The original documents are located in Box 13, folder "Voting Rights Act Extension" of the Richard B. Cheney Files at the Gerald R. Ford Presidential Library.

THE WHITE HOUSE

WASHINGTON

February 15, 1975

MEMORANDUM FOR: DON RUMSFELD

FROM: DICK CHENEY

As you requested, I'm giving you a written note on the recommendation that the President consider pushing for an extension of the Voting Rights Act so that it covers the entire country as well as the South.

This seems to be a very important symbol to a number of Southerners on the grounds that they are being discriminated against and that they'd solved most of their voting rights problem.

I know people like Jesse Jackson and the civil rights movement as well are eager to also have the Civil Rights Act extended to the entire country.

Opposition to that has come primarily from people like Clarence Mitchell of the NAACP who are fearful that trying to extend it to the entire country will lead to some kind of major battle on the Hill and risk the complete demise of the Act altogether. I think Clarence is overly concerned and I for one tend to favor the idea of expanding it to the country.

I would suggest you take this up with the President to see whether or not he's locked in or does he want to have some staff work done to at least consider the option of expansion.

February 20, 1975

DICK:

This memo to me on Voting Rights is not enough. I need to know more facts. What the actual language is, what the proposed amendment is, what the effect would be and who the probable people for and against it would be.

DR

Attachment

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

April 7, 1975

MEMORANDUM FOR: DON RUMSFELD

FROM: DICK CHENEY

Sometime ago we talked about extension of the Voting Rights Act. I have pulled together all the relevant material and it is attached.

I have not gone beyond this to staff out the possibility of a nationwide extension of the Act as recommended by Clark Reed and others. I don't think we should do that unless you obtain from the President his approval to go ahead and staff out that option. Once we have begun to discuss it, it is possible that it will leak.

Question: Do you want to proceed with consideration of a possibility of extending the Voting Rights Act to areas outside the South?

THE WHITE HOUSE

WASHINGTON

February 21, 1975

MEMORANDUM FOR: DICK CHENEY

FROM: DIANNA GWIN

Jerry asked that I send the voter rights material to you. Attached at Tab A is the memorandum prepared by the Domestic Council for the President's action. He approved the option -- accept Attorney General Saxbe's recommendation to ask for a simple extension of the Voting Rights Act for five more years. At Tab B is the material relating to the statement by the President for Martin Luther King's birthday in which he states he will forward legislation asking for a five year extension of the act. Also at Tab B is a copy of the portion of the Nessen briefing relating to this. Finally, at Tab C is the material as it was transmitted to Congress which was also released by the Press Office.

Return to J.R.

SUBJECT: Voting Rights Act Extension

Attached at Tab A is Attorney General Saxbe's memorandum setting forth his recommendation of a simple extension of the Voting Rights Act for five years.

This would extend:

(1) a nation-wide literary test ban;

(2) provisions authorizing the Attorney General to send Federal examiners to observe elections and to register voters;

(3) provisions forbidding certain States or political subdivisions from changing their voting laws without prior approval by the Attorney General or the Federal District Court for the District of Columbia.

The Attorney General's memorandum is complete with one exception: it intentionally omits exploring the possibility of extending the affect of the Act's limitations on changing of voting laws to the entire Nation. As you are aware, the current formula in the Act was specifically tailored to apply only to the South. As Reverend Jesse Jackson claimed during your recent meeting with black leaders, "There are more blacks denied the right to vote in Chicago than live in the entire State of Mississippi." Clarence Mitchell, on the other hand, asks that you only support a simple extension of the Voting Rights Act--no doubt because he is a savvy enough politican to realize that the entire bill, the symbolic flagship of the civil rights legislative victories, might not be renewed at all if it sought to cover the entire Nation.

This political situation is further complicated by the fact that the Republicans urged expansion of the Act to the entire Nation in 1970 with the fairly obvious hope that it would kill the effort to extend the Act entirely.

The basic question is whether you wish to run the political risk of directing the Department of Justice to examine on the merits the question of whether the Voting Rights Act should be expanded to apply to the entire Nation. Such a directive would certainly leak and would be seen as the first step in another Republican effort to torpedo the extension of the legislation. This is a rather unique situation, for even asking to know the true facts can get you into political hot water.

