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Member of Congress

October 17, 2019

House Committee on the Judiciary

Hearing: “Legislative Proposals to Strengthen the Voting Rights Act”

Chairman Nadler, Ranking Member Collins, and distinguished members of the Committee, thank you for inviting me to share with you why I believe we should pass the Voting Rights Advancement Act.

I am here today because the issue of voting rights is personal for me. Growing up in Selma, I was surrounded from an early age by stories about the Voting Rights Movement. These were not the stories told in history books, but lesser-known stories of everyday people acting with extraordinary bravery. Knowing what the people of my community were capable of provided me the strength, resilience and inspiration to pursue my own dreams. Now, as the first African American Congresswoman from Alabama, I believe I have a duty to both protect and advance their legacy. The Voting Rights Act of 1965 is one of the crowning achievements of that legacy.

The Supreme Court's *Shelby County v. Holder* case that struck the heart of the VRA was borne from the redistricting of a Calera city council seat in Shelby County, Alabama. After the 2nd district seat was redrawn in a way that drastically changed the racial makeup of its electorate, the Department of Justice voided the new map on the basis that it was racially discriminatory. Shelby County filed a lawsuit against the Justice Department that made its way to the Supreme Court after several appeals. The Supreme Court found the coverage formula in Section 4b of the VRA unconstitutional, which gutted the law's preclearance provision and, therefore, its ability to protect against modern-day barriers to the ballot box.

With this powerful deterrent gone, a wave of restrictive voting laws went into place. Just five years after the ruling, nearly 1,000 polling places were closed across the country. State legislatures also moved to cut access to early voting, purge voter rolls and impose of strict voter ID laws. While these actions are not as blatant as forcing American citizens to guess how many jelly beans are in a jar before allowing them to register to vote, the effects have been equally damning.

In my home state, just one day after the Court's *Shelby* decision, Alabama began requiring photo identification to vote. The photo ID law was passed in 2011 but had previously been blocked by the Voting Rights Act, not because it required an ID in the first place, but because of the restrictions placed on the *kind* of ID needed to vote. Hunting licenses are deemed acceptable; student IDs are not. Social Security cards are no longer valid to vote, but pistol permits are accepted at the polls.

Adding insult to injury, Alabama announced in 2015 the closure of 31 driver's license offices, one of the primary places to get one of these required photo IDs. The majority of these DMV closures were in counties in my district with the highest percentages of black voters in the state.

Alabama is not alone. State legislatures across the country moved to make voting more difficult. In North Carolina, for example, the legislature enacted a far-reaching and pernicious voter ID bill after the *Shelby* decision. The North Carolina law instituted a strict photo ID requirement, curtailed early voting, eliminated same day registration, restricted pre-registration, and eliminated the authority of county boards of elections to keep polls open for an additional hour.

As Justice Ginsburg wrote in her *Shelby County* dissent, "Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet." In the face of ongoing discrimination, enforcement of voting rights under current laws is slow, inadequate, and costly.

To restore the full protections of the VRA, I've introduced H.R. 4, the Voting Rights Advancement Act (VRAA). My bill would address the Court's concerns and update the coverage formula to limit the lookback period to the past 25 years. That means any state with 15 or more adjudicated violations of voting rights within the past 25 years would be required to get preclearance on any changes to their voting laws and election procedures.

The *Shelby* decision allowed for the enactment of creative new barriers to voting like restrictive voter ID, inadequately publicized closures of polling places, and impeding accessibility to early voting. The VRAA would close the gaping hole left in voter protection by requiring preclearance from the Justice Department before enacting these types of changes to voting. Just as barriers to the ballot box are evolving, our laws must also evolve and change to keep up with those who attempt to restrict access to the polls.

The voter suppression we saw in the 2018 midterm elections makes it clear just how urgent it is that we pass the Voting Rights Advancement Act and restore the full protections of the Voting Rights Act. During the 2018 elections, states from Georgia to North Carolina to North Dakota sought to impose new voting laws that resulted in a suppressive effect amongst mostly minority communities. Congress must act now to stop discriminatory voter laws before they go into place and swing elections.

The Supreme Court was clear; only Congress can ratify a new formula to fully restore Section 4 of the VRA. My legislation does that, but also seeks to advance the VRA by requiring a nationwide, practice-based preclearance for “known discriminatory practices,” including the creation of at-large district, inadequate multilingual voting materials, and cuts to polling places. The VRAA increases transparency by requiring reasonable public notice for voting changes. The bill also allows the Attorney General authority to request federal observers to be present anywhere in the country where a serious threat to voter access and fair elections exists.

In conclusion, the purpose of H.R. 4 is nothing less than fortifying the cornerstone of our democracy. Without the vote, Americans lose their voice in our democracy. So, I urge you to support the Voting Rights Advancement Act and restore the VRA to its full strength.