



UNITED STATES COMMISSION ON CIVIL RIGHTS

1331 Pennsylvania Avenue, NW • Suite 1150 • Washington, DC 20425 www.usccr.gov

January 31, 2019

Chairman Jerrold Nadler
U.S. House of Representatives
2132 Rayburn HOB
Washington, DC 20515

Dear Chairman Nadler,

On behalf of the U.S. Commission on Civil Rights, we write to share our briefing report, *An Assessment of Minority Voting Rights Access in the United States*, which we believe will inform members of the Committee on the Judiciary as you consider legislation on voter access and election protection.

The Commission's key findings include: the Voting Rights Act (VRA) can dislodge and deter the construction of barriers by state and local jurisdictions that block or abridge minority citizen's right to vote. But, especially following the 2013 Supreme Court *Shelby County v. Holder* decision, precluding operation of certain parts of the VRA, the narrowness of statutory mechanisms to halt discriminatory procedures before they are instituted has resulted in elections with discriminatory voting measures in place.

The Commission's key recommendations include: Congress should amend the VRA to restore and/or expand protections against discrimination that are more streamlined and efficient than the Act's existing provisions. In establishing the reach of an amended VRA coverage provision, Congress should include evidence of historical and persisting patterns of voting discrimination. A new provision should account for evidence that discrimination tends to recur in certain parts of the country. It also should consider that voting discrimination may arise in jurisdictions that do not have extensive histories of discrimination, since minority populations shift and efforts to impose impediments may follow. Congress should provide a streamlined remedy to review certain changes with known risks of discrimination, before they take effect—not after potentially tainted elections, when officeholders chosen under biased rules have lawmaking power and the benefits of incumbency to continue those rules.

We welcome the opportunity to meet with you to share additional information on our report. We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Lhamon".

Catherine E. Lhamon
Chair

A handwritten signature in blue ink, appearing to read "Mauro Morales".

Mauro Morales
Staff Director