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HOUSE RESOLUTION 801

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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

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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 to 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

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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

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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 minorities, to vote; and

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1 WHEREAS, Although the struggle to ensure fairness in the
2 electoral process continues, as a result of the Voting Rights
3 Act racial and language minorities have enjoyed enhanced
4 opportunities to participate in the electoral process, cast
5 votes, and elect their candidates of choice; and

6 WHEREAS, In 2007, certain "special provisions" of the
7 Voting Rights Act that were enacted to address discriminatory
8 voting practices and the present effects of those practices
9 could expire if not renewed by Congress; and

10 WHEREAS, These provisions include:

11 Section 2: This provision equips voters with the means
12 to challenge election laws that result in a denial or
13 abridgement of voting rights on account of race, color, or
14 language minority status;

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

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

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

27 Section 203: The bilingual voting materials
28 provisions, which mandate that certain voting materials must be
29 translated for language minorities in certain jurisdictions;
30 and

31 WHEREAS, By 2007, Congress will vote on whether to extend
32 these "special provisions" of the Voting Rights Act; the

1 effects of the long history of voting discrimination persist;
2 the "special provisions" of the Voting Rights Act continue to
3 be extremely important tools for protecting minority voting;
4 during the reauthorization process, Congress will compile a
5 record that sets forth the continuing effects of the nation's
6 widespread voting discrimination; and

7 WHEREAS, Voting is the cornerstone of American democracy
8 and, during the reauthorization process, Congress and
9 individuals and organizations concerned with maintaining the
10 protections that the Voting Rights Act of 1965 provides will
11 have an opportunity to present the evidence necessary to
12 support renewal of the "special provisions" of the Voting
13 Rights Act of 1965; in the meantime, all eligible voters should
14 register, confirm their registration status, and exercise the
15 right to vote so that the long struggle to expand the franchise
16 yields meaningful results; therefore, be it

17 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
18 NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
19 we urge Congress to reauthorize the "special provisions" of the
20 Voting Rights Act of 1965; and be it further

21 RESOLVED, That the House of Representatives of the State of
22 Illinois will collaborate with all organizations dedicated to
23 ensuring the reauthorization of the Voting Rights Act of 1965.