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TESTIMONY OF CONGRESSMAN JOHN LEWIS (GA)
FOR THE U.S. SENATE JUDICIARY COMMITTEE HEARING ON
FROM SELMA TO SHELBY COUNTY: WORKING TOGETHER TO RESTORE THE PROTECTIONS OF
THE VOTING RIGHTS ACT

July 17, 2013

Good afternoon. I thank you, Mr. Chairman, Mr. Ranking Member, and the Members of this Committee for holding this important hearing and inviting me to testify today.

I appreciate the opportunity, and I am proud to be here with my good friend, Congressman Sensenbrenner. Since first being elected to Congress, he has been a constant champion of the Voting Rights Act (VRA). I thank him and the Members of this Committee for your past work in support of this important legislation.

I said before, and I say again to you now -- sections 4 and 5 of the Voting Rights Act are the heart and soul of the VRA. I urge Congress to again act -- in a strong, prompt, bipartisan effort -- on the behalf of the people. Failure cannot occur on our watch.

The Supreme Court does not have the constitutional charge of protecting minority voting rights. Congress does. The responsibility to combat racial discrimination in electoral practices is one of the most important constitutional duties of Congress. Empowered by the 14th and 15th amendments, Congress tried for over 100 years to achieve the success finally realized by the Voting Rights Act. To fail to act in a timely, thorough, nonpartisan way is simply unacceptable. People of all races, all religions, and all parts of this country marched, protested, and even died for the right to vote. They sacrificed everything for the hope of equality.

I believe that no single statute has warranted more bipartisan, thorough research and attention from this institution. Since passing the Voting Rights Act, Congress continued to serve as the guardian of this precious right with unparalleled gravity. The Voting Rights Act has been the subject of scores of hearings, hundreds of witness testimony, and tens of thousands of pages of evidence.

Members of the House and Senate -- the elected voices of the people -- know policy and politics in every single nook and cranny of this great nation. After unprecedented research, bipartisan Congresses repeatedly concluded that a few short decades had not yet stomped out hundreds of years of racial discrimination in our election systems. These efforts were like weeds, and they kept returning with different leaves, but the same roots. Bipartisan congressional oversight and investigations reiterated that the Voting Rights Act is the best tool we have.

Some argue that there are more minority elected officials today than there were in 1965, and that more minorities are turning out to vote. This may be true, but it does not mean that there are not powers at work to suppress the rights of minorities to vote. Others may argue that these are issues of past generations, but we in Congress know that there is an ongoing, deliberate, systematic effort to circumvent the letter and the spirit of the Voting Rights Act of 1965. The Voting Rights Act was what kept those forces who wanted to turn the clock back at bay. It was an integral part of the system of checks and balances to protect voting rights.

To this day, Congress works vigilantly to exercise its constitutional authority to see that the law is enforced. As an institution, we hold the feet -- of both Democratic and Republican administrations -- to the fire when it comes to protecting minority voting rights. Not a single Member of the House or Senate can take this responsibility lightly. Prior to the Voting Rights Act, Congress tried time and time again to get it right -- to develop legislation which was flexible enough to respond to constantly changing efforts and strong enough to act as a deterrent.

All, who reviewed the evidence in 2005 and 2006, know that the "second-degree" tactics we found, and the submissions reviewed every day by the Department of Justice are similar to those which have existed since Reconstruction. It is the same face with a different mask, and we cannot rest until every variation of the seed has been destroyed, and the will no longer exists. Simply said, we are not there yet, and we have seen the clock turn back before.

The lessons of history must not be forgotten, and I think it is important for the record to note what life was like before the Voting Rights Act of 1965. President Lincoln signed the Emancipation Proclamation in 1863; the 14th amendment was ratified in 1868, and the 15th amendment was ratified in 1870. As many as 1500 African Americans were elected during the Reconstruction Era, but this lasted for only a few short years. It took Congress multiple attempts over another 100 years for the Voting Rights Act to become law, and for the tide to finally begin to turn.

In many parts of this country, people were denied the right to register to vote simply because of the color of their skin. They were harassed, intimidated, fired from jobs, and forced off of farms and plantations. Those who tried to assist were beaten, arrested, jailed, or even murdered. Before the Voting Rights Act, people stood in immovable lines. On occasion, a person of color would be asked to count the number of bubbles in a bar of soap or the number of jelly beans in a jar.

In 1964, the state of Mississippi had an African American voting-age population of more than 450,000, but only about 16,000 were registered to vote. One county, in my native state of Alabama -- Lowndes County -- was 80 percent African American, but not a single one was able to register to vote. Not one. In Dallas County, where Selma is located, only two percent of African Americans were registered to vote, and you could only attempt to register on the 1st and 3rd Mondays of the month. Occasionally, people had to pass a so-called literacy test.