Options:

DR9

Accept Attorney General Saxbe's recommendation to ask for a simple extension of the Voting Rights Act for five more years.

Direct the Department of Justice to prepare its analysis and recommendation as to whether the Voting Rights Act formula should be changed to apply to the entire Nation.

Defer any action until confirmation of a new Attorney General and request that he examine the Voting Rights Act problem de novo.

Office of the Attorney General
Washington, D. C. 20530

December 6, 1974

MEMORANDUM FOR THE PRESIDENT

Re: Extension of Voting Rights Act

Attached is a detailed memorandum which sets forth my reasons for recommending a simple extension of the Voting Rights Act for five years. Such an extension would continue for five years (1) a nationwide literary test ban; (2) provisions authorizing the Attorney General to send federal examiners to observe elections and to register voters, and (3) provisions forbidding certain states or political subdivisions from changing their voting laws without prior approval by the Attorney General or the federal District Court for the District of Columbia.

In summary, I urge an extension of the nationwide ban on literary tests because there is evidence that the use of such tests may continue to perpetuate past racial discrimination. I have recommended an extension of the provisions relating to federal examiners and preclearance review by the Attorney General or District Court of voting law changes because recent experience under the Voting Rights Act shows a need for such provisions to prevent racial discrimination in connection with elections.

Wm B Saxbe

WILLIAM B. SAXBE
Attorney General

Office of the Attorney General
Washington, D. C. 20530

December 6, 1974

MEMORANDUM FOR THE PRESIDENT

Re: Extension of Voting Rights Act
ACTION MEMORANDUM

The provision of the Voting Rights Act of 1965 (as amended in 1970) providing nationwide protection against use of literacy tests as a prerequisite to voting will lapse on August 6, 1975 unless renewed by new legislation. Most states and political subdivisions (with the notable exception of New York) currently subject to the provisions of the Act providing for federal observers and examiners and preclearance of voting laws will be eligible to terminate coverage shortly after August 6, 1975.

I recommend that the Administration support a five year extension of the nationwide literacy test ban and another five year extension of the special provisions relating to examiners, observers, and election law preclearance.

I. Background

A. 1965 Act

The Voting Rights Act, enacted in 1965, 1/ "was designed by Congress to banish the blight of racial discrimination in voting, which has infected the electoral process in parts of our country for nearly a century." South Carolina v. Katzenbach, 383 U.S. 301, 308 (1966). It was needed because Congress' prior efforts, in the Civil Rights Acts of 1957, 1960 and 1964, had "done little to cure the problem of voting discrimination." Id. at 313.

1/ The House vote was 328-74; the Senate approved the Act by a 79-18 vote.

The Act provided several uncontroversial general protections such as an authorization for federal courts which find racial discrimination in voting practices to authorize the appointment of federal voting examiners where necessary, and an authorization for the Attorney General to sue to challenge the constitutionality of the poll tax. In addition, the Act provided more important special protections as to states meeting a prescribed formula, 2/ most of which were southern states with a history of voter discrimination. 3/ The special protections were as follows:

(1) In certain instances the Attorney General could send federal examiners to register voters (§§6 & 7);

(2) Where there were federal examiners, the Attorney General could send federal observers to monitor elections (§8);

(3) No change could be effected in voting laws or practices without first either obtaining a finding from the United States District Court for the District of Columbia that the law or practice "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" or submitting the law or practice to the Attorney General without his interposing an objection to it within 60 days. (§5);

2/ The formula encompassed states which maintained a test or device as a prerequisite to voting and in which less than 1/2 the voting age population had registered or voted in November 1964.

3/ The covered southern states were Alabama, Georgia, Louisiana, Mississippi, parts of North Carolina, South Carolina, and Virginia. Except for one Arizona County, the covered northern areas (Alaska and parts of Arizona, Hawaii and Idaho) subsequently demonstrated their non-discrimination in using literacy tests and were removed from coverage.

