



FACT SHEET

H.R. 4, The John R. Lewis Voting Rights Advancement Act

On August 17, 2021, Congressman Steven Horsford joined Congresswoman Terri Sewell and more than 190 members of Congress to introduce H.R. 4, the John R. Lewis Voting Rights Advancement Act. This bill seeks to restore the full protections of the landmark Voting Rights Act of 1965.

Since the Supreme Court gutted the Voting Rights Act in its 2013 *Shelby County v. Holder* decision, and again in the *Brnovich v. DNC* decision in July 2021, there has been a steady increase in the number of restrictive voting laws that disproportionately suppress turnout among minorities, young adults, and the elderly. This accelerated in 2021 following false claims of a “stolen election.” Just this year, lawmakers have introduced more than 400 bills in 49 states that would restrict the right to vote. And in 18 states, 30 of these anti-voter bills have already been signed into law.

The Voting Rights Advancement Act provides the necessary tools to address discriminatory voting practices and protects all Americans’ access to the ballot box.

The Voting Rights Advancement Act creates a new coverage formula and applies to states with repeated voting rights violations in the last 25 years. [“Geographic Trigger”]

The bill will take into account the *Shelby* ruling and update the VRA pre-clearance provision to focus on states with a recent history of discrimination.

Qualifications:

- States with a history of 15 or more violations at any level in the previous 25 years
- States with a history of 10 or more violations, if one violation occurs at the state level in the previous 25 years
- Subdivisions with 3 or more violations in the subdivision in the previous 25 years

A voting rights violation involves cases of voter intimidation, coercion, threats and other tactics aimed at suppressing a person’s ability to vote

The John R. Lewis Voting Rights Advancement Act establishes a targeted process for reviewing voting changes based on measures that have historically been used to discriminate against voters. [“Practices-based Trigger”]

- The process for reviewing changes in voting is limited to a certain set of circumstances, such as establishing photo ID laws or reducing multilingual voting materials, which have been shown to have a discriminatory impact.

The John R. Lewis Voting Rights Advancement Act amends Section 2 of the Voting Rights Act to address the Supreme Court's decision in *Brnovich v. DNC*.

- On July 1, 2021, the Supreme Court upheld Arizona's voting laws targeting Latino and other minority voters.
- In doing so, it created a heightened standard that made it more difficult for parties to challenge racially discriminatory laws under Section 2 of the Voting Rights Act.
- This bill would eliminate this heightened standard and codify the standard previously used.

The John R. Lewis Voting Rights Advancement Act also:

- Allows federal courts to immediately halt questionable voting practices until a final ruling is made. This provision recognizes that when voting rights are at stake, prohibiting a discriminatory practice after the election has concluded is too late to truly protect voters' rights.
- Gives the Attorney General authority to request that federal observers be present anywhere in the country where discriminatory voting practices pose a serious threat.
- Increases transparency by requiring reasonable public notice for voting changes.
- Includes a retrogression standard for already-enacted but not-yet-implemented measures.
- Help plaintiffs to seek injunctive relief for voting rights violations in the lead-up to an election.
- Establishes a grant program for small jurisdictions to help them comply with the bill's various notice requirements.