

**Remarks for Attorney General Eric H. Holder, Jr.
Testimony for the House Subcommittee on Elections
June 24, 2021**

Chairman Butterfield, Ranking Member Steil, and members of the committee, thank you for the opportunity to appear before you today.

As you know, we're having this conversation at an important moment. Eight years ago tomorrow, in their *Shelby County decision*, a divided Supreme Court gutted Section 5 of the Voting Rights Act of 1965 and undermined a cornerstone of American democracy protection.

Before 2013, Section 5 had helped prevent discriminatory voting laws from taking effect by imposing preclearance protections that required a federal review of changes to voting procedures in covered regions. Basically, areas with a history of discrimination had to get approval from the Department of Justice or from a federal court for significant changes in voting laws or procedures. That section of the Voting Rights Act had helped to stop some of the worst attempts to discriminate against minority voters for decades. But in a five-to-four opinion, the conservative members of the Court wrote that the nation had "changed dramatically" since the Voting Rights Act went into effect and that, because of gains made, particularly by Black Americans, these protections were no longer necessary.

They were wrong. Efforts to keep groups of Americans, particularly Black Americans, away from the ballot box are as old as America itself, and the same forces that have historically sought to create an unequal status quo are still working to impose it today.

In the days since that ruling eight years ago, unnecessary and discriminatory voting restrictions went up across the country. We saw state legislatures pass a rash of strict voter identification laws that disproportionately impacted people of color. We saw voting roll purges and poll closures targeting minority and poor communities. And we saw newly emboldened state legislatures draw discriminatory maps that unfairly placed Black people and other people of color, young and poor people, into gerrymandered voting districts where their impact would be diluted and their voice ultimately lost.

As Attorney General, I fought back against these attempts to subvert our democracy and disenfranchise voters of color, using the remaining provisions of the Voting Rights Act in cases from Texas, North Carolina, and Ohio, to Wisconsin, Montana and South Dakota. As Chair of the National Democratic Redistricting Committee, I have continued that work, taking on unfair maps, fighting for fair elections, and demanding justice for every American voter across the country.

But just as my work has continued, so too have the efforts of those who seek to roll back the clock on voting rights. Over the past few years, politicians have used a range of strategies to diminish the voice of the people -- from gerrymandering to voter suppression to outright intimidation. And today, we are facing a

sustained, coordinated, multi-pronged assault that seeks to diminish protections for voters, restrict access to the franchise, and redefine the way that power is gained and exercised in the United States of America.

We have seen this assault in voting restrictions, voter ID laws and voter roll purges that have unfairly, and in some cases illegally, stripped Americans of their rights. In just the first six months of 2021, state legislators across the country have introduced more than 389 bills in 48 states that would make it harder to cast a ballot. Two dozen have been passed into law. Since the Shelby County decision, millions of Americans have unnecessarily been purged from voter rolls. Nearly 1,700 polling locations have been closed.

We have seen map manipulation and gerrymandering that has allowed politicians to pick their voters so that a party with minority views and minority support can illegitimately govern with majority power. In states that are politically competitive like Pennsylvania, North Carolina, and Wisconsin, one party has sought to draw lines with surgical precision, packing some voters together and splitting other towns and communities apart to in order to create congressional delegations and legislatures that are heavily skewed on a partisan basis and immune to citizen accountability.

And we have seen it in the Supreme Court decision in *Rucho* that abandoned the Court's fundamental and unique responsibility to achieve justice in the face of partisan gerrymandering.

These actions have not made our elections safer or more secure.

They have not improved the quality or accessibility of our politics. Instead, they have stripped Americans of fundamental

rights and undermined the promise of American democracy. And they have all – every one of them – disproportionately impacted people of color.

Just a few weeks ago, more than 100 of our nation's top democracy scholars signed a [letter](#) warning about the deterioration of American voting rights and representation due to radical laws, regulations and restrictions imposed over the last few months. As a result of these changes, they said voting procedures in some states “no longer meet the minimum conditions for free and fair elections.”

In the United States of America, our beloved country, this must not stand.

We need to repair the damage being done to our democracy. We need to create lasting, durable safeguards that protect our most essential freedom. We need to expand and codify into law voting rights and processes so that every eligible American – no matter what they look like or their partisan inclination – can cast a ballot and be confident that it will be fairly counted. We need to end gerrymandering, so that all people, including people of color, can be represented by public servants of their choice and be able to hold those representatives politically accountable. We need to ensure that this country lives up to its fundamental promise and highest ideals.

Let me be clear: I am not asking for favoritism towards any political party. I am not asking for special treatment for any group or community. I am asking for nothing more radical than

that which is at the heart of the American experiment, the idea at the core of American democracy: free and fair elections where the people – all the people – are heard and respected.