

GOVERNMENTAL AFFAIRS
OFFICE

AMERICAN BAR ASSOCIATION

Governmental Affairs Office

740 Fifteenth Street, NW
Washington, DC 20005-1022
(202) 662-1760
FAX: (202) 662-1762

DIRECTOR
Robert D. Evans
(202) 662-1765
rdevans@staff.abanet.org

DEPUTY DIRECTOR
Denise A. Cardman
(202) 662-1761
cardmand@staff.abanet.org

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SENIOR LEGISLATIVE COUNSEL
R. Larson Frisby
(202) 662-1098
frisbyr@staff.abanet.org

Lillian B. Gaskin
(202) 662-1768
gaskinl@staff.abanet.org

LEGISLATIVE COUNSEL
Kristi Gaines
(202) 662-1763
gainesk@staff.abanet.org

Kenneth J. Goldsmith
(202) 662-1789
goldsmithk@staff.abanet.org

Kerry M. Lawrence
(202) 662-1766
lawrenck@staff.abanet.org

Ellen McBarnette
(202) 662-1767
mcbarnee@staff.abanet.org

E. Bruce Nicholson
(202) 662-1769
nicholsonb@staff.abanet.org

DIRECTOR GRASSROOTS
OPERATIONS/LEGISLATIVE COUNSEL
Julie M. Strandlie
(202) 662-1764
strandlj@staff.abanet.org

INTELLECTUAL PROPERTY
LAW CONSULTANT
Hayden Gregory
(202) 662-1772
gregoryh@staff.abanet.org

STATE LEGISLATIVE COUNSEL
Rita C. Aguilar
(202) 662-1780
aguilarr@staff.abanet.org

EXECUTIVE ASSISTANT
Julie Pasatiempo
(202) 662-1776
jpasatiempo@staff.abanet.org

STAFF DIRECTOR FOR
INFORMATION SERVICES
Sharon Greene
(202) 662-1014
greenes@staff.abanet.org

EDITOR WASHINGTON LETTER
Rhonda J. McMillion
(202) 662-1017

Dear Representative:

As the House begins its debate on H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, I write on behalf of the American Bar Association (“ABA”) to urge you to support the reauthorization and extension of the expiring provisions of the Voting Rights Act of 1965 as amended through 1992 (“the Act”). The Voting Rights Act has been called the most effective civil rights law ever enacted and it is critical that the expiring provisions of the Act be reauthorized in order to ensure access to the ballot box for all citizens.

While great progress has been made since the original passage of the Act, there is ample evidence that voting discrimination still exists today in many areas of our nation. For this reason, the ABA supports the reauthorization of Sections 5, 203, and 6-9 of the Voting Rights Act of 1965, as amended through 1992, for an additional 25 years. The expiring provisions are some of the most important and effective of the Act and reauthorization would allow progress to continue through enhanced access to the political process by all citizens, as well as by signaling a clear repudiation of discriminatory voting practices.

The ABA strongly supports provisions in the bill that make important modifications to Sections 5, 203, and 14(e). Specifically, we support amending Section 5 to prohibit the preclearance of any voting changes enacted with a discriminatory purpose of denying or abridging the right to vote on account of race, color, or membership in a language minority group; it would also clarify the legal standard for discriminatory effect as a retrogression of political strength of a minority community and the failure to preserve the ability of minority voters to elect candidates of choice, including the elimination of majority - minority districts. In addition, we support the provisions requiring that new coverage determinations under Section 203 be based on information collected via the American Community Survey and amending Section 14(e) to permit the recovery of expert fees and expenses.

We believe that additional changes are needed to further enhance the effectiveness of the Act and assure the voting rights of all citizens. Section 5 should further be amended to prohibit the preclearance of any voting change shown to have a dilutive effect in violation of Section 2 of the Act. In addition, in light of the growing need for minority language assistance, we support a number of further

modifications to Section 203, including: lowering the numerical trigger for coverage under Section 203 from 10,000 to 5,000; clarifying that Section 203 applies only to materials provided by government entities and not by citizen petitioners; and changing the definition of a political subdivision to include separate election jurisdictions, such as cities or school districts of significant size.

While we continue to support these additional changes, we also recognize that H.R. 9 contains several needed modifications to the Act and that reauthorizing the expiring provisions is vitally important for upholding the fundamental principles of our representative democracy. The basic right of citizens to vote and the importance of having protections in place that will ensure equal access to the voting process for all is at the core of our democratic process and is central to improving participation in our nation's electoral process. The Voting Rights Act has been critical to the expansion of our democratic franchise to all eligible citizens, and we again urge you to support the reauthorization and extension of the expiring provisions of the Act by voting to adopt H.R. 9.

Sincerely,


Robert D. Evans