



UNITED STATES
COMMISSION ON
CIVIL RIGHTS

624 Ninth Street, N.W.
Washington, D.C. 20425

October 9, 2009

The Honorable Eric Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Ave., N.W., Room 1145
Washington, DC 20530

Dear Attorney General Holder:

As you are aware, the Commission on Civil Rights investigates, among other things, complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, disability and national origin, or by reason of fraudulent practices. Referred to as the “conscience of the nation,” the Commission and its individual members have historically stood against systematic efforts to corrupt the electoral process and disfranchise qualified voters.

A majority of Commissioners share the concerns expressed recently by prominent lawmakers in both the House and Senate, and other worried citizens, regarding the activities of the Association of Community Organizations for Reform Now (ACORN).¹ The Senate voted 83-7 last month to cut off ACORN’s federal housing funds, while the House voted 345-75 just days later to end all federal funding to the group. State authorities have begun or called for investigations into ACORN’s activities in numerous states, including Louisiana, California and New York. The Census Bureau has severed ties with ACORN in connection with all work having to do with the 2010 census.

An internal report by the organization itself raises serious questions about the relationships between its nearly 175 affiliates and possible violations of federal law, including potentially improper use of charitable dollars for political purposes; money transfers among the affiliates; and potential conflicts created by employees working for multiple affiliates, among other things.² Of most immediate concern to the Commission, however, is the serious problem of ACORN’s role in fostering vote fraud.

In November 2008, several commissioners wrote to your predecessor, Attorney General Michael Mukasey, urging him to launch a nationwide investigation into ACORN’s practices in the face of widespread evidence that it had engaged in filing possibly hundreds of thousands of fraudulent voter registration applications in some fourteen states—an invidious invitation for corruption in our electoral process. Aside from fraud, ACORN has also been accused of intimidating and misleading citizens about voter registration and soliciting them to commit criminal conduct. Such action could disfranchise legitimate voters by overwhelming state election officials with fraudulent and/or problematic registrations, thereby slowing the process of legitimate voter

¹ The decision to send this letter was arrived at in a public, telephonic business meeting of the U.S. Commission on Civil Rights on October 8, 2009, by unanimous vote of those Commissioners participating (5-0).

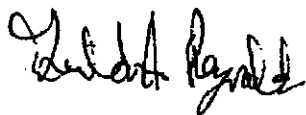
² Stephanie Strom, “Acorn Report Raises Issues of Illegality,” N.Y. TIMES (Oct. 21, 2008), *available at*: http://www.nytimes.com/2008/10/22/us/22acorn.html?_r=1&ref=us.

registration, and by increasing the likelihood of inaccurate voter rolls, which creates the opportunity for voter fraud. The result is the dilution of the votes of legitimate voters. Numerous ACORN employees have been indicted or convicted of election fraud, and the organization remains the subject of vote fraud investigations in some 15 states.

We are heartened by the Department of Justice's recent commitment to undertake a review of its grant programs to assess whether ACORN is a grant recipient, just as we were heartened when the FBI announced in 2008 that it would engage in a preliminary probe to investigate whether ACORN fosters voter fraud around the nation. However, the apparent culture of corruption at ACORN and what appears to be its engagement in a systematic pattern of illegal activities calls for even more serious and rapid action.

According to press accounts, a former ACORN board member—Marcel Reid—has asked the Department of Justice to investigate and root out ACORN corruption with a nationwide probe. We respectfully urge the Department of Justice to undertake such a full-fledged, nationwide investigation of ACORN, including an assessment of whether ACORN's conduct violates various applicable federal statutes, and to conduct its work with all deliberate speed. The integrity of our electoral system demands no less.

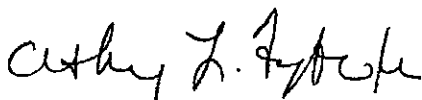
Respectfully submitted,



Gerald A. Reynolds
Chairman



Peter N. Kirsanow
Commissioner



Ashley L. Taylor, Jr.
Commissioner



Gail Heriot
Commissioner



Todd F. Gaziano
Commissioner

cc: Abigail Thernstrom, Vice Chairman
Arlan Melendez, Commissioner
Michael Yaki, Commissioner