(4) No person in covered states could be denied the right to vote for failure to comply with any test or device. (§4). 4/

States which could demonstrate that they had not used the tests or devices discriminatorily in the five preceding years were eligible for exemption from coverage by these special protections. 5/ Since the Act suspended tests and devices in those states, the provision meant the states would almost certainly be able to "bail out" -- that is, remove themselves from coverage, in August of 1970 or shortly thereafter. The constitutionality of these provisions was upheld in South Carolina v. Katzenbach, supra as "a valid means for carrying out the commands of the Fifteenth Amendment."

The Department of Justice concentrated its efforts during the first five years of the Act on litigation to end the forbidden use of tests or devices, to end the use of the poll tax, and on using examiners, observers and litigation to insure that registration and voting were conducted fairly.

4/ "Test or device" was defined as:

> any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

5/ In Gaston County v. United States, 395 U.S. 285, the Supreme Court held that imposition of a literacy test was discriminatory because "throughout the years, Gaston County [North Carolina] systematically deprived its black citizens of the educational opportunities it granted to its white citizens." Therefore Gaston County could not be exempted from coverage.

Black registration and voting increased dramatically during those years, 6/ and black elected officials increased more slowly. (See Appendix, Table G-4). 7/

The covered states submitted very few voting law changes as required by §5. (See App., Tables A-1, A-2). For example, Alabama, Georgia, Louisiana, Mississippi, North Carolina and Virginia together submitted a total of two such changes during the period 1965-67. From 1965 through 1969 the Attorney General objected to only 24 changes. Not until after the Supreme Court, in litigation brought under §5, had begun to define the scope of §5 in 1969 (Allen v. State Board of Elections, 393 U.S. 544), did the Department begin to develop standards and procedures for enforcing §5.

B. 1970 Act

In January of 1969 Congressman Celler and Senator Mathias introduced bills to extend the special provisions of the 1965 Act by enlarging from five to ten years the period after which a state could almost certainly "bail out." After hearings had begun the Administration proposed a bill which would have changed

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6/ In six covered Southern states (Alabama, Mississippi, Georgia, Louisiana, South Carolina and Virginia) only 31% of the black voting age population was registered before enactment of the 1965 Voting Rights Act, but by the 1968 Presidential election 57% of the black voting age population was registered, an increase of 740,000. Hearings before Subcommittee No. 5 of Committee on Judiciary, on H.R. 4249, H.R. 5538, et al., p. 193. Dramatic examples of change occurred in Mississippi where black registration increased from 6.7% to 59.8% and in Alabama where it increased from 19.3% to 51.6%. Id. at 74. In the South as a whole 52.0% of the black voting age population voted in 1968 as compared with 44.2% in 1964. (Voting and Registration in the Election of 1972, Bureau of Census, Series P. 20, No. 253, Table B.)

7/ The Appendix contains a series of lists and statistical tables relating to experience under the Voting Rights Act. This memorandum refers to many of them.

the literacy test suspension and observer provisions so as to have nationwide applicability 8/ and would have established uniform residency requirements for voting in presidential elections; finally, the bill would have eliminated the preclearance procedures of §5.

Attorney General Mitchell's testimony relied heavily on the Gaston County opinion, supra, as supporting nationwide suspension of literacy tests, both because of court findings of de jure segregation in the North and because over 4 million Negroes had migrated from the South between 1940 and 1968. He also pointed out the discriminatory motives for adoption of literacy tests in non-covered states (to prevent recent immigrants from voting), and the irrationality and unfairness of denying "rights of citizenship" to the undereducated. (House Hearings, pp. 222-224).

As to §5, Attorney General Mitchell noted that it had been little used in actual practice and argued that even if the facts supported "regional legislation" in 1965 they did not support it in 1970: "As a result of the gains made since 1965, we should no longer single out any State or region for voting legislation . . . ." (Id. at 227).

The House, by a 208-204 vote, substituted the Administration bill for the Celler bill which had been reported out by the Judiciary Committee; it adopted the bill 234-179. The Senate, however, substituted (51-21) a bill proposed by Senators Scott and Hart and adopted it (as amended) 64-12. The House agreed to the Senate substitute, 272-132, and President Nixon signed it on June 22, 1970.

