All the documents surrounding this case need to be made public and all the questions asked in my July 22 letter to Attorney General Holder should be answered. The American people deserve nothing less than full transparency.

Over sight is needed now more than ever given the disclosures in today's Washington Times that the department's voter intimidation case against the New Black Panther Party was dismissed over the objections of career attorneys on the trial team—as well as the chief of the department's Appellate Division. The politicization of the Justice Department by Eric Holder against career employees is absolutely wrong and the Congress ought to get to the bottom of this.

Sources within the department stated that Associate Attorney General Thomas Perrelli, a political appointee, overruled career attorneys in dismissing the case.

According to the Appellate Division memos first disclosed in the Times article, Appellate Chief Diana K. Flynn said that "the appropriate action was to pursue the default judgment" and that Justice had made a "reasonable argument in favor of default relief against all defendants."

Flynn's opinion was shared by a second Appellate Division official, Marie K. McElderry, who stated: "The government's predominant interest is preventing intimidation and coercion against voters or persons urging or aiding persons to vote or attempt to vote."

Given these troubling disclosures, I call on the attorney general to re-file this civil suit and allow a ruling from the judge based on the merits of the case—a political expediency. It is imperative that we protect all Americans' right to vote, which I consider a sacred and inalienable right of any democracy. The career attorneys and Appellate Division within the department sought to demonstrate the federal government's commitment to protecting this right by vigorously prosecuting any individual or group that seeks to undermine this right. I hope that the political leadership will follow their example and allow this case to go forward again.

[From the Richmond Times Dispatch—Editorial, October 15, 1981]
A MORE OFFENSIVE LAW

A recent news story from Washington reported that Tenth District Republican Rep. Frank Wolf told his constituents he wouldn't talk about his vote in favor of extending the odious federal Voting Rights Act. No wonder. There is absolutely no way that he can justify his endorsement of a measure that officially brands Virginia a second-class state and denies Virginians some of their most precious political rights. Mr. Wolf was the only Virginian to support the bill when it moved through the House of Representatives last week.

Grossly unfair in its present form, the Voting Rights Act has even more offensive by changes the House approved. The despicable pre-clearance provision, which now is subject to periodic reconsideration, would become a permanent feature of the law. Under this provision, covered states and localities must obtain federal approval of any law, action or decision that might affect the voting rights of minorities, especially blacks. The House's new version outlines a procedure by which a state might, theoretically, purify itself and gain exemption from the process is so cumbersome and vague that it is likely to prove to be worthless. One important aspect of the act that would remain unchanged in the House version is its inequitable selectivity. The law's harsh impact would continue to fall mainly on the South. Efforts to persuade the House to apply the act uniformly throughout the nation were unsuccessful.

Indeed, the House was unwilling to make even the slightest gesture toward fairness. As Wolf had emphasized at the House Judiciary Committee, it provided that any state or locality seeking to obtain exemption from its coverage would have to get the approval of the United States District Court in Washington. Sixth District Republican Rep. M. Caldwell Butler, one of the principal leaders of the valiant but vain fight against the act, noted the eminently fair provision that would have permitted states and localities to sue for relief in a local federal district court. The necessity to go to Washington, he argued, would be so costly and cumbersome that many communities would be discouraged from even attempting to qualify for exemption. But the House, unmoved, rejected his proposal.

Not in many years has Virginia followed the kind of restrictive voting practices that originally inspired the Voting Rights Act. Not in many years has Virginia abjured the right of its black citizens to vote. Yet if the House bill prevails, Virginia, as the rest of the South, will be treated as wards of the federal government and denied political rights that the rest of the nation freely exercises, and Mr. Wolf will have to blame the House—saying that the House bill faces considerable opposition in the Senate. And Virginia's two representatives in that body—Senators Harry F. Byrd Jr. and John Warner—can be counted on to support, enthusiastically and aggressively, efforts to transform the Voting Rights Act from a selectively punitive measure into a fair and reasonable law.

[From the Washington Times, July 30, 2009]
JUSTICE APPOINTEE OK'D PANTHER REVER- SAL—CAREER LAWYERS PUSHED FOR SANC- TIONS IN CASE

(By Jerry Seper)
Associate Attorney General Thomas J. Perrelli, the No. 3 official in the Obama Justice Department, was consulted and ultimately approved a decision last week to reverse course and drop a civil complaint accusing three members of the New Black Panther Party of intimidating voters in Philadelphia during November's election, according to interviews.

The department's career lawyers in the Voting Section of the Civil Rights Division who pursued the complaint for five months had recommended that Justice seek sanctions against the party and three of its members after the government had already won a default judgment in federal court against the men.

Front-line lawyers were in the final stages of completing that work when they were unexpectedly told by their superiors in late April to seek a delay after a meeting between political appointees and career supervisors, according to federal records and interviews.

