Ardmore, Okla.
Mar. 23, 1965

Dear Senator Albert:

Presumably there are approximately 27,000,000 of us who care deeply what happens to our country. We are heartsick at the vicious raping of our Constitution under the despicable, deceitful, guise of promoting "civil rights!"

So that you'll know I care enough to write (a pitiful gesture of futility) I'm sending this letter, and so that I'll know you realize some of the evils and dangers involved in the passing of this foul bill, please write and tell me if you took time to read this column, from The Daily Oklahoman - Mar. 23, '65.

I may want to say "I told you so", one of these days - sooner than you think.

Yours truly,

Mrs [redacted]

TODA' 'N NATIONAL AFFAIRS

Right-to-Vote Measure Illegal?

By DAVID LAWRENCE

WASHINGTON — Emotional hysteria—the unthinking mood which has destroyed many a free governmental system in the history of the world—is about to sweep aside some of the vital provisions of the Constitution of the United States. For this document specifically provides that the states shall determine the qualifications of voters and that the federal government cannot exercise any powers which have not been delegated to it by the constitution.

President Johnson and his attorney general have presented to Congress a bill whereby any "test or device" established by the states to qualify voters can be brushed aside and federal registrars—appointed by an agency of the executive branch of the government—would then register any voters they please.

ACTUALLY, the Constitution, under the 15th Amendment, gives Congress only the power to pass laws forbidding any state to deny the right to vote on the basis of race or color. But it is one thing to stipulate a form of punishment for an injustice proved to have been committed by a state, and it is quite another to deprive the states of their power to say who shall or shall not vote on the basis of any qualification they may desire to set up so long as it doesn't discriminate on account of race or color.

The Supreme Court of the United States, which interprets the Constitution, declared unanimously in the famous Lassiter Case in 1959 that the states may, without violating the Constitution, use literacy tests as a prerequisite to eligibility for voting. The exact language of the opinion is as follows:

"We do not suggest that any standards which a state desires to adopt may be required of voters. But there is wide scope for exercise of its jurisdiction. Residence requirements, age, previous criminal record are obvious examples indicating factors which a state may take to consideration in determining the qualifications of voters. The ability to read and write likewise has some relation to standards designed to promote intelligent use of the ballot." The same opinion quoted from a previous ruling of the court, in what is known as the Guinn Case, as follows:

"No time need be spent on the question of the validity of the literacy test, considered alone, since, as we have seen its establishment was but the exercise by the state of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."

There is no authority given Congress by the Constiution to interfere in the way local

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DAVID
LAWRENCE
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elections are held or the manner in which voters are declared eligible so long as states do not abridge the right to vote on the basis of race, color or sex.

Yet the bill submitted by the White House and the Department of Justice would permit the attorney general to ignore any state laws on voter registration. Nothing more would be required than the filling out of a form for any applicant to be registered and given a certification of "eligibility to vote." This would, moreover, cover all elections—federal, state and local.

It is also proposed in the new "Voting Rights" Bill that the federal government will intervene in any state wherever 50 per cent of its residents of voting age have not been registered in the past. Some Negro leaders have pointed out that this will not take care of situations in districts where there are enough whites registered to fulfill the 50 per cent rule without any registration of the Negro population. So there is likely to be considerable controversy on this point.

The proposed legislation is a conspicuous example of an effort to accomplish a reform under the doctrine that "the end justifies the means." But, in the long run, constitutional government cannot be maintained or preserved if the men who are sworn to uphold it feel that they can change the Constitution at will, without going through the regular process of amendment, which requires not only the affirmative vote of two-thirds of both Houses of Congress but also ratification by three-fourths of the state legislatures.

There are some members of Congress whose consciences will bother them and who will insist upon at least a thorough debate of the bill's provisions and a discussion of the constitutional issues involved. The American people have not yet been told the whole story, and it looks as if it will take a long time for the facts to reach them.

The truth is that if, by the passage of a single law of Congress, the rights of the states can be taken away from them with the excuse that it is merely desired to prevent some possible abuse of power, then the United States will no longer be governed by a written Constitution.

Legis (Judiciary)

March 29, 1965

Mrs. [redacted]
Ardmore, Oklahoma

Dear Mrs. [redacted]:

Thank you for your letter and enclosed newspaper clipping. I appreciate your concern and assure you that Congress is fully as concerned about the Constitutionality of all laws it passes. Constitutional tests are applied to all proposed bills by experts in this field when that question exists and usually legislation which stands up under their examination also stands the test of a vote of the Congress.

When the voting rights bill is brought to the floor, I am confident that the debate will go into the question of its Constitutionality very thoroughly.

Kind regards.

Sincerely,

CARL ALBERT, M. C.
Third District, Oklahoma

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