



Statement by Chairman Jerrold Nadler Subcommittee on the Constitution, Civil Rights and Civil Liberties Hearing on the Civil Rights Division of the U.S. Department of Justice March 22, 2007

Today we begin the Subcommittee's oversight over the Civil Rights Division of the Department of Justice.

The Division, established by Civil Rights Act of 1957, is charged with the enforcement of our nation's civil rights laws, prohibiting discrimination on the basis of race, sex, disability, religion and national origin. The Constitution's promise of equal protection under the laws has, for many, remained unfulfilled. Our civil rights laws exist to make that promise a reality for all Americans.

The recently released report by the Citizens' Commission on Civil Rights, "The Erosion of Rights: Declining Civil Rights Enforcement Under the Bush Administration," documents a very troubling pattern of the politicization of the Division's work. The findings, by this bi-partisan group of career civil rights professionals, are very troubling. They reflect concerns that have been raised for several years, and which, until now, have not been subject to the scrutiny of this Subcommittee.

Allegations of the politicization of law enforcement are certainly not new to the members of this Committee. An extremely disturbing pattern is emerging from this administration of relentless political interference in the basic enforcement of our laws.

In areas, such as the Voting Rights Act – which this Committee just reauthorized – we have received allegations that political considerations have trumped the recommendations of career staff. In these cases, the courts have upheld the recommendations of the civil rights professionals in the Division, and have struck down the political decisions imposed by what some have called the Shadow Civil Rights Division.

If the rule of law is to have any meaning, if the civil rights laws this Committee produces are to have any value, then we must be assured that those laws will be enforced without fear or favor.

I hope that we can get some answers to these very serious allegations, and I look forward to Mr. Kim's testimony.

I will note that we did not get his testimony until yesterday evening. This has become a pattern with the Justice Department, one that I find unacceptable. I would be interested to know whether the Attorney General thinks he's accountable to anyone, because the contempt the Department has shown toward this Committee, to its members, and to the American people is deplorable.

I realize that this administration has gotten a free ride for the last six years, but that's over. This Committee will fulfill its constitutional duty, and I hope that, in the future, we can count on the Department's cooperation.

I yield back the balance of my time.