

United States Senate

WASHINGTON, DC 20510

February 21, 2012

The Honorable Gene Dodaro
Comptroller General
U.S. Government Accountability Office
441 G Street, NW
Washington, D.C. 20548

Dear Comptroller General Dodaro:

We write to request that the Government Accountability Office (GAO) conduct a study of state legislative actions that may affect voter registration or voting to ensure that all citizens have the opportunity to exercise their constitutional right to vote and are not unreasonably hindered or burdened in that process.

The right to vote is a fundamental right in our democracy. In the words of Martin Luther King, Jr., “So long as I do not firmly and irrevocably possess the right to vote I do not possess myself. I cannot make up my mind — it is made up for me. I cannot live as a democratic citizen, observing the laws I have helped to enact — I can only submit to the edict of others.” For over a century, we have fought to expand and protect the right to vote, to ensure that no citizen is denied the opportunity to exercise this right due to race, gender, or class. Nevertheless, the fight to protect this right is ongoing. Without vigilance, those who continue to seek to limit this right will be successful in their efforts.

Recently, we have witnessed an alarming number of measures, specifically, 19 recently passed voting laws in 14 states that, according to at least one study, could make it significantly harder for more than five million eligible voters to cast ballots in 2012. That study found that the enactment of strict voter identification laws directly impacts the 21 million citizens who do not have access to a government-issued ID, the majority of whom are young voters, African Americans, Hispanics, those earning \$35,000 per year or less, and the elderly. State measures also include requiring proof of citizenship in order to register, preventing students from using their college ID cards as identification, placing extreme burdens on third-party registration efforts, and eliminating or curtailing early voting. We know that many hard-working Americans cannot afford the costs associated with complying with these laws, from the hundreds of dollars in documentation fees required in one state to register, to the time an individual living in a rural state needs to take off from work to travel to the nearest DMV which is hours away and is no longer open late or on weekends. It is clear that these state requirements can and do become de facto poll taxes for many low-income individuals.

While instances of voter impersonation fraud – the purported justification for these unnecessarily burdensome requirements – are reportedly minimal, these legislative changes impose costs and resource requirements on those seeking to exercise their constitutional right to vote that effectively deny it. State actions that suppress the right to vote must not be tolerated. Generations before us have fought too hard and sacrificed too much to have state laws roll back their efforts. We must make it easier, not harder, for poor and working people to vote and to participate in the political process.

In order for Congress to move forward and take the action necessary to protect this right, it is critical that we have an accurate picture of these recent state laws, individual access to voting, and actual instances of voter impersonation fraud. Therefore, we request that the GAO identify, by state, the following:

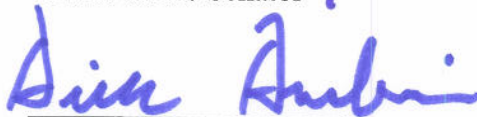
- Which states have passed voter photo-identification legislation within the previous 10 years;
- What documents are needed to satisfy the identification requirements for registration or voting under any new voter photo-identification legislation passed within the previous 10 years and the cost of each of the documents by state;
- The cost to the individual for each of those documents;
- What percentage of eligible voters have these documents, including the total percentage as well as the percentage by race, gender, and socio-economic status;
- Hours of operation, geographic distribution and other meaningful aspects of access to state agencies responsible for providing that documentation;
- Which states are providing, free of cost, the identification documents needed to satisfy any state photo-identification requirements, which agencies in each such state provide them, and the number of such documents that have been provided in each such state;
- A summary of outreach, education, or notification procedures that each state with photo-identification requirements has adopted to assist those without photo-identification obtain photo-identification;
- Which states allowed for early voting within the previous ten years, including specifically on the Saturday and Sunday immediately prior to a Tuesday election day, but have since changed state law to allow only same-day voting, and which voters, by race, gender, and socio-economic status, have participated in early voting within the previous ten years; and
- Which states have passed legislation imposing additional third-party voter registration reporting requirements within the previous ten years and which voters have registered to vote through third party voter registration drives, by race, gender, and socioeconomic status, within the previous ten years


We also request that the GAO conduct a study and present data on any prosecutions or convictions for voter impersonation fraud within each state during the previous 10 years. Finally, we request that the GAO study the extent to which each state complies with data requests from the Election Assistance Commission.

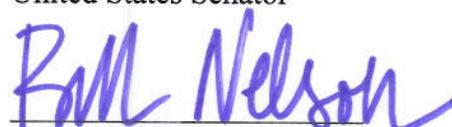
We look forward to GAO's report on these issues. Please feel free to contact Jessica Cardichon at (202) 228-6348, Jessica_Cardichon@Sanders.senate.gov, or Joe Thomas at (202) 224-0739, Joe_Thomas@judiciary-dem.senate.gov, to discuss this request.

Sincerely,


PATRICK LEAHY
United States Senator


RICHARD DURBIN
United States Senator


BERNARD SANDERS
United States Senator


BILL NELSON
United States Senator