July 28, 2006

Mr. Barr Huefner
Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Huefner:

Enclosed please find my changes to the transcript of my recent testimony before the Committee, per Senator Specter's letter to me of July 24.

In another letter from Senator Specter also dated July 24, he enclosed additional questions from Senator Cornyn. In light of the fact that the President yesterday signed the Voting Rights Act extension into law, I assume that this matter is moot. I will say, however, that I agree with the tenor of Senator Cornyn's questions: That empirical data and other evidence justifying the extension was lacking; that, at a minimum, the coverage mechanism ought to have been updated and the extension should have been for a period of time shorter than 25 years; that the language in the bill addressing *Georgia v. Ashcroft* and the *Bossier Parish* decisions will have uncertain and unintended consequences; and that the Supreme Court's recent decision in *LULAC v. Perry* injects still more uncertainty into Section 5's likely future applications.

It is too bad that the Senate passed the extension bill that it did, but I am consoled by the fact that it is likely to be struck down by the courts as unconstitutional.

I appreciate the opportunity the Committee afforded me to discuss the concerns that the Center for Equal Opportunity had about this legislation.

Sincerely,

Roger Clegg
President and General Counsel

Enclosure