Section 203 of the Voting Rights Act has made our Nation's democratic ideals a reality by ensuring that eligible voters, regardless of language ability, may participate on a fair and equal basis in elections.

Three-quarters of those who are covered by the language assistance provision are native-born United States citizens. The rest are naturalized U.S. citizens.

It is well documented that language assistance is needed and used by voters.

For instance, the U.S. Department of Justice has reported that in one year, registration rates among Spanish- and Filipino-speaking American citizens grew by 21 percent and registration among Vietnamese-speaking American citizens increased over 37 percent after San Diego County started providing language assistance.

In Apache County, Arizona, the Department's enforcement activities have resulted in a 26-percent increase in Native American turnout in 4 years, allowing Navajo Code talkers, veterans, and the elderly to participate in elections for the first time.

This amendment would effectively disenfranchise language minority voters through the appropriation process.

Section 203 has always received bipartisan support from both Democrats and Republicans in Congress and the White House.

Section 203 of the VRA requires that U.S. minority citizens who have been subjected to a history of discrimination be provided language assistance to ensure that they can make informed choices at the polls.

It does not offer voting assistance to illegal or non-naturalized immigrants.

I urge my colleagues to oppose this rule and pass the strong and relevant Voting Rights Act that America needs.

Mr. Speaker, cognizant of the historic nature of what we are doing and strongly supportive of the legislation that we are bringing to the floor today, I yield back the balance of my time and move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill (H.R. 9) to be considered shortly.

The SPEAKER pro tempore (Mr. LINCOLN DIAZ-BALART of Florida). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FANNIE LOU HAMER, ROSA PARKS, AND CORETTA SCOTT KING VOTING RIGHTS ACT REAUTHORIZATION AND AMENDMENTS ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 910 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 9.

□ 1132

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9) to amend the Voting Rights Act of 1965, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 45 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

H.R. 9 amends and reauthorizes the Voting Rights Act for an additional 25 years, several provisions of which will expire on August 6, 2007, unless Congress acts to renew them.

I was proud to lead Republican efforts to renew expiring provisions of the Voting Rights Act in 1982, and I am pleased to have authored this important legislation to do the same thing a quarter century later.

The Voting Rights Act was enacted in 1965 to address our country's ignoble history of racial discrimination and to ensure that the rights enunciated in our Constitution become a practical reality for all.

Since its 1965 enactment, the VRA has been reauthorized in 1970, 1975, 1982, and 1992, each time with strong bipartisan support. The right to vote is fundamental in our system of government, and the importance of voting rights is reflected by the fact that they are protected by five separate amendments to the Constitution, including the 14th, 15th, 19th, 24th, and 26th amendment.

However, history reveals that certain States and localities have not always been faithful to the rights and protections guaranteed by the Constitution, and some have tried to disenfranchise African American and other minority voters through means ranging from violence and intimidation to subtle changes in voting rules. As a result, many minorities were unable to fully participate in the political process for nearly a century after the end of the Civil War.

The VRA has dramatically reduced these discriminatory practices and transformed our Nation's electoral process and makeup of our Federal, State, and local governments. Since its enactment, the VRA has been instrumental in remedying past injustices by ensuring that States and jurisdictions with a history of discrimination address and correct those abuses, and, in some instances, stopping them from happening in the first place.

Section 5 prohibits States with documented histories of racial discrimination in voting from changing election practices and processes without first submitting the changes to the Department of Justice or the District Court for the District of Columbia. Section 5 has helped ensure minority citizens in these covered jurisdictions to have an equal opportunity to participate in the political process.

As a result of section 5 and other provisions of the Voting Rights Act, minority participation and elections as well as the number of minorities serving in elected positions has increased significantly, and many of our colleagues who are here today are personal embodiments of those changes.

Last summer, I along with Judiciary Committee Ranking Member CONYERS and Congressional Black Caucus Chairman WATT pledged to have the VRA's temporary provisions reauthorized for an additional 25 years. Over the last 7 months, the Judiciary Committee on the Constitution examined the VRA in great detail, focusing on those provisions set to expire in 2007.

In addition to gathering evidence of ongoing discriminatory conduct, the subcommittee examined the impact that two Supreme Court decisions, the Bossier II and Georgia v. Ashcroft decisions, have had on section 5's ability to protect minorities from discriminatory voting changes particularly in State and congressional redistricting initiatives.

Based upon the committee's record, and let me put the books of the hearings of this committee's record on the table, it is one of the most extensive considerations of any piece of legislation that the United States Congress has dealt with in the 27½ years that I have been honored to serve as a Member of this body. All of this is a part of the record that the Committee on the Constitution headed by Mr. CHABOT of Ohio has assembled to show the need for the reauthorization of the Voting Rights Act.

H.R. 9 includes language that makes it clear that a voting change motivated by any discriminatory purpose cannot be precleared, and clarifies that the purpose of the preclearance requirements is to protect the ability of minority citizens to elect their preferred candidates of choice. These changes restore section 5 to its original purpose, enabling it to better protect minority voters.

In addition, H.R. 9 reauthorizes section 203 for an additional 25 years, ensuring that legal, taxpaying, language-impaired citizens are assisted in exercising their right to vote. And, in my opinion, this is particularly important in elections where ballot questions are submitted to the voters. The committee record that formed the basis for this legislation demonstrates that, while the VRA has been successful in

protecting minority voters who are historically disenfranchised in certain parts of the country, our work is not yet complete. Racial discrimination in the electoral process continues to exist and threatens to undermine the progress that has been made over the last 40 years.

In fact, the extensive record of continued abuse compiled by the committee over the last year, which I have put on the table here today, echoes that which preceded congressional reauthorization of the VRA in 1982, and which led me to make the following observations during the committee's consideration of the VRA reauthorization legislation then:

''Testimony is quite clear that this act has been the most successful civil rights act that has ever been passed by the Congress of the United States. The overwhelming preponderance of the testimony was that the Voting Rights Act has worked. It has provided the franchise to numerous people who were denied the right to vote for one reason or another. It has provided a dramatic increase in the number of minority-elected officials in covered jurisdictions. I think that very clearly demonstrates the need for an extension. The hearings also very clearly showed that the creativity of the human mind is unlimited when it comes to proposing election law changes that are designed to prevent people from voting.''

By extending the VRA for an additional 25 years, H.R. 9 ensures that the gains made by minorities are not jeopardized. Like the preceding reauthorization efforts, this bill has strong support from Republicans and Democrats alike, including that of Speaker HASTERT and Minority Leader PELOSI. H.R. 9 is also supported by many prominent religious and civil rights organizations.

Mr. Chairman, among the keepsakes of my public service that I most cherish is one of the signing pens President Ronald Reagan used when enacting the 1982 Voting Rights Amendments into law. When considering their vote on the legislation now before the House, I would urge my colleagues to reflect upon President Reagan's eloquent remarks on this occasion:

''Yes, there are differences over how to attain the equality we seek for all our people. And sometimes amidst all the overblown rhetoric, the differences seem to be bigger than they are. But actions speak louder than words. This legislation proves our unbending commitment to voting rights. It also proves that differences can be settled in a spirit of good will and good faith.

As I've said before, the right to vote is the crown jewel of American liberties, and we will not see its luster diminished. The legislation that I'm signing demonstrates America's commitment to preserving this essential right. I'm proud of the Congress for passing this legislation, and I'm proud to be able to sign it.'' Ronald Reagan, in August of 1982.

Mr. Chairman, I am proud to stand here with my colleagues, as I did then, to ensure that voting rights remain protected for an additional 25 years. Let Congress again make America proud by passing this historical and vital legislation without amendment.

REMARKS ON SIGNING THE VOTING RIGHTS ACT AMENDMENTS OF 1982

JUNE 29, 1982.—Well, I am pleased today to sign the legislation extending the Voting Rights Act of 1965.

Citizens must have complete confidence in the sanctity of their right to vote, and that's what this legislation is all about. It provides confidence that constitutional guarantees are being upheld and that no vote counts more than another. To so many of our people—our Americans of Mexican descent, our black Americans—this measure is as important symbolically as it is practically. It says to every individual, ''Your vote is equal; your vote is meaningful; your vote is your constitutional right.''

I've pledged that as long as I'm in a position to uphold the Constitution, no barrier will come between our citizens and the voting booth. And this bill is a vital part of fulfilling that pledge.

This act ensures equal access to the political process for all our citizens. It securely protects the right to vote while strengthening the safeguards against representation by forced quota. The legislation also extends those special provisions applicable to certain States and localities, while at the same time providing an opportunity for the jurisdictions to bail out from the special provisions when appropriate. In addition, the bill extends for 10 years the protections for language minorities.

President Eisenhower said, ''The future of the Republic is in the hands of the American voter.'' Well, with this law, we make sure the vote stays in the hands of every American.

Let me say how grateful I am to these gentlemen up here, the Members of the House and Senate from both sides of the aisle, and particularly those on the Senate Judiciary Committee, for getting this bipartisan legislation to my desk.

Yes, there are differences over how to attain the equality we seek for all our people. And sometimes amidst all the overblown rhetoric, the differences tend to seem bigger than they are. But actions speak louder than words. This legislation proves our unbending commitment to voting rights. It also proves that differences can be settled in a spirit of good will and good faith.

In this connection, let me also thank all the other organizations and individuals—many who are here today—who worked for this bill. As I've said before, the right to vote is the crown jewel of American liberties, and we will not see its luster diminished.

The legislation that I'm signing is the longest extension of the act since its enactment and demonstrates America's commitment to preserving this essential right. I'm proud of the Congress for passing this legislation. I'm proud to be able to sign it.

And without saying anything further, I'm going to do that right now.

[At this point, the President signed the bill.]

It's done.

Note: The President spoke at 12:15 p.m. at the signing ceremony in the East Room at the White House.

STATEMENT OF ADMINISTRATION POLICY, JULY 13, 2006

H.R. 9—FANNIE LOU HAMER, ROSA PARKS, AND CORETTA SCOTT KING VOTING RIGHTS ACT REAUTHORIZATION AND AMENDMENTS ACT OF 2006

The Administration is strongly committed to renewing the Voting Rights Act, and therefore supports House passage of H.R. 9. The Voting Rights Act is one of the most significant pieces of civil rights legislation in the Nation's history, and the President has directed the full power and resources of the Justice Department to protect each citizen's right to vote and to preserve the integrity of the Nation's voting process. The Administration is pleased the House is taking action to renew this important legislation. The Administration supports the legislative intent of H.R. 9 to overturn the U.S. Supreme Court's 2003 decision in Georgia v. Ashcroft and its 2000 decision in Reno v. Bossier Parish School Board.

LEADERSHIP CONFERENCE ON CIVIL RIGHTS,
May 3, 2006.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN SENSENBRENNER: On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition, we write to express our strong support for H.R. 9, The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. LCCR deeply appreciates your leadership and the leadership of Representatives John Conyers (D–MI) and Mel Watt (D–NC) in sponsoring this important legislation. H.R. 9 is critical to ensuring the continued protection of the right to vote for all Americans.

The Voting Rights Act (VRA) is considered by many to be our nation's most effective civil rights law. Congress enacted the VRA in direct response to evidence of significant and pervasive discrimination taking place across the country, including the use of literacy tests, poll taxes, intimidation, threats, and violence. By outlawing the tests and devices that prevented minorities from voting, the VRA put teeth into the 15th Amendment's guarantee that no citizen can be denied the right to vote because of the color of his or her skin. The VRA was initially passed in 1965 and has been renewed four times by bipartisan majorities in the U.S. House, and signed into law by both Republican and Democratic presidents. In the 41 years since its initial passage, the VRA has enfranchised millions of racial, ethnic, and language minority citizens by eliminating discriminatory practices and removing other barriers to their political participation. In doing so, the VRA has empowered minority voters and has helped to desegregate legislative bodies at all levels of government.

Throughout the 109th Congress, during ten oversight hearings that considered the ongoing need for the VRA, the House Judiciary Subcommittee on the Constitution found significant evidence that barriers to equal minority voter participation remain. The oversight hearings examined three of the VRA's key provisions that are set to expire in August of 2007: Section 5, which requires that certain jurisdictions with a history of discrimination in voting obtain federal approval prior to making any changes affecting voting, thus preventing the implementation of discriminatory practices; Section 203, which requires certain jurisdictions to provide language assistance to citizens who are limited-English proficient; and Sections 6 through 9, which authorize the federal government to send observers to monitor elections for compliance with the VRA.

The evidence gathered by the subcommittee revealed continuing and persistent discrimination in jurisdictions covered by Section 5 and Section 203 of the VRA. The oversight hearings found that a second generation of discrimination has emerged that serves to abridge or deny minorities their equal voting rights. Jurisdictions continue to attempt to implement discriminatory electoral procedures on matters such as methods of election, annexations, and polling place changes, as well as through redistricting conducted with the purpose or the effect of denying minorities equal access to the political process. Likewise, the oversight hearings demonstrated that citizens are often denied access to VRA-mandated language assistance and, as a result, the opportunity to cast an informed ballot.

H.R. 9 is a direct response to the evidence of discrimination that was gathered by the subcommittee. It addresses this compelling record by renewing the VRA's temporary provisions for 25 years. The bill reauthorizes and restores Section 5 to its original congressional intent, which has been undermined by the Supreme Court in Reno v. Bossier Parish II and Georgia v. Ashcroft. The Bossier fix restores the ability of the Attorney General, under Section 5 of the Act, to block implementation of voting changes motivated by a discriminatory purpose. The Georgia fix clarifies that Section 5 is intended to protect the ability of minority citizens to elect their candidates of choice. Section 203 is being renewed to continue to provide language-minority citizens with equal access to voting, using more frequently-updated coverage determinations based on the American Community Survey Census data. The bill also keeps the federal observer provisions in place, and authorizes recovery of expert witness fees in lawsuits brought to enforce the VRA.

The right to vote is the foundation of our democracy and the VRA provides the legal basis to protect this right for all Americans. We know that you are committed to timely Congressional action to renew and restore this vital law and we commend you for your leadership in introducing and sponsoring The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. If you or your staff has any further questions, please feel free to contact Nancy Zirkin, LCCR Deputy Director, or Julie Fernandes, LCCR Senior Counsel, at (202) 466–3311.

Sincerely,

Leadership Conference on Civil Rights.
9to5, National Association of Working Women.
A. Phillip Randolph Institute.
AARP.
Advancement Project.
American Association of People with Disabilities.
American Association of University Women.
American Civil Liberties Union (ACLU).
American Federation of Government Employees.
American Federation of Labor and Congress of Industrial Organizations.
American Federation of State, County and Municipal Employees.
American Foundation for the Blind.
American Jewish Committee.
American-Arab Anti-Discrimination Committee.
Americans for Democratic Action.
Anti-Defamation League.
Asian American Justice Center.
Asian American Legal Defense and Education Fund.
Asian and Pacific Islander American Vote (APIA Vote).
Asian Pacific American Labor Alliance.
Asian Pacific American Legal Center.
Center for Civic Participation.
Common Cause.
Community Service Society.
Cuban American National Council (CNC).
Dēmos: A Network of Ideas and Action.
Disability Rights Education and Defense Fund.
FairVote.
Federally Employed Women.
Feminist Majority.
Friends Committee on National Legislation.
Gamaliel National Clergy Caucus.
Hadassah, the Women's Zionist Organization of America.
Hispanic Association of Colleges and Universities.
Human Rights Campaign.
International Association of Official Human Rights Agencies.
Japanese American Citizens League.
Jewish Council for Public Affairs.
Jewish Labor Committee.
Korean American Resource and Cultural Center (KRCC).
Korean Resource Center (KRC).
Lawyers' Committee for Civil Rights Under Law.
League of United Latin American Citizens.
League of Women Voters of the United States.
Legal Momentum.
Mexican American Legal Defense and Educational Fund.
NAACP Legal Defense and Educational Fund, Inc.
National Alliance of Postal and Federal Employees.
National Asian Pacific American Bar Association (NAPABA).
National Association for the Advancement of Colored People.
National Association of Human Rights Workers.
National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund.
National Association of Neighborhoods.
National Association of Social Workers.
National Community Reinvestment Coalition.
National Congress of American Indians.
National Congress of Black Women.
National Council of Churches of Christ in the USA.
National Council of Jewish Women.
National Council of La Raza.
National Council of Negro Women, Inc.
National Education Association.
National Fair Housing Alliance.
National Federation of Filipino American Associations.
National Gay and Lesbian Taskforce.
National Institute for Latino Policy.
National Korean American Service and Education Consortium (NAKASEC).
National Low Income Housing Coalition.
National Organization for Women (NOW).
National Partnership for Women & Families.
National Puerto Rican Coalition.
National Urban League.
National Voting Rights Institute.
National Women's Law Center.
Native American Rights Fund.
NETWORK: A Catholic Social Justice Lobby.
Organization of Chinese Americans.
Parents, Families and Friends of Lesbians and Gays (PFLAG) National.
People For the American Way.
Poverty & Race Research Action Council.
Presbyterian Church (USA).
Project Equality.
Protestants for the Common Good.
Puerto Rican Legal Defense and Education Fund.
RainbowPUSH.
Service Employees International Union.
Sikh American Legal Defense and Education Fund.
Southeast Asia Resource Action Center (SEARAC).
Southwest Voter Registration Education Project.
The Interfaith Alliance.
The Massachusetts Latino Political Organization.
The Workmen's Circle/Arbeter Ring.
Unitarian Universalist Association of Congregations.
United Auto Workers.
United Methodist Church, General Board of Church and Society.
United Steelworkers.
William C. Velasquez Institute.
YKASEC—Empowering the Korean American Community.
YWCA USA.

LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA,
July 11, 2006.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 700,000 members of the Laborers' International Union of North America, I strongly urge you to support the reauthorization of the 1965 Voting Rights Act. Failure to pass a clean reauthorization of this key civil rights legislation will remove critical protections which protect voters from discrimination and disenfranchisement.

The House Judiciary Committee, passed the reauthorization with strong bipartisan support. By passing this clean extension of the ''Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, H.R. 9'' the House will be safeguarding voters' rights.

It is especially important that the House retain language which ensures that states and counties get federal approval before changing election laws and procedures, to provide language assistance to citizens, and provisions which protect the Attorney General's authority to monitor and observe elections. Renewal of these vital pieces of the Voting Rights Act is necessary to protect minority voting and to allow full participation by minorities in the voting process.

In order to protect the rights of all voters, we urge you to support a clean reauthorization of H.R. 9, and to oppose any amendments that might weaken the bill's historical protections by allowing discriminatory practices to occur or by putting up political barriers at the voting booths.

With kind regards, I am

Sincerely,

TERENCE M. O'SULLIVAN,
General President.

DEPARTMENT OF SOCIAL
DEVELOPMENT AND WORLD PEACE,
Washington, DC, June 12, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On behalf of the United States Conference of Catholic Bishops (USCCB), I write to urge prompt action on the House floor for HR 9 The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. This important legislation was reported to the House by the Judiciary Committee under the leadership of Chairman Sensenbrenner with overwhelming bipartisan support. As a co-sponsor of the bill, you know that reauthorizing the Voting Rights Act is necessary to preserve and protect the right to vote for all Americans.

Under your leadership this vital legislation can be brought to a timely vote in the House of Representatives.

The Catholic bishops have a longstanding commitment to civil rights, including the right to vote. ''No Catholic with a good Christian conscience can fail to recognize the rights of all citizens to vote,'' wrote the Administrative Board of the National Catholic Welfare Conference (predecessor of the USCCB) in 1963. Portions of the Voting Rights Act were last renewed in 1992, with the support of the USCCB. The USCCB has continually emphasized the importance of voting and the right and responsibility of each citizen to vote, and has encouraged dioceses, parishes and other Catholic institutions to participate in non-partisan voting registration efforts.

The right to vote is essential to our democracy and HR 9 protects this right. I know that you are committed to timely Congressional action to renew and restore this vital law and I commend you for your leadership in co-sponsoring The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. Please use every resource to bring the bill up for consideration in the House of Representatives as soon as possible.

Thank you for considering my request.

Sincerely,

MOST REV. NICHOLAS DIMARZIO,
Bishop of Brooklyn,
Chairman, Domestic Policy Committee.

JUNE 21, 2006.

F. JAMES SENSENBRENNER, Jr.,
Chairman, Judiciary Committee, House of Representatives, Washington, DC.
JOHN CONYERS, Jr.,
Ranking Member, Judiciary Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN SENSENBRENNER AND RANKING MEMBER CONYERS: I write today to express my strong support for a clean reauthorization of the Voting Rights Act. I urge you to oppose both amendments that will be offered to the bill on the floor today. Those amendments would weaken the Voting Rights Act and take it away from its original purpose and intent.

This bill, appropriately named to honor civil rights legends Fannie Lou Hamer, Rosa Parks and Coretta Scott King, is a powerful statement of America's continuing resolve to put racial discrimination on the ash heap of history.

The Voting Rights Act is a national treasure. It is the cornerstone of civil rights legislation. This law has been, historically, the product of broad bipartisan support. You deserve to be commended for once again facilitating broad consensus through hard work, research of the facts, and a spirit of unity.

It is vital that the bipartisan consensus achieved by the Judiciary Committee be preserved as this legislation is considered in the House today. I strongly urge all Members to support the work of the Committee and this carefully crafted, bipartisan bill.

Sincerely,

J.C. WATTS, Jr.

JUNE 6, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT AND MINORITY LEADER PELOSI: On behalf of the undersigned organizations and our members nationwide, we write to urge expedited consideration of legislation to reauthorize expiring provisions of the Voting Rights Act. Section 5, Section 203 and Sections 6 through 9 of that Act help protect the right of every eligible citizen to vote without discrimination. These safeguards must not be permitted to expire and reauthorization is a key legislative priority for our organizations during the 109th Congress.

The Voting Rights Act is rightly considered one of our nation's most effective civil rights laws and has strengthened the protections of the Fifteenth Amendment of the Constitution. In the 41 years since its initial passage, the Voting Rights Act has enfranchised millions of racial, ethnic, and language minority citizens by breaking down barriers to their political participation. It has helped to build inclusive communities by ensuring that all citizens have an opportunity to participate equally in the electoral process.

Three key provisions of the Voting Rights Act are set to expire on August 6, 2007. Section 5 requires jurisdictions that previously maintained a voting test or device that coincided with low voter registration and turnout to ''preclear'' changes in their voting practices or procedures with the U.S. Department of Justice. Section 203 requires jurisdictions with a concentration of Native American, Alaskan Native, Asian, or Hispanic voters with limited English proficiency to provide language assistance; and Sections 6–9 authorize the U.S. Attorney General to appoint federal election observers to document and deter unlawful conduct.

These sections have had the cumulative effect of reducing and preventing racial and language discrimination against a significant number of citizens and have helped increase minority participation in elections for candidates at all levels of government. While substantial progress has been made since passage of the Voting Rights Act in 1965, it has not yet resulted in the elimination of voting discrimination. Congress must renew the enforcement provisions of the Voting Rights Act.

Enforcement alone, however, is insufficient to fully protect minority voters from discrimination and promote access to the electoral process. Achieving the purposes of the Voting Rights Act requires an ongoing partnership among all levels of government and investment of resources to fully integrate minority voters into our electoral process and break down barriers to participation. This is not an exclusive duty of state and local officials; the federal government should provide necessary funding and technical assistance to assist states, counties and cities in improving the effectiveness of outreach and assistance to minority voters and to assist in meeting the needs of all voters who require assistance to participate in our democracy.

We urge you to promptly renew the expiring provisions of the Voting Rights Act. Further, we look forward to working with you and other members of Congress as well as the Election Assistance Commission and the U.S. Department of Justice in an ongoing commitment to improving participation in our democratic process and meeting the needs of minority voters.

We thank you for your leadership on this issue.

Sincerely,

Council of State Governments, Jim Brown, 202–624–5460/jbrown@csg.org.
National Conference of State Legislatures, Susan Frederick, 202–624–3566/susan.frederick@ncsl.org.
National Association of Secretaries of State, Leslie Reynolds, 202–624–3525/reynolds@sso.org.
National Association of Counties, Alysoun McLaughlin, 202–942–4254/amclaughlin@naco.org.
National League of Cities, Jimmy Gomez, 202–626–3101/gomez@nlc.org.
U.S. Conference of Mayors, Larry Jones, 202–861–6709/ljones@usmayors.org.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Ladies and gentlemen of the House, this is a historic debate that the world is watching.

If I might just take a moment to stroll down memory lane, it was on January 7, 1965, that I was administered the oath of office to the House of Representatives. It was on February 9, 1965 that we debated the Voter Rights Act of 1965. And I pulled up some of the hearings and my modest participation in that.

Strewn throughout the CONGRESSIONAL RECORD of February 9, 1965, are the names of Lyndon Johnson, President; Speaker John McCormack of the House of Representatives; Emanuel Celler, chairman of the Judiciary Committee, and I am the only Member of the House who has the proud distinction of having been on the Committee on the Judiciary at the time we considered this very historic piece of legislation.

So I take this time to thank three people. One is the chairman of this committee, JIM SENSENBRENNER of Wisconsin, for whom I am very grateful for the cooperation that brought us together in a way we would have never come together before in the original bill and in 1970, 1975, 1982, and 1992. We worked out an agreement with the House leadership, both sides of the aisle, in a very important way.

□ 1145

And then I want to thank the gentleman from North Carolina (Mr. WATT), who is a member of that committee, but more so as the chairman of the Congressional Black Caucus for the great job that he did. Chairman of the subcommittee CHABOT from Ohio did a wonderful job in holding 12 hearings, with 47 witnesses; and Mr. NADLER, the ranking member there; and many other Members who took time to come to the committee to participate, to listen to the hearings, and frequently participate in the interrogation of these witnesses.

In addition, the chairman of this committee and myself have gone before the Senate Judiciary Committee to bring to them the large amount of work that we have produced here. And so I come into the well with these memoirs and experiences making me feel very proud about what we are about to do today.

And though there is much to celebrate, efforts to suppress or dilute minority votes, let's face it, are still all too common. I am proud of the progress we have made, but the record shows that we haven't reached a point where the particular provisions in the act should be allowed to lapse, as some few may have you believe, and that is what we are going to be debating about today.

With respect to section 5 and the covered jurisdictions, and that trigger in section 4 that the gentleman from Georgia is adamant about expanding, we found continuing patterns of discrimination in voting as evidenced by adverse section 2 findings, section 5 objections, and withdrawals of section 5 submissions after requests for more information from the Department of Justice. And I just hope we can get the Department of Justice to more forcefully intervene into some of the cases that have been piling up.

Now, with respect to section 203, we received substantial testimony from the advocacy community and the Department of Justice, supported by the litigation record, that language minorities remain victims of discrimination in voting. That is not hard to figure out why. It is hard enough for us English speakers to figure out what is on these ballots, much less to ask people who are very new and still assimilating to the language. Sure, they speak English, but they need help. And if they do, we find it is not costly for them to get the assistance that we have provided under the law.

We found in 1982 a straight reauthorization of the act would not be sufficient to protect the rights of minority voters. Several Supreme Court cases have had the effect of clouding the scope of section 5 coverage, and so we have amended the act to restore its vitality. We correct Reno v. Bossier by once again allowing the Justice Department to block voting changes that had an unconstitutional discriminatory purpose. Thanks to the Committee on the Judiciary for having the testimony that made it clear that this had to be done.

We have clarified Georgia v. Ashcroft, making it clear that influence districts are not a substitute for the section 5 districts where the minorities have an ability to elect candidates of their choice.

These amendments are critical to the restoration of the Voting Rights Act, and so we urge your support for the bill reported by the Congress. And we want you to know that we have carefully considered in the committee the four amendments that have been added over and above the collective work and agreement of Members of both sides of the aisle. Do not accept any of these amendments.

I beg you, in the tradition and spirit of those in the Congress that have gone before us to fight for civil rights, who fought for the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the tens of thousands of people in civil rights organizations, many who have suffered, and there will never be a record in the Congress about it, but a lot of pain and suffering has been the price of us coming this far. We cannot afford to go back at this point.

So I urge my colleagues to make this a day of distinguished continuation of American history for the rights of every citizen to cast his ballot as a voter so that the Voting Rights Act remains the crown jewel of constitutional democracy of this country.

I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the Committee on Government Reform and Oversight, the gentleman from Virginia (Mr. DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise today in support of the Voting Rights Act authorization. I will be inserting for the RECORD a letter from the Governor of the Commonwealth of Virginia, Tim Kaine, supporting the act as written.

It is an unfortunate fact of our history that there were once entrenched practices that served to deny minorities their franchise. Such systematic discrimination cannot stand in a country founded on the promise of freedom and equal protection under the law.

Some argue that those times have passed, that there is no need to reauthorize the law. But the committee held over a dozen hearings on this and found out that there are still discriminatory practices around the country. Forty-one years ago, I thought our predecessors in the Congress put this issue to rest. They determined this legislation was the best method by which to ensure the one-man, one-vote principle would be a reality.

Much has been said about the onerous nature of certain provisions of section 5. My State, the Commonwealth of Virginia, in its entirety, is covered by section 5 in the original Voting Rights Act. But we are also the only State to have jurisdictions that have exercised their right to bail out under section 5.

In order to bail out, a jurisdiction must have been in full compliance with the preclearance requirements for 10 years. It can have no test or device to discriminate on the basis of race, color, language, or minority status, and no lawsuit against the jurisdiction alleging voter discrimination can be pending. Eleven jurisdictions, some of which are in my district, have bailed out successfully. More jurisdictions should and will follow suit. I have been assured by civil rights leaders they will support bailouts where appropriate, where jurisdictions can meet the basic requirement.

I would like to note that the justification for the continuing of this act is not based solely on old data, that, in fact, hearings have been held; and I think the record is complete showing the continued need for this.

Section 5 is important because it is still being used today to prevent changes in the law which would adversely affect minorities. In fact, section 5 has been used more since 1982 than it was used before 1982. We have come a long way in the Commonwealth of Virginia and in America generally, but that doesn't mean there still isn't more work to be done.

I congratulate the chairmen and the ranking members for working on this very bipartisan bill and urge its support.

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE GOVERNOR,
Richmond, VA, July 12, 2006.

Hon. TOM DAVIS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN DAVIS: I am writing to express my strong support for S. 2703 and H.R. 9, the Senate and House versions of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

Unfortunately, the Voting Rights Act (VRA) is as necessary today as it was when Congress enacted it. The VRA continues today to serve to protect and guard against discriminatory practices in elections and protects the rights of minority voters. While the nation has dramatically changed over the years, instances of discrimination still exist.

Section 5 of the VRA requires jurisdictions with a history of discrimination to have their voting laws and regulations pre-approved (or ''pre-cleared'') by the federal government or a federal court before they may be changed. In my experience as Mayor of Richmond as in my positions with state government, I have found that the preclearance requirements are not onerous, and in fact provide a useful venue for public input into significant changes in election law.

The VRA's minority language provisions serve to remove language as a barrier to political participation, and to prevent voting discrimination against law-abiding, productive members of society. Section 203 does this by requiring certain jurisdictions provide language assistance to citizens who are not yet fully proficient in English when voting.

While no jurisdictions in Virginia yet meet the statistical thresholds set out in Section 203, by 2010 Arlington, Alexandria, or Fairfax County may meet one or more of these formulas. Arlington and Fairfax County, with their considerably significant Spanish populations, already voluntarily provide voter information in Spanish. This is especially important for individuals wishing to make informed voting decisions on bond referendums and constitutional amendments. The Virginia State Board of Elections also works with the Virginia Press Service to provide the explanations of the Constitutional Amendments to all minority newspapers in the state. The SBE also recommends that the papers publish the explanations in the language of their constituencies.

Please vote to reauthorize the VRA, including Sections 5 and 203, without amendment, when it comes to the floor. Let us work together, both federally and within the Commonwealth, to continue to protect the rights of all voters.

Sincerely,

TIMOTHY M. KAINE,
Governor.

Mr. CONYERS. Mr. Chairman, I now recognize the gentleman from North Carolina (Mr. WATT) for 7 minutes, but I must point out that not only as the chairman of the Congressional Black Caucus during the more than 1 year we have been working on the legislation, he was also an able member of the Subcommittee on the Constitution of the Judiciary Committee. And for those two reasons, we are deeply grateful to the contributions that he has made that has brought us to the floor today.

Mr. WATT. Mr. Chairman, there are a number of people who deserve special thanks and accolades today, but I want to point out three of them who are in our midst.

