



September 19, 2006

Dear Member of Congress,

On behalf of the Lawyers' Committee for Civil Rights Under Law, I write in opposition to the so-called "Federal Election Integrity Act of 2006" (H.R. 4844) because it will sacrifice the most fundamental right guaranteed to all American citizens by our Constitution – the right to vote. Contrary to its title, the bill will undermine the integrity of our electoral process by imposing unnecessary barriers to full participation in federal elections. The bill's requirements of proof of citizenship and photo identification as a prerequisite to voting may appear innocuous, but in reality they will create an unprecedented regime of disenfranchisement aimed at seniors, minority voters, low income voters, students and young voters, and voters with disabilities. In addition, the implementation of H.R. 4844 places a huge burden on state governments.

*Co-Chairs*

Marjorie Press Lindblom  
Robert E. Harrington

*Secretary*

Robert A. Murphy

*Treasurer*

William L. Robinson

*Counsel*

Nicholas T. Christakos

*Executive Director*

Barbara R. Arnwine

---

*Regional Vice-Chairs*

*Midwest Region*

Fay Clayton  
Teresa J. Kimker

*Northeastern Region*

Gregory P. Hansel  
Neil V. McKittrick

*Mid-Atlantic Region*

Jay Cohen  
Marsha E. Simms

*Southeastern Region*

Paul W. Rebein  
Michael W. Tyler

*Western Region*

Nora Cregan  
Bradley S. Phillips  
Paul F. Eckstein

*Chesapeake Region*

Jonathan L. Greenblatt  
Patricia A. Brannan

H.R. 4844 is undemocratic, unfair, and unconstitutional because it:

- Places an unconstitutional burden on the fundamental right of eligible citizens to participate equally in the democratic process;
- Constitutes a poll tax;
- Unfairly removes eligible voters from the electoral system, primarily from traditionally disenfranchised communities;
- Creates an unprecedented unfunded mandate for the states; and
- Attempts to address a problem that does not exist.

Proponents of photo identification provisions at the polls and proof of citizenship when registering to vote claim that these draconian constraints are necessary to guard against identity fraud at the nation's polling places. The truth, however, tells a far different story. Proponents of ID and proof of citizenship requirements have been unable to point to any credible evidence that eligible voter impersonation or non-citizen voting is anything but an anomaly. In fact, according to the United States Department of Justice, out of 196,139,871 votes cast since 2002, only about 80 voters were convicted of federal election fraud. Studies in Ohio by the non-partisan League of Women Voters of Ohio and by a joint task force of state and federal law enforcement in Wisconsin found a similarly diminutive number of ineligible voters.

### **Bill Imposes Undue Burden on Eligible Voters**

As the United States District Court found in *Common Cause v. Billups*, 406 F.Supp.2d 1326 (N.D.Ga. 2005), when considering a Georgia law requiring ID at the polls, photo identification requirements unconstitutionally burden the fundamental right to vote of eligible American citizens. The court found that these provisions disproportionately affect traditionally disenfranchised voters, including senior citizens, minority voters,

