



# **MALDEF**

**Mexican American Legal Defense and Educational Fund**

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Dear Senator:

On behalf of the Mexican American Legal Defense and Educational Fund, (MALDEF), I write today to urge you to oppose the confirmation of Hans von Spakovsky to the Federal Election Commission (FEC). Mr. von Spakovsky's record while an official at the United States Department of Justice (DOJ) shows that he injected partisan politics into the enforcement of our country's voting rights laws. During his tenure at DOJ, he pursued policies that systematically blocked access to the franchise for poor and minority voters. His record at DOJ renders him unqualified to serve in such an important capacity as an FEC Commissioner.

Mr. von Spakovsky is one of the architects of the Bush Administration's voter suppression efforts targeting minority voters. From 2001 to 2005, as an official at the Justice Department's Civil Rights Division, von Spakovsky helped steer the federal government toward voting rights policies not seen before, imposing sweeping restrictions that would make it harder for poor and minority voters to cast ballots.

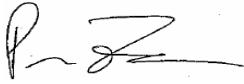
Of particular concern to MALDEF were actions Mr. von Spakovsky took in Texas and Arizona that harmed Latino voting rights. In Arizona, Mr. von Spakovsky rushed through Voting Rights Act approval of a harsh and discriminatory Arizona voter ID and proof of citizenship law, even though career staff at the Justice Department had recommended that the Department seek more information to determine its impact on Latino voters. As a result, MALDEF has had to shoulder the burden of going to court to block the discriminatory impact of this law, something it would not have had to do if the Department of Justice and Mr. von Spakovsky had used their authority under the Voting Rights Act to block the new law from taking effect.

During his Senate testimony in the Rules Committee, Mr. von Spakovsky conceded that he wrote an April 15, 2005 letter to Arizona state officials that opined that the state did not need to provide provisional ballots to voters who did not present identification when voting. This was a reversal of the Justice Department's previous interpretation of law and was reversed five months later under pressure from the Election Assistance Commission (EAC), which concluded that Mr. von Spakovsky's position was contrary to the letter and spirit of the Help America Vote Act.

In Texas, after the State passed a re-redistricting of congressional districts in 2003, Mr. von Spakovsky and other political appointees at DOJ overruled a unanimous recommendation to object to the unprecedented mid-decade redistricting plan on the grounds that it discriminated against Latino and African American voters. Subsequently, the Supreme Court found that the plan violated the voting rights of Latino voters.

Based on his record of vote suppression at the Civil Rights Division of the Justice Department, it is clear to us that Mr. von Spakovsky would use his position at the Federal Election Commission to interpret and enforce campaign finance and election laws to the detriment of minority, low income, and rural voters. We, therefore, strongly urge you to oppose his confirmation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Zamora', with a stylized flourish at the end.

Peter Zamora  
Washington, DC Regional Counsel