voter registration opportunities to minority communities. Leon Russell, of the Florida State Conference of the NAACP, stated that Section 4 ''would likely discourage participation in voter registration efforts.'' Mr. Russell noted that the NAACP's voter registration events take place in many different locations during various days of the week, but that volunteers from individual NAACP units frequently ''may not be able to turn in documents until the unit meets'' again, which could be several days after a planned registration event. The fact that these efforts are volunteer-based and uncompensated makes speedier transmittal of the forms especially onerous on the minority communities within the covered jurisdictions, many of which suffer from higher rates of socioeconomic disparities and higher poverty levels. Mr. Russell added, ''[t]he threat of fines will also keep people from volunteering.''

Harold Weeks, President of the Collier County branch of the NAACP, which regularly conducts voter registration drives in Collier County, stated, in reference to the fines contemplated by Section 4, that he ''wouldn't want to subject anyone to those kind of consequences,'' particularly ''young people'' who may mistakenly fail to turn paperwork in on time. He added, ''[w]e don't have much money to help pay somebody's fines.''

Ms. Russell, of the Hillsborough County Government, observed that, in her County, ''[t]here are a lot of African Americans, voting age individuals, who are not registered,'' but that Section 4 is ''going to intimidate a lot of African-American groups that would love to register people as first time voters.'' She added,

You want to do your civic duty to register people, and now . . . it's very difficult to do. . . . Most people will feel like it's not worth the trouble. It's really going to hamper African-American Greek organizations (fraternities and sororities) that work on voter registration efforts. . . . It makes it more difficult to do that.

State Senator Joyner also noted that the ''48 hour cap will cripple voter registration efforts.'' She stated that, ''[i]n the Black churches there's ongoing voter registration,'' but under the proposed change, ''you have to have someone every day'' turn in registration forms, which is an onerous administrative burden on churches serving low-income communities. State Representative Rousson echoed these concerns, stating that ''by making it 48 hours to get registration forms in, you're stifling'' voter registration.

This is no trivial matter for minority citizens in Florida, who have substantially lower voter registration rates than average. As of 2008, the U.S. Census Bureau reported that, in Florida, African Americans had a registration rate of 53.6%, Latinos a rate of 47.4%, and Asians a rate of 35.3%, as compared with an overall average registration rate in Florida of 62.4%, and an average for white Floridians of 69.2%. Voter registration drives are a crucial means of addressing these inequalities, as studies show that African-American and Latino voters are more than twice as likely to register in these drives.

The implementation of Section 4 would therefore have the effect of only worsening these registration disparities.

III. DISCRIMINATORY PURPOSE

Assessing a jurisdiction's motivation in enacting voting changes is a complex task requiring a ''sensitive inquiry into such circumstantial and direct evidence as may be available.'' The ''important starting point'' for assessing discriminatory intent under Arlington Heights is ''the impact of the official action whether it 'bears more heavily on one race than another.'' Other considerations relevant to the purpose inquiry include, among other things, ''the historical background of the [jurisdiction's] decision''; ''[t]he specific sequence of events leading up to the challenged decision''; ''[d]epartures from the normal procedural sequence''; and ''[t]he legislative or administrative history, especially . . . [any] contemporary statements by members of the decisionmaking body.'' Numerous cases arising under Section 5 have employed this standard to help ferret out discriminatory intent in the Section 5 process.

As noted above, various features of Chapter 2011–40 will have retrogressive effects on minority voters in the 5 covered counties. These concerns were no secret as Chapter 2011–40 was debated. To the contrary, they were raised often by members of the public. And, without exception, every single member of the Florida Conference of Black State Legislators voted against this legislation.

It is noteworthy that these broad changes to long-standing voting laws—some of which have been in place for decades—are being proposed so recently after the last General Election, when African Americans in Florida turned out and exercised their political power in record numbers. One news report noted that the changes to early voting, and in particular the elimination of early voting on the Sunday before Election Day, ''appear[] to be aimed directly at discouraging Florida's black voters.'' State Senator Joyner stated, ''we view this as an effort to marginalize the votes of minorities in our County because we had tremendous turnout in recent elections.'' State Representative Rousson added, ''in my mind, and in the minds of the Black leaders in my community, there is no question about the motives behind this. This is absolutely voter suppression and subversion. The perception is that it is aimed directly at [the Black] population. My constituents feel under siege.''

Chapter 2011–40 was enacted in spite of these and other objections, but we note that the state's proffered interests in enacting Chapter 2011–40 do not withstand even casual scrutiny. Although the State claims that these voting changes are necessary to prevent voter fraud, there is no evidence of a problem of voter fraud in Florida, as even the Florida Secretary of State has ''acknowledged that there is little voter fraud in the state.'' Nor is there any indication of how shortening the early voting period, requiring validly registered voters to cast provisional ballots, or imposing heavy fines on voter registration organizations would actually prevent fraud. Moreover, as this Department has acknowledged in response to a previous Section 5 submission by the State of Florida, ''procedures used to eliminate voter fraud should not unnecessarily burden the rights of minority voters.'' Finally, while legislators also claimed that these changes are necessary for the sake of reducing ''cost,'' an interest in administrative efficiency has not been recognized as a sufficient justification for voting procedures that otherwise violate the VRA.