The delay was ordered by then-acting Assistant Attorney General Loretta King after she discussed with Mr. Perrelli concerns about the case during one of their regular review meetings, according to the interviews.

Ms. King, a career senior executive service official who had been named by President Obama in January to temporarily fill the vacant political position of assistant attorney general for civil rights while a permanent choice could be made.

She and other career supervisors ultimately recommended dropping the case.
against two of the men and the party and seeking a restraining order against the one man who wielded a nightstick at the Philadelphia polling place. Mr. Perrelli approved that plan.

Questions about how high inside the department the decision to drop the case went have persisted in Congress and in the media for weeks.

Justice Department spokeswoman Tracy Schmaler told The Washington Times that the department has an "ongoing obligation to be sure the claim it makes are supported by the facts and the law. She said that after a "thorough review" of the complaint, top career attorneys in the Civil Rights Division determined the "facts and the law did not support pursuing the claims against three of the defendants."

"As a result, the department dismissed those claims," she said. "We are committed, to vigorous enforcement of the laws protecting anyone exercising his or her right to vote."

While the Obama administration has vowed a new era of openness, department officials have refused to answer questions from Rep. Peter King in an effort to address his concerns. The department said that it was "disconcerting" that it did not share copies of the complaint with several Republican members of Congress who talked about the case with Times reporters.

In Washington, however, confirmed to The Times that she talked about the case with Congressman Peter King in an effort to address his concerns. The department said that it was "disconcerting" that it did not share copies of the complaint with several Republican members of Congress who talked about the case with Times reporters.

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The government’s predominant interest . . . is preventing intimidation, threats and coercion against voters or persons urging or aiding persons to vote or attempt to vote,” she said.

The front-line lawyers, however, lost the argument and were ordered to drop the case.

Bartle Bull, a civil rights activist who also was a poll watcher in Philadelphia, said after the complaint was dropped, he called Mr. Adams to find out why. He said he was told the decision “came as a surprise to all of us and that the career lawyers working on the case feared that the failure to enforce the Voting Rights Act ‘would embolden other abuses in the future.’”

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KISSELL). Under the Speaker’s announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING BOB DEININGER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. Mr. Speaker, I rise to honor the full-time employees and their families, and the thousands of FDA employees Bob has led, mentored and cared for over the course of his life.

Mr. Speaker, let us pause and give thanks to Bob Deininger for four decades of tireless, selfless service to the Food and Drug Administration and the American public.

Today, I join the good people of the Seventh Congressional District of Pennsylvania and the thousands of FDA employees Bob has led, mentored and cared for over the course of his brilliant career, and Bob’s many friends and colleagues, to wish Rosemary and Bob “fair winds and following seas” as they embark on the next, and no doubt even more remarkable, chapter of their lives.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

NUMBER OF MARINE SUICIDES INCREASING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, earlier this week I was saddened to read an article in the Marine Corps Times with the heading “7 July suicides push Corps to record pace.” I will submit that article for the record.

The article states, “At least seven Marines are believed to have killed themselves so far in July, putting the Corps on a record pace despite broad-based efforts introduced to reduce suicides.”

The Corps is on a pace for about 56 suicides in 2009, which would shatter a record set last year. Since 2006, when 33 Marines killed themselves in June, and 26 in July, the Corps has seen 99 suicides, with 48 of those occurring in July.

At least seven Marines are believed to have killed themselves so far in July, officials said, putting the Corps on a record pace despite broad-based efforts introduced to reduce suicides.

The deaths come as the service rolls out a new suicide-prevention program this week focused on getting sergeants and corporals to take a more active role in watching for signs that a Marine may be in danger of killing himself. Nine Marines killed themselves in June, and 26 in July.

Bob’s contributions are too numerous to mention, but principal among them are his efforts to improve import coverage uniformity in applying FDA policies and procedures and his work to increase cooperative activities with Customs and Border Protection.

As the Nation has faced serious threats to the safety of its food supply, Bob significantly increased the number of import samples and product exams performed each year and contributed to updating the FDA import training program. Most recently, Bob focused on FDA/SWID outreach and education efforts to work with the Federal and State agencies on border health to improve the health of the population living along the United States and Mexican border.

For all of his accomplishments in life, Bob Deininger’s greatest achievement will always be his family. His mother Evelyn and brother Gary are very proud of him, as is his wonderful wife Rosemary. Together, she and Bob have raised two impressive sons, Kristopher and Brian. They are blessed with a lovely daughter-in-law, Katherine, who has given them their pride and joy, grandson Jack.

Mr. Speaker, let us pause and give thanks to Bob Deininger for four decades of tireless, selfless service to the Food and Drug Administration and the American public.

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