First, I want to commend the efforts of Representative JOHN LEWIS, now a Member of Congress, who shed his blood on Bloody Sunday so that the original 1965 Voting Rights Act would be passed.

I want to pay special recognition to my good friend and ranking member, JOHN CONYERS, who in 1965 was here, in 1970 during the first renewal, in 1975, 1982, and 1992 he was here. And we suspect 25 years from now he will be here for the next renewal of the Voting Rights Act, if in fact it is required.

I want to pay an extra special thanks to the chairman of our committee, Representative JAMES SENSENBRENNER, who I believe will go down in history as a warrior who supported, defended, extended, and made real our democracy in this country, and he deserves our supreme thanks.

I rise today in unwavering support of H.R. 9. The bill is the product of a long-term, thoughtful, and thorough bipartisan deliberation that carefully weighed the competing concerns and considerations that have engulfed debate on the Voting Rights Act since its inception. The act has been extended on four occasions, making it arguably the most carefully reviewed civil rights measure in our Nation's history.

H.R. 9 continues that practice of careful review, accompanied by extensive record evidence in support of its provisions. I am proud to have been a part of the bipartisan coalition that crafted this legislation and believe that it strengthens the very foundation of our democracy.

H.R. 9 restores the Voting Rights Act to its original intent to secure and protect the rights of minority citizens to participate equally in voting. The bill bars voting changes that have the purpose of discriminating against minority citizens, and it restores the ability of minority communities to elect candidates who share their values and represent their interests as originally intended by Congress.

Now, there are those who argue that the Voting Rights Act has outlived its usefulness, that it is outdated, and that it unfairly punishes covered jurisdictions for past sins. Yet I stand here today as living proof of both the effectiveness of and the continuing need for the Voting Rights Act.

I stand here on the shoulders, in the aftermath and in the history of George H. White, who rose on the floor of Congress in 1901, January 29, as the last African American in the Congress of the United States after Reconstruction when he said, ''This, Mr. Chairman, is perhaps the Negroes' temporary farewell to American Congress; but let me say, Phoenix-like he will rise up some day and come again.'' And he was right. But it took a long time.

You need to understand that that was not delivered in a vacuum. Listen to what happened leading up to that election. In Halifax, the registered Republican vote was 345, and the total registered vote of the township was 539. But when the count was announced, it stood 990 Democrats to 41 Republicans, 492 more Democratic votes counted than were registered in that city.

□ 1200

There was discrimination taking place, and I am the witness to it.

The Voting Rights Act had been in effect just shy of 30 years in 1992 when I and former colleague Eva Clayton became the first African Americans elected to Congress from the State of North Carolina since George H. White delivered that speech in 1901. Put plainly, nearly three decades elapsed after the passage of the Voting Rights Act before the impact of the Voting Rights Act became real in North Carolina.

We should be clear: although the successes of the Voting Rights Act have been substantial, they have not been fast and they have not been furious. Rather, the successes have been gradual and of very recent origin.

Now is not the time to jettison the expiring provisions that have been instrumental to the success we applaud today. In a Nation such as ours, we should want and encourage more Americans to vote, not fewer.

The Voting Rights Act and the renewal and restoration contained in H.R. 9 facilitate those very goals. By breaking down entrenched barriers to voter equity, this bill invites, inspires, and protects racial and language minority citizens' full and equal participation in the governance of our Nation. We must not fear that participation; we must embrace and celebrate it instead.

Upon the introduction of the Voting Rights Act in 1965, President Lyndon Johnson noted that the Voting Rights Act is like no other piece of civil rights legislation because ''every American citizen must have an equal right to vote.'' ''About this,'' he said, ''there can and should be no argument.''

Make no mistake, voting is democracy's most fundamental right. Undermining the right to vote is a fundamental wrong, one that must be eliminated.

Mr. Chairman, a Congress with far fewer African Americans, Latinos, and Asians Americans passed the Voting Rights Act of 1965 because the right to vote had been denied for too long. Congress made a moral decision that it was the right thing to do for our democracy. It is time for us to reaffirm that decision by passing H.R. 9 without amendment today in this House. I ask my colleagues to stand up and make a moral statement that democracy lives in the United States of America.

Mr. SENSENBRENNER. Mr. Chairman, I yield 8 minutes to the chairman of the Subcommittee on the Constitution, who held all of these hearings to show why this legislation is necessary, the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I want to thank Chairman SENSENBRENNER and Ranking Member CONYERS for their leadership in getting us to where we are today.

Mr. Chairman, the right to vote is one of the most fundamental and essential rights that we have as citizens. Free, prosperous nations like ours can't exist without ensuring the right of every citizen to vote. It is the cornerstone of democracy and the centerpiece of the Constitution.

Clearly, the right to vote is important to all of us, regardless of our race, religion, or ethnicity. This is reflected in the protection afforded by the 15th amendment which states: ''The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.''

To protect these rights, our government must ensure that elections in the country reflect the will of the people. The Voting Rights Act is an important part of that guarantee.

The Voting Rights Act is now 40 years old. It is viewed as one of the most significant pieces of legislation to address voting rights. It was enacted after the march from Selma to Montgomery, Alabama, erupted in violence, and that march is now referred to as Bloody Sunday.

President Johnson then pledged to address the issue, and 5 months later the Voting Rights Act was adopted by the Congress of the United States. In his address to Congress, President Johnson stated: ''The Constitution says that no person shall be kept from voting because of his race or color. We have all sworn an oath before God to support and defend the Constitution. We must now act in obedience to that oath.''

As elected officials of this body, we must now act again to continue to uphold that duty and ensure that the protections guaranteed in the Constitution are afforded to all citizens regardless of skin color.

For that reason, we have given this issue more time and more attention than any single issue since I became chairman of the Subcommittee on the Constitution of the Judiciary Committee 6 years ago.

Starting in October last year, the Subcommittee on the Constitution held 12 hearings and heard testimony from 47 witnesses to examine the reauthorization of the Voting Rights Act, and we generated more than 12,000 pages of testimony. Our goal was to be flexible, fair, inclusive, and perhaps most importantly, bipartisan, because as Mr. CONYERS eloquently stated near the end of our hearings, civil rights need not be a partisan issue.

Mr. Chairman, it is important to note that we examined in great deal each of the temporary provisions of the Voting Rights Act currently set to expire. The extensive testimony from a large number of diverse organizations demonstrated a clear need to reauthorize the Voting Rights Act.

With regard to section 5 and section 203, we held multiple hearings to ensure that all of the relevant issues were

examined and that they were also addressed. This past March, we held another hearing to incorporate into the record a series of State and national reports that provided additional documentation about the continuing need for the Voting Rights Act's temporary provisions.

Today, we have before us H.R. 9, the Voting Rights Act Reauthorization and Amendments Act of 2006, the product of the Committee on the Judiciary's work over the last 8 months.

I would like to thank my colleagues and those organizations who have worked with us from the start for their dedication to get us where we are today. Without a commitment by all interested parties to openness and cooperation, we would not be in a position to reauthorize this historic legislation.

As has been stated, H.R. 9 extends the temporary provisions of the Voting Rights Act for an additional 25 years. In addition, the legislation makes changes to certain provisions, including restoring the original purpose of section 5. In reauthorizing the temporary provisions, the committee heard from several witnesses who testified about voter discrimination in covered jurisdictions.

It is also important to take a minute to touch on the constitutional questions regarding the reauthorizations of the temporary provisions. The Supreme Court in South Carolina v. Katzenbach and later in the City of Rome v. United States upheld Congress's broad authority under section 2 of the 15th amendment to use the temporary provisions to address the problem of racial discrimination in voting in certain jurisdictions. With H.R. 9, Congress is simply using its authority under section 2 to ensure that every citizen in this country has the right to vote.

In addition to reauthorizing, the committee found it necessary to make certain changes to ensure that the provisions of the Voting Rights Act remain effective. For example, testimony received by the committee indicates that Federal examiners have not been used in the last 20 years, but Federal observers continue to provide vital oversight. H.R. 9 strikes the Federal examiner provision while retaining the authority of the Attorney General to assign Federal observers to cover jurisdictions over the next 25 years.

In addition, H.R. 9 provides for the recovery of expert costs as part of the attorneys' fees. This change brings the Voting Rights Act in line with current civil rights laws, which already allow for the recovery of such costs.

H.R. 9 also seeks to restore the original purpose to section 5. Beginning in 2000, the Supreme Court in Reno v. Bossier Parish, and later in 2003, in the case of Georgia v. Ashcroft, issued decisions that significantly altered section 5. H.R. 9 clarifies Congress's original intent with regard to section 5.

Mr. Chairman, as we continue to face threats from terrorists bent on destroying democracy in the free world, every Member of Congress and every freedom-loving person in the world recognizes the power of the right to vote. Again and again, we have seen how people are forced to live in countries without democracy and without freedom. That is why our commitment to self-government, freedom, and liberty continues to set an example for the rest of the world. That is why our efforts to continue to protect every citizen's right to vote are so important, and that is why we must support the legislation which is before us today.

Mr. CONYERS. Mr. Chairman, I yield to the gentleman from Maryland (Mr. CARDIN) for a unanimous consent request.

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Chairman, I rise in strong support of the Voting Rights Act Reauthorization for 25 years and against any of the amendments, and I urge my colleagues to support the legislation.

Mr. Chairman, I rise in strong support of this legislation which I have cosponsored.

The Voting Rights Act (VRA) of 1965 seeks to ensure that all Americans—regardless of race, ethnicity, language spoken, or disability—have the right and the opportunity to vote. The VRA seeks to implement the guarantee of the Fifteenth Amendment to the Constitution, which was adopted by Congress and the states after the Civil War during Reconstruction.

The 15th Amendment to the Constitution, ratified 136 years ago, provides that ''the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.'' For nearly a century thereafter despite this clear language, millions of minorities were denied full participation in the electoral process through the notorious Jim Crow laws. Not until Congress enacted the Voting Rights Act of 1965 did this country begin to genuinely fulfill its commitment to this most fundamental right.

Today, over 40 years after President Lyndon Johnson gathered with prominent civil rights leaders to sign the Act into law the VRA continues to play a critical role in guaranteeing that every American may enter the polls and have their vote count.

This country has come a long way since the original enactment of the VRA. In many of the districts and states that had previously blocked African-Americans from the polls, African-Americans and whites now vote in nearly equal numbers. The great-grandchildren of slaves now hold elected offices across the country.

Our work, though, is not complete. Committee testimony on this bill reminded us that efforts to disenfranchise remain. While the most egregious impediments to full voting have been eliminated, many more subtle, yet still insidious impediments remain. The VRA ensures our vigilance towards continued efforts to disenfranchise minority voters.

In the last few elections in Maryland, for example, minority voters have continued to face intimidation and fraud, and poll workers have improperly turned away voters and refused to let them cast provisional ballots For example, in 2002 flyers were distributed in some African-American neighborhoods in Baltimore City urging people to vote on the wrong day, and warning them to pay parking tickets and overdue rent before they tried to vote.

While the VRA was born in the Civil Rights Movement of the 1960s, the Act has evolved with our society through regular amendments and renewals. In 1970, 1975, 1982, and 1992, the VRA was amended and extended. Each renewal by Congress was a confirmation of the continued need and effectiveness of the VRA's tools.

Today, this Congress again uses it power to enforce the 15th Amendment. We must renew the VRA to continue to protect the rights of minority voters.

The reauthorization of the VRA properly extends scrutiny in the form of federal examiners and observers who watch over the operations of elections around the country, while providing for the termination of examiners where appropriate. Examiners and observers have studied and monitored the mechanics of thousands of elections to ensure that legitimate votes are counted and eligible voters are not turned away.

Reauthorization facilitates continued enforcement of Section 4 ''preclearance'' procedures that review changes to election law to ensure that such changes do not adversely effect minorities. Preclearance creates a procedure to ensure that election law changes and redistricting do not discriminate against minority voters. Preclearance provides an added level of protection in jurisdictions where election laws had previously been abused. I am pleased that this legislation overturns two recent Supreme Court decisions that weakened the preclearance provisions of the VRA.

I will oppose any amendments calling for a new formula for Section 4 preclearance procedures. The applicability of the VRA does not need to be recalculated by the Congress. The original formula for determining which states and municipalities are covered by Section 4 has functioned well for 40 years. More importantly, the criteria for ''bailing out'' of Section 4 is reasoned, precise, and attainable. The law allows for states to graduate from the VRA's constraints when clear evidence is offered that the state or municipality retains no lingering obstructions to electoral participation by minority voters.

Finally, reauthorization promotes access to the polls by limited-English speakers. It is crucial that new citizens be afforded all the rights and privileges of the Constitution. Citizens with limited-English speaking abilities should not be disenfranchised.

In Maryland, for example, the bilingual provisions of the VRA are absolutely critical. In 2002, in Montgomery County, Maryland, the County Board of Elections received notice that recent demographic data regarding the growth of the Hispanic population indicated the county would need to abide by Section 203 of the VRA. The election staff complied with the VRA and converted signs, documents, and ballots to be bilingual. Many of Montgomery County's 122,000 Hispanic residents benefited from the assistance. In the future, other language minorities in Maryland (such as Asian-Americans) may need the assistance the VRA prescribes.

I will also oppose efforts to reauthorize this law for less than the full 25 years. I urge my

colleagues to vote in favor of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. NADLER), the ranking member of the Subcommittee on the Constitution, who has worked in an indefatigable manner to bring us to this point on the legislation with no amendments, and I am very proud of the service he has given the committee.

Mr. NADLER. Mr. Chairman, today we will vote on the most fundamental of American values, the right to cast a meaningful vote in a free and fair election. We have declared to the world that this is what we stand for. It is what we have insisted other nations do. We have made great progress, but that work is not finished.

It is impossible to review the record without concluding that the Voting Rights Act is responsible for much of that progress, and that it is still necessary and will be for the foreseeable future.

Section 5 is not, as some would argue, a punishment but a remedy. It protects voters from being disenfranchised. It is in place because local governments have a long history of disenfranchising Americans that continues right up to the present time, as the shameful attempts by the States of Georgia and Texas to restrict voting participation, which had to be knocked down by the Federal courts as recently as yesterday, clearly shows.

This makes particularly unfortunate attempts led by some Members from those States to restrict the reach of section 5, and I say that as a representative of New York City, which is also covered by section 5, and should be.

Some would eliminate the English language voting assistance provisions of section 203. The same arguments used to justify literacy tests in prior years are now being recycled to exclude American citizens with limited English proficiency.

I urge my colleagues not to allow a small group to drag this Nation back to the days of Jim Crow voting. If we are to be a beacon of democracy to the world, then we must stand by our own values.

I urge my colleagues to reject these divisive amendments. Do not water down the Voting Rights Act; do not turn our backs on one of the glory pages of this House. Reenact the Voting Rights Act without watering it down.

Mr. SENSENBRENNER. Mr. Chairman, I yield 6½ minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, the Voting Rights Act has a proud and important legacy in my home State of Georgia and across the United States. With minor changes that would modernize the Voting Rights Act and better reflect the reality of what is happening in the 21st century, I would be joining many of my colleagues in voting ''yes'' today.

But the bill we have before us is fatally flawed. This rewrite is outdated, unfair, and unconstitutional. I cannot support it in its current form.

This rewrite treats Georgia as if nothing changed in the past 41 years. In other words, this rewrite seems based on the assumption that the Voting Rights Act hasn't worked.

As a Georgian who is proud of our tremendous progress and proud of our current record of equality, I am here to report to my colleagues in the House that the Voting Rights Act has worked in my State, and now it is time to modernize the law to deal with the problems of today, not yesteryear.

Mr. Chairman, it is true when the Voting Rights Act was first passed in 1965 Georgia needed Federal intervention to correct decades of discrimination.

Now, 41 years later, Georgia's record on voter equality can stand up against any other State in the Union. Today, black Georgians are registered to vote at higher percentages than white Georgians, and black Georgians go to the polls in higher percentages than white Georgians. One-third of our state-wide elected officials are African Americans, including our attorney general and the chief justice of our Supreme Court. Plus, African American representation in the State legislature closely mirrors their representation in Georgia's population.

But don't just take my word for it on Georgia's progress. Listen to this ringing endorsement from my colleague from Georgia, Congressman JOHN LEWIS, an icon of the civil rights movement. Under oath in Federal court 5 years ago, Congressman LEWIS testified: ''There has been a transformation. It's a different State, it's a different political climate, it's a different political environment. It's altogether a different world we live in. We've come a great distance. It's not just in Georgia, but in the American South, I think people are preparing to lay down the burden of race.''