CONCLUSION

For the reasons identified above, we urge the Attorney General to interpose an objection to Chapter 2011–40, as the state has failed to meet its burden of showing that it will not have a retrogressive effect, nor that it was adopted free of discriminatory purpose. Indeed, the state's submission contains no analysis whatsoever concerning the retrogressive effect of Chapter 2011–40 on minority voters, simply asserting without any substantiation that the proposed voting changes ''will apply equally to all voters. . . .'' That is not, however, sufficient to satisfy the state's burden to show the absence of retrogressive effect under Section 5 analysis. See Beer, 425 U.S. at 141. At a minimum, the Attorney General should issue a More Information Request (MIR) concerning the various issues raised in this letter as they affect minority voters in the five Florida Counties covered by Section 5.

Should you have any questions regarding the information presented in this Comment Letter, please contact Dale Ho at 212–965–2252.

Sincerely,

NAACP Legal Defense and Educational Fund, Inc.: John Payton, President & Director-Counsel; Kristen Clarke, Co-Director, Political Participation Group; Ryan Haygood, Co-Director, Political Participation Group; Dale Ho, Assistant Counsel; Natasha Korgaonkar, Assistant Counsel.

Florida Conference of Black State Legislators: Representative Mia Jones, Chair.

Florida State Conference NAACP: Adora Nweze, President.

Mr. Speaker, I don't think I could lay out my objections to the new voting laws in Florida any more clearly. I thank the authors of the letter I just read for their fine work, I only wish it wasn't necessary. Mr. Speaker, as we progress through this election season I would urge this Chamber and all of my colleagues to remember that every vote is important. Every American should be valued, and any effort to circumvent the right to vote, which some of us in this Chamber have fought so hard for, is a tragedy.

THE NATIONAL COMMISSION FOR INDEPENDENT REDISRICTIING ACT OF 2012

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. BLUMENAUER. Mr. Speaker, over the last few months, we have seen one opinion survey after another showing that Congress is facing record low approval ratings, hovering around 12 percent.

It's no coincidence that at the same time we've seen a surge in political activity from both the Tea Party and the Occupy Wall Street movements, expressing a shared frustration and distrust of Washington.

Underpinning America's disapproval of Congress is a broken political system, ranging from anachronistic Senate procedure to the recent Citizens United ruling. The budget battles of this Congress extend and amplify this trend.

While there is no silver bullet to ''fix'' what's ailing our Government, many experts and the public agree that we need comprehensive redistricting reform as a means to tone down the partisanship and make it possible to enact change. Under the current system, redrawing Congressional district boundaries every ten years continuously sends Congress down the path to partisan gridlock.

It's the worst kept secret in Washington that our current redistricting process too often gives incumbent politicians more influence over picking their voters, than voters have in picking their politicians.

Both political parties have developed the redistricting process into an art form, punishing opponents and protecting incumbents. Just

last week, House Speaker JOHN BOEHNER told POLITICO that Republicans will hold the House for the next decade thanks to the once-in-a-decade redistricting process that has made the GOP's hold on the majority ''iron-clad.''

I don't know about you, but I don't think the American public wants elections to be pre-cooked, a decade at a time. Politicians should not be allowed to achieve through the redistricting process what they can't accomplish at the ballot box. And regardless of whether the Speaker is right or not, the optics are disheartening and more than enough to further depress voter turnout.

Outside the beltway, there is very little that separates the average person in their political beliefs. But when you have a redistricting system where incumbents don't feel accountable in general elections, but fear attack in the primary, politicians are forced further and further to the left or right, ultimately skewing the membership of Congress. This is a system that rewards ideological extremes, punishes those who have nuanced or moderate positions, and closes the door on compromise before anyone even gets to Washington.

Even though elections are just around the corner, only 22 states have approved final district maps, leaving voters uncertain about who their candidate will be and furthering the already substantial incumbent advantage. There is hope, however, in states that have adopted independent redistricting commissions. All but one of these 13 states have already finalized their Congressional districts, making up a majority of the national total, and representing a small fraction—two of the 11 states—that are duking it out in court.

Redistricting reform isn't a Democrat or Republican idea. Indeed, it's bipartisan as seen in California and Florida where in 2010, both states—California controlled by Democrats in both chambers, and Florida controlled by Republicans in both chambers—enacted bipartisan redistricting reform.

While reform is slowly taking hold, the process remains woefully inadequate and subject to political abuse. The temptation to place partisan objectives above the public interest is just too enticing.

To make Congress more representative, all districts in all states should follow the same balanced metrics and criteria for redistricting, instead of the corrupt system we have today that's makes some states less fair and representative than others. That is why I have introduced legislation that would create the National Commission for Independent Redistricting.

The Commission would be composed of respected leaders with a proven commitment to public service and strengthening our future, such as ex-Presidents, retired Federal justices, previous congressional leaders, and electoral experts from academia. The Commission would oversee an independent, professional agency, tasked with establishing uniform criteria and congressional district lines for each State that respects the communities of interest, and geographic, ethnic, cultural, and historic boundaries, rather than just partisan affiliation.

