



August 21, 2021

**Please Support the John Lewis Voting Rights Advancement Act (H.R. 4)**

Dear Representative:

On behalf of Asian Americans Advancing Justice – AAJC (Advancing Justice – AAJC), a national 501 (c)(3) nonprofit founded in 1991 in Washington, D.C. to advance the civil and human rights for Asian Americans and to build and promote a fair and equitable society for all, we write in strong support of the John Lewis Voting Rights Advancement Act (H.R. 4).

The Voting Rights Act of 1965 (VRA) has been vital to the prevention of actual and threatened discrimination aimed at Asian Americans in national and local elections, and for increasing the community's access to the ballot. It is our nation's most successful and consequential civil rights law; Advancing Justice – AAJC has worked to reauthorize, restore and enforce the VRA throughout the organization's history as it has protected and advanced the voting rights of Asian Americans across the country. Advancing Justice – AAJC was a key partner in the most recent bipartisan Congressional reauthorization of the VRA. However, while the VRA continues to protect the voting rights of Asian Americans, its efficacy has been curtailed by the harmful and short-sighted decision by the Supreme Court in *Shelby County v. Holder*, 570 U.S. 2 (2013) (Shelby County). The history of discrimination against Asian Americans, demographics of the Asian American community, and the ongoing discrimination Asian Americans face in the post-*Shelby County* world highlight the urgent need to restore and strengthen the VRA through modernizing how to determine coverage for Section 5 preclearance, including the importance of practice-based preclearance to protect Asian American voters.

For the better part of America's history, the franchise was denied to the Asian American community due to our inability to gain citizenship. Racist laws barring Asian Americans from entering the country, staying in the country or voting in the country, among other exclusionary laws, were often driven by fear of the "other" and the potential threat to the political livelihood of those in power. This is not only a problem of the past but one that rears its ugly head in present day, based on the ongoing stereotype of Asian Americans as "outsiders," "aliens," and "perpetual foreigners. As the fastest growing racial or ethnic group for almost the last two decades, Asian Americans are becoming more politically visible and viable in new jurisdictions across the country, especially in nontraditional gateway cities.

The rapid growth of minority communities concomitant with their increase in political relevance within an area, such as of Asian American communities across the country, often results in the increase of racial tensions. This can lead to fear of and resentment toward Asian Americans by those in power. They, in turn, often resort to hampering the Asian American community's right to vote free of harassment and discrimination. The community's population growth will also

likely lead to increased efforts to undermine the political voice of Asian Americans similar to the recent and ongoing efforts to restrict access to the polls by many state legislatures.

H.R. 4 answers the need created by the changing demographics of this country of a fully restored and modernized VRA. H.R. 4 not only addresses the disappointing Supreme Court decision in *Brnovich v. DNC*, but also addresses the *Shelby County* decision by including both an updated criteria under the “geographic trigger” to identify states and localities required to obtain federal review of voting changes before they are implemented and a “practice-based” trigger, where every state and locality nationwide that is sufficiently diverse would be required to obtain federal review before enacting specific types of voting changes that are known to be discriminatory in their use to silence the growing political power of voters of color.

Practice-based preclearance, in conjunction with a restored coverage formula, is critical to protecting the emerging political voice of Asian American voters. In targeting those practices that have been used through history to silence the political voice of minority communities just when they begin to reach critical mass and when they begin to impact the outcome of elections, practice-based preclearance will ensure that these practices are reviewed in areas where Asian Americans and other communities of color are reaching the point where they are perceived as threats to existing power structures. Practice-based preclearance will ensure that the proposed practice is not discriminatory or harmful to the minority community’s right to the franchise.

While Asian Americans are among the nation’s fastest growing racial group and are quickly becoming a significant electoral force in jurisdictions across the country, the community will not be able to maximize its political power without the full protection of their voting rights. The U.S. Census Bureau forecasts that while the number of Asian immigrants will grow between now and 2040, the proportion of Asian Americans who are immigrants will decrease, with high naturalization rates and the increase of U.S.-born Asian Americans in the coming years. It is likely that voter participation rates among the Asian American community, and indeed their political visibility, will only increase. It is precisely for these reasons that restoring and modernizing the Voting Rights Act, including the addition of practice-based preclearance, is a top priority for our organization. To that end, Advancing Justice – AAJC supports the John Lewis Voting Rights Advancement Act and urges you to do so as well. If you or your staff has any further questions, please feel free to contact Terry Ao Minnis, Advancing Justice – AAJC’s Senior Director of Census & Voting Programs, at [tminnis@advancingjustice-aaic.org](mailto:tminnis@advancingjustice-aaic.org).

Sincerely,



John C. Yang  
President & Executive Director  
Asian Americans Advancing Justice - AAJC