Many of you know that I first came to Washington, D.C. on something known as the Freedom Rides in 1961. At that time, blacks and whites could not sit beside each other on buses in Virginia, in North Carolina, or in Georgia. We saw signs that read, "White Only. Colored Only." I returned a few years later to participate in the March on Washington for Jobs and

Justice on August 28, 1963. On that day, we met with Senator Everett Dirksen, a Republican from Illinois, and visited with President John F. Kennedy, Jr. and members of his Cabinet. At age 23, I was the youngest speaker at the March. I spoke sixth; Dr. Martin Luther King, Jr. spoke last. Today, I am the last living speaker from that historic day.

We returned to our homes invigorated, committed to the fight for equality and justice, but there were tough times ahead. President Kennedy was assassinated a few short months later. Three young men I knew -- James Chaney, Andrew Goodman, and Michael Schwerner, were working to register African Americans to vote in Mississippi in 1964. They were arrested and released from jail to members of the Ku Klux Klan in the middle of the night. Then they were beaten, shot, and killed.

On March 7, 1965, Hosea Williams, a staff person for Dr. Martin Luther King, Jr., and I attempted to lead a march from Selma to Montgomery. As we marched for the right to vote, more than 500 men, women, and children were chased, beaten, bloodied, and trampled by state troopers. That terrible day became known as Bloody Sunday. I will never know how I made it back from the Edmund Pettus Bridge to Brown Chapel AME Church; I just remember waking up in the hospital. It took two more efforts and the presence of federal reinforcement for us to finally complete the march.

A little over a week later, President Lyndon Johnson came before a joint session of Congress and spoke to the nation. He said, "I speak tonight for the dignity of man and for the destiny of democracy." President Johnson went on to say: "At times, history and fate come together to shape a turning point in a man's unending search for freedom. So it was more than a century ago at Lexington and at Concord. So it was at Appomattox. So it was last week in Selma, Alabama."

Shortly after this speech, the President presented the Voting Rights Act to Congress. Senator Mike Mansfield (D-MT) and Senator Everett Dirksen (R-IL), whom I met a few years earlier, introduced that historic bill, and Rep. Emanuel Celler (D-NY) sponsored the House companion. For the next few months, they worked in a bipartisan, bicameral effort to pass the legislation, and at the end of the summer, President Johnson gave me the pen he used to sign the Voting Rights Act into law.

When I was the Executive Director of the Voter Education Project, I returned to Congress to testify on the status of minority voting rights in 1971 and 1975. As the leader of a nonpartisan organization which worked in 11 states conducting non-partisan voter registration drives, I raised concerns about what we found on the ground -- names missing on voter rolls, erroneous instructions being provided to minority voters, the emergence of at-large elections, and efforts to dilute and deter minority voters. Over thirty years later, Congress found that these and other second-degree practices continued to exist, and the Department of Justice will attest that new ones continue to emerge to this very day.

It is true; we have made progress. We have come a great distance, but the deliberate, systematic attempt to make it harder and more difficult for many people to participate in the democratic process still exists to this very day. During the 2006 reauthorization process, Congress' research discovered that there is not a change in will, simply a change in tactics.

No one can deny that progress has been made, but no one – not even the Supreme Court – denies that the efforts to suppress and dilute minority voting rights continue to exist. Only hours after the decision was announced by the Supreme Court -- before the ink was even dry -- states began to put into force efforts to suppress people's voting rights. Let me be clear -- the progress seen in increased minority voter participation is because of Congress' actions. States did not willfully change their actions; it took the VRA – a strong, flexible, legislative tool -- for progress to be made.

Today, I ask each and every one of you, “Who will take the charge? Who will lead the process for Congress to come together again and fight for the rights of minorities in South Carolina? In Texas? In South Dakota? In Michigan? In New York? In Alaska? In Arizona? Who will do what is right, what is just. Who will fulfill our constitutional responsibility?”

The Supreme Court sent us back to the drawing table again, and the American people expect us to roll up our sleeves and get to work. Four times, Congress came together, conducted thorough, detailed research, and reauthorized this important Act. Four times, a bipartisan majority of the elected representatives of the people refused to turn its back when it came to protecting the most important, nonviolent tool that citizens have in a democracy. Four times, Republican Presidents signed the bipartisan results of thorough Congressional work into law.

In a democracy such as ours, the vote is precious; it is almost sacred. It is the most powerful nonviolent tool we have. Those, who sacrificed everything -- their blood and their lives -- and generations yet unborn, are all hoping and praying that Congress will rise to the challenge and get it done again.

It is my belief that the Voting Rights Act is needed now more than ever before. The burden cannot be on those citizens whose rights were, or will be, violated; it is the duty of Congress to restore the life and soul to the Voting Rights Act. And we must do it on our watch, at this time.

Again, I thank you, Mr. Chairman and Mr. Ranking Member, for the opportunity to be here with you today.