1620 L Street, NW Suite 1100 Washington, DC 20036 202.466.3311 voice 202.466.3435 fax www.civilrights.org

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AAJC

May 26, 2022

The Honorable Xavier Becerra Secretary of Health & Human Services U.S. Department of Health & Human Services 200 Independence Avenue SW Washington, D.C. 2020

The Honorable Miguel Cardona Secretary of Education U.S. Department of Education 400 Maryland Ave SW Washington, DC 20202

The Honorable Marcia Fudge Secretary of HUD U.S. Department of Housing & Urban Development 451 7th Street SW Washington, DC 20410

The Honorable Merrick Garland Attorney General U.S. Department of Justice 950 Pennsylvania Avenue NW Washington, DC 20530

The Honorable Isabel Guzman Administrator Small Business Administration 409 3rd St SW Washington, D.C. 20416



The Honorable Deb Haaland Secretary of the Interior U.S. Department of the Interior 1849 C Street NW Washington DC 20240

The Honorable Alejandro Mayorkas Secretary of Homeland Security U.S. Department of Homeland Security 301 7th St, SW Washington, DC 20528

The Honorable Denis McDonough Secretary of Veterans Affairs U.S. Department of Veterans Affairs 810 Vermont Ave, NW Washington, DC 20420

The Honorable Marty Walsh Secretary of Labor U.S. Department of Labor 200 Constitution Avenue NW Washington, DC 20210

The Honorable Janet Yellen Secretary of Treasury U.S. Department of the Treasury 1500 Pennsylvania Avenue, NW Washington DC, 20220

Dear Secretary Becerra, Secretary Cardona, Secretary Fudge, Attorney General Garland, Administrator Guzman, Secretary Haaland, Secretary Mayorkas, Secretary McDonough, Secretary Walsh, and Secretary Yellen,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, and the 106 undersigned organizations, we write to emphasize the urgency for your departments and agencies to take additional steps to implement President Biden's Executive Order Promoting Access to Voting ("EO"), and to share specific ways we believe your department or agency can more fully meet the goals of the EO.

May 26, 2022 Page 2 of 5



We first want to acknowledge the steps your agencies have already taken in response to President Biden's Executive Order Promoting Access to Voting. The EO has provided an unprecedented opportunity for federal agencies to think about how they can further a goal that undergirds our entire system of government: protecting and promoting the fundamental right to vote. We thank you for the important commitments your agencies have already made, commitments we expect you and your teams are working hard to fulfill.

These commitments and the work since the EO was issued more than one year ago are significant because our democracy is facing extraordinary threats. The recent attacks on our democracy are unlike any we have seen in more than half a century. Since the 2020 election alone, state legislatures across the country have introduced hundreds of bills and passed dozens of laws that make it harder for people to register and to vote. These laws, alongside the voter suppression measures enacted over the last decade, make it especially difficult for voters of color, young voters, low-income voters, voters with disabilities, Limited English Proficiency voters, and other marginalized communities to make their voices heard in our democracy.

Simply, there is an urgent need for meaningful federal action to protect and promote the fundamental right to vote. Efforts to enact a federal legislative solution to the assaults on our democracy have stalled for now. As such, the imperative for federal agencies to do *everything* they can to harness the significant potential of the EO is even greater than when it was issued. While the commitments your agencies have made so far are a good start, they do not represent everything that is within your authority to do, and in many respects, they fall far short of the kinds of meaningful actions within your agencies' reach that would ensure all eligible Americans are able to engage in the democratic process. We are reaching out to each of you because we have identified specific ways your department or agency can more fully meet the goals of the EO.

First, we ask that your agencies commit to providing and supporting robust active voter registration services to the eligible Americans you and your partners serve. Each day, your agencies and partners interact with millions of Americans—a significant number of whom face barriers to voting—through interactions that could include the opportunity to register to vote. To date, however, agency commitments have mostly entailed putting information on websites or in offices, and/or sending letters encouraging third parties to voluntarily provide voting and registration information. Our organizations know from many years of agency voter registration work that these types of *passive* activities do not translate into significant numbers of voters being added to the registration rolls. Instead, eligible people are successfully registered to vote when they are offered *active* voter registration services. This includes being asked if they want to vote or to update their registration, receiving assistance as they complete the voter registration process, and ideally having their completed registration application collected and transmitted to the appropriate election officials or, if that is impractical, receiving a stamped envelope in which they can submit their voter registration application.

Additionally, we ask you to work actively to invite and accept designations by states as voter registration agencies under the National Voter Registration Act (NVRA). To date, only two federal agencies have offered themselves up for designation, and those in only a small handful of states. As far as we know, none yet have succeeded in being designated. Following the examples of motor vehicle offices and other state agencies, designation as an NVRA agency would provide a road map to ensure the voter registration services your agency provides are high quality and effective, and in turn to ensure all eligible people your agency serves have the meaningful opportunity to register to vote. While official designation



must come from the state, agencies can encourage such designation through active conversation with states and commitments to accept designation – commitments two agencies have already made.