If he said that under oath, sworn to tell the whole truth and nothing but the truth, why is he telling the House something different today? The reason he was under oath was because he was testifying in front of the Department of Justice that it was okay for the majority-minority districts in Georgia to be diluted, in direct violation of the Voter Rights Act.

□ 1215

My other friend from Georgia, Congressman SCOTT, voted for that. Though it defies common sense, this rewrite of the Voting Rights Act gives no consideration to any changes that may have occurred since the first law was passed in 1965.

The House is voting today to keep my State in the penalty box for 25 years based on the actions of the people who are now dead. By the end of this renewal, Georgia will have been treated by Federal law as a bad actor for 66 years, Mr. Chairman. To put that in perspective, 66 years ago, FDR was in his second term, and the Japanese were more than a year away from bombing Pearl Harbor.

By passing this rewrite of the Voting Rights Act, Congress is declaring from on high that States with voting problems 40 years ago can simply never be forgiven, that Georgians must eternally wear the scarlet letter because of the actions of their grandparents and great-grandparents. We have repented, and we have reformed, and now, as Fannie Lou Hamer famously said, ''I am sick and tired of being sick and tired.''

Lastly, this renewal is unconstitutional. In 1966, the Supreme Court of the United States ruled that section 5 of the Voting Rights Act, the section that singles out certain States for Federal oversight, was constitutional only because it was narrowly tailored to fix a specific problem and temporary. You don't have to have a law school degree to know that this rewrite of the Voting Rights Act fails both of those tests. At 41 years, we are already way past temporary. And the application of section 5 is now arbitrary because this House cannot present evidence of extraordinary continuing State-sponsored discrimination in the covered States that is different from the rest of the Nation.

As such, section 5 has served its purpose and is no longer an appropriate remedy in light of today's new voting problems.

The Voting Rights Act represents a grand trophy of great accomplishment for Congress, but after 41 years, the trophy needs dusting. We could have given the trophy a new shine for a new century, but sadly, that didn't happen.

And still this bill states explicitly that my constituents cannot be trusted to act in good faith without Federal supervision. That assertion is as ignorant as it is insulting. I cannot and will not support a bill that is outdated, unfair and unconstitutional.

Mr. CONYERS. Mr. Chairman, I yield 15 seconds to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, let me say to my friend and to my colleague from the State of Georgia, it is true that years ago I said that we are in the process of laying down the burden of race. But it is not down yet and we are not asleep yet.

The Voting Rights Act was good and necessary in 1965 and it is still good and necessary today. So don't misquote me. Don't take my words out of context.

Mr. CONYERS. Mr. Chairman, I am pleased to yield for a unanimous consent request to the delegate from the Virgin Islands (Mrs. CHRISTENSEN).

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Chairman, I rise in strong support of H.R. 9, to reauthorize the expiring provision of the

Voting Rights Act for another 25 years and in opposition to all amendments.

The Voting Rights Act of 1965 is one of the most important pieces of legislation ever passed by this body because it seeks to fulfill the promise of our democracy—the right of every citizen to vote; a promise which sadly today remains unfulfilled. Since the Voting Rights Act was passed 41 years ago, millions of minority voters were guaranteed a chance to make their voices heard in State, Federal and local elections across the country.

Mr. Chairman, the Subcommittee on the Constitution of the Judiciary Committee held more than 10 oversight hearings and assembled over 12,000 pages of testimony, documentary evidence and appendices from over 60 groups and individuals, including several Members of Congress on the continuing need for the expiring provisions of the VRA.

The committee requested, received, and incorporated into its hearing record two comprehensive reports that have been compiled by NGOs that have expertise in voting rights litigation which extensively documented the extent to which discrimination against minorities in voting has and continues to occur.

Mr. Chairman, my constituents in the Virgin Islands hold dear their right to vote as citizens of the United States.

While we have only been able to elect our own local Governors and representative to Congress since 1970 and 1972 respectively, we have been electing members of local legislative council and later legislature for more than 100 years.

Preventing Americans from voting because of race, color, or ethnic origin is repugnant to the democratic process and should always be rejected. I am proud to be able to stand here today on the shoulders of Fannie Lou Haner, Rosa Parks, Coretta Scott King and the other leaders of the struggle to ensure that all Americans have the right, to urge all of my colleagues to support passage of H.R. 9 and to oppose all of the amendments which will weaken the bill.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), an eminent member of the Judiciary Committee, who has done great work on the Voting Rights Act.

Mr. SCOTT of Virginia. Mr. Chairman, in the 40 years since its passage, the Voting Rights Act has guaranteed millions of minority voters the right to vote. As the Supreme Court noted in 1964, ''Other rights, even the most basic, are illusory if the right to vote is undermined.''

Mr. Chairman, the Voting Rights Act has been effective in eliminating schemes and barriers to the ballot box. But several key provisions of the act are scheduled to expire in 2007. This bill will reauthorize those important provisions. One is section 5, preclearance. It is crucial because it prevents election changes in covered jurisdictions from going into effect before being precleared by the Justice Department as being free from discrimination.

If preclearance expires, an illegal scheme could help somebody win elections. That person would be able to serve until the victims of discrimination come up with the money to file a lawsuit. And then, when the scheme is thrown out, the perpetrator of that crime will get to run with all the advantages of incumbency when they run for reelection. Because of preclearance, illegal plans never go into effect.

All of the States are not covered by section 5, but States which are covered got covered the old-fashioned way, they earned it. They were found to have had a history of implementing barriers and schemes that were effective in denying minorities the right to vote.

Present law has a bailout provision which our hearing record demonstrates works for those who are no longer discriminating.

Another important provision to be reauthorized is section 203 regarding language. It works. When language assistance is available, more people vote. It applies only in jurisdictions when there are enough voters to actually affect an election, so it is important where it applies. The cost of implementation is negligible.

Mr. Chairman, the Voting Rights Act works to ensure the right to vote. We should pass H.R. 9 without amendment.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT), who was permitted to sit in on the proceedings in the Judiciary Committee in the House on the Voting Rights Act.

Mr. SCOTT of Georgia. Mr. Chairman, Mr. WESTMORELAND just very cleverly and deceitfully tried to intone and misuse the words and the actions of two of his colleagues from Georgia, JOHN LEWIS and myself.

It is very important to say that while Georgia has made great progress, I am living example of it, being elected from a district in Georgia that was only 37.6 percent African American. No question about it.

But when you tell the truth, Mr. WESTMORELAND, tell the truth right. Here is the truth of Georgia: Since 1982, Georgia trails only Texas and Alabama in the number of successful section 5 cases, 17, brought against Georgia for failing to submit voting changes for approval to the Department of Justice.

Since 1982, not since 1965, since 1982, Georgia has had 83 section 5 objections to discriminatory voting practices, the fourth highest total of all jurisdictions.

Since 1982, Georgia has withdrawn the submission of 38 discriminatory voting practices to the Department of Justice after it became apparent that the Department was going to object. Since 1982, the Justice Department has deployed Federal observers to 55 times in Georgia.

If there is any State that needs a continuation of the Voting Rights Act, it is Georgia.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would ask Members to abide by the time limits and heed the gavel.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS), an important member on the development of the Voting Rights Act that is before the floor.

Ms. WATERS. Mr. Chairman and Members, I rise today to stand tall for the reauthorization of the Voting Rights Act.

Mr. Chairman and Members, as an African American woman Member of Congress, I consider it my profound and welcome duty to use my voice and my vote to continue the struggle of the civil rights movement to guarantee the right to vote to African Americans and all Americans.

Mr. Chairman, I have a difficult time explaining to African Americans all over this country why the Congress of the United States has to continue to reauthorize the Voting Rights Act. The answer to that question is sad but simple and true. Discrimination.

America, we stand before you today reauthorizing the Voting Rights Act because we have to continue to have safeguards in law to prevent cities, counties, States and other jurisdictions from devising laws, practices, tricks and procedures that impede the right to vote by minorities in this country.

One may ask, what laws and tricks are you alluding to?

Mr. Chairman, in the past, the tricks were poll taxes, literacy tests and voter intimidation. Today, and throughout the years, the laws and tricks have changed but the game is the same: Deny and prevent minorities from exercising the power of selection of candidates and laws by any means necessary.

What are some of these tactics being used today in some jurisdictions in America? Oh, they are tactics like, in Georgia, create the need for an identification card that you have to pay for that is only issued by the State.

In Florida, create databases identifying people as felons, people who have never ever been arrested before, change voting rights laws so that you create at-large districts instead of districts where minorities can be elected from. Minority candidates get elected by districts, and when you create these at-large districts, you eliminate the possibility of their getting elected. Place uniformed guards at polling places to intimidate voters. The list goes on and on.

The Voting Rights Act will guarantee preclearance of these attempted discriminatory acts and, hopefully, deny these kinds of actions.

I ask my colleagues, don't disrespect the civil rights movement. Don't dishonor us. Pass this voting rights reauthorization bill and show the world that America is sincere about democracy.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I rise today to highlight how H.R. 9 could more effectively address the current landscape of voter participation in this

country. And I want to point out to my colleague, Mr. SCOTT, my good friend from Georgia, that the Federal observers that he mentioned are actually removed in this bill.

So while the bill may seem sufficient to Members from States that will not be affected by this legislation, I feel compelled to highlight how the standards of this bill can be improved.

In the 1980 city of Rome, Georgia v. United States decision, the Supreme Court reviewed the equal protection objections to the Voting Rights Act as raised by the city of Rome, which is in Georgia's 11th district, my district. While the Court did recognize the inherent inequity of applying section 5 restrictions to some, but not all States, the Court cited lagging African American voter registration and participation in elective office as sufficient justification to uphold the Voting Rights Act, despite concerns of equal protection violations for the States, because at the time the Voting Rights Act was considered a temporary law.

Well, Mr. Chairman, as I mentioned earlier in this debate, Georgia has come a long way in the past 40 years. In 2000, 66.3 percent of black Georgians were registered to vote, compared to 59.3 of white Georgians; 51.6 percent of black Georgians turned out to vote in the 2000 election, compared to 48.3 percent of white Georgians.

We have gone from 30 African American elected officials in 1970 to 582 in 2000. We have four African Americans in Congress, three African American supreme court justices, including the chief justice, and two African Americans elected as statewide constitutional officers, attorney general and labor commissioner.

Since the Supreme Court's ruling in the City of Rome v. United States, Georgia has met the standards laid out by the Court, and as Mr. WESTMORELAND says, should not be penalized because of voter participation in 1964.

Mr. WATT. Mr. Chairman, I ask unanimous consent to control the time temporarily while my colleague has stepped away.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WATT. Mr. Chairman, I yield 15 seconds to the gentlewoman from California (Mrs. NAPOLITANO), the chair of the Hispanic Caucus.

Mrs. NAPOLITANO. Mr. Chairman, I rise as chair of the 21-member Congressional Hispanic Caucus, and call for the reauthorization of the Voting Rights Act.

This bill is about protecting the most basic and significant civil rights for all American citizens, the right to vote. I call on this House to pass the bill.

Mr. WATT. Mr. Chairman, I yield 1¾ minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), who is a member of the Hispanic Caucus and a member of the Judiciary Committee.

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I rise today to urge my colleagues to oppose all four of today's amendments and pass a clean Voting Rights Act reauthorization.

The four amendments that have been made in order are poison pills. If the two irrational section 5 amendments pass, the VRA's coverage formula would be repealed, and the Department of Justice will spend its time conducting studies in jurisdictions with no discrimination, instead of actively fighting discrimination in jurisdictions with ongoing voting rights violations.

□ 1230

If the mean-spirited section 203 amendment passes, eligible voting-age citizens will be deprived of language assistance and lose the chance to cast an informed, accurate vote for the candidate of their choice.

If the Gohmert amendment passes, jurisdictions will wait out their obligations to end discrimination under the VRA rather than comply with the VRA, which will result in the same kind of widespread noncompliance with the VRA that we sought in the late 1970s.

All of these amendments are inconsistent with the spirit and the intent of the Voting Rights Act. The Voting Rights Act protects the most fundamental right in a democracy, the right to vote; and it is our most powerful tool to help ensure that no American citizen is subject to discrimination at the polls. The Voting Rights Act plays a critical role in fulfilling the promise of American democracy. It has given voice to minority communities, and without it, many black, Hispanic, and Asian American leaders would not be holding elected office today. Passing this bill will also honor the sacrifices of the men and women who died and suffered injuries fighting for equality during the civil rights movement.

That is why reauthorization of H.R. 9 has the support of Republicans and Democrats, Senators and House Representatives, businesses, civil rights groups, editorial boards, and grassroots organizations around the country.

Let us pass H.R. 9 clean by opposing all four amendments offered today and voting ''yes'' on final passage.

Mr. SENSENBRENNER. Mr. Chairman, I yield 7 minutes to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Chairman, I want to make it perfectly clear, I believe every citizen of this country should be able to vote unencumbered. I believe, actually, that the Voting Rights Act has been and is a good thing and it should be reauthorized. I nor anybody I know is trying to do away with section 5, though I continue to hear it over and over again.

Mr. Chairman, today we battle a phantom that has haunted this Chamber since the day, probably, it was first built. It has stalked us since before we were a Nation. It poured the curse of slavery on our infant Republic. It fed the flames of regional conflict until we suffered the most devastating war in our history. It gave birth to segregation, poll taxes, and literacy tests.

This specter embodies what is perhaps our Nation's original sin: discrimination. It has dunned us with a moral debt that maybe can never be fully paid. I pray that is not the case. But then again, maybe it is only waiting for a generation with the courage to exorcise that demon out of our hearts and out of this land.

Our forebears, in spite of their many blessings that they left us, failed this challenge. They had the chance with Dred Scott and instead decided that slaves were not human beings. They had a second chance with Jim Crow, but instead built a segregated society.

Today, we have a rare chance, and I mean rare, to revisit the fundamental issue, discrimination, that our predecessors avoided dealing with.

Discrimination is the creation of laws or systems that deny a person the same rights enjoyed by their fellow human beings, not because of what they do but because of who they are. In 1965 that meant white people in many areas of this country, and especially in my beloved South, set up legal hurdles that kept people of color from voting. Not because of what they did, but simply because of who they were.

The Voting Rights Act, passed by this House in 1965, stopped that practice. It did so by temporarily denying the voters of my State and others their constitutional right to determine election practices without Federal interference.

This harsh measure, known as section 5 oversight, was not discrimination. It was not laid on these jurisdictions because of who they were, but because of what they did. Now, this is a profound point. Forty years later there is not a single member of my State legislature who served in 1964, particularly the Democrats, under those discriminatory laws. Seventy percent of today's Georgians did not live in Georgia in 1964. They are either dead or have moved away under these discriminatory laws. They were either unborn or have since moved perhaps somewhere else.

Yet H.R. 9 would leave all these people, who have committed no wrong, with diminished election rights. Not because of what they do, but because of who they are. This is blatant discrimination based on nothing more than where we live.

All who dwell on a particular type of soil, section 5 soil, now have their constitutional rights curtailed. Is the Earth beneath our feet guilty of the crimes of man? Does it then condemn all who trod on our soil? That is the contention of H.R. 9, as it ravages the rights of the innocent, those whose only offense is in where they live.

Unlike H.R. 9, the Voting Rights Act did not condemn the righteous with the wicked. It reserved its penalties only for those jurisdictions where offenses

had occurred and only until those injustices were corrected. It was not a life sentence and certainly not a sentence on those yet unborn.

Georgia now outperforms the Nation, outperforms the Nation, in every area of black voting: turnout, registration, the success rate of black candidates in our State. Yet H.R. 9 turns a blind eye to these facts and seeks to let the innocent continue their punishment for another quarter of a century.

Mr. Chairman, either we restore their voting rights to equality, or the Supreme Court will be forced to do it for us. And the Court will do so in ways far more damaging to section 5 than any reasonable amendment that I am going to bring later today that we could devise.

The days of allowing the ghost of the past to discriminate against the living are and should be coming to an end. Our choice today is whether it will end through carefully crafted amendments or will it be through the judicial act. All we are trying to do is change section 5 so that every citizen in this country, whether you are from Tennessee, whether you are from Wisconsin, have the same equal rights that minorities in Georgia have.