The 1970 Amendments incorporated the simple extension proposed by Congressman Celler's bill 9/ and added the nationwide suspension of literacy tests for five years, as proposed by the Administration. 10/ The ten sponsors of the substitute argued that "the Voting Rights Act of 1965 has been the most effective civil rights legislation ever enacted by the Congress,"

8/ Literacy tests would have been suspended for five years.

9/ The formula was expanded, however, to include states using tests or devices, in which less than 1/2 the voting age population had registered or voted in November 1968.

10/ They also addressed the 18-year-old vote and residency requirements.

but that "more time is needed to accomplish what finally must be done to implement the Fifteenth Amendment, by preserving the only voting rights law that has really worked." 116 Cong. Rec. 5520. As to the expansion of the test and device suspension to all states, the sponsors stated:

> Even though these other areas have no recent history of discriminatory abuses like that which prompted enactment of the 1965 Act, this extension is justified for two reasons: (1) because of the discriminatory impact which the requirement of literacy as a precondition to voting may have on minority groups and the poor; and (2) because there is insufficient relationship between literacy and responsible, interested voting to justify such a broad restriction of the franchise.

116 Cong. Rec. 5521.

II. Considerations As to Whether to Seek Extension

A. Nationwide ban on tests and devices

I believe that almost all considerations relating to the nationwide ban on tests and devices support the extension of that ban for five years.

1. Constitutionality.

The Supreme Court unanimously upheld the constitutionality of the five year nationwide suspension of literacy tests in Oregon v. Mitchell, 400 U.S. 112. Justice Black, without relying at all on the fact that the ban was temporary, stated in the lead opinion "that Congress, in the exercise of its power to enforce the Fourteenth and Fifteenth Amendments, can prohibit the use of literacy tests or other devices used to discriminate against voters on account of their race in both state and federal elections." 400 U.S. at 118. Of the five opinions in the case, all of which upheld the nationwide ban, only Justice Harlan's comment that "the fact that the suspension is only for five years will require Congress to re-evaluate at the close of that period" attaches any significance to the temporary nature of the ban. Appendix E is a legal memorandum setting forth the constitutional basis for the extension.

2. Experience under the 5-year nationwide suspension

Oregon, which challenged the suspension of tests and devices, subsequently repealed its literacy test requirements, as have Alaska, Arizona, California, Hawaii, Virginia, Washington, and Wyoming. Only 14 states still have laws providing for tests or devices as a prerequisite to voting. 11/ (These would, of course, become effective again if the ban is not extended.) Attorney General Mitchell noted in 1969 that the fact that 30 states had no literacy test "would appear to imply substantial national sentiment that they are not necessary for an effective electoral process." (House Hearings, p. 224). That argument is strengthened by the repeal of literacy tests in eight states.

Second, at the time the 1970 Act passed the main judicial basis for the nationwide ban was Gaston County v. United States, supra. Since then several cases have been decided which either explicitly (see generally Coalition for Education v. Board of Elections, 370 F. Supp. 42 (S.D. N.Y. 1974)) or implicitly (Lau v. Nichols, 414 U.S. 563) recognize that language requirements may unlawfully discriminate on the basis of national origin. In New York, for example, Spanish-surnamed persons have, on the average, less than a 9th grade education, as compared with 12 grades for whites and 10.8 for blacks. The growing recognition of the special problems of Spanish surnamed citizens argues for extension of the ban.

Third, we know of no adverse effects which have even been alleged to have occured as a result of the nationwide ban on tests and devices. Thus, the states' interest in reviving tests or devices is so minute that it must be asked whether they could constitutionally do so, in light of the Court's recognition of the right to vote as fundamental. Dunn v. Blumstein, 405 U.S. 330.

Fourth, revising tests or devices would present the possibility of disfranchising thousands of voters who have been participating in the election process as a result of the Voting Rights Act.

11/ They are Alabama, Connecticut, Delaware, Georgia, Idaho, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, New York, North Carolina, Oklahoma, and South Carolina. See Appendix, Table F-3.

B. Regional Provisions

In my view a good case exists for a further five year extension of the special provisions relating to states falling within the special coverage formula of §4, although that case is not quite as compelling as the nationwide test ban.

