

.....
Date June 5, 2006

WHEREAS, following the Civil War, Congress adopted the Thirteenth Amendment abolishing slavery, the Fourteenth Amendment establishing the citizenship rights of all persons born in the United States and requiring that no one be denied due process or equal protection of the laws, and the Fifteenth Amendment securing the right to vote for all citizens regardless of a person's race, color, or former condition of servitude; and

WHEREAS, despite the enactment of these significant constitutional commands, for nearly 100 years, states and local jurisdictions passed laws and instituted practices designed to circumvent the Civil War amendments; many states erected barriers to access the polls, including infamous poll taxes and literacy or good character tests; African-Americans, Latinos, and other minorities and those who advocated on their behalf often were subjected to severe violence and intimidation, or in some cases death, if they attempted to register to vote or cast a ballot; and

WHEREAS, confronted with aggressive and relentless defiance of the Constitution, Congress enacted the Voting Rights Act of 1965 in order to ensure that the rights guaranteed by the Fourteenth and Fifteenth Amendments were enforced; and

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

WHEREAS, although the struggle to ensure fairness in the electoral process continues, as a result of the Voting Rights Act racial and language minority citizens have enjoyed enhanced opportunities to participate in the electoral process, cast votes, and elect their candidates of choice; and

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

WHEREAS, these provisions include:

Section 4: the coverage provision, which determines which states and jurisdictions must seek Section 5 pre-clearance; the coverage formula reaches states and jurisdictions with some of the most active histories of discrimination;

Section 5: the federal pre-clearance of voting changes provisions, which requires covered jurisdictions to prove that voting changes are not discriminatory before they may legally take effect;

Sections 6-9: the Federal Examiner/Observer provisions, which set forth criteria for election monitoring by the Department of Justice; and

Section 203: the bilingual voting materials provisions, which mandate that certain voting materials must be translated for language minority citizens in certain jurisdictions; and

WHEREAS, by 2007, Congress will vote on whether to extend these “special provisions” of the Voting Rights Act; the effects of the long history of voting discrimination persist; the “special provisions” of the voting Rights Act continue to be extremely important tools for protecting minority voting; during the reauthorization process, Congress will compile a record that sets forth the continuing effects of the nation’s widespread voting discrimination; and

WHEREAS, voting is the cornerstone of American democracy and, during the reauthorization process, Congress and individuals and organizations concerned with maintaining the protections that the Voting Rights Act of 1965 provides will have an opportunity to present the evidence necessary to support renewal of the “special provisions” of the Voting Rights Act of 1965; in the meantime, all eligible voters should register, confirm their registration statues, and exercise the right to vote so that the long struggle to expand the franchise yields meaningful results;

★ **Roll Call Number**

Agenda Item Number

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Date June 5, 2006

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DES MOINES IOWA, that the City of Des Moines hereby receives and files this resolution to encourage Congress to reauthorize the "special provisions" of the Voting Rights Act of 1965 – H.R. 9 in the U.S. House of representatives, and S.2703 in the U.S. Senate, now known as the "Fannie Lou Hamer, Rosa Parks and Coretta Scott King Reauthorization and Amendments Act of 2006".

Moved by: _____ to adopt.

Form approved: _____
City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk