

117TH CONGRESS
1ST SESSION

H. RES. 854

Calling on Congress to condemn voter suppression laws enacted by States
and political subdivisions.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2021

Ms. NORTON submitted the following resolution; which was referred to the
Committee on the Judiciary

RESOLUTION

Calling on Congress to condemn voter suppression laws
enacted by States and political subdivisions.

Whereas the ratification of the 15th Amendment in 1870 affirms that voting rights cannot be denied to citizens on the basis of race;

Whereas post-Reconstruction Jim Crow laws severely restricted minority voting rights, particularly those of African Americans;

Whereas the Voting Rights Act of 1965 contributed to a significant increase in voter registration and participation by African Americans and other minorities;

Whereas the Supreme Court's 2013 decision in *Shelby County v. Holder* struck down section 4(b) of the Voting Rights Act of 1965, the coverage provision of the law

that identified States and political subdivisions with a chronic history of passing restrictive voting laws;

Whereas the Shelby County decision effectively immobilized section 5 of the Voting Rights Act of 1965, which allowed the Department of Justice and Federal courts to “preclear” any proposed changes to voting rules, allowing a preemptive strike to unjust and discriminatory voting laws in the regions identified by section 4(b);

Whereas the absence of this preclearance requirement has allowed for voter suppression laws to proliferate by permitting States and political subdivisions to pass restrictive voting laws without Federal preclearance to determine if the laws are racially discriminatory;

Whereas since the Shelby County decision, at least 6 States have reduced early voting access;

Whereas restricting early voting disproportionately affects people of color, low-income citizens, and the elderly, who often rely on flexible, early voting periods;

Whereas many voting-eligible, low-income Latino voters are naturalized United States citizens who lack proof of citizenship and cannot afford a Certificate of Citizenship or a Replacement Certificate of Naturalization, which cost \$1,170 and \$555, respectively;

Whereas since the Shelby County decision, at least 3 States have imposed more stringent requirements on nongovernmental organizations that help register and engage citizens in voter participation;

Whereas restricting nongovernmental voter participation organizations directly affects people of color, low-income citizens, and the elderly, as these organizations are particularly likely to reach and engage these populations;

Whereas since the Shelby County decision, at least 16 States have passed laws making it more difficult to vote by absentee ballot;

Whereas at least 19 States have passed at least 33 laws in 2021 to make it harder for Americans to vote;

Whereas many of these laws target voting mechanisms disproportionately used by non-White voters in the 2020 election, such as Georgia enacting new restrictions on mail voting after nearly 30 percent of Georgia's Black voters cast ballots by mail in 2020;

Whereas reducing absentee voting disproportionately affects low-income, minority voters, who are more likely than other citizens to have inflexible work- and childcare-related schedules;

Whereas 70.9 percent of White voters cast ballots in the 2020 election, compared to 58.4 percent of voters of color;

Whereas in addition to State-level voter suppression laws, political subdivisions have also passed new laws that suppress minority voters, including reducing the number of polling places and offering insufficient language assistance for non-English-speaking voters;

Whereas following the Shelby County decision, there were at least 868 fewer polling places in the 2016 election than in past elections;

Whereas insufficient language assistance at polling places could possibly threaten eligible Latino voter turnout in the 2022 midterm elections;

Whereas since the Shelby County decision, courts have struck down restrictive voting laws in at least 4 States, dem-

onstrating the discriminatory nature of voting restrictions that have proliferated post-Shelby County;

Whereas if a preclearance formula had been in effect, the Department of Justice and Federal courts would have been able to prevent discriminatory voter suppression laws from being passed;

Whereas 2,000,000 fewer individuals would have been purged from their States' voter rolls between 2012 and 2016 if formerly covered jurisdictions had continued to remove voters at the same rate as noncovered jurisdictions, and 1,100,000 fewer individuals would have been removed between 2016 and 2018 if formerly covered jurisdictions had continued to remove voters at the same rate as noncovered jurisdictions;

Whereas the House of Representatives has passed the John R. Lewis Voting Rights Advancement Act of 2021 (H.R. 4) and the For the People Act of 2021 (H.R. 1) to protect the right to vote; and

Whereas many unjust voter laws that were passed or went into effect after the Shelby County decision threaten to affect a significant number of minority voters in upcoming elections: Now, therefore, be it

1 *Resolved*, That the House of Representatives con-
 2 demns the use by States and political subdivisions of the
 3 voter suppression laws and techniques described in the
 4 preamble of this resolution.

○