



*National Action Network
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Reverend W. Franklyn Richardson, Chairman of the Board
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Statement for the Record

Submitted By

National Action Network (NAN)

Statement for the Record on

“The Voting Rights Amendment Act, S.1945: Updating the Voting Rights Act in Response to Shelby County v. Holder”

Thank you, Chairman Leahy and members of the Judiciary Committee for holding this very important hearing on the S. 1945 Voting Rights Amendment Act of 2014 and allowing us to submit this statement for the record.

National Action Network (“NAN”) is a leading civil rights organization that fights for one standard of justice, decency and equal opportunity for all people regardless of race, religion, national origin, or gender. NAN acts as a megaphone for the voiceless and appreciates this hearing regarding voting rights.

As we celebrate the 50th anniversary of the Civil Rights Act and the 50th anniversary of Freedom Summer, we find ourselves asking why S.1945 the Voting Rights Amendment Act (VRAA), is needed. We remember individuals who gave their lives for the right to vote. People like Goodman, Schwener and Chaney. So many others, who made the ultimate



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sacrifice for their strong belief in freedom and equality so others could exercise their franchise without fear and harassment.

Last year when the U.S. Supreme Court rendered their decision in *Shelby County vs. Holder*, they gutted one of the most important sections of the 1964 Voting Rights Act. It cleared the way for more discriminatory laws to take hold and set us back more than 50 years. We know that thousands of pages of updated evidence were introduced and reviewed by Congress during the last reauthorization of the Voting Rights Act. This updated evidence should have been enough for the Court to keep the law intact. But since their decision, we need a measure that will replace the formula and that is why we support S. 1945. As we debate the merits of the Voting Rights Act Amendment, and why it is important that no American be denied access to the ballot box, NAN commends you for taking the first steps of addressing the Court's concerns with this legislation. Prior to *Shelby*, Section 4 required a formula for how states were to be covered. Section 5 required those covered jurisdictions to submit any proposed changes in voting procedures to the U.S. Department of Justice; or to a federal district court in D.C. to determine whether that change would be discriminatory before the change could go into effect.

Since *Shelby*, seven former preclearance states have announced new restrictions on the right vote. Last year, a federal court called Texas's photo ID law the "most stringent in the country." Now, it is the law. Two months after the Supreme Court ruling, North Carolina



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cut early voting and eliminated same-day registration. 38,000 voters in Virginia who thought they were registered to vote were purged from the voting rolls. Kansas suspended registration for 17,500 voters. Currently 13 states have voted on some form of voter identification legislation; 15 states will have new voting restrictions in place; in six states there are ongoing court cases that could impact their elections; and in one state new voting law will be effective in 2106. Some states have passed laws requiring voters to show some form of government issued identification at the polls. There are even states that accept a gun permit as ID but not a student photo ID. Previously there were no such requirements.

Historically, protecting and securing the right to vote has been fraught with controversy. Denying African Americans the right to vote is a discriminatory practice. The 1866 Civil Rights Act granted citizenship, but not the right to vote, to all native-born Americans. Three years later in 1869, Congress granted African American men the right to vote in the Fifteenth Amendment to the Constitution. However, in 1896, Louisiana passed the “grandfather clause” to keep former slaves and their descendants from voting. As a result, registered black voters dropped from 44.8% in 1896 to just 4% four years later. Mississippi, South Carolina, Alabama and Virginia followed Louisiana’s lead by enacting their own grandfather clause. The very same states that once enforced the grandfather clause and other restrictive laws are now introducing laws that will restrict rights. From 1890 to 1960 state after state, primarily in the south as well as other jurisdiction



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throughout the country, adopted some form of voter suppression. This included grandfather clauses, literacy tests, poll taxes or lynching voters who dared to try to utilize their franchise. All of this was to deny African Americans and other minorities the right to vote.

Today, gone are the grandfather clauses, the literacy tests and poll taxes, only to be replaced by a requirement for a government issued ID and other suppressive requirements that place an undue burden on otherwise eligible voters.

According to the US Census Bureau, the 2012 and 2008 elections had the highest number of African American and Hispanic voter turnout. Overall, 133 million people reported voting in 2012, a turnout increase of about 2 million people since the election of 2008. But this fact is in spite of the new restrictions. Some of the laws are now in place were not in place for either of those elections because their enactment date was beyond 2012.

Research and studies have shown that voting discrimination practices are as widespread today just as they were 50 years ago. The Voting Rights Act is the country's most proven, effective tool to protect voters from discrimination. Specifically, section 5 is the fastest way to protect voters if states created laws that would serve to impede their right to vote. However, that key provision has been disabled due to the restriction of section 4. The Voting Rights Amendment Act includes a vital set of protections that *Shelby* stripped from



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the VRA. The VRAA will address current discrimination in real time; provide the ability to review voting changes in places that have engaged in discrimination presently and in the past. It will also provide for better notification of potential voting changes to enhance transparency and accountability. Additionally, the VRAA will address some commonsense fixes that will ensure that voters everywhere are protected by up to date safeguards. While further debates are needed now is the optimum time to pass this critical bill.

National Action Network's chapters have worked tirelessly to ensure that our communities have a voice and vote in every election. From Pennsylvania to Florida, Texas, Ohio, Arizona and many states in between, NAN members have addressed the numerous accounts of voter suppression and discrimination. Serving as steward of civic engagement and a fair political process, we continue to speak out when voters are denied the right to vote. We challenge those that challenge the laws of equity and due process and we advocate for those who are not able to do so for themselves.

As we move further into the 2014 election cycle, the Voting Rights Amendment Act is needed now more than ever because voting discrimination still exists in this country and every American has the right to vote and should be empowered to do so instead of restricted. As the 2016 election cycle quickly approaches, most if not all of the new restrictive laws pushed through since *Shelby* will be in effect unless we see a law passed that will restore section 5. It is imperative that Congress works to protect every citizen's



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right to vote and works together in a bi-partisan effort to restore the powers of the Voting Rights Act.

NAN looks forward to working with Congress to restore the vital protections of the Voting Rights Act of 1964 through an updated and modern formula. Thank you.