



2005 SENATE JOINT RESOLUTION 77

April 21, 2006 - Introduced by Senators COGGS, ROBSON, TAYLOR, RISSER and ERPENBACH, cosponsored by Representatives GRIGSBY, YOUNG, TURNER, KESSLER, FIELDS, TOLES, ZEPNICK, SINICKI, RICHARDS, PARISI, POCAN, LEHMAN, BERCEAU, SHERIDAN, STASKUNAS, TRAVIS and POPE-ROBERTS. Referred to Committee on Labor and Election Process Reform.

1 **Relating to:** reauthorization of the special provisions of the Voting Rights Act of
2 1965.

3 Whereas, following the Civil War, Congress adopted the 13th Amendment
4 abolishing slavery, the 14th Amendment establishing the citizenship rights of all
5 persons born in the United States and requiring that no one be denied due process
6 or equal protection of the laws, and the 15th Amendment securing the right to vote
7 for all citizens, regardless of a person's race, color, or former condition of servitude;
8 and

9 Whereas, despite the enactment of these significant constitutional commands,
10 for nearly 100 years, states and local jurisdictions passed laws and instituted
11 practices designed to circumvent the Civil War amendments; many states erected
12 barriers to access to the polls, including infamous poll taxes and literacy or good
13 character tests; and African-Americans, Latinos, and other minorities and those
14 who advocated on their behalf often were subjected to severe violence and

1 intimidation, or in some cases death, if they attempted to register to vote or cast a
2 ballot; and

3 Whereas, confronted with aggressive and relentless defiance of the
4 Constitution, Congress enacted the Voting Rights Act of 1965 to ensure that the
5 rights guaranteed by the 14th and 15th Amendments were enforced; and

6 Whereas, the Voting Rights Act of 1965 is widely viewed as one of the most
7 successful civil rights statutes ever enacted; it bans literacy tests and other
8 discriminatory devices; outlaws discriminatory practices and procedures during the
9 voting process; authorizes the appointment of federal election monitors and
10 observers; and creates various means for protecting and enforcing the right of
11 American citizens, including racial and language minorities, to vote; and

12 Whereas, although the struggle to ensure fairness in the electoral process
13 continues, as a result of the Voting Rights Act, racial and language minorities have
14 enjoyed enhanced opportunities to participate in the electoral process, cast votes,
15 and elect their candidates of choice; and

16 Whereas, in 2007, certain “special provisions” of the Voting Rights Act that
17 were enacted to address discriminatory voting practices and the present effects of
18 those practices could expire if not renewed by Congress; and

19 Whereas, these provision include:

20 Section 2, the provision that equips voters with the means to challenge election
21 laws that result in a denial or abridgement of voting rights on account of race, color,
22 or language minority status;

23 Section 4, the coverage provision, which determines which states and
24 jurisdictions must seek section 5 preclearance, the coverage formula that reaches
25 states and jurisdictions with some of the most active histories of discrimination;

1 Section 5, the federal preclearance of voting changes provision, which requires
2 covered jurisdictions to prove that voting changes are not discriminatory before they
3 may legally take effect;

4 Sections 6–9, the federal examiner/observer provisions, which set forth criteria
5 for election monitoring by the department of justice; and

6 Section 203, the bilingual voting materials provision, which mandates that
7 certain voting materials be translated for language minorities in certain
8 jurisdictions; and

9 Whereas, by 2007, Congress will vote on whether to extend these “special
10 provisions” of the Voting Rights Act; and

11 Whereas, the effects of the long history of voting discrimination persist, and the
12 “special provisions” of the Voting Rights Act continue to be extremely important tools
13 for protecting minority voting; and

14 Whereas, during the reauthorization process, Congress will comply a record
15 that sets forth the continuing effects of the nation’s widespread voting
16 discrimination; and

17 Whereas, voting is the cornerstone of American democracy and, during the
18 reauthorization process, Congress and individuals and organizations concerned
19 with maintaining the protections that the Voting Rights Act of 1965 provides will
20 have an opportunity to present the evidence necessary to support renewal of the
21 “special provisions” of the Voting Rights Act of 1965; and

22 Whereas, in the meantime, all eligible voters should register, confirm their
23 registration status, and exercise the right to vote so that the long struggle to expand
24 the franchise yields meaningful results; now, therefore, be it