1. Constitutionality

If there is a factual basis for continuing them, the decision in South Carolina v. Katzenbach, supra, clearly supports the constitutionality of an extension of these provisions. The precedents are set forth in Appendix E.

2. Experience under the Act

There has unquestionably been progress made in the covered states. They rank very high in terms of black elected officials (see Appendix, Tables G-1, G-2, G-3, G-6) and they have greatly increased black voter participation. For example, Mississippi had no black elected officials in 1965, when only 6.7% of its eligible blacks were registered; today it has 191 black elected officials, and at least 59.3% of its eligible blacks are registered. But if such statistics are to be a gauge of success, we must recognize that while Mississippi's population is over 36% black, only 4% of its elected officials are black. A higher proportion of eligible whites (69.6%) is registered. This pattern persists in many of the covered states. 12/

Another measure would be the extent to which the Attorney General has felt compelled to invoke the provisions of the Act. Five new counties have been designated as needing federal examiners since 1970, as compared with 64 counties in the first five years of the Act. But, as Appendix, Table D-1 shows, the

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12/ For example, the percents of eligible persons who are registered to vote in other covered Southern states are estimated to be:

	White	Black
Alabama	78.5	54.6
Georgia	68.7	64.2
Louisiana	77.7	56.6
North Carolina	60.6	44.3
South Carolina	49.7	45.8
Virginia	59.6	52.0

Attorney General has continued to make regular use of federal observers, although not on as massive a scale as during the 1960s. 13/ Because racial politics have continued to be hot in some political subdivisions, we are often asked to send observers by both the white and black communities.

In some counties, old patterns of racial discrimination in election procedures have required repeated litigation. For example, we have had to file three voter discrimination suits against Marshall County, Mississippi officials since 1971. In the first suit, officials had rejected a qualifying petition of a black candidate for office because of a technical defect in the petition, but accepted the defective petition of a white candidate. In the second suit, in 1973, we showed that registration officials had placed 253 white persons on the rolls in an illegal fashion and had sent records of a large number of black registered voters to the wrong district, so that they could not vote. In the third suit, which is still pending, we allege that registration officials have discriminatorily failed to register qualified black applicants. We have filed 19 suits under the Voting Rights Act since the 1970 Amendments went into effect (as compared with 22 between 1965 and enactment of the 1972 Amendments).

Experience under §5 is that although most submissions have not been objected to, the number that has been is significant: 184 objections were lodged out of the total of 4066 submissions

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13/

SUMMARY BY YEAR OF
ELECTIONS COVERED BY FEDERAL OBSERVERS
(1966-Sept. 10, 1974)

YEAR	NO. ELECTIONS	NO. OBSERVERS
1966	12	1919
1967	5	1309
1968	14	1093
1969	3	239
1970	7	370
1971	6	1055
1972	13	465
1973	0	0
1974	6	218

received between 1965 and June 1, 1974. Over 150 of those objections have been lodged during the past four years. We objected to more submissions in the first six months of 1974 (20) than during any year from 1965 (0) through 1969 (15). Notwithstanding the clear requirement that voting changes in covered states must have preclearance, we have had to file ten suits (9 since 1970) to prevent the application of non-cleared laws. Just recently we discovered as a result of a random check of state laws that Alabama had failed to submit 161 of the 251 election law changes the legislature enacted in 1971. As black registration, voting, and attempts to run for office have grown, changes in election laws have assumed an increasingly important, though subtle and complex, role as potential engines of discrimination. The Supreme Court, in Allen, supra, and in Perkins v. Matthews, 400 U.S. 379 (1971), has therefore held that §5 applies to such election law changes as reapportionment and annexation as well as to voting and registration requirements. Appendix, Table A-3, gives an idea of the range of objectionable laws over the past five years.

Some of our objections were state-wide, and some local. Louisiana is an example of a state-wide objection. In 1971, the Attorney General objected under Section 5 to the state's reapportionment of both houses of its legislature. The reapportionment plans submitted contained several instances of patent racial gerrymandering which had the effect of reducing black voting strength.

