

March 1, 2022

The Honorable Kristen Clarke  
Assistant Attorney General  
Department of Justice, Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Dear Assistant Attorney General Clarke:

We respectfully urge the Department of Justice to swiftly take the necessary measures to expedite its lawsuit against the State of Texas and the Texas Secretary of State over certain restrictive voting procedures enforced by Texas Senate Bill 1.

This year, Americans across the country are exercising their fundamental right vote. However, hundreds of mail-in ballot applications for the Texas primary elections have been rejected across Texas. As Texans plan ahead to ensure their vote is counted through the safe and legal vote-by-mail process, local election administrators in Dallas, Denton, Harris, and Tarrant Counties are reporting an unprecedented percentage of application rejections.<sup>1</sup>

Unfortunately, this wrongdoing is a direct – and intended – result of Texas Senate Bill 1 that Governor Greg Abbott signed into law on September 7, 2021, with the sole purpose of making it more difficult for Texans to vote and, thereby, undermining the democratic process. We are weeks away from the Texas primary [on March 1] which kicks off this year's election cycle, yet hundreds of Texans are already being denied participation in our democracy through no fault of their own.

As you know, Republican-led state legislatures across the country continue to escalate the former president's Big Lie about widespread voter fraud. This lie has gained momentum, seemingly unchecked, and their efforts to restrict access to the voting booth continues. Texas is among at least 19 states that have enacted new cumbersome voting restrictions since the 2020 election.<sup>2</sup> Despite the absence of any irregularities that would call into question the integrity of the 2020 election cycle, Republicans have plunged forward with discriminatory voting procedures that are unlawful and indefensible. For instance, preliminary results of election audits reported by the Secretary of State Office in Texas demonstrated few discrepancies between electronic and hand count of ballots.<sup>3</sup>

We have repeatedly warned about the discriminatory foundations of these Republican-backed efforts that only intend to limit and restrict access to the ballot for countless low-income and communities of color across the United States. Now, the undemocratic consequences of these egregious and unsubstantiated claims are coming to fruition as voters across the State of Texas are being stripped off their fundamental right to cast their vote this election cycle. To say we are

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<sup>1</sup> Andrea Lucia. [“Dallas, Tarrant, Denton Counties Report New State Law Forces 40% Of Mail-In Ballot Applications To Be Rejected.”](#) CBS Dallas-Fort Worth. January 18, 2022.

<sup>2</sup> Brennan Center for Justice. [“Voting Laws Roundup: December 2021.”](#) January 12, 2022.

<sup>3</sup> Alexa Ura and Allyson Waller. [“Texas secretary of state's partial audit of 2020 election finds few issues.”](#) The Texas Tribune. January 1, 2022.

very concerned about the outlook of Texas' voting rights laws is a grave understatement at this moment.

On November 4, 2021, the U.S. Department of Justice did the right thing by filing a lawsuit against the State of Texas over the restrictive voting procedures imposed by Texas Senate Bill 1. Specifically, the Justice Department's complaint contends that "Senate Bill 1 violates Section 101 of the Civil Rights Act of 1964 by requiring rejection of mail ballots and mail ballot request forms because of certain paperwork errors or omissions that are not material to establishing a voter's eligibility to cast a ballot."<sup>4</sup>

We commend the Justice Department for its work to curtail Texas's voting rights law, but given the circumstances, we are concerned people of color are slated to be pushed back into the Jim Crow era and, therefore, we request that you use the power of your agency to monitor the situation in Texas and deploy the necessary resources to combat this injustice

In the coming weeks, thousands of Texan voters are expected to perform their most basic civic duty – some will cast their vote in person, others will submit absentee ballots, yet others will wish to vote by mail, especially as we are still in the midst of the most widespread global pandemic we have experienced in a century. We are a nation that embraces the view that voting is both a right and a duty. Texans are doing their part by requesting their mail-in ballots; it is on us to protect that right and ensure discriminatory state laws do not jeopardize the right to vote with ease.

Sincerely,



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Marc Veasey  
Member of Congress



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Colin Allred  
Member of Congress



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Joaquin Castro  
Member of Congress



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Henry Cuellar  
Member of Congress



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Lloyd Doggett  
Member of Congress

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<sup>4</sup> U.S. Department of Justice, Office of Public Affairs. "[Justice Department Files Lawsuit Against the State of Texas to Protect Voting Rights.](#)" November 4, 2021.



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Veronica Escobar  
Member of Congress



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Lizzie Fletcher  
Member of Congress



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Sylvia R. Garcia  
Member of Congress



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Vicente Gonzalez  
Member of Congress



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Al Green  
Member of Congress



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Eddie Bernice Johnson  
Member of Congress



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Sheila Jackson Lee  
Member of Congress



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Filemon Vela  
Member of Congress