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### **LDF Defends Constitutionality of Section 5 of the Voting Rights Act**

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) filed a motion to intervene on behalf of African-American voters in a lawsuit brought by the Northwest Austin Municipal Utility District Number One, a utility district located in Austin, Texas. LDF's motion was brought on behalf of voters who reside in the district and whose voting rights are directly impacted by the lawsuit.

The utility district's lawsuit seeks to end the responsibility of having its voting changes reviewed, and challenges the constitutionality of the Section 5 preclearance provisions of the Voting Rights Act. Texas is covered under Section 5 because of its history of voting discrimination. As a covered jurisdiction, all proposed voting changes in the State must be submitted to the Department of Justice or a federal court before the changes can take effect.

The lawsuit was filed just days after the unanimous passage of the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, Caesar Chavez Voting Rights Act Reauthorization and Amendments Act of 2006. The preclearance process has long been hailed as an effective piece of federal legislation that helps secure minority voting rights. Most recently, the Supreme Court recognized that voting discrimination is an ongoing political reality in the State of Texas where the utility district lies.

Throughout its history, LDF has worked to protect the fragile gains in minority voting rights. "Resistance to equal voting rights for minority citizens is not new nor is discrimination against minority voters old," said Theodore Shaw, LDF's Director-Counsel and President. "Indeed, Congress developed an extensive record illustrating the continuing need for the preclearance requirement and showing that voting discrimination persists in Texas and other covered jurisdictions."

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