

112TH CONGRESS
2D SESSION

S. RES. 572

Designating September 2012 as the “National Month of Voter Registration”.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2012

Mr. CARDIN (for himself, Mr. SANDERS, Mrs. BOXER, Mr. MERKLEY, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Designating September 2012 as the “National Month of
Voter Registration”.

Whereas the United States has overcome the stains of historic State-sponsored voting discrimination, including State laws that imposed voting qualifications such as property ownership, religious qualifications, grandfather clauses, poll taxes, and literacy tests and were designed to exclude racial minorities, poorer voters, and certain religious groups from voting;

Whereas courts have struck down these State laws because the laws conflict with the Constitution of the United States;

Whereas Congress has continuously moved to expand the franchise of voting;

Whereas the 13th, 14th, 15th, 19th, 23rd, 24th, and 26th amendments to the Constitution of the United States are intended to protect minorities, poorer voters, women, the elderly, and youth from voting discrimination;

Whereas, in 1965, Congress enacted the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) to remedy past discrimination in voting and protect vulnerable citizens from practices that infringe on the right to vote or elect a candidate of their choice;

Whereas, in 1993, Congress enacted the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.) to establish protections around the voting process, increase the number of citizens who register to vote, and encourage governments to protect the integrity of the electoral process;

Whereas, in 2002, in response to the controversy surrounding the 2000 presidential election, Congress enacted the Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), which provided new standards for voting systems, created the independent Election Assistance Commission to assist with the administration of Federal elections, and established minimum standards for States and local governments that administer Federal elections;

Whereas Congress has reauthorized the Voting Rights Act of 1965 5 times, most recently in 2006, recognizing the need for continued enforcement against State practices in voting that discriminate against or disenfranchise vulnerable citizens;

Whereas, since 2010, some States have enacted voting laws that are reminiscent of historic State-sponsored voting discrimination;

Whereas some States have already disenfranchised some young people, elderly people, and former Members of Congress through strict new voting laws;

Whereas some States continue to disenfranchise United States citizens with past criminal convictions who live and work in our communities;

Whereas Members of Congress and notable civil rights organizations have studied recently-enacted State voting laws and calculated that the laws will have a grave impact on millions of minority, elderly, young, and poor individuals who are eligible to vote and will seek to register to vote and vote on election day;

Whereas, since March 12, 2012, 2 State courts in Wisconsin have held that the Wisconsin voter identification law enacted in 2011 violates the Wisconsin constitution, with one court writing that “a government that undermines the very foundation of its existence—the people’s inherent, pre-constitutional right to vote—imperils its legitimacy as a government by the people, for the people, and especially of the people”;

Whereas Federal courts in both Florida and Washington, DC, recently struck down new Florida state laws that restrict new voter registration and early voting hours, with one court writing that the new restrictions on voter registration drives “impose burdensome record-keeping and reporting requirements that serve little if any purpose, thus rendering them unconstitutional even to the extent they do not violate the [National Voter Registration Act of 1993]”, and another court holding, “[W]e conclude that we cannot . . . preclear Florida’s early voting changes because the State has failed to satisfy its burden of proving that those changes will not have a retrogres-

sive effect on minority voters. Specifically, the State has not proven that the changes will be nonretrogressive if the covered counties offer only the minimum number of early voting hours that they are required to offer under the new statute, which would constitute only half the hours required under the prior law.”;

Whereas a Federal court in Washington, DC, recently struck down a Texas voter identification law, writing that the law “imposes strict, unforgiving burdens on the poor” and that “a disproportionately high percentage of African Americans and Hispanics in Texas live in poverty”;

Whereas a Federal court in Ohio recently struck down a State law that mandated that even in cases where poll workers steer voters to the wrong polling place, provisional votes cast in the wrong precinct must be discarded;

Whereas State representatives and political leaders in States such as New Hampshire, Pennsylvania, and Florida have made public admissions about how certain laws in their States were designed to put a dent in the democratic process;

Whereas, without a response from Congress, millions of voters in the United States may be subjected to State actions that will harm the franchise;

Whereas the month of September 2012 would be an appropriate month to commemorate a national focus on the importance of every citizen being registered and empowered to vote;

Whereas, during September 2012, each voting-eligible citizen should register to vote, verify that the name, address, and other personal information on record for the citizen at the State or local board of elections is correct, confirm

that the citizen has everything in hand that will be required to vote on election day, and confirm the correct polling place for election day; and

Whereas States should abolish all restrictive voter identification laws that disenfranchise vulnerable voting-eligible citizens, comply with the National Voter Registration Act of 1993, protect the voting rights of public assistance and disability clients during an economic downturn, and stop misguided, discriminatory, and inaccurate purging programs that have the risk of purging eligible voters: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) designates September 2012 as the “Na-
3 tional Month of Voter Registration” to encourage
4 each voting-eligible citizen to register to vote, verify
5 that the name, address, and other personal informa-
6 tion on record for the citizen at the State or local
7 board of elections is correct, confirm that the citizen
8 has everything in hand that will be required to vote
9 on election day, and confirm the correct polling place
10 for election day;

11 (2) calls on State and local election officials to
12 conduct public outreach and take affirmative steps
13 to encourage voter registration;

14 (3) encourages States to be fully compliant with
15 the National Voter Registration Act of 1993 and
16 other Federal voting rights laws as election day ap-
17 proaches; and

1 (4) requests that the President issue a procla-
2 mation for the National Month of Voter Registration
3 calling upon the people of the United States to ob-
4 serve the month with appropriate programs, cere-
5 monies, and activities.

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