



**Ranking Member Peter Welch
Opening Remarks as Delivered**

**Senate Judiciary Committee Subcommittee on the Constitution Hearing:
*Enforcing Callais: Implementing the Supreme Court's Command Against Racial
Gerrymandering***

May 19, 2026

Mr. Chairman, thank you very much for calling this hearing, and I believe this may be the most important topic of discussion in this Congress, and certainly my time serving in the United States Senate. It goes to the heart of the right of each and every citizen to select who their leaders will be.

I got involved in public service back in the '60s. In 1967, I dropped out of college and hitchhiked to Chicago and worked with a community organization that was fighting housing discrimination. And I remember then being so moved by people who are on the receiving end of discrimination, and their determination, and their generosity of spirit despite what they had suffered.

They'd endured widespread discrimination that was totally legal—and these are folks who just had recently gotten the right to vote. And that struggle for civil rights, which was centered around getting the right to vote for people who legally were denied access to the vote, was recognized by Martin Luther King, Jr., when he said: 'So long as I do not firmly and irrevocably possess the right to vote I do not possess myself. I cannot make up my mind—it is made up for me. I cannot live as a democratic citizen, observing the laws I have helped to enact—I can only submit to the edict of others.'

The *Voting Rights Act* did not come out of nowhere. It came out of a long history of legislated discrimination. I do believe, in contrast to [Chairman Schmitt], I do believe that *Louisiana v. Callais* turns back the clock on that hard-won progress. And we're already seeing states from Louisiana to South Carolina to Tennessee have called for redistricting ahead of midterm elections in six months. Millions of voters will be impacted.

So, I do believe this decision was wrong on the merits. And I believe there's a trail of decisions that have led to what I regard as a very remarkable and troubling

moment about the erosion of citizen power; about the erosion of legislative power; and about the expansion of executive power.

In 2010—*Citizens United* opened the door to unlimited [corporate] spending, and now literally billionaires spend billions of dollars affecting our elections, really squeezing out access for everyday citizens—Republican and Democrat, by the way. *Shelby County v. Holder* removed the oversight of potentially discriminatory state voting restrictions.

And in *Rucho v. Common Cause*—that was 2018—the Court did not act on partisan gerrymandering, literally making it legal for there to be partisanship as the basis of a new map. And, of course, in *Trump v. United States*, this Court basically put the president above the law.

The Court has gutted one of the last remaining enforceable sections of the *Voting Rights Act*, and it's going to leave many communities of color with few enforceable tools to fight unfair maps. Equally concerning is how the legislative branch has allowed that to happen. This is the branch that's supposed to be the most responsive to everyday citizens in all of our districts.

Congress reauthorized the *Voting Rights Act* on a bipartisan basis, strong Democratic and Republican support, five times. The Supreme Court reached its recent judgement based on its own assessment that the protections codified by Congress—by legislators who had been duly elected by citizens all across this country—the Supreme Court substituted *its* judgement about discrimination and its existence for that of the legislature.

The effect of this decision, I do believe, will be monumental for many of our fellow citizens in the south particularly. In Louisiana, as I mentioned, a third of the population is Black. Joe Biden won 40% of the vote. Yet, after *Callais*, Louisiana has proposed a map that will only have one African American representative in Congress out of six House members. South Carolina, very much the same thing: a quarter of the population is African American, the redistricting would leave South Carolina—in all likelihood—with literally no Black representation out of ten congressional districts.

And whether the Supreme Court intended to or not, by blessing partisan gerrymandering on the one hand, while gutting the *Voting Rights Act*, the Roberts Court has achieved the same outcome as Jim Crow laws in the South had done generations before. It's removed African American representation on a massive scale. That is fact—that's not an assertion. That's a fact.

Mr. Chairman, I believe we are at such a crossroads here, and we are at a race to the bottom. I believe—and I know you believe this too—that those of us who have different points of view should compete for support with a battle of ideas. We have to get the vote of people that we want to support us and send us here in Congress. We should be competing on the basis of our ideas. We should not be competing on how clever we can draw the map to suit our own political bias.

Mr. Chairman, I believe it's time for this Senate to stand up and ban partisan gerrymandering, number one. And number two, I believe it is time for this Senate to ban mid-decennial redistricting. Both of those things are accelerating the race to the bottom and it's interfering with each of us from competing with our competitors in each election on the basis of our ideas.

It's a race to the bottom, because as I said—Texas did it, it started with the redistricting, California followed—the justification is 'they did it, we have to do it.' Our democracy depends, ultimately, on protecting and preserving the right of individual citizens to pick their politicians, not intensifying the control that politicians have about who the voters are that they will permit to be involved in the election.

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