

SUPREME COURT OF THE UNITED STATES

City of Rome v. United States

446 U.S. 156 (1980) · No. No. 78-1840 · Decided June 9, 1980

SUMMARY

The Supreme Court upheld the application of the Voting Rights Act's preclearance requirements to electoral changes and annexations made by the City of Rome, Georgia. The Court held that Rome could not independently use the Act's bailout procedure because Georgia was covered as a whole, and that Congress could prohibit voting changes with discriminatory effects under the Fifteenth Amendment. The Court affirmed the judgment of the United States District Court for the District of Columbia.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice Marshall; Chief Justice Burger; Justice Brennan; Justice Blackmun; Justice Powell; Justice Rehnquist; Justice Stevens; Justice Stewart; Justice White
JURISDICTION	Federal
DECIDED	June 9, 1980
DOCKET	No. 78-1840
DISPOSITION	affirmed
PROCEDURAL POSTURE	The City of Rome and two city officials brought a declaratory judgment action challenging the Voting Rights Act of 1965 and seeking approval of electoral changes and annexations that had not been precleared. A three-judge district court granted summary judgment for the United States and rejected the city's claims. The Supreme Court noted probable jurisdiction and affirmed.
STANDARD OF REVIEW	The Court reviewed the district court's factual findings for clear error and reviewed the statutory and constitutional issues de novo. Under Section 5, Rome bore the burden of proving that the challenged changes lacked discriminatory purpose and effect.
PRECEDENTIAL VALUE	binding
PARTIES	City of Rome, City officials v. United States

TOPICS

voting rights election law federalism constitutional law statutory interpretation

PRACTICE AREAS

constitutional law election law civil rights federalism municipal law

QUESTIONS PRESENTED

1. Whether the City of Rome could independently obtain bailout from the Voting Rights Act's Section 5 preclearance requirement while Georgia remained a covered State.
2. Whether the Attorney General's response to Rome's request for reconsideration was timely after Rome submitted supplemental information.
3. Whether Section 5 prohibits voting changes having discriminatory effect even absent discriminatory purpose.
4. Whether Congress had authority under Section 2 of the Fifteenth Amendment to prohibit voting changes with discriminatory effects.
5. Whether Section 5's application to state and local voting practices violated federalism principles.
6. Whether the 1975 extension of the Voting Rights Act remained a constitutional exercise of congressional enforcement power.
7. Whether the district court clearly erred in finding that Rome failed to prove that the challenged electoral changes and annexations would not dilute Black voting strength.

HOLDINGS

1. A municipality located within a State covered by the Voting Rights Act may not independently obtain bailout from Section 5 coverage under Section 4(a); the bailout procedure is available only to a covered State or to a political subdivision designated as a separate covered unit.
2. When a submitting jurisdiction voluntarily supplements a request for reconsideration with additional information, the 60-day period for the Attorney General's response begins anew upon receipt of the supplemental submission.
3. Section 5 prohibits voting changes that have a discriminatory effect even when they were not adopted with discriminatory purpose.
4. Congress may, under Section 2 of the Fifteenth Amendment, prohibit voting practices that have discriminatory effects, even if the practices do not independently violate Section 1, so long as the prohibition is an appropriate means of enforcing the Amendment.
5. Federalism principles that might otherwise limit congressional regulation of state and local governmental operations do not bar Section 5 of the Voting Rights Act because the Act was enacted under the Civil War Amendments' express enforcement powers.
6. The 1975 seven-year extension of Section 5 was a constitutional method of enforcing the Fifteenth Amendment.

7. The district court did not clearly err in finding that Rome failed to prove that its 1966 electoral changes and 13 disputed annexations would not dilute the effectiveness of Black voters' votes.

KEY QUOTATIONS

“In the present case, we hold that the Act's ban on electoral changes that are discriminatory in effect is an appropriate method of promoting the purposes of the Fifteenth Amendment, even if it is assumed that § 1 of the Amendment prohibits only intentional discrimination in voting.” (178)

“Those Amendments were specifically designed as an expansion of federal power and an intrusion on state sovereignty.” (180)

“By substantially enlarging the city's number of white eligible voters without creating a corresponding increase in the number of Negroes, the annexations reduced the importance of the votes of Negro citizens who resided within the preannexation boundaries of the city.” (187)

FACTUAL BACKGROUND

Rome, Georgia, had an at-large electoral system and a majority-white population with a history of racial bloc voting. In 1966, Georgia legislation changed Rome's electoral structure by reducing wards, creating numbered posts, requiring majority votes and runoffs, staggering terms, and imposing residency requirements for Board of Education candidates. Rome also made 60 annexations without preclearance; the Attorney General objected to 13 because they disproportionately added white residents and diluted the voting strength of Black residents. The district court found that the challenged changes had a discriminatory effect, although it found no discriminatory purpose.

PROCEDURAL HISTORY

Rome submitted its 1966 electoral changes and 60 annexations for preclearance after the Attorney General discovered that the city had not previously submitted them. The Attorney General objected to specified electoral changes and 13 annexations because they would have a discriminatory effect on Black voters. The three-judge United States District Court for the District of Columbia rejected Rome's statutory and constitutional arguments and granted defendants summary judgment. The Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- United States v. Board of Commissioners of Sheffield, Ala., 435 U.S. 110 (1978)
- Allen v. State Board of Elections, 393 U.S. 544 (1969)
- Perkins v. Matthews, 400 U.S. 379 (1971)
- Georgia v. United States, 411 U.S. 526 (1973)
- Beer v. United States, 425 U.S. 130 (1976)
- City of Richmond v. United States, 422 U.S. 358 (1975)

- South Carolina v. Katzenbach, 383 U.S. 301 (1966)
- NLRB v. Catholic Bishop of Chicago, 440 U.S. 490 (1979)
- Katzenbach v. Morgan, 384 U.S. 641 (1966)
- Oregon v. Mitchell, 400 U.S. 112 (1970)
- Lassiter v. Northampton County Board of Elections, 360 U.S. 45 (1959)
- National League of Cities v. Usery, 426 U.S. 833 (1976)
- Fitzpatrick v. Bitzer, 427 U.S. 445 (1976)
- Ex parte Virginia, 100 U.S. 339 (1880)
- McCulloch v. Maryland, 17 U.S. (4 Wheat.) 316 (1819)
- City of Petersburg v. United States, 354 F. Supp. 1021 (D.D.C. 1972), summarily aff'd, 410 U.S. 962 (1973)
- Ely v. Klahr, 403 U.S. 108 (1971)
- Burns v. Richardson, 384 U.S. 73 (1966)
- Baker v. Carr, 369 U.S. 186 (1962)