

Statement of

The Honorable Charles E. Schumer

United States Senator
New York
September 5, 2007

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Hearing on "The 50th Anniversary of the Civil Rights Act of 1957
and its Continuing Importance"

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Thank you, Chairman Leahy, for holding this hearing to mark the golden anniversary of the Civil Rights Act of 1957.

Our founding fathers said it best when they penned these words in the Declaration of Independence: Government derives its just powers from the consent of the governed. In our democracy, there can be no consent without unfettered access to the voting booth.

The 1957 Civil Rights Act did much to protect that access. It gave the Justice Department the power to file lawsuits and seek injunctions to protect voting rights, and it set up an Assistant Attorney General especially to handle these civil rights cases.

While the 1957 Act dealt primarily with voting rights, it was much more than a voting rights bill. It was the first civil rights bill of any kind passed in the long decades since Reconstruction. It was a reassertion of the principle that there can be no just government without the consent of the governed. Even more, it was the first small stream in what became a torrent of civil rights legislation that offered new protections to Americans in all aspects of their lives.

Thus, perhaps the best way to commemorate the passage of the 1957 Civil Rights Act is by asking ourselves: What remains to be done? What further steps must we take to secure voting rights and other civil rights for all? I believe that this Committee can take a decisive step tomorrow by favorably reporting the Deceptive Practices and Voter Intimidation Prevention Act of 2007.

Senator Obama and I introduced this bill in January with the co-sponsorship of many of my Judiciary Committee colleagues. Our bill has benefited greatly from the input and support of the NAACP, MALDEF, the Leadership Conference on Civil Rights, and other civil rights organizations.

Sadly, this legislation is necessary because, in far too many elections now, Americans have seen appalling attempts to keep voters away from the polls through deliberate lies. These lies have been spread, especially in minority and disadvantaged communities, in a clear attempt to prevent people from voting or from casting their votes for their chosen candidates.

Deceptive practices in elections are an outrage to anyone who cherishes democracy. Our bill will stop these practices by imposing serious criminal and civil penalties, and by requiring the Justice Department to distribute corrected information when it is necessary to get voters to the polls.

In fact, the Deceptive Practices and Voter Intimidation Prevention Act will strengthen some of the same provisions that were first passed into law as part of the 1957 Civil Rights Act. As we look backward to commemorate the 1957 Act, we can and must also look forward. It has become clear that we need a new civil rights mandate to confront a new threat to voter access. Access to the polls is not a partisan issue, and I hope that my colleagues from both

parties will join me tomorrow in honoring the 1957 Act by updating it to confront the next half-century of civil rights defense.

Of course, much more remains to be done. As Congressman Lewis and others said, with the departure of Alberto Gonzales from the post of Attorney General, this Committee has a responsibility to help restore the historic stature of the Civil Rights Division and the entire Justice Department. Our witnesses today have presented several ideas for pursuing this goal, and I look forward to examining these ideas further.

I welcome the challenge of reinvigorating the Civil Rights Division, and I thank all of our witnesses today for helping this Committee begin our efforts.