



1201 16th Street, NW | Washington, DC 20036 | Phone: 202-833-4000

Lily Eskelsen García
President

Rebecca S. Pringle
Vice President

Princess R. Moss
Secretary-Treasurer

Kim A. Anderson
Executive Director

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United States House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of the 3 million members of the National Education Association who work in 14,000 communities across the nation, we urge you to vote YES on the John Lewis Voting Rights Advancement Act of 2021 (H.R. 4) because it will protect our most fundamental right as citizens and safeguard the integrity of our democracy. Votes on this issue may be included in NEA's Report Card for the 117th Congress.

NEA members help prepare students for the privileges and responsibilities of citizenship. They want students to understand how our government works and their role in making it work—especially through voting. Yet, accessing the vote has become more difficult in recent years, particularly for African Americans and other people of color, people with disabilities, students, and senior citizens. In fact, from January through mid-July of this year, nearly 400 bills were introduced in 49 states that would make voting more difficult, according to the Brennan Center for Justice. At least 18 of those states have enacted 30 new laws that restrict our freedom to vote.

The U.S. Supreme Court in the 2013 *Shelby v. Holder* decision invalidated a crucial provision in the Voting Rights Act of 1965 (VRA) that prevented states with a history of discriminating against voters from changing their voting laws and practices without preclearance by federal officials. This federal review was an important feature of the Voting Rights Act; doing away with it has virtually annulled the federal oversight that was—and remains—crucial to ensuring that millions of people have equal access to the ballot box. Since the *Shelby* decision, several states have changed their voting practices in ways that have created barriers for people of color, low-income people, transgender people, college students, the elderly, and those with disabilities.

Furthermore, just last month, the Supreme Court ruled in *Brnovich v. Democratic National Committee* that two discriminatory Arizona voting laws did not violate Section 2 of the Voting Rights Act. In its opinion in *Brnovich*, the Court disregards the congressional purpose of Section 2, which is to provide a powerful means to combat race discrimination in voting and representation. The decision relies on a limited interpretation of the Voting Rights Act that will make it more difficult to challenge discriminatory voting laws. This decision underscores the need for Congress to pass the John Lewis Voting Rights Advancement Act to restore the legislative purpose of Section 2.

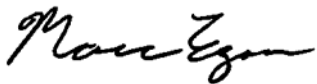
The John Lewis Voting Rights Advancement Act fills a distinct and critical role in protecting the freedom to vote and ensuring elections are safe and accessible by reversing these dangerous, undemocratic trends by taking several steps that include:

- Updating the criteria used for identifying states and political subdivisions required to obtain federal review and approval of voting changes to ensure those changes do not infringe upon the freedom to vote for people of color;

- Requiring that every state and locality nationwide that is sufficiently diverse obtain federal review before enacting specific types of voting changes that are known to be discriminatory in their use to silence the growing political power of voters of color;
- Requiring all states and localities to publicly disclose, 180 days before an election, all voting changes, such as reductions in language assistance and changes in requirements to vote or register;
- Authorizing the Attorney General to send federal observers to any jurisdiction where there is a substantial risk of racial discrimination at the polls;
- Addressing the *Brnovich* decision by clarifying factors that voters of color can use to prove a vote dilution or vote denial claim under Section 2 of the VRA and restoring voters' full ability to challenge racial discrimination in voting in court;
- Allowing the Department of Justice and voters of color to challenge changes in a voting rule that would make voters of color worse off in terms of their voting rights than the status quo;
- Expanding authority for courts to “bail-in” jurisdictions to the preclearance process and updating the ability of jurisdictions to “bail-out” of the preclearance process once they demonstrate a record of not harming voters of color; and
- Providing voters with additional protection by easing the standard for when courts can temporarily block certain types of voting changes while the change is under review in court. This is important because once a voter is discriminated against in an election, it cannot be undone.

NEA members live, work, and vote in every precinct, county, and congressional district in the United States. They take their obligation to vote seriously, viewing it as essential to protecting the opportunities that they believe all students should have. Educators teach students that voting is a responsibility of citizenship, a privilege people have died to protect, and a right we must dedicate ourselves to upholding. We urge you to vote YES on the John Lewis Voting Rights Advancement Act so that all may participate in the electoral process and have a voice in our democracy.

Sincerely,



Marc Egan
Director of Government Relations
National Education Association