



**STATEMENT  
 OF  
 REPRESENTATIVE BRIAN P. BILBRAY  
 CHAIRMAN OF THE IMMIGRATION REFORM CAUCUS  
 BEFORE THE  
 COMMITTEE ON THE JUDICIARY  
 U.S. HOUSE OF REPRESENTATIVES  
 HEARING: "PROTECTING THE RIGHT TO VOTE: ELECTION DECEPTION AND IRREGULARITIES IN  
 RECENT FEDERAL ELECTIONS"  
 March 7, 2007**

CHAIRMAN CONYERS, RANKING MEMBER SMITH AND DISTINGUISHED COMMITTEE MEMBERS,

It is with great pleasure that I appear before you today to discuss voter intimidation and modern day violations of the Voting Rights Act.

Finding a solution to this problem is very close to my heart.

When most people think of Voting Rights Act violations they think of the 1960s when African Americans were prevented from voting because of the color of their skin. Many don't realize that voter suppression still occurs today.

And the targets remain the same. This last election, minority and immigrant communities were targets of deception, misinformation and voter intimidation designed to abridge their right to vote.

Constituents in my district, the 47th Congressional District of California, were similarly affected this last November.

Concerns were expressed to my office in Garden Grove, California, when residents received a written letter, in Spanish, from the "California Coalition for Immigration Reform" informing voters that immigrants voting in a federal election were committing a crime "that could result in incarceration and possible deportation..."

Its also went on to advise voters that "the U.S. government is installing a new computerized system to verify names of all the newly registered voters who participate in the elections in October and November. Organizations against immigration will be able to request information from this new computerized system."

This letter was sent to about 14,000 registered Hispanic voters. Let me repeat that... REGISTERED LEGAL VOTERS.

These are people who are immigrants and have naturalized in this country; many have been citizens for over 20 years.

The letter quickly ignited fear in the Hispanic community.

Families were afraid that their personal information would be shared with anti-immigration groups if they voted. They were afraid of retaliation for casting their vote.

In response, I joined civil rights and Latino organizations in calling for an immediate investigation by the Federal Bureau of Investigations for potential Voting Rights Act violations by the organizations and individuals associated with the distribution of the letter.

The State of California, at the initiative of Attorney General Bill Lockyear, and under the direction of Secretary of State, Mr. Bruce McPherson, issued a letter on October 24, 2006 to the 14,000 registered voters who received the voter intimidation letter, informing them of their voting rights and that the letter was false and misleading.

Unfortunately this is not the only attempt to suppress minority voting in Orange County. In 1994, poll guards were hired by candidates and stationed at voting precincts, with high Latino concentrations, to intimidate voters, harassing them for identification and the like.

During my first campaign in 1996, my opponent ran explicitly anti-Latino rhetoric in automatic "robo-calls", and used other tactics to harass Latino voters in Central Orange County.

Today you'll hear similar testimony of other instances where there was voter intimidation and deception.

This problem is not going away, and the government needs to do something about it.

I am pleased that the State of California has taken steps, for instance, to enact stricter penalties for Voting Rights Act violations.

Now the U.S. federal government must take the lead in protecting the rights of voters and putting an end to deceptive practices.

Revisiting and reforming the voting rights laws will send a clear message to potential violators that deceptive practices are unacceptable and will be prosecuted to the full extent of the law.

I am pleased to see that the Senate has introduced the Deceptive Practices and Voter Intimidation Prevention Act, (S.453) and now the House is following suit. I am a proud original cosponsor of the bill that was introduced by Representative Rahm Emanuel and the distinguished Chairman of this Committee.

H.R. 1281 will strengthen the prohibition and punishment of deceptive practices that aim to keep voters away from the polls on Election Day.

Centrally, the Emanuel/Conyers bill would increase both monetary and criminal penalties and would direct the Attorney General to take swift action against complaints and disseminate corrective election information after an incident occurs.

It would also require the Attorney General, after each federal election, to report to Congress on the allegations of deceptive practices and actions taken to correct them.

I urge my colleagues to support this legislation which will go a long way in preventing future acts of voter intimidation.

We must to EVERYTHING to protect the cornerstone of our democracy: the right of our citizens to vote.