

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
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Ranking member, Committee on the Judiciary
Hearing on the Modern Enforcement of the Voting Rights Act
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Yesterday, we held our second in a series of hearings on reauthorizing the Voting Rights Act, and today the Committee proceeds with our third hearing. It was one week ago that we joined in the bipartisan introduction of S.2703, which was cosponsored by both the Majority Leader and the Democratic Leader of the Senate. The bill already has 34 cosponsors, including a majority of the Members of this Committee. This exemplifies the widespread support in Congress for reauthorizing the most successful civil rights legislation in our Nation's history.

This week our counterparts in the House Judiciary Committee are proceeding to markup on the companion legislation, H.R.9, which was introduced last Tuesday by Chairman Sensenbrenner and Representative Conyers and which has 95 House cosponsors. There are reports that some will attempt to undercut our bicameral, bipartisan efforts. In particular, I worry that some will detrimentally seek to undermine the remedial provisions in Section 203 that help language minorities achieve full participation in our democracy. We will hear today from a representative of the Bush Administration's Justice Department about how valuable those provisions are and about the Administration's endorsement of their renewal and extension.

Recently President Bush said publicly that he wants "to make sure the Voting Rights Act is strong and capable" and that "it ought to be extended." Attorney General Gonzales listed extending the Voting Rights Act as one of the Department of Justice's 2006 priorities and said "we will push for reauthorization of the Voting Rights Act, one of the most significant pieces of civil rights legislation in our history." When testifying before the House, Acting Assistant Attorney General Schlozman noted that "the Department of Justice is proud of the role it plays in enforcing this statute" and that the "Bush Administration is very supportive of reauthorization."

This is an important matter on which there is bipartisan agreement. I look forward to our concluding our supplemental hearings next week and proceeding to report our Voting Rights Act reauthorization bill before Memorial Day.

There are few things as critical to the fabric of our Nation, and to American citizenship, as voting. The right to vote and to have your vote count is a foundational right because it secures the effectiveness of other protections. The legitimacy of our government is dependent on the access all Americans have to the political process.

Yesterday, we heard testimony about the importance of the expiring provisions of the Act. The Voting Rights Act has made substantial strides in preventing overt discrimination but our work is far from complete. We heard yesterday about a Section 5 case decided by the Eighth Circuit just last week. There are still too many examples in which covered jurisdictions would have enacted retrogressive voting procedures if not for the preclearance provisions in Section 5 of the Voting Rights Act.

In addition, recent Section 203 lawsuits have contributed to considerable voter turnout and voter registration increases among language minorities. The continuing need for the expiring provisions cannot be overstated. Although there is sharp disagreement on the other side of the aisle concerning immigration reform legislation, I hope that we can all agree to reauthorize Section 203 to continue progress and inclusion of citizens from our language minorities

who add so much to American life. Their rights as American citizens - including the right to vote - are no less precious than anyone else's rights.

We welcome Assistant Attorney General Wan Kim. I regret that the Attorney General chose not to appear before us on the important matter of renewing the Voting Rights Act, but we welcome Mr. Kim back to the Committee, where he staffed Republican Senators.

Today we also welcome the testimony of several civil rights practitioners. I am especially glad that we will be able to hear from the authors of three state reports that cover the far reaches of this country. Robert McDuff is a well-respected civil rights attorney in Jackson, Mississippi. He has argued several times before the Supreme Court, the most recent case involving a Mississippi redistricting plan. Juan Cartagena has been the General Counsel for the Community Service Society for the past 15 years where he has directed public interest litigation on issues including voting rights, housing and environmental issues. Finally, we are pleased to have Natalie Landreth, an attorney for the Native American Rights Fund, who is working on developing tribal education departments and tribal codes in two Alaskan localities. We thank you all for traveling to be with us today on short notice and look forward to your testimony.

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