

Congress of the United States
Washington, DC 20510

May 2, 2016

The Honorable Loretta Lynch
United States Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Attorney General Lynch,

We write to urge the Justice Department to conduct a review of Wisconsin's new voter identification requirements to determine whether it is consistent with the Voting Rights Act and federal constitutional protections for the right to vote. Furthermore, we would urge you to review all options available to the Department of Justice, including bringing a legal challenge or intervening in existing litigation. The barriers these requirements have set up and the harmful impact they have had for many Wisconsin voters demonstrate that now is the time for a full and thorough review of the constitutionality of the voter ID law.

While Wisconsin's voter ID law has been under the scrutiny of federal courts for several years, the April 5th primary election was the first instance in which the law, one of the nation's most restrictive, was implemented. This election day, there were numerous press reports of long lines and significant challenges for many voters, particularly students, to comply with the requirements of the new law. In addition, press reports have highlighted troubling statements by individuals closely connected to the state legislature's consideration of the law indicating that its passage may have been motivated, at least in part, by a desire to reduce youth and minority participation in elections. These developments raise serious questions about the impact the voter ID law has had on the ability of many Wisconsinites to exercise perhaps their most fundamental constitutional right – the right to vote and participate in our democracy. As such, we believe it is critical that the Department of Justice carefully review the effect of this law and what steps it can take to help uphold the voting rights of all Wisconsinites.

In 2011, the Wisconsin Legislature approved Act 23, which requires Wisconsin voters to present a driver's license, passport or similar form of photo identification in order to vote. This provision was immediately challenged in federal court based on the difficulty many Wisconsinites would have in obtaining the necessary ID. In April 2014, a federal judge in Wisconsin's Eastern District ruled that the law disproportionately burdened the right to vote of African Americans and Latinos and was therefore unconstitutional. While the U.S. Court of Appeals for the Seventh Circuit reversed that decision invalidating the law in October 2014, in a

subsequent action, the Seventh Circuit agreed that eligible voters facing difficulty obtaining ID have the right to challenge the law as it applies to them. This issue is now back before the district court. A separate challenge brought in the state's Western District is scheduled to go to trial in May. This ongoing litigation further demonstrates that there are significant questions about the constitutionality of Act 23 that also merit the attention of the Justice Department.

Under your leadership, and that of your predecessor Attorney General Holder, the Voting Section of the Department's Civil Rights Division has taken admirable steps to challenge laws in numerous states that have limited the rights of Americans to vote, including through imposing burdensome ID requirements. We ask that you bring those same resources to bear to carefully examine Wisconsin's law and take whatever steps that are possible to intervene to protect the voting rights of the people of our state.

Sincerely,



Tammy Baldwin
United States Senator



Ron Kind
Member of Congress



Gwen Moore
Member of Congress



Mark Pocan
Member of Congress