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July 22, 2021

President Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear President Biden:

On behalf of The Leadership Conference on Civil and Human Rights and the undersigned organizations, we write to thank you and Vice President Kamala Harris for your renewed commitment to passing the For the People Act and the John Lewis Voting Rights Advancement Act. We are especially grateful to you for calling the recent meeting with leaders of legacy civil rights groups, and for your speech on July 13 at the National Constitution Center in Philadelphia that highlighted the critical importance of voting rights for American democracy. We now encourage you to do even more to support our freedom to vote as we continue to advocate for the For the People Act, Washington, DC Admissions Act and anticipate the reintroduction of the John Lewis Voting Rights Advancement Act in the fall.

As you noted in your speech, our democracy is in peril. There is nothing more fundamental to American democracy than the freedom and right to vote. President Lyndon B. Johnson once called the vote “the most powerful instrument ever devised by man for breaking down injustice.” That conviction drove his personal commitment to enact the Civil Rights Act of 1964 and the Voting Rights Act of 1965. America is at a similar crossroads today, and we must seize every opportunity to ensure that every voice and vote count.

As organizations dedicated to the protection of voting rights, we are just as troubled as you by the surge this year of state legislation restricting access to the franchise. Already, multiple states have rolled back early and mail voting, added new hurdles for voter registration, limited or eliminated ballot drop boxes, imposed burdensome and unnecessary voter identification requirements, stripped power from state and local election officials, and taken other steps to make voting more difficult. Recently, Texas Democratic state legislators were forced to flee the state, for the second time, to stop passage of a restrictive voting bill. Voters of color will bear the brunt of these new restrictions, in what amounts to the most significant assault on voting rights since the Jim Crow era.

Even more serious threats loom on the horizon. The upcoming redistricting cycle is expected to bring another round of extreme gerrymandering that will disproportionately dilute the votes of people of color. All the while, a torrent of special interest secret money is funding

Interim President & CEO  
Wade Henderson

these cynical efforts. Congress has the power and duty to stop this anti-democratic and discriminatory assault on Americans' voting rights. Indeed, only federal legislation can ensure that our elections are safe and free and fully protect the franchise.

### **The Need for the For the People Act**

To fully protect against discrimination and guarantee voting rights for all Americans, Congress must pass the For the People Act. This bill would set a basic federal foundation for voting access for all Americans. It would require states to modernize voter registration, including by instituting automatic and same-day registration and protecting against discriminatory purges; requiring every state to offer early and no-excuse mail voting; ensuring that voters who lack photo identification are not unfairly turned away; restoring voting rights to citizens once they complete any term of incarceration; and cracking down on deception and intimidation as anti-voter tactics.

The bill would also ban partisan gerrymandering and take other steps to protect racial and language minorities in the redistricting process.<sup>1</sup> These reforms will make it easier for everyone to vote. Virtually all of them address barriers that disproportionately affect Black, Latino, Asian, and Native American voters, and virtually all are modeled after reforms that have been successfully implemented in multiple states.

Critically, the For the People Act would [stop](#) most of the worst laws being proposed and passed in states across the country right now to restrict voting. For instance, the bill would negate efforts to eliminate or roll back early voting by requiring all states to offer early voting for at least two weeks prior to an election, including on nights and weekends. It would negate new restrictions on mail voting by requiring every voter to have the option to vote by mail without an excuse, eliminating burdensome witness requirements and unfair ballot receipt deadlines, and mandating sufficient access to secure drop boxes. It would negate efforts to prohibit automatic and same-day voter registration, requiring all states to offer both. And it would blunt the harm from strict new voter identification requirements by giving all voters another way to affirm their identity and cast a ballot that counts.

### **The Need for the John Lewis Voting Rights Advancement Act**

Congressional leaders are in the process of holding hearings to examine the current state of voting rights, including the period after the pivotal 2020 election. These hearings are necessary because in 2013, the U.S. Supreme Court in [Shelby County v. Holder](#) neutered the crown jewel of the Voting Rights Act of 1965 — the preclearance process under which jurisdictions with a documented history of voting discrimination had to seek pre-approval from the federal government for changes to their voting rules to ensure that those changes were not discriminatory. In *Shelby County*, the Supreme Court concluded that the preclearance process needed updating to consider current conditions in states.

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<sup>1</sup> The bill also contains other essential reforms as well, including a much-needed overhaul of a campaign finance system that [persistently disadvantages](#) communities of color.