The Commission would also inject greater transparency and accountability into the process by requiring robust public consultation and commentary that must be taken into account, and a website where all maps, hearings, votes with concurring and dissenting opinions, and materials would be made public in a timely fashion.

Congress would then approve or disapprove of the proposal put forward by the Commission with a simple up-or-down vote, free from procedural gridlock.

Congress should enact this legislation now, well before the next census in 2020. With six elections and nearly a decade standing between current politicians and the next Census, now is the time to reform our redistricting process and act in a way that reflects broad public interests rather than narrow and immediate partisanship.

Meaningful political reform is seldom easy and it takes time. Instead of each state passing their own version of what might as well be called ''The Incumbent Protection Act'' every 10 years, I am hopeful that there will be careful consideration of this proposal as a way to make the House of Representatives fairer, more representative, and more effective for this new century.

RECOGNIZING ALEX LESSER, SAM DIXON, AND JOSH FIXLER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 31, 2012

Mr. MORAN. Mr. Speaker, I have the good fortune of representing many bright and promising young people. When they speak selflessly about the need to help those less fortunate and recognize that the federal government has a responsibility to address this need, it renews my hope for a better future.

Yesterday was one such occasion. A young man, Alex Lesser, accompanied by Josh Fixler, Assistant Educator and Youth Director of the Temple B'Nai Shalom Congregation, came to my office on behalf of the Religious Action Center and the Union for Reform Judaism. Alex presented my office with a paper he and his friend, Sam Dixon, wrote jointly on the topic of economic justice and the importance of extending unemployment benefits. Alex's and Sam's eloquent words of reason deserve to be heard by my colleagues. I ask that they be submitted in today's CONGRESSIONAL RECORD.

ECONOMIC JUSTICE

Hello, I am Alex Lesser, and I am Sam Dixon, here on behalf of the Religious Action Center and the Union for Reform Judaism. We come from Temple B'nai Shalom in Fairfax Station, and we are here to talk to you about unemployment insurance. The economy is still recovering from the economic downturn of 2008. Since the recession started, a total of approximately 8.8 million jobs have been lost. Despite the fact that 2.7 million jobs have been recovered, 6.1 million workers have not gotten jobs back. The economy is still not in a good situation. The group that is struggling the most is the unemployed. And this group is not small: the national rate is still at 8.5%. Many of these people are food insecure. Being food insecure means a family or individual does not have the physical, economic, and social access to safe and nutritious food and drink. This is an important problem that YOU can help fix.

As a country that is currently in an economic crisis, it is not only our duty-but our responsibility to ensure that all citizens, regardless of economic status, are not at an unfair disadvantage to one another. However, this does not always seem to be the case in this nation. We have unfortunately seen a significant increase in poverty and unemployment over the past few years, with 3.2 million impoverished Americans in 2009, and 3.3 million in 2010. With unemployment insurance, not only will these unemployed individuals be supported and sustained, but our country as a whole will also benefit. A recent estimate from the Congressional Budget Office concluded that for every $1.00 that the government invests in unemployment benefits, approximately $1.90 will be added to the U.S. Economy. It seems to me that not only is this an important step in combating poverty for Americans, but also a necessary step to get the nation's economy back on track.

We are here today because Judaism teaches us that this is a vitally important issue. God commands us in the book of Deuteronomy that ''if there is a needy person among you . . . do not harden your heart and shut your hand against your kin. Rather, you must open your hand and lend whatever is sufficient'' (Deuteronomy 15:7–11). It teaches us that providing for the needy is not just a matter of charity, but an obligation. Judaism also teaches that the highest form of tzedakah, the Jewish value of charity, is to help a person achieve self-sufficiency. Unemployment insurance is that exact type of support that the homeless need to help them get back on their feet. I think that we can all agree that poverty is one of the worst fates imaginable. It is one of the most terrible sufferings. The Union for Reform Judaism has consistently fought against attempts to weaken the social safety net. This is clearly a moral choice as well as a political one.

This past Friday night, we attended a presentation from the National Coalition for the Homeless, which struck a very resonant chord in our hearts, all because of one man's story. Steve, a native Washingtonian and former homeless man, told us about how he was involved with drugs from a very early age. As a result of this drug abuse, he lost several high-paying jobs and his home. Steve mentioned that when he was at his lowest point, someone offered to help him in his path to sobriety, and he finally got his life together. After getting back on his feet, he is now in danger of going back on the streets due to a debilitating and degenerative disorder. His story reminded us that this is an extremely important issue because he was a prime example of a good person whose bad decisions impacted the rest of his life, making it hard for him to avoid homelessness. This reminds us that even when it seems as though someone has hit rock-bottom, the right help can put them back on the path to success. Part of the reason that this resonates with me is that we want to make sure that if our friends and family, as well as those who we will never meet, will not fall too far if they fall through the cracks.

Clearly, this is an important and timely issue that must be addressed. Extending unemployment benefits and insurance will not only help struggling Americans survive this economic downturn, but will also help the economy grow. We urge Representative Moran to support legislation that would extend unemployment insurance for a year.