

D.J. 166-012-3

NOV 13 1969

Honorable MacDonald Gallion  
Attorney General  
State of Alabama  
Montgomery, Alabama 36104

Dear Mr. Attorney General:

This is in reference to your letter of September 18, 1969, with which you submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965 20 Alabama Acts relating to election procedures and voting.

I have examined and considered the submitted Acts. The Attorney General will not at this time interpose any objection to the Act authorizing boards of registrars to meet additional days for the purpose of registering voters, the Acts relating to absentee voters and the Acts providing for the reidentification of voters in order to purge from voting lists the names of persons who are now deceased or who no longer reside in the county or the state. However, as provided by Section 5 of the Voting Rights Act of 1965, the failure to object does not bar any subsequent action to enjoin enforcement of these Acts.

With regard to Acts Nos. 221 (1965), 812 (1965), 60 (1966), 112 (1966), 119 (1967), 126 (1967), 479 (1967), and 552 (1967) I must on behalf of the Attorney General interpose objections to the provisions in those Acts requiring a voter to sign, at the voting machine, a poll list before he is allowed to enter the machine

to vote. It is our view that these provisions in the Acts, if enforced, would have the effect of discriminating against Negro voters and would violate the provisions of Section 4 of the Voting Rights Act of 1965.

Should you wish to present justification for the provisions objected to or evidence that their enforcement would not violate Section 4 of the Voting Rights Act of 1965, we will consider the matter further. Of course, as provided for by Section 5 of the Voting Rights Act, you have the alternative of instituting an action in the United States District Court for the District of Columbia for a declaratory judgment that the provisions objected to do not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

Sincerely,

JERRIS LEONARD  
Assistant Attorney General  
Civil Rights Division