Twiggs County, Georgia is a recent example of a covered jurisdiction in which black potential voters are a substantial minority (49.3%); after Department of Justice enforcement action and a private voter registration drive had increased black registration in two county commissioner districts, the county shifted from county elections to at-large elections. The Attorney General objected under §5, but the county implemented the at-large plan in 1972 anyway, necessitating our filing a suit to enjoin the violation of §5. As recently as August 13, 1974 another Georgia county held an election under a voting change to which the Attorney General had objected. Suit is pending.

While the Act has thus been very effective and has markedly increased black political participation in covered states, problems of discrimination have been sufficiently recurrent in the past four years to suggest that §5 and the examiner and observer provisions are still needed.

3. Fairness to the Covered States

The strongest, most vehement argument made against the special provisions has been that they discriminate regionally, against the South. As Justice Harlan phrased the argument in his dissent in Allen v. Board of Elections, 393 U.S. 544, 586:

> "the statute, as the Court now construes it, deals with a problem that is national in scope. I find it especially difficult to believe that Congress would single out a handful of States as requiring stricter federal supervision concerning their treatment of a problem that may well be just as serious in parts of the North as it is in the South."

That argument was advanced in 1970 by the Administration, and the Congress rejected it, as the Supreme Court had earlier done. South Carolina v. Katzenbach, supra. In any event, if the facts warrant the continued application of the special provisions to presently covered states, the fact that other states should arguably also be covered would not justify allowing the provision to lapse entirely. 14/

CONCLUSION

I would recommend that both the nationwide literacy ban and the special provisions for covered states should be extended for five years.

Wm B Saxbe

WILLIAM B. SAXBE
Attorney General

14/ A new sort of regional discrimination would occur if the Act were not extended: the southern states whose history of discrimination prompted the provisions could bail out, but New York and other northern jurisdictions brought under the Act in 1970 would continue to be subject to it until at least 1980.

THE WHITE HOUSE

WASHINGTON

January 13, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: KEN COLE

FROM: JERRY H. JONES

SUBJECT: Voting Rights Act Extension

The President has reviewed the memorandum on the above mentioned subject and the Attorney General's recommendation to ask for a simple extension of the Voting Rights Act for five more years was approved.

Please follow-up with the appropriate action.

Thank you.

cc: Don Rumsfeld

Secretary of Transportation

Announcement of Intention To Nominate William T. Coleman, Jr. January 14, 1975

The President today announced his intention to nominate William T. Coleman, Jr., of Philadelphia, Pa., to be Secretary of Transportation. He will succeed Claude S. Brinegar, who has resigned effective February 1, 1975.

Since 1952, Mr. Coleman has been with the law firm of Dilworth, Paxson, Kalish, Kohn and Dilks of Philadelphia. He was elected a partner in 1956. From 1949 to 1952, he was with the firm of Paul, Weiss, Rifkind, Wharton and Garrison of New York City.

Mr. Coleman was born on July 7, 1920, in Philadelphia, Pa. He received his A.B. degree summa cum laude in 1941 from the University of Pennsylvania and his LL. B. degree magna cum laude from the Harvard University School of Law in 1946. He was a Langdell Fellow at Harvard Law School from 1946 to 1947. He then served as a law clerk to Supreme Court Justice Felix Frankfurter from 1948 to 1949.

Mr. Coleman is married to the former Lovida Hardin, and they have three children. They reside in Philadelphia, Pa.

Dr. Martin Luther King, Jr.

The President's Remarks Recorded for the Anniversary of Dr. King's Birth. January 14, 1975

On the 46th anniversary of the birth of Dr. Martin Luther King, Jr., it is appropriate to review the progress of this Nation in securing civil rights for all our citizens. It is an impressive if not a perfect record.

Many of the social and political changes Dr. King envisaged as a civil rights leader are now taken for granted. But progress is not counted by past success; we must continually renew our commitment to the cause of justice and equality.

Dr. King was in the forefront in leading the way to passage of the Voting Rights Act of 1965. I supported the original act and its extension in 1970. This law has helped to open up our political processes to full citizen participation—and we must safeguard these gains through another five-year extension of the statute.

I will forward to the Congress later this week draft legislation for such an extension. I believe the right to vote is the foundation of freedom and equality. It must be protected.