And when you get time, look at these maps. On the right it shows you everybody that is in white is not under section 5. If you are in a color, you are under section 5. Everybody on the map on the left covers 39 States that actually have been guilty of section 4 of the Voting Rights Act. I do not understand how you can go home and you can say you are all for equal rights, fair rights, protections for voters in Georgia, but it is not all right to have those same protections in Tennessee or in Arkansas or in Wisconsin or Ohio. What is wrong with looking at the whole Nation? Everybody is not going to go under it. Everybody is not going to break section 5 formula. But others are besides just us. And on that map Georgia stays under section 5, and I hate it. I wish we were not. Ten counties might get out, but they can only get out for 4 years. The Attorney General is going to be requested to look at it every 4 years and all across the country, including Ohio and including Florida. What is wrong with that? I fail to understand why anybody would find fault.

You say that we have had so many objections, meaning Georgia. I promise you an objection does not automatically mean discrimination. We have had five objections since 2000. One of them came from a majority black city council, and it was thrown out. That puts us in the penalty box for another 10 years.

Let me quote what my good friend JOHN LEWIS said in an affidavit:

The State (Georgia) is not the same State it was. It's not the same State that it was in 1965 or in 1975 or even in 1980 or 1990. We have changed. We have come a great distance. I think that it's not just in Georgia but in the American South. I think people are preparing to lay down the burden of race.

Clearly JOHN is proud of Georgia's progress, as am I.

Congressman LEWIS is not alone in recognizing progress.

Here's how my State's African American Attorney General Thurbert Baker testified before a Federal three judge panel in 2001.

The State's (Georgia) racial and political experience in recent years is radically different than it was 10 or 20 years ago, and that is exemplified on every level of politics from statewide elections on down. The election history for legislative offices in the Georgia House, Senate, and the United States Congress reflect a high level of success of African American candidates.

But this is more critical. The Judiciary Committee record seems to show that the problems that do continue to exist occur across the Nation, not just the States in the covered jurisdictions.

So why isn't the Judiciary Committee going after these current potential violations instead of dwelling on those from four decades ago?

Since 1965, there have been 83 Department of Justice objections raised to voting changes in Georgia.

And here's a critical point for the record—a DOJ objection does not equal guilt.

DOJ itself withdrew 14 of those 83 objections.

When my State tried to satisfy one of those objections in drawing congressional districts, the district lines demanded by DOJ objection were then thrown out by the Supreme Court. So objection does not equal violation.

Fifty-five of the 83 objections were in the first 10 years as the act was being implemented, leaving 28 objections between 1975 and now.

Only seven objections have been stated since 2000, well within national averages. And again, an objection is not a violation.

It's now been 40 years since the Voting Rights Act took effect. Georgia has a higher percentage of black elected officials than the overwhelming majority of States not included in Section 5 Federal oversight.

Yet the Federal oversight continues.

Nationwide, there are 9,101 black elected officials. Blacks make up 11.4 percent of voters, and 1.8 percent of elected officials.

In contrast, Georgia has 611 black elected officials. Blacks make up 26.6 percent of our population, and 9.3 percent of elected officials.

That's more than double the level of black representation of the Nation as a whole.

Black elected officials make up 20 percent of our State House and Senate members, and 30 percent of our members to the U.S. House.

Georgia has a black Attorney General, elected by voters statewide. Georgia has a black Supreme Court Justice.

Georgia and the South now lead the Nation in civil rights achievements, putting to shame the record of those States who continue to point their hypocritical fingers at the grave of Bull Connor.

Yet Georgia remains on the Federal oversight list, while States with a fraction of our percentage of black elected officials per capita remain oversight free.

If Georgia remains on that list without modification, then the majority of the people of a State, who have committed no offense to minority voter rights, whose legislators have committed no offense to minority voter rights, whose State has one of the highest levels of minority elected officials in the Nation, will have their State's constitutional right to determine political boundaries and election rules usurped without justification.

That's a clear-cut violation of the U.S. Constitution. And it's voter discrimination against every Georgian.

Connecticut, Idaho, Maine, Massachusetts, and Wyoming were included in 1970, but successfully filed "bailout" lawsuits that allowed them to get off the list, because no one had a political reason to object.

To successfully file a bailout, the State must prove that during the past 10 years no scheme such as poll taxes or literacy tests have been used; all changes affecting voting have been reviewed prior to their implementation; no change has been the subject of an objection by the Attorney General or the District of Columbia district court; there have been no adverse judgments in lawsuits alleging voting discrimination; there are no pending lawsuits that allege voting discrimination; and Federal examiners have not been assigned.

As can easily be seen, a simple accusation will keep a State off the bailout list for 10 years at a time.

DOJ can file an objection, then withdraw it, and that's all that's necessary to keep Georgia under Section 5 another 10 years.

There must be a more lawful means for the citizens of Georgia to regain voting rights equality with the rest of America.

Later today I will bring an amendment to ensure that all Americans will have equal protection under the Voting Rights Act.

Under this amendment, minority voters nationwide will have access to the same Section 5 protections, if there has been a violation of their rights.

At the same time, all voters across America will be treated the same if there has been no violation in the last 12 years.

With this amendment, the Voting Rights Act will be restored to its original intent—to end unjust discrimination in Voting Rights, for all Americans.

This amendment provides lawful means to win release from Section 5, while expanding minority voting rights protections nationally.

It is the only commonsense solution to avoiding a constitutional challenge.

Mr. WATT. Mr. Chairman, I yield myself 15 seconds.

I say to the gentleman that when we rise in the House, it is my intention to introduce for the RECORD a copy of the decision that was entered yesterday in the State of Georgia that declared recent actions unconstitutional. Perhaps he will be convinced that this is not the history of the past but today.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

CIVIL MINUTE SHEET

(X) IN OPEN COURT () IN CHAMBERS **DATE: 07/12/2006** **TIME: 5.5 HRS.**

HONORABLE HAROLD L. MURPHY
PRESIDING

SAMUEL M. JOHNSTON **COURTROOM DEPUTY**	**DENNIS J. REIDY** **COURT REPORTER**
COMMON CAUSE OF GA.	EMMET J. BONDURANT, II EDWARD HINE
V.	4:05-CV-201-HLM
THE STATE OF GEORGIA	MARK HOWARD COHEN ANNE WARE LEWIS

CAUSE CAME ON FOR () JURY ()NON-JURY TRIAL ON THE MERITS. Came the parties in person and/or as shown above.

PLAINTIFF(S) () REQUEST TO CHARGE () VOIR DIRE ()TRIAL MEMO/BRIEF
() STATEMENT OF CONTENTIONS

DEFENDANT(S) () REQUEST TO CHARGE () VOIR DIRE ()TRIAL MEMO/BRIEF () STATEMENT OF CONTENTIONS

PLAINTIFF(S) ()PROPOSED FINDINGS OF FACT AND CONCLUSION OF LAW

DEFENDANT(S) ()PROPOSED FINDINGS OF FACT AND CONCLUSION OF LAW

() **Whereupon the Court ordered that a jury be impaneled to try said issues, and after the Court had qualified the jurors for cause, and after counsel had exercised all peremptory challenges, the jurors selected to try said issues and were sworn, to wit:**

1.	**5.**	**9.**
2.	**6.**	**10.**
3.	**7.**	**11.**
4.	**8.**	**12**

() **THE RULE OF SEQUESTRATION () WAS () WAS NOT INVOKED**

HEARING/PRE-TRIAL/ EVIDENCE:

- HEARING - PER ORDER [100];

- PLAINTIFF'S EXHIBITS: 1-4, ADMITTED; CATHY COX, SWORN; DEFENDANT EXHIBITS: 1, ADMITTED; PLAINTIFF REST; DEFENDANT'S EVIDENCE: PAUL L. McIVER, SWORN; = LUNCH = EVIDENCE CONTINUED; DEFENDANT REST, PLAINTIFF EXHIBIT: 15, CLOSING ARGUMENT

- COURT ORALLY GRANTS PRELIMINARY INJUNCTION

- WRITTEN ORDER TO FOLLOW;

VERDICT:

JUDGEMENT:

COURT ADJOURNED AT: **UNTIL**

() **UNTIL FURTHER ORDER**

() **JURORS EXCUSED UNTIL THE ABOVE TIME UNDER THE USUAL CAUTION OF THE COURT.**

() **JURORS EXCUSED FOR THE TERM.**

() **JURORS EXCUSED AND DIRECTED TO RETURN TO THE JURY ASSEMBLY ROOM**

EXHIBITS RETURNED TO COUNSEL FOR
() PLAINTIFF
() DEFENDANT
() COURT REPORTER
() RETAINED BY THE COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

Common Cause/Georgia, et al.,

Plaintiffs,

v.

Ms. Evon Billups, et al.,

Defendants.

CIVIL ACTION FILE

NO. 4:05-CV-0201-HLM

ORDER

This case is before the Court on Defendant State Election Board's Motion to Dismiss Plaintiffs' Motion for Preliminary Injunction and to Cancel Hearing [113].

On July 7, 2006, the Superior Court of Fulton County, Georgia, issued a temporary restraining order enjoining the defendants in that case from enforcing the 2006 Photo ID Act during the July 18, 2006, primary election or any resulting run-off election. Lake v. Perdue, Civil Action File No. 2006CV119207, slip op. at 3-4 (Fulton County Super.

Ct. July 7, 2006.) The plaintiffs in Lake had argued that the 2006 Photo ID Act violated the Georgia Constitution.

Defendant State Election Board has moved to dismiss Plaintiffs' Motion for Preliminary Injunction or, alternatively, to cancel the preliminary injunction hearing in the instant case that is scheduled for Wednesday, July 12, 2006. On July 10, 2006, the Court held a telephone conference to address Defendant State Election Board's Motion to Dismiss Plaintiffs' Motion for Preliminary Injunction and to cancel hearing. This Order memorializes the actions taken by the Court during that telephone conference.

The Court **DIRECTS** counsel for the State Defendants to file their response to Plaintiffs' Second Motion for Preliminary Injunction, along with any supporting materials, by 11:59 p.m. on Monday, July 10, 2006. The Court also **DIRECTS** counsel for the State Defendants to notify the Court promptly after the Georgia Supreme Court issues its ruling on the State Election Board's emergency motion to stay the temporary restraining order in the Lake case. If the Georgia Supreme Court

declines to stay the temporary restraining order in the Lake case, the Court will continue the preliminary injunction hearing scheduled for Wednesday, July 12, 2006, until a later date.

IT IS SO ORDERED, this the 10th day of July, 2006.

UNITED STATES DISTRICT JUDGE

Mr. WATT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the Judiciary Committee.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, today I hope that I will have an opportunity to stand on the other side of the aisle as we debate this historic initiative of America. It is initiative of America because, as I hold the Constitution in my hand, I want my good friend from Georgia, Dr. NORWOOD, to understand that, in fact, what we are doing is creating opportunities for all Americans and by oversight we enhance his constituents and all others who have been discriminated against.

The preamble to the Constitution includes that we have organized this Nation for a more perfect Union, for the general welfare and the blessings of liberty. As my good friend from North Carolina (Mr. WATT) just said, whom I owe a great debt of gratitude, along with JOHN CONYERS, BOBBY SCOTT, Mr. SENSENBRENNER, and the whole Judiciary Committee for rendering a bipartisan initiative, in fact, today there are still violations that warrant the oversight of the Voting Rights Act.

We understand that without Mr. NORWOOD's amendment there are 36 States already covered. And why are they covered? They are not covered on our whim, on our political whim, or on whether we are Republican or Democrat. They are covered because of documentation that discrimination exists. That is what the Voting Rights Act is all about.

Mr. NORWOOD and others know these four amendments, which should be opposed and defeated, because of the thousands of pages of evidence, if we pass an amendment like Mr. NORWOOD's, Mr. WESTMORELAND's, Mr. KING's, and Mr. GOHMERT's, that under the Constitution the Supreme Court will render them unconstitutional for many reasons, because there is no evidence, no documentation shown during the thousand of pages of hearings. So it is important to maintain an unrestricted section 5, one that allows oversight of discrimination under an unfettered section 5 that allows oversight to occur if voting changes generate discrimination against anyone in the covered areas.

So I would simply ask in the name of Fannie Lou Hamer, in the names of Rosa Parks and Coretta Scott King, in the name of JOHN LEWIS, and those who lost their lives, like Viola Liuzzo, the three civil rights workers; and in the name of Jualita Jackson and Valrie Bennett, who fled Florida as young teenagers in the 1940's my aunt and mother, in their name we must pass the Voting Rights Act without amendments.

Mr. Chairman, I thank the gentlemen for yielding. I rise in proud support of H.R. 9, the "Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006." Had I and several of my colleagues not heeded the requests of the bipartisan leadership of the Committee and the House, there might be an amendment to the bill adding the name of our colleague, JOHN LEWIS of Georgia, to the pantheon of civil rights giants listed in the short title.

The Voting Rights Act of 1965 is no ordinary piece of legislation. For millions of Americans, and many of us on this Committee, the Voting Rights Act of 1965 is a sacred treasure, earned by the sweat and toil and tears and blood of ordinary Americans who showed the world it was possible to accomplish extraordinary things.

The Voting Rights Act of 1965, as amended, which we will vote to reauthorize today was enacted to remedy a history of discrimination in certain areas of the country. Presented with a record of systematic defiance by certain States and jurisdictions that could not be overcome by litigation, this Congress—led by President Lyndon Johnson, from my own home state of Texas—took the steps necessary to stop it. It is instructive to recall the words of President Johnson when he proposed the Voting Rights Act to the Congress in 1965:

> Rarely are we met with a challenge . . . to the values and the purposes and the meaning of our beloved Nation. The issue of equal rights for American Negroes is such as an issue . . . the command of the Constitution is plain. It is wrong—deadly wrong—to deny any of your fellow Americans the right to vote in this country.

The Voting Rights Act of 1965, represents our country and this Congress at its best because it matches our words to deeds, our actions to our values. And, as is usually the case, when America acts consistent with its highest values, success follows.

Without exaggeration, the Voting Rights Act has been one of the most effective civil rights laws passed by Congress. In 1964, there were only approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South. Today there are more than 9,100 black elected officials, including 43 Members of Congress, the largest number ever. The act has opened the political process for many of the approximately 6,000 Latino public officials that have been elected and appointed nationwide, including 263 at the State or Federal level, 27 of whom serve in Congress. Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

Mr. Chairman, I hail from the great State of Texas, the Lone Star State. A State that, sadly, had one of the most egregious records of voting discrimination against racial and language minorities. Texas is one of the Voting Rights Act's "covered jurisdictions." In all of its history, I am only one of three African-American women from Texas to serve in the Congress of the United States, and one of only two to sit on this famed committee. I hold the seat once held by the late Barbara Jordan, who won her seat thanks to the Voting Rights Act.

From her perch on this committee, Barbara Jordan once said:

> I believe hyperbole would not be fictional and would not overstate the solemness that I feel right now. My faith in the Constitution is whole, it is complete, it is total.

I sit here today an heir of the Civil Rights Movement, a beneficiary of the Voting Rights Act. My faith in the Constitution and the Voting Rights Act too is whole, it is complete, it is total. I would be breaking faith with those who risked all and gave all to secure for my generation the right to vote if I did not do all I can to strengthen the Voting Rights Act so that it will forever keep open doors that shut out so many for so long.

August 6, 2006, will mark the 41st anniversary of the Voting Rights Act, and a year from then several of act's most important elements will expire, including: Section 5 preclearance for covered jurisdictions (see tables 2 and 3); Sections 203 and 4(f)4, which require bilingual election materials assistance for limited English proficient language minorities (see table 1); and Sections 6–9; authorizing the U.S. Attorney General to appoint examiners and send federal observers to monitor elections.

Congress has extended Section 5 coverage three times: in 1970 (for 5 years), in 1975 (for 7 years) and in 1982 (for 25 years). The language minority protections of Section 203 and Section 4(f)(4) were adopted in 1975 and extended and amended in 1982 and again in 1992. Despite these past extensions, there is no guarantee that the expiring elements of the VRA will be renewed again in 2007. In fact, recent history suggests that it is likely to be a difficult legislative fight.

The problem is simple. Equal opportunity in voting still does not exist in many places. Discrimination on the basis of race and language still denies many Americans their basic democratic rights. Although such discrimination today is more subtle than it used to be, it must still be remedied to ensure the healthy functioning of our democracy.

