

August 8, 1965

M E M O to the Staff  
From: Marion Barry, jr., Washington office

### PROVISIONS OF THE VOTING RIGHTS BILL

It is terribly important that the entire staff understand the nature and effect of the 1965 Voting Rights Bill. Below is a simplified condensation of the provisions (main ones) in that bill.

#### I. LITERACY TESTS

As of Friday when the bill was signed all literacy tests for voters in Mississippi, Alabama, Louisiana, Georgia, South Carolina, Virginia and 34 counties in North Carolina were suspended. This also means every county in those states. Age and residence and information about felonies a person may have been convicted of are the only requirements for registering. No other tests can be used. (This probably includes some sections of the new Mississippi test as passed by the State Legislature; Katzenbach has said publicly that illiterate whites have been registering for years and thus it is only right that illiterate Negroes be allowed to register).

If the local registrar in your county uses any other criteria than age and residence, then complaints should be sent immediately to me at the SNCC office in Washington (plus information should go to Atlanta for WATS report). I will, in turn, file them with the Justice Department. (see below).

#### II. FEDERAL EXAMINERS

By the time you get this mailing the Justice Dept. will have sent federal examiners to a number of counties in the South. But the procedure, in the bill, for obtaining a federal examiner is as follows: Upon the receipt of 20 complaints from prospective voters in a city or county, the Attorney General can then send in federal examiners. (We will probably have to exert alot of pressure, though, upon the attorney general in most instances. Therefore, it would be better to have as many complaints as possible -- even 100 or 200 -- from a particular city or county.)

The complaints can be very simple:

My name is John Adams and I live at 1000 Baker Street, Montgomery, Alabama. I attempted to register on August 8, 1965 and the registrar gave me a literacy test. This is illegal and I am filing a complaint.

Even a complaint that reads: "I was refused the right to register at the Leflore County Courthouse on August 8, 1965".

signed....

It is important for the complaintant to give his name and address. We are told that the names will be kept confidential by the Justice Department.

#### III. PROTECTION OF CIVIL RIGHTS WORKERS AND THOSE SEEKING TO REGISTER

The new voting law provides for criminal penalties for those who harrass, intimidate, or assault or otherwise interfere with workers who are organizing, assisting or helping prospective voters. Complaints should be filed immediately with the Justice Department.

The above is also true of those who assault, interfere with, intimidate or harrass people trying to register to vote. Complaints, likewise, should be sent to the Justice Department.

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In order to use the Voting Rights bill to its maximum, I would like to suggest that staff people in Mississippi, Alabama, Georgia North Carolina and Virginia start organizing people to go down to the Courthouse in large numbers ~~mg~~ every day. If the registrar uses any test other than age, residence and information about felonies, get complaints from the people on the spot. If possible, get two copies. Send one to President LB Johnson, White House, Washington, D.C. and the other copy to: Marion Barry, jr. 107 Rhode Island Ave., NW, Washington, D.C. When I get a substantial number of complaints then I will file them with the Department of Justice, release the information to the press and try to bring as much pressure as possible to get federal examiners sent in. Otherwise, if the complaints dribble in one or two at a time from a county or several counties, this would minimize the public pressure that can be brought on the Justice Department to actually enforce the new bill, and send in federal examiners.

NOTE: As of now, the following counties were named by the Justice Department as places where federal examiners should start registering people on Tuesday, August 10. Jones, Madison, Leflore, Yazoo, Coahoma, Bolivar, Holmes and Pike (all in Mississippi). As far as we know this has not been announced to the press...should come out Monday...information was obtained by Cleve Sellers from the US Civil Rights Commission.

Another advantage of getting people in motion around the voting bill (aside from actually getting people registered) would be that the challenge will be helped. It is likely that there will be a great deal of harrassment and violence with large numbers trying to register. This means that the South will be a focus for intensive press coverage and national attentions -- making it easier to get Congressmen and their constituents to support the challenge. In the latter part of August, too, 1000's of people from Mississippi will be coming to Washington and this movement around voting in the South will help them to be heard. And last, this will give us an opportunity not only to try to force the Justice Department to enforce a law on the books but also to point out the weaknesses in the bill and enforcement problems.

A more complete version of the bill will be sent shortly. Also, anyone wanting an actual copy of the bill can write us here at the Washington office.

ALSO. It might be useful for each project to draw up a simple mimeographed form on which complaints can be filed...place for name and address of person complaining; a place for the date; a place for writing the reason this person was denied the right to register.

Freedom,  
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