During his lifetime, Dr. King received the Nobel Prize and numerous other awards. But shortly before his death seven years ago, he said that he preferred to be remembered not for these honors, but for his service to his fellow man.

Dr. King is remembered as he wished—and his memory continues to inspire hope for America. We must not let his work die. that will be the highest tribute of all.

NOTE: The President recorded the remarks on Tuesday, January 14, 1975, in commemoration of Dr. King's birth on January 15, 1929.

The White House also announced that the President had sent a telegram to Coretta Scott King expressing his high regard for the memory of her late husband.

THE STATE OF THE UNION

The President's Address Delivered Before a Joint Session of the Congress. January 15, 1975

Mr. Speaker, Mr. Vice President, Members of the 94th Congress, and distinguished guests:

Twenty-six years ago, a freshman Congressman, a young fellow with lots of idealism, who was out to change the world, stood before Sam Rayburn in the well of the House and solemnly swore to the same oath that all of you took yesterday, an unforgettable experience, and I congratulate you all.

Two days later, that same freshman stood at the back of this great Chamber, over there someplace, as President Truman, all charged up by his single-handed election victory, reported as the Constitution requires on the state of the Union.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

January 15, 1975

MEMORANDUM FOR: WARREN HENDRIKS

FROM: BOB LINDER

OMB has prepared the attached letters for the President's signature transmitting to the Congress proposed legislation on the "Voting Rights Act Amendments of 1975." Paul Theis has approved the language.

I believe we should route this package to White House staff in the normal manner in case there are any loose ends, e.g., coordination with the proper Congressional Committees.

In passing, it should be noted that the January 14 press release on Dr. Martin Luther King, Jr., (copy attached) stated that the Attorney General would transmit the draft. A subsequent change in plans is the reason for the Presidential transmittal. We should probably insure that the letters are sent not later than this Friday, January 17.

Thank you.

Attachments

EMBARGOED FOR RELEASE
UNTIL 6:00 P.M. (EST)

JANUARY 14, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

On the 46th anniversary of the birth of Dr. Martin Luther King, Jr., it is appropriate to review the progress of this Nation in securing civil rights for all our citizens.

Many of the social and political changes Dr. King envisioned as a civil rights leader are now taken for granted. But progress is not counted by past success; we must continually renew our commitment to the cause of justice and equality.

Dr. King helped lead the way to passage of the Voting Rights Act of 1965. I supported the original Act and its five-year extension in 1970. This law has helped to open our political processes to full citizen participation--and we must safeguard these gains through another five-year extension of the Act.

I have directed the Attorney General to forward to the Congress late this week draft legislation for such an extension. I believe the right to vote is the foundation of freedom and equality. It must be protected.

During his lifetime, Dr. King received the Nobel Peace Prize and numerous other awards. But shortly before his death seven years ago, he said he preferred to be remembered not for those honors, but for service to his fellow man.

Dr. King is remembered as he wished--and his memory continues to inspire hope for America. We must not let his work die--that will be our highest tribute of all.

# # #

We are going to have in the Press Office after this briefing a statement by the President on the 46th anniversary of the birth of Dr. Martin Luther King, Jr. This will be embargoed for release at 6:00 this evening since tomorrow is the 46th anniversary of his birth. It will be available after the briefing.

The President has sent a telegram to Dr. King's widow in which he expresses his high regard for the memory of her late husband and wishes them a productive meeting, which is now going on in Atlanta. He also tells Mrs. King of the statement we are putting out today.

I want to call to your attention that in the statement that the President is issuing at 6:00 he announces that he will send to Congress this week a proposal to extend the Voting Rights Act for five years and gives his views on the Voting Rights Act, which is that it has helped to open political processes to full citizen participation and that we must safeguard these gains through another five year extension of the act. So, that will be available.

Q Do we have to wait until 6:00 to say that?

MR. NESSEN: It is an anniversary message and tomorrow is the anniversary.

Q But you just told us part of the message nows Is that embargoed?

MR. NESSEN: Yes, it is.

Q Is the meeting in Atlanta the Southern Christian Leadership Conference?

MR. NESSEN: No, I think it is larger than that, but I am not sure.

Q We have to hold off in saying he asked for an extension?