Although the principle behind the Voting Rights Act is simple—to eliminate discrimination in voting—the mechanisms by which this goal is achieved are not. Some parts of the law are permanent, while others are set to expire. Some provisions affect every State while others are more geographically targeted. Elements of the law can apply to an entire State or only a handful of counties within a particular State. And some provisions can be enforced in court through private lawsuits while others are administered by the U.S. Department of Justice.

But the underlying purpose of the act is clear—to extend the franchise to all citizens regardless of race, color, national origin, or membership in a language minority group.

I urge my colleague to vote for the bill and reject all amendments. I yield back the balance of my time.

Mr. WATT. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), a member of the Judiciary.

Mr. VAN HOLLEN. Mr. Chairman, I thank my colleague, Mr. WATT, for yielding.

I urge my colleagues to support the renewal of the historic Voting Rights Act today and vote for the bill that came out of the Judiciary Committee without amendment.

I am very proud of the work we did on that committee on a bipartisan basis and want to commend the bipartisan leadership of the full committee,

the subcommittee, and Mr. WATT for his leadership.

On March 15, 1965, after years of struggle culminating in Bloody Sunday, where our colleague JOHN LEWIS so bravely marched, President Lyndon Johnson came to this very place and, from the podium behind me, called upon the Congress and the Nation and said to us all we shall overcome; we as a Nation shall overcome years of discrimination and efforts to throw obstacles in the way of African Americans and other minorities from exercising their constitutional right to vote and exercising their right to fully participate in this great democracy of ours.

We have come a long way as a Nation, but we have a long way to go to really overcome, as President Johnson called upon us to do.

The evidence before the Judiciary Committee was absolutely clear that serious problems in discrimination remain. The testimony made it clear that section 5 preclearance has been used more between 1982 and 2005 than between the years 1965 and 1982. The evidence showed that since 1982 the Department of Justice has objected to more than 700 discriminatory voting changes that have been enacted by the covered jurisdictions. The evidence showed that the covered jurisdictions withdrew an additional 200 proposed changes from section 5 review and an additional 600 voting changes were revised to ensure nondiscriminatory impact.

Anyone who says that we do not continue to need the Voting Rights Act is dead wrong.

□ 1245

In addition, there were many other findings.

We have a long way to go, Mr. Chairman, to achieve a more perfect Union. I urge my colleagues to adopt the bill that came out of the Judiciary Committee, without amendment.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would advise Members who are controlling time that, at some point, if Members do not abide by time, the chair may have to adjust the time charged to account for it.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN), a distinguished member of the Judiciary Committee.

Mr. MEEHAN. Mr. Chairman, I rise in strong support of the Voting Rights Act and urge my colleagues to pass it today, clean, without amendment.

Mr. Chairman, I am honored to represent one of the more diverse districts in America today. My neighbors came to Massachusetts from all of the nations of Europe, Southeast Asia, West Africa, Latin America, French Canada and the Caribbean.

In Massachusetts, the Voting Rights Act remains a necessary tool to ensure that people are able to participate in our democracy. In fact, it is because of the Voting Rights Act that many of my Asian American neighbors can challenge voting procedures and get multilingual ballots.

It is simple. The availability of multilingual ballots mean more people will vote. Cities that have added multilingual ballots have seen double-digit increases from those benefited populations. What more could one ask from a functioning democracy than a higher participation of people voting?

By reauthorizing the Voting Rights Act without amendment, America will do more than honor its legacy. We will also ensure our future, and to do anything less than a clean reauthorization insults the hard work and bloodshed that brought us to where we are today.

Today, we have an opportunity to honor great men and women who have dedicated their lives to making America great: Dr. King, Coretta Scott King, Rosa Parks and our esteemed colleague, my friend, JOHN LEWIS.

Let us reauthorize the Voting Rights Act without these terrible amendments.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New York (Mr. RANGEL) and recall that he was originally a member of the House Judiciary Committee and served with great distinction on it.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Chairman, I want to thank Chairman SENSENBRENNER and JOHN CONYERS for working together and making all Members of this House so proud to show what we can do when we do work in a bipartisan way.

I also want to thank Chairman WATT for the work that he has done with the Congressional Black Caucus, and beyond, to make certain that the commitments that have been made by the leadership of this House were kept.

We all know that there are parts of the history of this great Republic, slavery, the stigma of slavery, prejudice, that we all abhor; but we also know that this great body not too long ago passed a Congressional Gold Medal to the Tuskegee Airmen, men who gave up their lives and put themselves at risk in order to make certain the world was safe for democracy. At the time, many of these people could not vote and their mothers could not vote and their families could not vote.

So there comes a time where certain people have the courage to stand up for it, and JOHN LEWIS was one. I think we all should get together and say that we could not march with them, but we could reaffirm the commitment that they made.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Dr. PRICE) for purposes of a colloquy.

(Mr. PRICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Chairman, thank you. I would like to engage in a very short colloquy with the gentleman from Wisconsin (Mr. SENSENBRENNER).

Do you agree with me that nothing in this legislation should be construed to allow the Supreme Court to say who is or who is not a minority community's candidate of choice simply because of a candidate's party affiliation?

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Georgia. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, yes, I agree with that.

Mr. PRICE of Georgia. I thank the chairman for his perspective and I thank him for his good work on this.

Mr. CONYERS. Mr. Chairman, I am pleased to observe that the leader of the present civil rights movement and a friend that worked in the organization of Dr. Martin Luther King is in the balcony today, the Reverend Jesse Jackson; and I am so pleased that he is watching over this activity.

Mr. Chairman, I would yield 1 minute to the gentlewoman from California (Ms. LEE) who has worked as an activist and as a legislator in California, as well as the leader of the Progressive Caucus in the House of Representatives.

Ms. LEE. Mr. Chairman, let me thank Mr. CONYERS for his leadership and for yielding and also to Chairman SENSENBRENNER and to Congressman WATT, our chair of the Black Caucus, for your leadership in ensuring that the reauthorization of the Voting Rights Act did not become a Democratic or a Republican issue but an American issue.

The right to vote is the heart and soul of our democracy, and I vividly remember the days of Jim Crow and segregation, the poll tax, the humiliation and degradation of African Americans not so long ago.

The Voting Rights Act of 1965 passed just 1 year after I graduated from high school, and while much progress has been made, voter suppression and voter intimidation continues.

There is no way I would be standing here on this floor as a Member of Congress had it not been for the bloodshed and the sacrifices and the deaths of so many, including our own great warrior, Congressman JOHN LEWIS, in fighting for the right of all Americans to vote.

So, in the spirit and memory of Fannie Lou Hamer and Rosa Parks and Coretta Scott King, let us pass this bipartisan legislation without any amendments so that America can be true to its ideal of liberty and justice for all.

Today, let us let the world know that we do practice what we preach and that we stand for democracy here at home. And I want to thank Congressmen CONYERS, WATT and SENSENBRENNER again for making this an American issue.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman for yielding. I

want to clear up several misconceptions, I think, that have occurred here.

First of all is, we are concerned in my State and some of the ones who spoke about the continuation of section 5, which requires preclearance. This bill, as all bills, have certain findings of fact, and I want to address some of those findings of fact.

The first one is based on the fact that there were hundreds of objections interposed as one of the conclusions that justifies the extension. The American Enterprise Institute says that the raw numbers on objections are insufficient to measure support for reauthorization. They give the statistics, and the statistics are that from 1982 to 2005, out of the 105,000-plus objections, 0.7 percent received objections in the covered States. From 1996 to 2005, out of 54,000-plus, only 0.15 percent drew objections.

The second finding is that the number of requests for declaratory judgments justifies extension. That same study concludes that those are so small as to be insignificant.

The third finding is that of continued filing of section 2 cases originating in covered jurisdictions. The University of Michigan Law School report shows that since 1982 more lawsuits filed under section 2 ending with the determination of liability have occurred in noncovered jurisdictions than in covered ones; and the example being, in 1990 more court findings of section 2 violations occurred in New York or Pennsylvania than in South Carolina.

Mr. Chairman, I would suggest that this is something that if we are going to make findings of fact they ought to be true findings of fact, and just because the bill says they are the facts does not necessarily make them so.

We are proud in our State and we have worked across party lines and across racial lines; and the latest study that is cited in one of the reports is from the 2000 voter year in Georgia. In Georgia, 66.3 percent of eligible blacks were registered to vote. Only 59.3 percent whites were registered to vote, a 7 percent plus on those who are black. On voter turnout in Georgia in that election cycle, 51.6 percent of black voters voted; only 48.3 percent of white voters voted. So we have made substantial progress.

The right of extension of section 5 for preclearance that requires that you get Justice Department approval just to annex a piece of property into a municipality, just to move a voting precinct from one place to another place, requires preclearance. I would suggest that this is not appropriate.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the Voting Rights Act coverage formula and the provisions that it triggers have been upheld by the Supreme Court on multiple occasions and not just in 1966. The Supreme Court in 1980 in Rome v. United States, and later in 1999 in Lopez v. Monterey County, upheld the constitutionality of section 5.

In particular, in the city of Rome, the court looked at the House Judiciary Committee's finding that ''the recent objections entered by the Attorney General to section 5 submissions clearly bespeak the continuing need to this particular preclearance mechanism.''

Now, there have been objections that have been interposed to submissions that have been made in Georgia since 2000, and that is why we have to have the formula that is in section 5 and the preclearance provisions in section 5 which have been upheld by the Supreme Court.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, could we be advised how much time remains on each side?

The CHAIRMAN. The gentleman from Michigan (Mr. CONYERS) has 11 minutes remaining. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 8 minutes remaining.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Speaker, the passage of the Voting Rights Act is informed by past history, by recent events and by current needs.

As one who grew up, watched his mother in 1963 study and struggle to try and pass the literacy test there, which she had to try and remember as best she could the Presidents in order, to recite the Preamble to the Constitution, and to compute her age to the year, the month and the day, as one who witnessed that, you know how important this act was to folks back then and how the legacy of discrimination still obtains in our present provisions today.

When you see our State legislature in Louisiana every year pass election laws that are discriminatory, that meet objections by the Justice Department, you know the need for this act continues.

As we just saw with Hurricane Katrina, so many of our people, displaced back home, who struggled to get back and to have their right to vote expressed and who met objection at almost every corner of that being done, you know the need for this act continues.

So I urge my colleagues to vote to support this act, without amendments, and get it passed now because the struggle does continue.

Mr. CONYERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Alabama (Mr. DAVIS), a distinguished Member.

Mr. DAVIS of Alabama. Mr. Chairman, I wish my colleagues from Georgia understood something very fundamental about this Voting Rights Act. It is not a burden on the South. It is not some scourge or tool of oppression against the South. It has been a liberator for people, black and white; and I wish my colleagues from Georgia understood this basic truth that all the children who are here understand today.

There were Barack Obamas in the old South. There were Mel Watts in the old South. There were Bobby Scotts in the old South. There were Jesse Jacksons that lived in the South in the 1930s. But their talent was not allowed to breathe until this act was passed.

It gave all kinds of people of genius and brilliance and talent a chance to be elected to office. That is the legacy that we celebrate here today.

So I urge all of us to join Mr. SENSENBRENNER in this bipartisan statement today that the Voting Rights Act belongs to all Americans, black and white, Democratic and Republican, and everyone who believes that merit ought to determine who holds office in this country.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise today in strong support of H.R. 9, the reauthorization of the Voting Rights Act, without amendment.

Our values, our freedom, and our democracy are based on the idea that every eligible American citizen has the right to vote, and they also have the right to expect that their votes will be counted.

It was only 40 years ago that minorities lived under the oppression of Jim Crow, and we still do. I have spent most of my time in the last 2 weeks working on redistricting, where the Supreme Court just ruled, or a little over 2 weeks ago, that it violated the Voting Rights Act.

So, 2 weeks ago, not only the Attorney General, but the attorney general of Texas as well, had to move in for Prairie View A&M students to be able to vote, because the DA did not want them to vote for fear they would not elect the right persons.

We do still have a problem and we do need this Voting Rights Act.

It was only 40 years ago that minorities lived under the oppression of Jim Crow. As a result, millions of Americans were unable to fairly participate in our democracy.

The Voting Rights Act changed the face of this Nation.

In this battle for the most basic of rights, many heroic Americans were imprisoned, beaten, or even killed in the name of freedom and justice.

The Voting Rights Act was not and never will be about special rights—it is about equal rights.

We have made amazing progress over the past 40 years. However, progress does not mean that we stop trying.

We cannot and must not give up until every American citizen has the access and opportunity to vote—regardless of their skin color, ethnicity, or language ability.

There are still thousands of cases of voter intimidation and discrimination reported at every election.

Minorities continue to face an uphill battle of misinformation over polling locations, the purging of voter rolls, scare tactics, and inaccessible voting locations.

Prior to the 2004 elections, students at Prairie View A&M were told they could no longer register to vote in Waller County, TX.

The fear was that the 8,000 students at this historically black college may elect someone the local district attorney didn't want.

This change in voter registration was not precleared by the Department of Justice, and was ultimately overturned by the Texas attorney general and the Department of Justice.

This is just one example of why we still need the Voting Rights Act.

Now is the time to reauthorize this historic cornerstone of civil rights. It is imperative to our rights, our freedom and our democracy.

□ 1300

Mr. CONYERS. Mr. Chairman, it is now my privilege to yield 1 minute to the distinguished minority leader from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, my colleagues, last August I had the honor to march in Atlanta in recognition of the 40th anniversary of the Voting Rights Act, joining our colleagues Congressman LEWIS, the Reverend Jesse Jackson and so many other leaders.

I took with me the commitment of more than 200 House Democrats that we would vote 100 percent to reauthorize and strengthen this landmark legislation. And we stand by that commitment today. In May, I was proud to join Speaker HASTERT and the Senate leaders, Senator FRIST and Senator REID, to march down the steps of the Capitol and reaffirm our commitment to passing this legislation to strengthen and reauthorize the Voting Rights Act for another 25 years.

Today, we have the opportunity, indeed the privilege, to honor that bipartisan commitment. In that spirit, I wish to acknowledge the steadfast leadership of Chairman SENSENBRENNER. Thank you, Mr. SENSENBRENNER; Mr. CONYERS, thank you for your leadership, the two of you for working together; and the extraordinary leadership of Congressman MEL WATT, the Chair of the Congressional Black Caucus and a member of the Judiciary Committee, who helped cobble together this compromise with his persistent, persistent leadership. Thank you, Mr. WATT.

I also salute the Chair of the Hispanic Caucus, Congresswoman GRACE NAPOLITANO, and the Chair of the Congressional Asian Pacific American Caucus, Congressman MIKE HONDA, for their leadership. Of course, as with so many of our colleagues, we are very privileged to acknowledge Congressman JOHN LEWIS, the conscience of the Congress. Voting rights and civil rights in America are possible because of his courage and personal sacrifice and that of so many of our brave Americans who fought for the cause of freedom and justice.

This was an epic moral struggle in our country, and it remains our moral imperative to remove obstacles to voting and to representation for all. Among the other brave Americans are three extraordinary women. It is fitting that this legislation is named for Rosa Parks, for Coretta Scott King and for Fannie Lou Hamer. These women were constant in their pursuit of voting rights.

Rosa Parks ignited the Montgomery bus boycott. Fannie Lou Hamer electrified the 1964 Democratic Convention where she said, ''I am sick and tired of being sick and tired'' and was successful in getting her African American delegates recognized at the delegation.

Coretta Scott King was the keeper of the flame and one of our Nation's greatest civil rights leaders in her own right.

Forty years ago, in one of our Nation's finest hours, we came together to give teeth to the 15th amendment to overcome bigotry and injustice and to secure the fundamental right to vote. With the passage of the Voting Rights Act, we said that we would no longer tolerate any of the nefarious methods such as poll tax, literacy tests, grandfather clauses, and brutal violence that had been used to deny African Americans and other minority citizens the right to vote.

Within months of the Voting Rights Act's passage, a quarter of a million new African American voters had been registered. A quarter of a million new voices that had been silenced could finally be heard. They, along with millions to follow, changed the world with a vision of justice, equality, and opportunity for all.

We see its impact in the Halls of Congress: 81 African American, Latino, Asian and Native American Members. We all know that America is at its best when our remarkable diversity is represented in our Halls of power. We also know that we still have a great distance to go in order to live up to our Nation's ideals of equality and opportunity.

