



Fighting for Voting Rights and a Democratic United States

DEMOCRATIC LAW BRIEFS

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VOTING RIGHTS NEWS

DC VOTING RIGHTS

Washington, DC - A gun rights amendment backed by the National Rifle Association that would bar Washington, D.C., from prohibiting people from carrying guns in public caused the withdrawal of the D.C. House Voting Rights Act on Tuesday. "Almost every commercial office building, as well as all rental housing units, could be filled with persons possessing guns," D.C. Del. Eleanor Holmes Norton (D) said of the legislation. "These provisions are so over the top, they are unworthy of serious consideration." Majority Leader Steny Hoyer (D-Md.) said the fault "lies with those who do not honor the right of the District of Columbia to have a voting Representative and want to use this legislation as a vehicle for issues that they have." Andrew Arulanandam, a spokesman for the NRA said, "We couldn't care less about the voting rights issue." He added that his organization is only interested in finding a way to overturn the city's "de facto unconstitutional gun ban." Read more here: <http://www.dcvote.org/media/media.cfm?mediaID=3134>

DC DLC BRAIN TEASERS

DC DLC BRAIN TEASERS - Each week we have a puzzle or a brain teaser or a trivia question for you to answer. You can e-mail your answers to editors@democraticlawyers.org. Please put "Brain Teaser" in the subject line. We

will run the names of all those who get the right/best answer in the following issue.

THIS WEEK'S QUESTION

Who was the first President to appear on a coin?

LAST WEEK'S QUESTION

Article I, § 8, Clause 1 of the U.S. Constitution grants to the Congress the power to impose taxes, but requires excise taxes to be geographically uniform. Where in the Constitution does Congress derive the power to levy an income tax?

ANSWER

The Sixteenth Amendment allows the Congress to levy an income tax without apportioning it among *the states* or basing it on *Census* results. This amendment created an exemption for non-apportioned direct taxes on income, which were held unconstitutional in *Pollock v. Farmers' Loan & Trust Co.* (1895); that case limited Congress's authority to levy an *income tax* by holding that, since taxes on real property were direct taxes, that taxes on income from those properties were direct taxes as well. It was ratified on February 3, 1913.

WHO ARE WE?

The DC Democratic Lawyers Council (DC DLC) is a group of Democratic lawyers, affiliated with the National Lawyers Council of the Democratic National Committee, volunteering their legal skills to strengthen the democratic process. We work to ensure that every eligible citizen is allowed to vote and that every vote cast in every election is counted. The DC DLC was formed out of a concern that voting rights are increasingly under attack in our country and an understanding that now is the time to put the skills of Democratic attorneys to work to ensure that every citizen's right to vote will be upheld in future elections. Our activities include advocating for better laws and regulations and initiating litigation when necessary to guarantee the fairness of and the widest participation in the U.S. electoral process.

The Democratic Lawyers Council was founded by attorneys who have served on the front line of election law for the Democratic Party in numerous elections, including most recently, the 2000 and 2004 presidential elections. The lesson learned from the recount debacle was that post-election day litigation will hardly ever fix any election injustice. Given that, many of the recount lawyers, particularly those based in

Florida, engineered a comprehensive voter protection program to confront and deal with voter and election issues before Election Day. One aspect of this effort was the recruitment of 3200 lawyers who, after receiving specialized election law and procedures training, worked inside the polls in key precincts in Florida on Election Day to assure that every citizen who showed up to vote, was able to do so.

Our mission statement is simple:

We are a coalition of lawyers and others dedicated to fostering universal participation and trust in the electoral process by ensuring that:

- All eligible persons can register to vote easily;
- All registered voters are able to vote simply, fairly, and without intimidation; and
- All votes are counted accurately and all voting systems are open and reliable.

We encourage you to send us an e-mail if you would like more information or are interested in becoming a part of our organization.

Please e-mail us at [erika @ democraticlawyers.org](mailto:erika@democraticlawyers.org).

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GOT NEWS?

If you have news for Democratic Law Briefs, we'd love to get it. E-mail your news, ideas, rumors and thoughts to Paul Roath and Arielle Harry-Bess at [editors @ democraticlawyers.org](mailto:editors@democraticlawyers.org). We reserve the right to use, not use, edit, paraphrase, or otherwise play with your submissions.

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