

legal community. As with any position in the judicial branch that comes with a lifetime appointment, the Senate must deliberate carefully; and we did and gave all the thought to this nominee, as was shown, clearly demonstrated by a unanimous vote for confirmation. You do not see this very often, but you saw it with Judge Bacharach.

So I appreciate the opportunity to support him today and to have been able to call and be the first to congratulate him in this new part of his career, of which we are going to be very proud. I can assure the Presiding Officer and all the rest of us this is a guy of whom we will always be proud.

So I say congratulations to Judge Bacharach. You are going to do a great job. We will depend on that, and we will be watching to make sure that happens.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTING RIGHTS ACT

Mr. LEAHY. Less than 7 years ago, Republicans and Democrats in the Senate and in the House of Representatives joined together to reauthorize key expiring provisions of the Voting Rights Act of 1965. We explained and documented our findings that this landmark civil rights law was still needed because of continuing discrimination and to preserve the progress that had been made. Because of this extensive record and the acceptance of the Voting Rights Act's importance in our country, our 2006 reauthorization of this crucial law was marked by Members of Congress from both parties and from every corner of the Nation coming together to renew one of the cornerstones of American Democracy.

It is a sad irony that on the same day we will be honoring Civil Rights icon Rosa Parks by unveiling her statue in the U.S. Capitol, the first full statue of an African American to stand in the halls of Congress, across the street the Supreme Court will be hearing arguments from those challenging the constitutionality of the Voting Rights Act reauthorization named in part for her. In the pending case, the challengers seek to strike down Section 5 of the

Voting Rights Act even though that critical section has protected constitutional guarantees against discrimination in voting where 100 years of prior civil rights laws failed. The Supreme Court got it right four years ago when it upheld the constitutional authority of Congress to reauthorize Section 5 against a similar challenge. Neither the words of the Constitution nor the importance of these critical provisions for protecting the right to vote has changed in the last four years. Under the specific words of the 14th and 15th Amendments, Congress has the power to remedy discrimination and enforce the Amendments by enacting laws that address racial discrimination in connection with voting. That is what we did nearly unanimously less than 7 years ago. And over the past year lower courts have repeatedly upheld both its constitutionality and its protections. In light of the lengthy court findings from just the last year, there can be no doubt that the operation of the Voting Rights Act is continuing to protect American voters from discrimination.

In his historic "I Have a Dream" speech, Martin Luther King, Jr. proclaimed: "When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir." The Voting Rights Act is one of our most important means for enforcing this promise and upholding the Constitution's guarantee of equal rights and equal protection of the law. Reauthorizing and restoring the Voting Rights Act was the right thing to do, not only for those who fought and bled for its passage but also for those who come after us—our children and our grandchildren. We owe it to them to continue our commitment to this vital Act. No one's right to vote should be abridged, suppressed or denied in the United States of America.

As we celebrate Black History Month and the significant progress we have made as a Nation, let us not forget the promissory note to future generations and the continuing need for civil rights laws such as the Voting Rights Act.

Our Nation has grown stronger since its Founding as more Americans have been able to exercise their right to vote. The actions taken by previous generations—through a Civil War, through Constitutional amendments, and through the long struggles of the civil rights movement—have worked to break down barriers that stood in the way of all Americans participating in our Democracy.

It has not been an easy road. The pervasive discriminatory tactics that led to the original Voting Rights Act were deeply rooted. As a nation, this effort to ensure equal protection dates back more than 140 years to the ratification of the 15th Amendment in 1870, the last of the post-Civil War Reconstruction amendments. Yet, it took 95 years from the passage of the 15th Amendment and

a historic struggle for civil rights for people of all races to begin the effective exercise of the rights guaranteed by that Amendment. The struggle reached a crucial turning point on March 7, 1965, on the Edmund Pettus Bridge in Selma, AL, when state troopers brutally attacked JOHN LEWIS and his fellow civil rights marchers who were trying to exercise their civil rights. The events of that day, now known as "Bloody Sunday," were a catalyst to the passage of the landmark Voting Rights Act, which finally ensured a century after the enactment of the Civil War amendments that the Constitution's guarantees of equal access to the political process, regardless of race, would not be undermined by discriminatory practices.

Prior to the Voting Rights Act, minorities of all races faced major barriers to participation in the political process, through the use of such devices as poll taxes, exclusionary primaries, intimidation by voting officials, language barriers, and systematic vote dilution. Section 5 provides a remedy for unconstitutional discrimination in voting by requiring certain jurisdictions with a history of discrimination to "pre-clear" all voting changes with either the Justice Department or the U.S. District Court for the District of Columbia. This remedy combats the practice of covered jurisdictions shifting from one invalidated discriminatory voting tactic to another, which had undermined efforts to enforce the Fifteenth Amendment for nearly a century.

In 2006, congressional leadership stood together on the steps of the Capitol to introduce a bill to reauthorize and reinvigorate the Voting Rights Act—an historic announcement in an era of intense partisanship. We came together in recognition that there are few things as critical to our Nation, and to American citizenship, as voting. In sharp contrast to the tremendous resistance and bitter politics which met the initial enactment of the Voting Rights Act, our efforts in 2006 overcame objections through discussions, the hearing process and by developing an overwhelming record of justification for extension of the expiring provisions. The legislation contained specific findings about the need for reauthorization and concluded that without reauthorization the gains we have made would be undermined. Our efforts reached completion when President Bush signed the bill into law after a unanimous vote in the Senate and nearly unanimous vote in the House.

At that time, I was the ranking member of the Senate Judiciary Committee and the lead Democratic Senate sponsor of the reauthorization. Over the course of 19 hearings, the Senate and House Judiciary Committees developed a comprehensive record supporting the continuing need for a reauthorized and reinvigorated Voting Rights Act. In the Senate Judiciary Committee alone we received testimony from 46 witnesses, including a