That is why the Voting Rights Act is still necessary, and that is why any amendments to weaken it must be rejected. I urge our colleagues to vote ''no'' on changing preclearance provisions, diminishing language assistance, and shortening the authorization period.

Make no mistake, the 10-year limitation on key VRA provisions seriously undermines its effectiveness.

We are all familiar with the, ''I Have a Dream'' speech of Dr. Martin Luther King, the march on Washington nearly 43 years ago. One part of the speech that I love that is not as frequently quoted as the ''I have a dream'' part, though, is he said in that speech: ''We have come to this hallowed spot to remind America of the fierce urgency of now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make justice a reality for all of God's children.''

We today must reject gradualism by voting ''no'' on the amendment to make this reauthorization period 10 years. Any diminishment of the Voting Rights Act is a diminishment of our democracy. In America, the right to vote must never, ever be compromised. We must not rest until the expiring sections of the Voting Rights Act are strengthened and reauthorized. This is our solemn pledge and obligation.

Thank you, Mr. Chairman.

Mr. CONYERS. Mr. Chairman, could you confirm that we on this side have 7 minutes remaining.

The CHAIRMAN. The gentleman is correct.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH), who has worked with the committee in a very generous way.

Mr. FATTAH. Mr. Chairman, I thank the ranking member for yielding me time.

Mr. Chairman, I also want to extend my personal thanks to the chairmen for their work to bring this bill to the floor. As one of the original cosponsors, this today is a signal across the world. I represent the city of Philadelphia where the Constitution was written. It was clear then and stated that we needed to work towards a more perfect Union.

The work that began when this bill was passed into law in 1965, and as it has been reauthorized on a number of occasions, today we again signal to the world that we continue to work towards a more perfect Union. As we promote democracy around the world, this is an opportunity for us to further secure it here at home.

I want to thank my colleagues as we dismiss these amendments and move to final passage later on today and thank the Congress because today we truly do represent the American people.

Mr. CONYERS. Mr. Chairman, I am pleased now to recognize for 1 minute my neighbor and colleague from Ohio, MARCY KAPTUR.

Ms. KAPTUR. Mr. Chairman, I rise in very strong support of the renewal of the Voting Rights Act.

Unfortunately, this great American struggle is not over. We have seen voters denied their rights in recent elections as they have been incorrectly purged from lists, their absentee votes not counted, and voting machine integrity and security not assured.

Ohioans have raised countless questions about today's new electronic voting systems, their flawed security, their lack of transparency, their reliability and, yes, their very integrity. Who controls the security codes in these machines? How do we ensure that local boards of election and judges at the precinct level are empowered to properly count votes and not the voting machine companies who know more about those machines and how to program them than the people conducting the elections themselves?

Strong efforts have been made in Ohio to curb the authoritarianism of our Secretary of State, Kenneth

Blackwell, as he has purged people from lists in our State in particular precincts where voters are heavily minority.

Mr. Chairman, we must pass the Voting Rights Act in its stronger form. The struggle is not over. As Reverend Joseph Lowery reminds us, keep hope alive, extend the Voting Rights Act.

I am in strong support of the passage of the Voting Rights Act to protect the ability of all citizens, particularly minorities, to vote. Unfortunately, this struggle is not over. We have seen voters denied their rights in several recent elections as voters have been incorrectly purged from lists, their absentee votes not counted, and voting machine integrity not assured.

Ohioans have raised countless questions about today's new electronic voting systems, their flawed security, their lack of transparency, their reliability, and yes, their very integrity. Who controls the security code for the machines? How do we assure that local Boards of Elections and judges at the precinct level are empowered to properly count votes and not the voting machine companies who know more about those machines and how to program them than the people conducting the elections.

Strong efforts were made by Ohio's Legislature to mandate voter verifiable paper trails on election machines, over the objections of Ohio's Secretary of State Kenneth Blackwell. Chairing the Bush campaign in Ohio, he opposed this standard. Blackwell also steered and limited the voting machine vendors from which local election authorities could choose, and imposed voter registration standards that were confusing and ridiculous. Voters of Ohio ended up challenging his capricious rulings in federal court on the day of the last Presidential election. He even tried to inject more confusion into the process by specifying the "weight of paper" used for voter registration forms when his own office was not using that kind of paper. His goal was clear: to create more confusion on election day by churning the electorate in key precincts to diminish turnout.

Congress passed the Help America Vote Act following the 2000 elections to fix these kinds of heavy-handed tactics and the mess America witnessed with the hanging chad ballots in Florida. Unfortunately, the bill did not mandate standards for the new equipment. To this day, and I believe purposefully by the Republican majority, no federal agency assures standards for voting technology on which localities can depend.

Voting rights stand at the top of our liberty pillar. We must pass this Voting Rights Act in its strongest form and restore America's trust in elections by ensuring their legitimacy and making them tamper-proof.

Mr. Chairman, before closing I would like to repeat a call that has been made by countless leaders of the civil rights movement including the Reverend Joseph Lowery, "Keep hope alive: Extend the Voting Rights Act."

[From the New York Times, July 7, 2006]

DON'T DISMANTLE THE VOTING RIGHTS ACT

(By Luci Baines Johnson and Lynda Johnson Robb)

The Voting Rights Act, signed into law on Aug. 6, 1965, by our father, President Lyndon Johnson, opened the political process to millions of Americans. The law was born amid the struggle for voting rights in Selma and Montgomery, Ala., which the Rev. Dr. Martin Luther King Jr. called ''a shining moment in the conscience of man.'' By eliminating barriers, including poll taxes and literacy tests, that had long prevented members of minority groups from voting, the act became a keystone of civil rights in the United States.

Now, crucial provisions of this legislation are in jeopardy. Last month, Congress seemed set to renew expiring sections intended to prevent voter discrimination based on race or language proficiency. Instead, a group of House lawmakers opposed to those sections succeeded in derailing their considerations.

The Voting Rights Act prohibits discrimination in voting everywhere in the country. But it has a special provision, Section 5, intended for regions with persistent histories of discrimination. These states and localities must have their election plans approved by the Justice Department.

Since the act was last renewed, in 1982, the federal government has objected to hundreds of proposed changes in state and local voting laws on the basis of their discriminatory impact. In recent years, proposed election changes in Georgia, Texas and other states were blocked because they violated the act.

Yet states and localities are not subject to Section 5 forever. In order to gain exemption, they need only meet a set of clear standards proving that they have been in compliance with the law for 10 years and have not tried to discriminate against minority voters. In Virginia, for example, eight counties and three cities have been exempted from Section 5.

Another section of the act, Section 203, which Congress added in 1975, mandates language assistance in certain jurisdictions to promote voting by citizens with limited proficiency in English. There are now 466 such jurisdictions in 31 states.

No one disputes that our nation has come a long way since the Voting Rights Act was first signed into law. But while it would be nice to think we don't need this legislation anymore, we do. We still struggle with the legacy of institutionalized racism. If either of the act's two sections under attack is weakened or allowed to expire, the door will be opened to a new round of discriminatory practices.

The reauthorization stalled in Congress is called the Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. Were he alive today, we believe President Johnson would be honored to have this bill named after such remarkable women. Its passage would be a fitting tribute to their collective efforts to expand the scope of civil rights and citizenship.

In his own era, our father faced powerful opposition to the Voting Rights Act, including from members of his own party. Nonetheless, he pushed forward with the legislation because he knew it was desperately needed. It was the right thing to do then. It still is.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 2 minutes to engage in a colloquy with the gentleman from North Carolina (Mr. WATT).

Section 5 of H.R. 9 contains a sentence that states: ''The purpose of subsection B of this section is to protect the ability of such citizens to elect their preferred candidates of choice.''

Is it your understanding that this language in the text of the committee report that accompanies this legislation is consistent with the understanding that the purpose of this section of H.R. 9 is to ensure that no voting procedure changes will be made that will lead to a retrogression of the position of racial or language minorities with respect to their effective exercise of the electoral franchise, and that this determination shall be made without consideration of political party control or influence in any elective body?

I yield to the gentleman from North Carolina.

Mr. WATT. Mr. Chairman, I thank the gentleman for yielding. It is certainly my understanding, as you have indicated, in 1976 in Beer v. United States, the Supreme Court held that, when a voting change is made in which a minority group's ability to elect candidates of choice to office is diminished, section 5 requires the denial of preclearance.

That was the retrogression analysis on which the court, the Department of Justice, and minority voters relied for 30 years. Is it the gentleman from Wisconsin's understanding that it is this standard that H.R. 9 seeks to restore to section 5?

Mr. SENSENBRENNER. Mr. Chairman, reclaiming my time. Yes, that is my understanding.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the ranking member of Homeland Security from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Chairman, I rise today in support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

Passage of the Voting Rights Act has allowed millions of minorities the constitutional right to vote in Federal elections. One of the people for whom this bill is named is Fannie Lou Hamer. Fannie Lou Hamer was born, lived, and died in the trenches of Mississippi's Second Congressional District.

Her history and involvement in voting education and voter participation include people like me, who stand before you as the highest-ranking African American elected official in the State of Mississippi, an opportunity that would not have been possible without the passage of the act.

Had this act been in place, my father, who died in 1963, would have been a registered voter. Had this act been in place, my mother, a college graduate, would not have had to take three literacy tests to become a registered voter. As influential policymakers, it is our obligation to look beyond what is good and support the reauthorization of the Voting Rights Act.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, 25 years ago I stood on this floor in support of this

bill. I worked with both the chairman of the Judiciary Committee and the ranking member at that time not only on this bill, but on the Martin Luther King holiday and on the fair housing legislation. I am very proud of that activity.

I rise in support of the bill that is on the floor. But I will rise in support of several of the amendments as well. I want to make several comments on this. One is, as a Catholic, I believe in the immaculate conception, but there is only one that I am aware of and that is not this bill.

The suggestion that we cannot look at this bill and look at any carefully tailored amendments I think is an erroneous one. I had a simple amendment that I offered before the Rules Committee. I had no objection; in fact, it was considered to be the least objectionable, if objectionable at all, but I was told if we adopted my amendment it would upset a carefully crafted delicate balance.

□ 1315

My amendment was simply to allow three counties in California and one township in New Hampshire to bail out, as we used to call the provision, because they had gotten in because of a curious historical moment. That is, in 1972, at the height of the build-up of the Vietnam war we had large numbers of people at military installations; we had three counties in California that had military installations. Those people who were there were counted for purposes of the census, many of them didn't vote there because they voted in their home states or their home districts, and those counties have been caught in this preclearance ever since. It just seems a matter of fairness to allow them out, and yet there was no opportunity to provide that.

And the reason I bring that up is this: If you look at the Supreme Court decisions, the Federal Court decisions on this, they have said this law is constitutional only so long as it is congruent, that is, related to the State-sponsored discrimination for which there is historical record. And that it is proportionate to the damage done, both of those things, and my fear is that if we don't craft legislation that recognizes that, we don't give evidence of the fact that we crafted it, the Supreme Court could say that perhaps we haven't done the job, and then this extraordinary remedy in section 5 is no longer valid.

Why is it extraordinary? Because it is an extraordinary imposition on a jurisdiction to say that they have to have any decision they make precleared by those at the Justice Department. But the Court has said, as long as you have those two things, congruency and proportionality, they will allow it. That is why I have some question about extending it for a full 25 years.

Back in 1982, I think there was ample reason for us to extend it for 25 years. You would still have a sense of a temporary nature. But to do it now, I think does call into question whether we are following what the courts have told us.

So all I would say is, I hope Members, while supporting the underlying legislation, will look at each amendment and see whether it helps undergird the constitutionality of this worthy bill that has done great things. But let's make sure we continue to carefully tailor it to the circumstances before us.

Mr. CONYERS. Mr. Chairman, I am pleased now to recognize for 1 minute the distinguished gentleman from Illinois, Mr. RAHM EMANUEL.

Mr. EMANUEL. Mr. Chairman, I strongly support the reauthorization of the Voting Rights Act. The true test of a democracy is the ability of all of its citizens to contribute to the decisions and actions of their government. When the American circle of democracy is widened, the democracy is strengthened. In addition, its moral voice at home and abroad becomes clear and unambiguous.

For nearly 200 years, this Nation failed to live up to the test, excluding voters on the basis of race, gender, and property. The 14th and 19th amendments to the Constitution removed those restrictions from the law of the land, but discrimination against African Americans persisted in many parts of the country.

In 1965, this House witnessed one of its finest moments when Members of both parties rejected party labels and acted as Americans, joining together to declare that literacy tests, grandfather clauses, and poll taxes would no longer be allowed to intimidate American citizens from exercising their right to vote.

Getting this bill passed required decades of effort by dedicated activists who risked their lives. I am proud that this bill recognizes the names of those heroes such as Fannie Lou Hamer, Rosa Parks, and Coretta Scott King. The voting rights of all Americans are no less important today than they were in 1965. Working together, as our predecessors did, we can confront these challenges and continue to fight for liberty and justice for all.

Mr. CONYERS. Mr. Chairman, I am pleased now to invite JOHN LEWIS, the conscience of the Congress, the gentleman from Georgia, the remaining time on our side.

The Acting CHAIRMAN (Mr. FOSSELLA). The gentleman is recognized for 3 minutes.

Mr. LEWIS of Georgia. Mr. Chairman, before the Voting Rights Act was passed in 1965, all across the American South very few African Americans were registered to vote. Men and women of color stood in unmovable lines. In Lowndes County, Alabama, between Selma and Montgomery, more than 80 percent of that county was African American, but not a single African American was registered to vote.

Many people were harassed, jailed, beaten, and some were even shot and killed. I cannot forget that in 1964, three young men that I knew, James Cheney, Mickey Schwerner, and Andy Goodman, two were white, one was black, they went out to investigate the burning of a church, a church that was to be used to prepare people to pass the so-called literacy test. These three young men were arrested, jailed, they were taken from the jail by the sheriff and his deputy, beaten, shot, and killed. They were killed for trying to help people become participants in the democratic process.

During that dark period in our recent past, black men and women who were teachers in public schools, colleges and university professors were told that they could not read well enough and they failed their so-called literacy test. On one occasion a would-be voter was asked to name the number of bubbles in a bar of soap. On another occasion, a person was asked to count the number of jelly beans in a jar.

Yes, we have made some progress. We have come a distance. We are no longer met with bullwhips, fire hoses, and violence when we attempt to register and vote. But the sad fact is, the sad truth is discrimination still exists, and that is why we still need the Voting Rights Act. And we must not go back to the dark path.

We cannot separate the debate today from our history and the past we have traveled. When we marched from Selma to Montgomery in 1965, it was dangerous. It was a matter of life and death. I was beaten, I had a concussion at the bridge. I almost died. I gave blood, but some of my colleagues gave their very lives.

We must pass this act without any amendment. It is the right thing to do, not just for us, but for generations yet unborn. When historians pick up their pens and write about this period, let it be said that those of us in the Congress in 2006, we did the right thing, and our forefathers and our foremothers would be very proud of us.

Let us pass a clean bill without any amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

The Acting CHAIRMAN. The gentleman is recognized for 3 minutes.

Mr. SENSENBRENNER. Mr. Chairman, following the gentleman from Georgia (Mr. LEWIS) is always a very tough act, but I would like to reiterate what he so eloquently said. We need the Voting Rights Act, and we need the Voting Rights Act because in the last 25 years the covered jurisdictions have not come clean.

Let's look at Georgia. Since 1982, there have been 91 objections, 91 objections submitted by the Department of Justice. And since 2002, there have been seven voting rule changes that were withdrawn by the State because of DOJ objections.

Texas, 105 objections imposed by DOJ since 1982, and 14 voting rule proposals were withdrawn by the State because

of voting rights concerns in the last 4 years.

Mississippi, 112 objections since 1982, and Federal observers have been sent to this State 14 times to monitor elections since 2002, most recently last year.

Louisiana, 96 objection since 1982, eight Department of Justice objections to voting rules have been lodged since 2002, most recently in 2005, and 10 voting rule proposals withdrawn by the State in the last 4 years.

South Carolina, 73 objections since 1982.

North Carolina in the covered jurisdictions, 45 objections since 1982.

And Alabama, 46 objections, and Federal observers have been assigned to the State 65 times since 2000 to monitor elections.

Arizona, 17 objections since 2002, and Federal observers have been assigned to that State 380 times since 2000 to monitor elections, including 107 since 2004.

Now, I think these figures ought to make it very clear that we need this bill, and we need this bill without any of the four amendments that are about ready to be offered.