We know that, for nearly all federal agencies, integrating this type of voter registration services into existing programs is new. Our organizations stand ready to provide assistance to you, your staff, and partners as you work to enhance your voter registration and voting access plans. We also encourage you to reach out to state and local election officials who have years of experience helping state government agencies providing voter registration services per the requirements of the NVRA. Some of the undersigned organizations have been in communication already with your agencies, and we would be thrilled to meet with you and your teams further to share our expertise and provide support as you determine what more your agency can do to meet the call of the EO and the urgency of this moment. Should you make more meaningful commitments in the coming months, our organizations stand ready to help drive successful registration through your agencies by educating the public about the ways you and your staff have risen to the challenge of the EO.

In the year since the EO has been issued, our country's collective project of building a multiracial, inclusive democracy has faced grave threats. The urgency for the administration and federal agencies to do everything within your power to confront those threats, before it is too late, is greater than ever. We urge you to review the steps your agencies have taken so far and to work with your staff to make the additional meaningful commitments described here, to the full extent of your authority. In addition, some of our groups have already met with your agencies regarding implementation of the executive order and, to assist with those additional actions urged in this letter, we request additional meetings to specifically strategize about how your agency can commit to providing meaningful voter registration services and can pursue designation under the NVRA.

We are grateful for your leadership and look forward to hearing your additional plans to ensure your agency is doing everything possible to maximize the important role it can play in communities across America in service of protecting the fundamental and sacred right to vote. If you have any questions or to schedule follow up conversations, please contact Leslie Proll, Senior Director of Voting Rights at The Leadership Conference, at proll@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights
ADL (the Anti-Defamation League)
Advancement Project National Office
ALL IN Campus Democracy Challenge
American Association of People with Disabilities
American Civil Liberties Union
American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
American Federation of State County and Municipal Employees
American Federation of Teachers
Andrew Goodman Foundation
Asian American Legal Defense and Education Fund
Asian Americans Advancing Justice - AAJC

Autistic Self Advocacy Network Bend the Arc: Jewish Action

Asian and Pacific Islander American Vote (APIAVote)



Blue Wave Postcard Movement

Brennan Center for Justice

Broward for Progress

Business for America

Campaign Legal Center

Campus Vote Project

Center for American Progress

Center for Common Ground

Clean Elections Texas

Climate Hawks Vote

Common Cause

CommonDefense.us

Declaration For American Democracy Coalition

DemCast USA

Democracy 21

Democracy Initiative

Democracy Initiative

Demos

Earthjustice

EDF Action

End Citizens United / Let America Vote Action Fund

End Citizens United / Let America Vote Action Fund

Fair Elections Center

Fair Fight Action

Fix Democracy First

Food Research & Action Center

Friends of the Earth

General Board of Church and Society of the United Methodist Church

Healthy Democracy Healthy People Initiative

Human Rights Campaign

Indivisible

J Street

Japanese American Citizens League

Lawyers' Committee for Civil Rights Under Law

League of Conservation Voters

League of Conservation Voters

League of Women Voters of the United States

Michiganders for Fair & Transparent Elections

Mid-Ohio Valley Climate Action

Missouri Voter Protection Coalition

Missouri Voter Protection Coalition

NAACP Legal Defense and Educational Fund, Inc. (LDF)

NALEO Educational Fund

NARAL Pro-Choice America

National Action Network

National Association of Councils on Developmental Disabilities

National Coalition on Black Civic Participation/Black Women's Roundtable

National Community Action Partnership



National Congress of American Indians

National Council of Jewish Women

National Council of Negro Women

National Disability Rights Network (NDRN)

National Education Association

National Housing Law Project

National Low Income Housing Coalition

National Partnership for New Americans

National Urban League

Native American Rights Fund

NETWORK Lobby for Catholic Social Justice

Paralyzed Veterans of America

People For the American Way

Planned Parenthood Action Fund

Prison Policy Initiative

Progressive Turnout Project

Project On Government Oversight

Promise of Democracy Foundation

Public Citizen

Public Wise

Rock the Vote

Secure Elections Network

Service Employees International Union (SEIU)

Sierra Club

Sierra Club

SiXAction

Sojourners

Sojourners

Southern Poverty Law Center

Stand Up America

Students Learn Students Vote Coalition

The Civics Center

The Sentencing Project

The Workers Circle

Transparency International U.S.

UnidosUS

Union for Reform Judaism

URGE: Unite for Reproductive & Gender Equity URGE: Unite for Reproductive and Gender Equity

Vote.org

When We All Vote

Wisconsin Faith Voices for Justice

Young Invincibles

YWCA USA

Cc Vice President Kamala Harris

Cc Ambassador Susan Rice