Prior to *Shelby County*, preclearance was an extremely effective tool for blocking discriminatory voting rules and practices in covered jurisdictions. Between 1998 and 2013, the preclearance process was used to block 87 [discriminatory changes](#). Hundreds more were withdrawn because they would not have survived preclearance. As the Supreme Court acknowledged, the Voting Rights Act, while fully in force, “proved immensely successful at redressing racial discrimination and integrating the voting process.” Unfortunately, without the powerful protection of the preclearance process, the Voting Rights Act has simply not been adequate to stem the rising tide of discrimination in voting.

Among its provisions, the John Lewis Voting Rights Advancement Act will restore preclearance, updating it to meet contemporary challenges, as the Supreme Court required in *Shelby County*. The bill will include a new geographic coverage formula under which states and localities with recent records of discrimination in voting would have their voting changes subject to preclearance for a period of 10 years. It also will apply preclearance to the adoption of certain practices that are widely known to discriminate against voters of color, even in jurisdictions that are not otherwise covered. Preclearance is a much more effective tool at combatting discrimination than costly and time-consuming after-the-fact litigation.

Finally, a robust preclearance regime, along with other improvements in the bill, are necessary to combat the ongoing assault on voting. After the critical congressional hearings are concluded, leaders in Congress have indicated that they will reintroduce the John Lewis Voting Rights Advancement Act. This legislation will restore the full protections of Sections 4 and 5 of the Voting Rights Act, updating it to account for contemporary circumstances.

In this moment of historic consequence, we also note that it remains painfully clear that the right to vote is meaningless if D.C. residents cannot put anyone into office. Washingtonians have been deprived of this right for more than two centuries — often on grounds that have nothing to do with constitutional design, and everything to do with race. Until statehood is achieved, the efforts of the civil rights movement will remain incomplete. For that reason, we also urge Congress to pass the Washington, D.C. Admission Act with all deliberate speed.

### **After the *Brnovich v. DNC Decision*, Voting Rights Legislation Is Even More Urgent**

As you alluded to in your speech, the case for powerful voting rights laws is even more imperative considering the recent Supreme Court decision in *Brnovich v. Democratic National Committee*. In this case, the Court held that two racially discriminatory Arizona voting laws do not violate Section 2 of the Voting Rights Act. The decision relies on an exceedingly narrow reading of the Voting Rights Act that will make it more difficult to challenge discriminatory voting laws in the future. We need to ensure that the Voting Rights Act can operate with the full force of its provisions in effect for decades. With each passing day, the need for robust congressional action, including both the For the People Act and the John Lewis Voting Rights Advancement Act, becomes increasingly clear.

## Conclusion

In short, the For the People Act and the John Lewis Voting Rights Advancement Act each fill a distinct and critical role in protecting our democracy and ensuring elections are safe and fair. Every American deserves and should be able to rely on a baseline level of voting access, free from efforts to block their path to the voting booth or dilute or nullify their votes. Only passage of both the For the People Act and the John Lewis Voting Rights Advancement Act can make this aspiration a reality.

While we fully support the ideal of bipartisan cooperation on voting rights, the partisan political agenda of some in the Senate cannot be allowed to block passage of legislation that has broad bipartisan backing.<sup>2</sup> And we certainly cannot allow an arcane Senate procedural rule to derail efforts that a [majority of Americans support](#). Eighty percent of people in America believe the Voting Rights Act is still needed and 70 percent favor the John Lewis Voting Rights Advancement Act. Moreover, while we support the notion of a broad-based coalition of advocates, we cannot and should not have to organize our way out of the attacks and restrictions on voting that lawmakers are passing and proposing at the state level. Nor can we litigate our way out of this threat to democracy. Nothing can serve as a substitute for your direct engagement and leadership in efforts to secure the passage of these critical voting rights bills.

We must remember that at critical times in our history, one party has been forced to act alone in securing the fundamental democratic rights of American citizens, including Congress' passage of both the 14th and 15th Amendments. Any rule or procedure that functions to stop bills from ever being considered on the floor is not a procedure to promote debate; it is a procedure to promote gridlock. We strongly urge you to support the fundamental right of the American people to vote by pushing against the efforts of a minority of senators to block votes on these popular pro-democracy bills.

Thank you for your ongoing commitment to securing our freedom to vote and for being a full partner in the fight to ensure a government of, by, and for the people. As you know, time is of the essence. We urge you to work closely with Congress to support the passage of these bills by whatever means necessary. Your leadership in this moment carries great weight, and we look forward to continuing our work with you to fulfill the promise of our democracy for all.

Sincerely,

The Leadership Conference on Civil and Human Rights  
51 for 51  
A. Philip Randolph Institute  
ACCESS  
ADL  
Advancement Project National Office

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<sup>2</sup> The policy proposals in the FTPA are supported by large bipartisan majorities across the country. A recent poll conducted the Global Strategy Group and ALG Research found that in West Virginia, 76 percent of registered Republicans support the FTPA. In Arizona, the bill has support from 78 percent of registered Republicans and 75 percent support from voters who backed Donald Trump in the 2020 election. In a meaningful way, the FTPA *is* a bipartisan bill.

