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Interim President and CEO  
Wade Henderson

January 18, 2022



Senator Mitch McConnell  
Minority Leader  
United States Senate  
317 Russell Senate Office Building  
Washington, DC 20510

Dear Minority Leader McConnell:

We urge you and members of the Senate Republican Caucus to reconsider your position on allowing an up-or-down vote on the Freedom to Vote: John R. Lewis Act. Specifically, we call upon you to refrain from using the filibuster to prevent final Senate action on this important bill.

Ensuring that all voters can participate in American democracy on an equal basis must be a top priority for this Congress, regardless of political party. Our democracy is now at the edge of a precipice. Last year, our nation witnessed a violent attempt to overturn the election results that involved militants breaching the U.S. Capitol and the Senate floor. New local efforts to install partisan election officials are growing in number, as are laws making it easier to challenge and overturn elections and the will of the people. State and local election officials face intimidation and threats of physical violence as never before. And on top of these increasingly dangerous new tactics and schemes, state legislatures around the country continue their relentless efforts to impose additional restrictions on access to the ballot. For example, 19 states — most of them controlled by Republicans — enacted 34 laws last year that made voting harder for Americans.

Instead of meeting this moment in history with congressional action to safeguard our democracy, you signaled early on that your caucus would operate in lockstep to prevent consideration of voting rights legislation. From the beginning, you have steadfastly objected to debate and compelled your caucus into unanimous opposition to voting rights bills. Last summer, state and local partners of The Leadership Conference contacted 16 Republican senators for direct meetings about voting rights. Not a single senator agreed to those requests. Refusing to even consider these democracy-protecting measures is contrary to your oath of office, as well as that of other Republican senators, to support and defend the Constitution against all enemies, foreign and domestic. The right to vote is foundational and preservative of all other rights. The nation and your constituents deserve to know where you and members of the Senate Republican Caucus stand on the most important issue of our time.

Refusing to consider this legislation is also contrary to the U.S. Supreme Court's instructions regarding seminal voting rights legislation, which Congress has the obligation and authority to pass pursuant to the Fourteenth Amendment. In *Shelby County v. Holder*, the Supreme Court

specifically invited Congress to assess current conditions relating to voting discrimination in order to update the formula used to require certain states and local jurisdictions to preclear their voting changes under Section 5 of the Voting Rights Act. Through tens of hearings, hundreds of witnesses, and thousands of pages of testimony and exhibits, Congress has now done precisely that. Based on this assessment, the Senate and House of Representatives drafted legislation, the Freedom to Vote: John R. Lewis Act, to address the new formula and make other significant voting reforms.

The record developed by Congress confirms that pervasive and persistent voting discrimination continues today in many of the states represented by Republican senators. Immediately after and in the years since the *Shelby County* decision, states such as Alabama, Florida, Louisiana, Mississippi, South Carolina, and Texas passed restrictive voting laws that have disenfranchised communities of color in a host of ways. They imposed additional requirements for voting; restricted the methods and the time, place, and manner for voting; purged voters from voting lists; and reduced their access to the ballot in other ways. For example, after *Shelby County*, a staggering number of polling places were shuttered without regard to the discriminatory effects of such actions. Closing polling places and requiring voters to travel to different, fewer, and frequently remote voting locations has a devastating impact on historically disenfranchised communities, especially communities of color, voters with disabilities, and other populations already facing increased levels of voting discrimination.

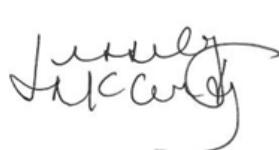
Your wholesale unwillingness to permit a Senate vote on legislation to strengthen our democracy is not worthy of a party which historically opened opportunities for African Americans and other communities of color to participate in our democracy and to be treated with equal respect and dignity in the eyes of the law. For example, during Reconstruction, it was the Republican Party, not the Democrats, that advanced and passed the Fourteenth and Fifteenth Amendments. Republican members of Congress also overwhelmingly supported original passage and subsequent reauthorizations of the Voting Rights Act. Today, 16 Republican senators currently serving in Congress voted to reauthorize the Voting Rights Act in 2006, as senators or representatives. However, with the exception of one Republican member, none were willing to even initiate debate on voting rights legislation last year, notwithstanding the record we have already discussed.

Nothing is more fundamental to the fabric of civic life than the freedom to vote and the inherent authority of the American people. As you consider the legacy you will leave for generations of Americans, and in the spirit of bipartisanship that expanded the franchise after centuries of violent prejudice and exclusion, we respectfully implore you to reconsider your position. We also urge you to authorize members of the Republican caucus to support an up-or-down vote on the Freedom to Vote: John R. Lewis Act.

Sincerely,



Wade Henderson  
Interim President and CEO



Jesselyn McCurdy  
Executive Vice President for Government Affairs