



July 2, 2020

Dear Senator:

The Leadership Conference on Civil and Human Rights and the \_\_\_ undersigned organizations write to urge you to support the election provisions of the Health and Economic Recovery Omnibus Emergency Solutions (“HEROES”) Act, which passed in the U.S. House of Representatives on May 15, 2020. This critical legislation provides \$3.6 billion and voting rights guardrails that are necessary to help state and local governments adequately prepare for the November 2020 elections.

The \$400 million for election assistance appropriated to states in March in the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act was an important first step, but the experiences of recent primary elections provide compelling evidence that state and local officials lack the necessary resources to operate elections fairly and safely during the COVID-19 public health crisis. In too many states during the primary season, long lines, poll closures, poll worker shortages and insufficient training, broken machines, and surges in absentee ballot requests that went unfulfilled left many voters – particularly voters of color – unable to safely exercise their fundamental right to vote.

In the Georgia primary held in June, some voters of color had to wait in lines of [up to seven hours](#) in inclement weather in order to cast their ballot, due to polling place closures, voters not receiving absentee ballots on time, the need to clean and sanitize voting machines, insufficient numbers of and malfunctioning machines, and inadequate training of poll workers. This is nothing short of modern-day voter suppression. The problems in Georgia were [exacerbated by the fact that the Supreme Court’s \*Shelby County v. Holder\* decision](#), which was handed down seven years ago last week, gutted Section 5 of the Voting Rights Act, which had required states with proven records of discriminatory voting practices, like Georgia, to obtain federal approval before making any election changes.

Voters in the Wisconsin primary in April also faced barriers to the ballot box. Thousands of voters did not receive their absentee ballot on time, and in Milwaukee – home to the state’s largest communities of color – officials decreased the number of polling places from 180 to just five. This required many voters to stand in line for hours – jeopardizing their personal health and safety – in order to exercise their franchise.

In the Pennsylvania primary held in June, Black and Latino voters [faced many obstacles](#) such as long lines and confusion at the polls because of last minute polling place closures, voting machines that failed to work, a lack of ballot drop boxes, and a militarized police presence at some polling places in Philadelphia and Pittsburgh. This is deeply disturbing.

Voters must not be forced to choose between their fundamental right to vote and their personal health and safety. COVID-19 will plague this nation for quite some time, and Congress must act now to ensure that the November general election does not become a large-scale replication of what we have witnessed during the primary process.

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During this uniquely challenging time, states simply lack sufficient resources to run elections on their own. State and county budgets are hemorrhaging due to the many unexpected expenses of addressing the economic and health care crises presented by the pandemic, and they are in dire need of federal assistance to supplement their own spending efforts. When Congress appropriated the \$400 million to states in March in the CARES Act, [all 50 states applied for grants](#), demonstrating the tremendous need for the federal government to help states help themselves. A recent [report](#) from the Alliance for Securing Democracy, Brennan Center for Justice, R Street Institute, and University of Pittsburgh Institute for Cyber Law, Policy, and Security found that federal funding covers just 10 to 20 percent of what is needed to provide vital election safeguards during the pandemic.

In addition to \$3.6 billion in financial assistance, it is critical for the Senate to pass the policy provisions of the HEROES Act, many of which The Leadership Conference and other signatories to this letter called for in [previous correspondence](#) to Congress. These provisions would help alleviate the challenges presented by the pandemic and address many of the problems faced by states during the primary process. For example, the HEROES Act would:

- Require at least 15 consecutive days of in-person early voting in federal elections, with early voting being available at least 10 hours per day and early voting locations being within walking distance of public transportation;
- Ensure that every voter can access no-excuse absentee ballots with prepaid postage in all federal elections, prohibit states from requiring notarization or witness signatures to cast an absentee ballot, and during emergencies such as COVID-19 require states to automatically mail absentee ballots to all registered voters not later than two weeks before Election Day;
- Expand voter registration opportunities including requiring that any eligible citizen can register to vote online and requiring that any voter be allowed to register to vote on the same day that they vote (same-day voter registration);
- Defray the costs to states of undertaking public education campaigns to educate voters about new voting and registration options in the wake of COVID-19; and
- Provide accommodations for voters residing on Indian lands, such as permitting tribes to designate buildings as ballot pickup and collection locations.

In addition, the HEROES Act would remove the 20 percent matching fund requirement in order for states to obtain federal funding for election assistance, and it would require that at least 50 percent of funding for states be passed along to units of local government, which are responsible for the administration of elections for federal office.

Expanded voting options and funding are essential, and Congress must act quickly. As the Brennan Center for Justice has [documented](#), critical deadlines to bolster election infrastructure and establish safe and fair elections in November have either passed or are looming, including actions related to online voter registration protocols, high-speed scanners for vote counting, orders for ballot printing, and other important upgrades for voter technology important in this era of COVID-19.

At a minimum, Congress must include robust election assistance and policy provisions in the next stimulus package. The 2020 general election is only four months away, which give states limited time to



prepare to conduct a large-scale election amid a global pandemic. Time is of the essence. We urge the Senate to include election funding and provisions in any must-pass legislative vehicles that may be taken up in the coming days and weeks.

Throughout our history – from the Civil War to the Great Depression to World War II – our nation has carried out fair and safe elections during crises. But the chaos and discriminatory barriers we have witnessed in recent primary elections should serve as a wake-up call for our democracy. It is crucial that the federal government do everything in its power to ensure that the November election runs more smoothly than state primaries held during the COVID-19 crisis and that all citizens have a meaningful opportunity to cast their ballot. If the United States is to continue serving as the world’s beacon of democracy, Congress must take immediate steps to provide states with the resources necessary to conduct fair and safe elections in November. The House has done its part, and now it is time for the Senate to follow suit.

Sincerely,

LCCHR  
Other Organizations