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December 12, 2022

Senator Charles Schumer
Majority Leader
United States Senate
22 Hart Senate Office Building
Washington, DC 20510

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

**RE: Electoral Count Reform and Presidential Transition Improvement Act of
2022, S.4573**

Dear Majority Leader Schumer and Minority Leader McConnell:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, and the 60 undersigned organizations, we write in strong support of the Senate's bipartisan effort to reform the outdated and extremely flawed Electoral Count Act of 1887 before the end of the year.

The deadly insurrection at the U.S. Capitol on January 6, 2021, which sought to overturn the results of the 2020 presidential election, was an unprecedented and dangerous assault on our democracy. We believe that Congress has a solemn and profound obligation to ensure the absolute integrity of future presidential elections and to prevent a frontal challenge to the electoral count process from ever happening again.

The Electoral Count Reform and Presidential Transition Improvement Act, S.4573, represents a significant advance forward to securing and protecting our democracy from future attacks on presidential elections. The bill—building on bipartisan legislation that passed the House earlier this year—contains important, common-sense reforms which modernize the process for certifying and counting electoral votes for presidential elections.

These include provisions clarifying the ministerial role of the Vice President in counting Electoral College votes, with no authority or discretion to reject official state electoral slates; and raising the numerical threshold for Members of Congress to object to electoral slates, which will prevent abuse and delay of the electoral process. Importantly, the legislation also allows for expedited judicial review for legal challenges by a presidential or vice-presidential candidate relating to the issuance or transmission of a slate of electors. The bill makes clear that these provisions do not preempt or displace other state or federal proceedings related to the election, including the wide array of matters concerning discrimination in voting or other

election litigation in federal or state court. Finally, the legislation specifies that presidential electors must be selected according to state law as it existed prior to election day and that a state may only extend its presidential election in very narrow circumstances constituting “*force majeure* events that are extraordinary and catastrophic.”

While we welcome reforms to the Electoral Count Act, we must also be clear that S. 4573 only represents the beginning of Congress’s discharge of its constitutional obligations to secure and safeguard our democratic processes. The threats to our democracy continue in full force. The events on January 6 were rooted in white supremacy and deep-seated racism. Preceded by an election in which voters of color participated in record numbers, the insurrection represented a violent backlash to increased political power of communities of color which has also fueled a litany of state and local voting restrictions not seen since the Jim Crow era.

We strongly urge the Senate to also address the discriminatory barriers to the ballot faced by voters of color who attempt to cast votes and have those votes fully counted as well as election subversion measures and other forms of interference with the electoral process. We implore the Senate to promote and protect an inclusive multiracial democracy by passing federal voting rights protections to ensure everyone can participate and have equal access to the ballot.

Thank you for this opportunity to present our views. If you have any questions or need additional information, please contact Leslie Proll, Senior Director for Voting Rights, The Leadership Conference, at proll@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights

A. PHILIP RANDOLPH INSTITUTE

ACTION TOGETHER NEW JERSEY

All Voting is Local Action

American Atheists

American Civil Liberties Union

American Federation of State County and Municipal Employees

American Federation of Teachers

Americans for Democratic Action (ADA)

Andrew Goodman Foundation

Asian Americans Advancing Justice | AAJC

Asian and Pacific Islander American Vote (APIAVote)

Brennan Center for Justice

Carolina for All Education Foundation

Center for Disability Rights
Charlotte Clergy Coalition for Justice
Clearinghouse on Women's Issues
Climate Hawks Vote
Common Cause
DemCast USA
Democracy 21
Demos
End Citizens United / Let America Vote Action Fund
End Citizens United / Let America Vote Action Fund
Faith for Black Lives
Feminist Majority Foundation
Field Team 6
Fix Democracy First
Friends of the Earth
Health Care Awareness Month
Hip Hop Caucus
Hispanic Federation
Indivisible
Indivisible Georgia Coalition
Indivisible Marin
Indivisible Nation BK
Inwood Indivisible
Japanese American Citizens League
Justice Votes Strategies
Lawyers' Committee for Civil Rights Under Law
League of Conservation Voters
League of Women Voters of the United States
MALDEF (Mexican American Legal Defense and Educational
Fund)
Movement Advancement Project
NAACP Legal Defense and Educational Fund, Inc. (LDF)
National Association of Councils on Developmental Disabilities

National Council of Jewish Women
National Disability Rights Network (NDRN)
Native American Rights Fund
NETWORK Lobby for Catholic Social Justice
OCA-Asian Pacific American Advocates
Oregonizers
Oxfam America
People For the American Way
Project On Government Oversight
Secure Elections Network
Stand Up America
The Workers Circle
Un-PAC
Verified Voting
[Vote.org](https://www.vote.org)