component of the VRA in *Shelby County v. Holder*. In that 5-4 decision, the Supreme Court effectively gutted Section 5, which requires certain covered states and subjurisdictions to submit any changes in voting and election laws to the Department of Justice (DOJ) or a federal court for approval before they can go into effect. While the Court did not strike down Section 5 itself, it said that Congress's previous determination, through the Section 4 coverage formula, as to where Section 5 applied was unconstitutional. As a result, today no place is protected by the preclearance provisions of Section 5. Congress was tasked by the Court with determining (again) the appropriate coverage areas.

The 114th Congress has answered that call anew with the Voting Rights Advancement Act (Advancement Act) (H.R. 2867 & S. 1659). The Advancement Act proposes a new coverage formula. States will be subject to preclearance if they have fifteen or more voting rights violations in the previous twenty-five years, ten violations if one of those is statewide. Subjurisdictions will be subject to preclearance if they have three or more violations in the previous twenty-five years. The Advancement Act also enhances preclearance by ensuring that courts have the tools necessary to order it as a remedy for additional jurisdictions; and by ordering preclearance for certain known practices, thereby protecting voters from the types of voting changes most likely to discriminate against people of color and language minorities. In addition, it offers new notice and transparency standards, reinforces and expands the role of federal observers, and explicitly improves protections for Native Americans and Alaska Natives.

These provisions of the Advancement Act replace what the VRA lost through *Shelby* and make additional, critical updates. They are worthy of the President's signature. They certainly deserve to be debated in Congress; the legislative process must start if concerns are to be aired at all. Before long, with another presidential election looming, the clock will run out.

1101 15th Street, NW ♦ Suite 600 ♦ Washington, DC 20005
Telephone 202.467.4999 ♦ Fax 202.293.2672 ♦ E-mail pfaw@pfaw.org ♦ Web site http://www.pfaw.org

We believe that the time is now.

PFAW again thanks the members of Congress who have refused to allow the legacy of the Civil Rights Movement and the voting protections it achieved to continue to unravel, and we strongly urge all others to join them.

Sincerely,

Marge Baker
Executive Vice President for Policy and Program

Jen Herrick
Senior Policy Analyst