AFL-CIO  
African American Ministers In Action  
Alliance for Youth Action  
American Atheists  
American Federation of State, County and Municipal Employees  
American Federation of Teachers  
American Humanist Association  
American Promise  
American-Arab Anti-Discrimination Committee (ADC)  
Americans for Democratic Action (ADA)  
Americans for Financial Reform  
Americans United for Separation of Church and State  
Arab American Institute (AAI)  
Asian & Pacific Islander American Health Forum (APIAHF)  
Bend the Arc: Jewish Action  
Beth Tikvah Congregation Social Justice Committee  
Black Voters Matter Fund  
Blue Wave Postcard Movement  
Brennan Center for Justice  
Broward for Progress  
Campaign Legal Center  
Carolina for All  
Center for American Progress  
Center for Common Ground  
Center for Popular Democracy  
Children's Defense Fund  
Citizens for Responsibility and Ethics in Washington (CREW)  
Clean Elections Texas  
Clearinghouse on Women's Issues  
Climate Reality Project  
Color Of Change  
Common Cause  
Communications Workers of America  
Community Change Action  
Congregation of Our Lady of Charity of the Good Shepherd, US Provinces  
DC Vote  
Declaration for American Democracy  
DemCast USA  
Democracy 21  
Demos  
Disability Rights Education & Defense Fund  
End Citizens United / Let America Vote Action Fund  
Equal Citizens

Equal Justice Society  
Fair Elections Center  
Fair Fight Action  
Faith in Public Life  
Feminist Majority  
Fix Democracy First  
Fix Our Senate  
Franciscan Action Network  
Free Speech For People  
Friends of the Earth  
Government Accountability Project  
Greenpeace USA  
Herd on the Hill  
Hip Hop Caucus  
Human Rights First  
Impact Fund  
Indivisible  
International Association of Official Human Rights Agencies  
Japanese American Citizens League  
Jewish Community Relations Council  
Just Democracy  
Lake Oconee Community Church  
Lambda Legal  
LatinoJustice PRLDEF  
Lawyers for Good Government (L4GG)  
Lawyers' Committee for Civil Rights Under Law  
LCV Education Fund  
League of United Latin American Citizens (LULAC)  
League of Women Voters of the United States  
Lift Our Vote  
Main Street Alliance  
Mainers for Accountable Leadership  
Matthew Shepard Foundation  
Missouri Voter Protection Coalition  
NAACP  
NAACP Legal Defense and Educational Fund, Inc. (LDF)  
NARAL Pro-Choice America  
National Action Network  
National Association of Social Workers  
National Black Justice Coalition  
National CAPACD  
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)  
National Coalition on Black Civic Participation

National Council of Asian Pacific Americans  
National Council of Churches USA  
National Council of Jewish Women  
National Council of Negro Women (NCNW)  
National Employment Law Project  
National Employment Lawyers Association  
National Health Law Program  
National Hispanic Media Coalition  
National Organization for Women  
National Partnership for Women & Families  
National Urban League  
Natural Resources Defense Council  
NETWORK Lobby for Catholic Social Justice  
Network of Spiritual Progressives  
New American Leaders Action Fund  
NextGen America  
OCA-Asian Pacific American Advocates  
Our Vote Texas  
Oxfam America  
People For the American Way  
People's Action  
PFLAG National  
Polk County Florida DEC  
Progressive Turnout Project  
Public Citizen  
Public Justice  
RepresentUs New Mexico  
Rise Up WV  
Rock the Vote  
Scrutineers.org  
Secure Elections Network  
Service Employees International Union (SEIU)  
Sierra Club  
Sisters of Mercy of the Americas Justice Team  
Sojourners  
SPAN Parent Advocacy Network (SPAN)  
SPLC Action Fund  
Stand for Children  
Stand Up America  
Students Against Voter Suppression  
Take on Wall Street  
The Civics Center  
The Employee Rights Advocacy Institute for Law & Policy (The Institute)

The Workers Circle  
Tikkun magazine  
Transformative Justice Coalition  
Un-PAC  
UnidosUS  
Union for Reform Judaism  
United Church of Christ, Justice and Local Church Ministries  
Voices for Progress  
Vote.org  
Voter Participation Center  
Voto Latino  
Wisconsin Faith Voices for Justice  
Women's March West Virginia  
Writers for Democratic Action  
WV Citizen Action Group  
WV Citizens for Clean Elections