MR. NESSEN: Yes, because that is in his statement.

Q Could you have someone check whether as a Congressman he ever met Martin Luther King?

MR. NESSEN: Somebody can call Stan Scott while we are out here.

The President would like me to tell you today that he is today announcing his intention to nominate Dr. Edward H. Levi to be Attorney General of the United States.

C

THE WHITE HOUSE

WASHINGTON

ACTION

January 20, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: KEN COLE

SUBJECT: Voting Rights Act Amendments of 1975

Attached for your signature are letters to the President of the Senate and the Speaker of the House of Representatives transmitting to Congress your proposed extension of the Voting Rights Act.

Although your State of the Union address indicated you would submit a message with this legislation, simple transmittal letters have been prepared to get the extension quickly before the Congress. The Department of Justice will provide the detailed justification during the hearings.

The legislation would:

-- Extend for an additional five years the basic provisions of the Voting Rights Act of 1965;

-- Extend for an additional five years the provision which suspends the use of literacy tests and other similar prerequisites for voting.

OMB, Phil Areeda and Max Friedersdorf recommend approval of the transmittal letters which have been cleared by Paul Theis.

RECOMMENDATION

That you sign both letters at Tab A.

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EXECUTIVE
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THE WHITE HOUSE

WASHINGTON

January 27, 1975

Albert, Carl

Dear Mr. President:

Enclosed for your consideration and appropriate reference is proposed legislation entitled the "Voting Rights Act Amendments of 1975."

This proposal would extend for an additional five years the basic provisions of the Voting Rights Act of 1965. These provisions, including the requirement that certain States and political subdivisions submit to the United States District Court for the District of Columbia or the Attorney General any changes in voting laws, will be subject to expiration after August 6, 1975.

The proposal would also extend for an additional five years the provision which suspends the use of literacy tests and other similar prerequisites for voting in all states and subdivisions not subject to such suspension under section 4(a) of the 1965 Act.

The Voting Rights Act of 1965 has been an extremely effective statute. Since its enactment, substantial progress has been made in safeguarding and furthering the right to vote. Nonetheless, our experience indicates the need to extend once more the key sections of the Act.

Sincerely,

Gerald R. Ford

Signed: 1/23/75

The Honorable Nelson A. Rockefeller
President of the Senate
Washington, D.C. 20510

Delivered to President of Senate: 1/27/75 (11:00 am)

A BILL to extend the Voting Rights Act of 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Voting Rights Act Amendments of 1975."

Sec. 2. Section 4(a) of the Voting Rights Act of 1965 (79 Stat. 438; 42 U.S.C. 1973b(a)), as amended by the Voting Rights Act Amendments of 1970 (84 Stat. 315), is further amended by striking the words "ten years" wherever they appear in the first and third paragraphs and by substituting the words "fifteen years."

Sec. 3. Section 201(a) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa(a)), as added by the Voting Rights Act Amendments of 1970 (84 Stat. 315), is amended by striking "August 6, 1975" and substituting "August 6, 1980."

THE WHITE HOUSE

WASHINGTON

January 27, 1975

Dear Mr. Speaker: Carl Albert

Enclosed for your consideration and appropriate reference is proposed legislation entitled the "Voting Rights Act Amendments of 1975."

This proposal would extend for an additional five years the basic provisions of the Voting Rights Act of 1965. These provisions, including the requirement that certain States and political subdivisions submit to the United States District Court for the District of Columbia or the Attorney General any changes in voting laws, will be subject to expiration after August 6, 1975.

The proposal would also extend for an additional five years the provision which suspends the use of literacy tests and other similar prerequisites for voting in all states and subdivisions not subject to such suspension under section 4(a) of the 1965 Act.

The Voting Rights Act of 1965 has been an extremely effective statute. Since its enactment, substantial progress has been made in safeguarding and furthering the right to vote. Nonetheless, our experience indicates the need to extend once more the key sections of the Act.

Sincerely,

Gerald R. Ford

The Honorable
The Speaker
U.S. House of Representatives
Washington, D.C. 20515

Delivered to Speaker of House: 1/27/75 (11:00 a.m.)

(Stencilled)

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Voting Rights Act Amendments of 1975."

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