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April 12, 2007

The Honorable Dianne Feinstein
Chairman
Committee on Rules and Administration
305 Russell Building
Washington, DC 20510

Dear Chairman Feinstein:

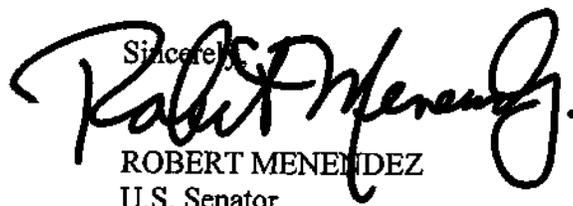
I am writing to ask that the Committee on Rules and Administration investigate a December 2006 report by the U.S. Election Assistance Commission on voter fraud titled "Election Crimes: An Initial Review and Recommendations for Future Study." I truly appreciate your efforts and the work of the Committee to ensure that our Nation's elections are free from voter irregularities, suspicion, and doubt about the results.

The *New York Times* reported yesterday that the preliminary report found "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters." However, in the final report that was issued to the public, the language had been changed to "There is a great deal of debate on the pervasiveness of fraud in elections as well as what constitute the most common acts of fraud or intimidation."

This change in the report may be viewed as a small thing by some people. However, overstating concern about voter fraud is deeply troubling and could lead to enacting unnecessary and overly burdensome voting laws which would disenfranchise Hispanic and other minorities that the Voting Rights Act is designed to protect by throwing roadblocks in front of them. Specifically, identification requirements have disproportionate impacts on those with less ability to obtain and those less likely to have the necessary identification, such as minorities, the poor, the elderly, and the young. For example, a June 2005 Study by the University of Wisconsin found that only 43 percent of Hispanics in Milwaukee County have a valid license. One of the most fundamental of American values is the right to cast a meaningful vote in a free and fair election. As the Supreme Court stated in 1964, "Other rights, even the most basic, are illusory if the right to vote is undermined."

Thank you for your consideration of my request and I look forward to working with you on this very serious matter. In the meantime, if your staff has any questions concerning this request, they may contact Chris Schloesser of my staff at (202) 224-4744.

Sincerely,



ROBERT MENENDEZ
U.S. Senator