

Statement of

The Honorable Patrick Leahy

United States Senator
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Today, we welcome back to the Committee Assistant Attorney General Tom Perez, as we continue our oversight of the Department of Justice. It is fitting that, in the wake of the 10th anniversary of the September 11 terror attacks, we hold this oversight hearing of the Civil Rights Division. Following the terrorist attacks, Americans were overcome with a flood of emotions—among them shock, rage, fear, and pain. Unfortunately, in some instances, that fear turned into violence against even more innocent Americans.

That backlash, is in part why I gave much credit to President Bush, when on September 20, 2001, in a joint session of Congress, he said the following:

"I also want to speak tonight directly to Muslims throughout the world. We respect your faith. It's practiced freely by many millions of Americans and by millions more in countries that America counts as friends. Its teachings are good and peaceful, and those who commit evil in the name of Allah blaspheme the name of Allah."

Tragically, the number of hate crimes directed against Arab Americans, Muslims, and Sikhs escalated dramatically, and the Justice Department continues to see a steady stream of such violence post September 11. While Muslims represent less than one percent of the U.S. population, about a quarter of the Department's religion-related workplace discrimination cases involve Muslims, as well as more than 14 percent of the overall number of Federal religious discrimination cases.

Ten years later, we reemphasize the values and principles with which our Nation was founded upon and with which our democratic republic shines as a beacon of hope and freedom to the rest of the world. The Civil Rights Division has played a pivotal role toward that end.

The Division, with a long record of independence and a tradition of vigorous civil rights enforcement, is back on track in no small part due to the leadership and commitment of Attorney General Holder and Assistant Attorney General Tom Perez. I know that the restoration of the Civil Rights Division has been a tall order, but after several years of stark politicization under the Bush administration, the Division is, again, enforcing our civil rights law in a fair and evenhanded way. Returning the hiring responsibility to careers lawyers rather than political appointees, as was the case during the Bush administration, was key. Now, only the most qualified lawyers with the appropriate experience and commitment to the color blind enforcement of our Nation's laws, are doing the job of protecting all Americans against hate crimes, predatory lending, and voter suppression. This includes perhaps a dozen attorneys who left during the recent dark period but have now returned.

Two years ago, I was proud to offer the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act as an amendment to the defense authorization bill. It took more than a decade of fighting to strengthen our Federal laws against hate crimes, but just this year, the Civil Rights Division secured several convictions under that law. It is already having an effect.

The Division has also been vigilant in protecting American homeowners against discriminatory predatory lending. In the last year, the Division has settled litigation with lenders in Michigan, Texas and Missouri who have admitted to discriminatory lending practices targeting African-American borrowers. In January 2011, the Division reached a \$2 million dollar settlement with PrimeLending, resolving allegations that between 2006 and 2009, PrimeLending charged African-Americans higher interest rates for home loans. In June, the Division settled two separate cases with Citizens Bank and Citizens Republic Bancorp in Michigan and Midwest BankCentre in Missouri, resolving allegations that lenders failed to provide home mortgage lending services in neighborhoods that were majority African-American.

The Civil Rights Division has also continued to protect our men and women in uniform. Earlier this year, the Division fought lenders who foreclosed upon active duty service members without first obtaining court orders. In addition, the Civil Rights Division has filed lawsuits to compel states to send absentee ballots to the brave warriors who fight for the very right they are being disenfranchised from exercising. The Civil Rights Division has been a strong enforcer of the Military and Overseas Voter Empowerment Act (MOVE Act), compelling states to comply with absentee voting deadlines for over two million overseas civilians and military personnel.

Last week the Chairman of the Subcommittee on the Constitution, Civil Rights and Human Rights called an important hearing about state laws which are making it more difficult for Americans to vote. According to the National Conference of State Legislatures, since 2001, nearly 1,000 voter ID bills have been introduced in 46 states. This year, 35 states advanced legislation requiring citizens to obtain and display unexpired government-issued photo identification. Only three states -- including my home state of Vermont -- do not have a voter ID law and did not consider voter ID legislation this year. This Committee previously received expert testimony that such voter ID laws will disenfranchise African-Americans, Hispanics, military veterans, college students, the poor, and senior citizens. As we approach the next national election, it is my expectation that the Civil Rights Division will be vigilant in protecting against barriers to the ballot box so that Americans can fully participate in their democracy.

And just last month, a jury convicted five officers from the New Orleans Police Department on 25 counts in connection with the shooting on the Danziger Bridge in the days after Hurricane Katrina that left a teenager and a disabled man dead and four others injured and an extensive coverup. All Americans deserve the equal protection of the law.

These matters remind us of the importance of the Civil Rights Division. Attorney General Holder has called the Civil Rights Division the "crown jewel" of the Justice Department. I share that sentiment, because it is the Division charged with the enormous responsibility of protecting all Americans from all forms of discrimination. We must remain committed to protecting all communities from discrimination in the pursuit of a more perfect union. I welcome Assistant Attorney General Perez here today. We look forward to his testimony.

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