



HOUSE OF REPRESENTATIVES
JOE STRAUS
SPEAKER

October 30, 2012

The Honorable David Simpson
State Representative
P.O. Box 2910
Austin, Texas 78768-2910

Dear Rep. Simpson,

Thank you for your letter of October 25 concerning Rep. Trey Martinez Fischer's correspondence to me. To follow up on your inquiry, I have received three letters from Rep. Martinez Fischer regarding the opinion of the D.C. District Court denying preclearance of the enacted redistricting plans. I responded in writing to his first letter, but have not responded in writing to the subsequent letters, which are simply rehashing the same information.

As you know, I am available to any Member to discuss all aspects of the work in the Texas House of Representatives. I welcome the opportunity to talk with Rep. Martinez Fischer by phone or in person to continue this conversation. Instead of doing so, he has chosen to propound a series of letters, with copies distributed to the news media. This leads me to conclude that his letters are not written for my consumption, but for more widespread publicity.

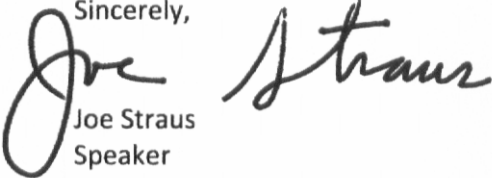
Redistricting is an inherently challenging process, particularly given Texas' early filing deadline and primary election schedule. As an active participant in this discussion, I trust you recognize that Members received and relied on legal advice with respect to the Voting Rights Act. In addition to Legislative Council attorneys, who were frequently consulted, we employed outside counsel from Baker Botts L.L.P. and relied on assistance from lawyers in the Office of the Attorney General. Moreover, I have been advised that some Members and some groups of Members received advice from their own lawyers. The legal proceedings to date have only confirmed what we already knew: that there are many unresolved legal issues in how the Voting Rights Act is to be applied. In order to help Texas and other states in future redistricting efforts, the State has appealed in the District of Columbia three judge panel decision under Section 5 to the United States Supreme Court, just like it previously appealed the Fifth Circuit's three judge panel decision on Section 2. I hope the Supreme Court hears and decides that appeal in order to answer some of these questions.

I stand by the fairness of the House of Representatives' redistricting process. The House Redistricting Committee held more than 30 hours of public hearings during the Regular Session and the First Called

Session, all of which were open to any Member. On the floor, 43 amendments were offered to House Bill 150, including eight by Rep. Martinez Fischer alone, and 21 amendments were offered to Senate Bill 4, including three by Rep. Martinez Fischer. All Members were able to participate in the process.

I remain available to discuss this or any other matter affecting the House at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Joe Straus". The signature is written in a cursive style with a large, looping initial "J".

Joe Straus
Speaker

JRS/je

cc: The Honorable Trey Martinez Fischer, State Representative
The Honorable Bill Zedler, State Representative