

JL:SHR:gra

DJ 166-012-3
#68-1-VRA5-2

DEC 1 8 1969

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

Dear Mr. Attorney General:

This is in reference to your letter of October 22, 1969, with which you submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965 a certified copy of Act No. 1052 passed in the 1969 Regular Session of the Legislature of Alabama and approved by the Governor on September 12, 1969.

On behalf of the Attorney General I must interpose an objection to the provision in that Act requiring a voter to sign, at the voting machine, a poll list before he is allowed to enter the machine to vote. As I stated in my letter of November 13, 1969, to you concerning similar statutory provisions previously submitted, it is my view that this provision of the Act, 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 of the provision objected to or evidence that its enforcement would not violate Section 4 of the Voting Rights Act of 1965, I will consider the matter further. Of course, as provided by Section 5 of the Voting Rights Act of 1965, 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 provision objected to does 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