

# VRA for Today

## Moving Voting Rights Forward

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### Bill Summary: Voting Rights Advancement Act of 2015

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Voting discrimination continues to be a substantial problem in America. In 2013, when the Supreme Court struck down a key provision of the Voting Rights Act (VRA), in *Shelby County v. Holder*, the Court called on Congress to update the bill to address the realities of voting discrimination today.

On June 24, 2015, the Voting Rights Advancement Act (Advancement Act) (H.R. 2867 / S. 1659) was introduced in the House and Senate. The Advancement Act has received broad and vocal support from the civil rights community because it responds to the unique, modern-day challenges of voting discrimination that has evolved in the 50 years since the Voting Rights Act first passed. The Advancement Act recognizes that changing demographics require tools that protect voters nationwide—especially voters of color, voters who rely on languages other than English, and voters with disabilities. It also requires that jurisdictions make voting changes public and transparent.

The Voting Rights Advancement Act would:

**Modernize the preclearance formula to cover states with a pattern of discrimination that puts voters at risk.**

Modern-day voting discrimination is not only a problem in the South. Based on a review of recent voting rights violations, states like California and New York as well as Texas, Alabama, and North Carolina would be required to have all of their voting changes precleared. Other states that would be covered if the bill is passed this year would be Arizona, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Virginia. Preclearance would be lifted after 10 years for states and local jurisdictions without violations.

**Ensure that last-minute voting changes won't adversely affect voters.**

Communities have a right to know about voting changes that affect them. To put an end to last-minute changes to election laws or procedures that may adversely impact voters, the Advancement Act requires that jurisdictions publicly notice all changes to voting laws that happen within 180 days before an election.

**Protect voters from the types of voting changes most likely to discriminate against people of color and language minorities.**

The Advancement Act would require jurisdictions nationwide to preclear changes that make it harder for voters of color or language minority voters to make their voices heard. These types of changes include:

- Additions to or subtractions of seats that could affect the influence of minority voters. Localities seeking to dilute the strength of minority voters have added at-large seats to city councils, instead of allowing minorities more voting strength in particular neighborhoods. For instance, after *Shelby*, Pasadena, Texas, passed a referendum that

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changed the city council from eight localized district seats to six district seats and two seats elected at-large. The change reduced Latino voting strength.

- Reducing the availability of voting materials in languages other than English.
- Adding new barriers to voter registration or verification.
- Reducing, consolidating or relocating polling places.

#### **Enhance the Ability to Apply Preclearance Review when Needed**

The Advancement Act permits a federal court to use its discretion to order a preclearance remedy if it finds any violation of the Voting Rights Act, including a violation based on a finding of discriminatory intent or result, including those resulting from a state photo ID law.

#### **Expands the Effective Federal Observer Program**

The Advancement Act permits the attorney general to send federal observers to any place she determines there is a substantial risk of racial discrimination at the polls on Election Day or during the early voting period. The bill also makes clear the tribal governments have the ability to request federal election observers and monitors.

#### **Improves Voting Rights Protections for Native Americans and Alaska Natives**

The Advancement Act would require jurisdictions to offer greater access for voter registration and voting on and off Indian reservations. The bill also ensures that ballots are translated into all written Native languages in jurisdictions with are required to provide registration, voting notices, forms, instructions, assistance or other materials – including ballots – in the language of the applicable minority group.

In the two years since the *Shelby* decision, Congress has failed to restore the Voting Rights Act, and voters have been subject to more discrimination than at any time in the past 50 years. Congress now has two bills—the Voting Rights Amendment Act and the Voting Rights Advancement Act—to use as vehicles for restoring the Voting Rights Act. Congress must come together, as it has each time the Voting Rights Act has been before it, to restore the protections of the VRA.