And, finally, before we get into the debate on the amendments, I would like to offer my thanks to the staff people who have helped put together this record, Paul Taylor, the chief counsel of the Subcommittee on the Constitution; Kim Betz, the subcommittee counsel; Stephanie Moore, the Democratic counsel to the Committee on Judiciary and counsel to Mr. WATT; and, most particularly, Philip Kiko, who is chief of staff and general counsel of the committee, who is part of the institutional memory, because he helped me get the Voting Rights Act extension passed and signed in 1982.

We put in the work on this, we have done the hearings, the record is replete. We need this law extended, and we need it extended for 25 years. Vote ''yes'' on the bill, ''no'' on the amendments, and let's go down in history as the House that did the right thing.

Ms. DEGETTE. Mr. Chairman, I rise in strong support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. I am honored to have an opportunity to vote for H.R. 9, a bipartisan bill which makes important changes to the Voting Rights Act and extends otherwise expiring provisions for another 25 years.

As we reaffirm the Voting Rights Act today, it is worth remembering where we were before its historic initial passage. During the end of the 19th and the first half of the 20th centuries, State and local governments, particularly in the South, used multiple schemes to deny minorities, mainly African-Americans, the ability to register and meaningfully vote. These insidious methods included poll taxes, property requirements, literacy tests, residency requirements, the changing of election systems, and the redrawing of municipal boundaries.

The real beginning of the end of this disenfranchisement was the enactment of the initial Voting Rights Act of 1965, courageously passed by Congress and signed into law by President Lyndon Baines Johnson. As applied to certain States and jurisdictions, among other provisions, it prohibited literacy tests, authorized the sending of Federal examiners and observers to make sure people could register and vote, and required changes in election laws or systems be approved by the Federal Government to ensure minorities were protected.

Over the years the Voting Rights Act has been extended and improved numerous times. Congress expanded its protections to cover language minorities, required elections services, in certain circumstances, to be provided in a language other than English, and overruled the 1980 Supreme Court case of City of Mobile v. Bolden, allowing plaintiffs to prove violations of voting rights laws by showing a discriminatory effect as opposed to requiring a showing of discriminatory intent.

The results of the Voting Rights Act have been dramatic. The registration of African-American voters in the 11 States of the former Confederacy increased from 43.1 percent in 1964 to 62.0 percent in 1968. The gap between African-American and White registration rates shrank as well across much of the South. For example, in Mississippi this gap decreased from 63.2 percentage points in March 1965 to 6.3 percentage points in 1988.

Having a meaningful opportunity to exercise one's right to vote is no longer simply an abstract idea we talk about, but is instead a goal we strive to achieve for all. The evidence shows it is a mark we are increasingly meeting and all Americans should be proud of what we have been able to accomplish. As we celebrate our progress, however, it is important to remember that challenges remain.

Whether it is because of outdated election machinery or long lines at the polls, many people still find it difficult to vote. Too often these impediments are faced disproportionally by minorities and low-income citizens. The Federal Government must continue the role it started in earnest back in 1965, and continued through the Help America Vote Act of 2002, of working to ensure that all Americas are free to exercise their right to vote. Through its involvement and commitment of resources, I know we will succeed.

Mr. PAUL. Mr. Chairman, it is shameful that Americans were once routinely denied the ability to vote on account of their skin color. All Americans should celebrate the Voting Rights Act's role in vindicating the constitutional rights of all citizens to vote free of racial discrimination. Therefore, I was hoping I could support reauthorization of the Voting Rights Act. However, I cannot support H.R. 9 because it extends the unfunded bilingual ballots mandate.

I had joined with my colleague from Iowa, Mr. KING, in supporting an amendment to strike the bilingual ballot mandate, which was unfortunately rejected by this House. Mr. Speaker, despite the fact that a person must demonstrate a basic command of the English language before becoming a citizen, Congress is continuing to force States to provide ballots in languages other than English. If a knowledge of English is important enough to be a precondition of citizenship, then why should we force States to facilitate voting in languages other than English?

Of course, Mr. Chairman, I have no desire to deny any American citizens the ability to vote. Contrary to the claims of its opponents, Mr. KING's amendment does not deny any American the ability to vote. Under Mr. KING's amendment, Americans will still have a legal right to bring translators to the polls to assist them in voting, and States could still choose to print bilingual ballots if the King amendment passes. All the King amendment did is repeal a costly Federal mandate.

In conclusion, while I recognize the continuing need for protection of voting rights, I cannot support this bill before us since it extends the costly and divisive bilingual ballot mandate.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in support of H.R. 9, the Voting Rights Reauthorization Act. It was once said that ''a majority has no right to vote away the rights of a minority; the political function of rights is precisely to protect minorities from oppression by majorities.'' The amendments offered today by the majority seek to do precisely that; oppress the voting rights of minorities all over America to fairly and freely vote in elections.

While I am pleased to see this important, critical, and bipartisan bill brought to the floor, I am disheartened to see amendments offered that would weaken the core of H.R. 9 and would take a step backward in the fight for equality.

Since the birth of our Nation, no other right has been more important than having the ability to vote. Unfortunately, as history has shown, the denial of this right to minorities is a scar on our system of democracy. The passage of the groundbreaking Voting Rights Act of 1965 broke down barriers that stood in the way of African-Americans and minorities to vote, and we must pass H.R. 9, without the gutting amendments, to ensure that these barriers of discrimination, intimidation, and inequality will never be built again. Just as the Voting Rights Act of 1965 gave voice to millions of African American and minority men and women, H.R. 9 will ensure that voice for millions more in generations to come.

H.R. 9 would renew provisions of the Voting Rights Act of 1965 that protect minority voters in States and districts that have a documented history of voter suppression. It would extend the provisions of this bill for an additional 25 years, require the U.S. Attorney General to send Federal observers to monitor elections to make sure that eligible African-American and other minority voters are permitted to vote, it would extend bilingual requirements, and it would prohibit the use of any kind of test or devices to deny an individual the right to vote.

Each and every Member of the House has the unique opportunity today to continue the work of the great civil rights leaders of the past, Martin Luther King, Jr., Coretta Scott King, Rosa Parks, Fannie Lou Hammer, and our own JOHN LEWIS, to overcome the ghosts of oppression and fight for a new day of equality and respect for every individual.

I urge my colleagues, Republican and Democrat, to vote for H.R. 9 and oppose all amendments.

Mr. STARK. Mr. Chairman, I rise in strong support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

This historic legislation, first signed into law by President Johnson in 1965, has eliminated the most blatant forms of discrimination in voting practices and continues to send a strong message that American voters of all races

have the full support and enforcement of the United States Government behind them when they exercise a basic democratic right.

Contrary to the arguments of those that believe this law is no longer necessary, the extensive hearing record that accompanies this legislation proves that the need is as great as ever. In Georgia alone, 91 objections to voting practices have been processed by the Department of Justice since 1982, including 4 objections since 2002, preventing discriminatory voting changes from being enacted.

Indeed, additional action is necessary to guarantee the right to vote. Congress has failed to address the more subtle forms of discrimination that plague our voting system and were on full display in the last two presidential elections. The right to vote doesn't mean much to an individual who has to wait in a 3-hour line to cast a ballot or who has a hostile election worker deny their right to a provisional ballot. Nor is the right to vote honored when votes mysteriously disappear and can't be accounted for in a recount because there is no paper trail.

In 14 States, felons are denied the right to vote even after they serve their sentences. I sincerely doubt the public would support a law prohibiting felons from freely practicing their religion after completing their prison terms. Yet we deny an equally fundamental right to millions of Americans who may have written a bad check or been convicted of a minor drug offense.

These issues are just as threatening to our democracy as poll taxes and voter intimidation, and so today cannot be viewed as the capstone, but rather the foundation, of our efforts to guarantee the right to vote.

Mr. SHADEGG. Mr. Chairman, I strongly support civil rights and the constitutional right of each and every individual to vote unimpeded by government or any other entity. Regrettably, however, this piece of legislation is deeply flawed and offers a disincentive for many States to continue on the path to voting equality. Let me explain why.

The 1965 Voting Rights Act helped rid the voting process of structural discrimination against minority voters—in every State and every region. Provisions such as section 2 of the act bar the dilution of minority voting rights anywhere in the United States. The VRA also includes a formula to impose increased scrutiny on election-related decisions in certain States or counties. These jurisdictions—all or part of 15 States covering most of the South and my State of Arizona—are required to ''preclear'' every election change with the U.S. Department of Justice, everything from decennial redistricting to simply moving a polling place. The Department of Justice is tasked with determining whether election changes would diminish minority voting rights.

Today, 41 years later, the VRA's preclearance provision still relies on the formula derived from 1964 election data. The legislation before the House today does not update the formula to include more recent electoral data, nor does it modify the formula in recognition of the accomplishments of States since that time. This portion of the VRA simply does not reflect America's changing demographics or the progress our society has made over the last 40 years. States, particularly ''section 5'' States, have worked tirelessly to ensure that discrimination has no place in the voting process, yet the legislation before us continues to single out these States for unique and extraordinary scrutiny and it imposes no additional scrutiny on States that have impaired minority voting rights in the past since 1964. Neither is fair.

While not perfect, I would support an extension of the existing VRA. However, the bill on the floor today includes new requirements that minority groups must have the ability to elect ''preferred candidates of choice.'' The Department of Justice will somehow have to determine what constitutes a ''preferred candidate of choice''—potentially concluding that a minority candidate must be of a particular party. Expecting the Department of Justice or courts to determine the ''preferred candidate of choice'' invites electoral disaster. Prominent VRA experts, including former Solicitor General of the United States Theodore Olson, have concluded that this bill may result in the Department of Justice requiring district lines be drawn to benefit a particular party, politicizing redistricting and the VRA in a particularly egregious fashion.

The original bill theoretically allows jurisdictions to bailout of section 5 coverage. However, no State has ever been able to do so. If we want to encourage States to get out from under section 5 ''preclearance'' we must give them incentive to do so. Under the current criteria, no State will ever be able to get off the list.

Equality in the voting process is of utmost importance to me and I believe it is vital to protect minority rights. For this reason, I voted against an amendment that would strip the bill of its multilingual ballot provisions. Whether an individual is Hispanic, Navajo, or of any other background, he or she should be able to seek help when it comes to casting their vote.

Mr. Chairman, the right to vote, unimpeded, is a constitutional right for all citizens of the United States and should be protected. However, this act does not recognize the great progress that has been achieved over the past 40 years. This is a bill trapped in time; and for that reason, I ask you to join me in voting against H.R. 9 in its current form.

Mrs. CUBIN. Mr. Chairman, the enactment of the Voting Rights Act of 1965 marked a turning point in our Nation's history. The statute has succeeded in combating the voting disenfranchisement that was an ugly stain on our Nation's democratic ideals.

While there is no doubt that the Voting Rights Act was necessary when enacted, some of the bill's provisions have turned into a costly financial burden for States affected by the law. The bilingual ballot provisions come at a tremendous social cost as well, contradicting the requirement that immigrants develop English language skills in order to become naturalized as citizens.

As our Nation is founded on the influences of a wide range of ideas and cultures, the ability to share and use these ideas is facilitated by a common language—the English language. By encouraging national unity on this front we help to avoid the deep divisions which help keep certain regions of the world in turmoil.

Concerns about the Voting Rights Act are not limited to the South, nor are they limited to the preclearance provisions or bilingual ballots. The 1982 reauthorization of the law amended the act to define discrimination in terms of results rather than in terms of intent, raising serious constitutional concerns. Because of the way some courts have interpreted the Voting Rights Act, the law meant to safeguard the democratic process has become a catalyst for costly litigation for uncertain benefit.

My views on this and other portions of the Voting Rights Act are eloquently stated in an article by Roger Clegg, ''Revise Before Reauthorizing,'' which I hereby submit for the RECORD.

The Voting Rights Act has a long record of service to our democracy and much of it should remain in place. I am compelled to support the measure in order to combat the pockets of discrimination that remain in our Nation. I do, however, urge our House leaders to work with the Senate to rectify the law's shortcomings as it moves through the legislative process.

REVISE BEFORE REAUTHORIZING

(By Robert Clegg)

August 6 marks the 40th anniversary of the Voting Rights Act, and several provisions of the law are up for reauthorization in 2007. In a recent address to the NAACP's annual convention, House Judiciary Committee chairman James Sensenbrenner (R., Wisc.) endorsed an across-the-board reauthorization. He shouldn't have. While much of the act should stay in place, there are five major problems with it as currently written and interpreted.

First of all, it is bad to define ''discrimination'' in terms of results (i.e., whether racial proportionality is achieved) rather than in terms of intent (i.e., whether an action is taken because of race). The Voting Rights Act used to mean the latter, but in 1982 was amended to include the former as well.

As a result, a state that adopts a neutral rule, without discriminatory animus, and applies it evenhandedly can still be in violation of the Voting Rights Act if the Justice Department or a federal judge finds that the rule ''results'' in one race being better off than another and there is not a strong enough state interest in the rule.

For instance, suppose that a state decides that it wants to allow voter registration over the Internet, in addition to other ways of registering. There is nothing about race in the new procedure, no evidence that it was adopted with an eye toward helping one race more than another, and no evidence that it is being implemented in a discriminatory way. But suppose that more whites, proportionately, use the procedure than blacks. The state is therefore vulnerable to a claim that its new procedure ''results'' in racial discrimination in violation of the Voting Rights Act.

So, the act should be changed back to its pre-1982 language, to require a showing of actual racial discrimination—that people are being treated differently because of race.

Second, the Voting Rights Act now requires—or, more accurately, has been interpreted to require—the maintenance and even the creation of racially defined districts. This is a bad thing. One would think that our civil-rights laws would be designed to end discrimination, with the happy byproduct of facilitating integration. Instead, the Voting Rights Act encourages racial gerrymandering, which is both discriminatory and leads to segregation.

Ironically, the Supreme Court made clear in a series of decisions in the 1990s that the Constitution itself does not allow racial gerrymandering, meaning the creation of districts to serve racial constituencies. (Where race is used as a means to achieve politically gerrymandered districts, the Court has been more forgiving; in other words, it is one thing when the state figures that blacks are

likely to vote Democratic and therefore zigs and zags to take this political fact of life into account—assuming that race is the best proxy for voting behavior available—but something else if the zigging and zagging is to create a black-controlled district for the very reason that the state wants a black-controlled district.) Yet much of the jurisprudence of the Voting Rights Act now requires exactly that kind of gerrymandering. Under Section 2 of the act, majority-minority districts must be drawn if the three-part test set out by the Supreme Court's 1986 decision in Thornburg v. Gingles is met, absent unusual circumstances; under Section 5, if a majority-minority district existed once, it—or some similar racial ''edge''—must be preserved in perpetuity.

So, the law should be amended to make clear that there is no requirement that districts be drawn with the racial bottom line in mind—and, indeed, that such racial gerrymandering is in fact illegal.

Third, the Voting Rights Act as interpreted by the courts literally denies the equal protection of the law—that is, it provides legal guarantees to some racial groups that it denies to others. A minority group may be entitled to have a racially gerrymandered district, or be protected against racial gerrymandering that favors other groups; at the same time, other groups are not entitled to gerrymander, and indeed may lack protection against gerrymandering that hurts them. No racial group should be guaranteed safe districts or influence districts or some combination thereof unless other groups are given the same guarantee—and it is impossible to do so (and it is, in any event, a bad idea to encourage such racial obsession).

So, the act should be amended to make clear that it guarantees nothing for one racial group that it does not guarantee for all racial groups.

Fourth, in many circumstances the Voting Rights Act currently requires that ballots be made available in languages other than English—an odd provision, since the ability to speak English is generally required for naturalized citizens, and citizenship is generally required for voters. The provision does, however, remove another incentive for being fluent in English, which is the last thing the government should be doing. This provision in the act should be removed.

Finally, the whole mechanism requiring some jurisdictions to ask, ''Mother, may I?'' of the federal government before making any change in voting practices and procedures needs to be rethought. We should not continue to have such a ''pre-clearance'' mechanism at all, and in any event surely the current law—which singles out parts of the South and just a few districts elsewhere, notably in New York City and California—is out of date. This mechanism was considered ''emergency'' legislation when it was passed 40 years ago: Does it really make sense now to have a different law for Texas versus Arkansas, or Maryland versus Virginia, or New Mexico versus Arizona? This provision of the act needs to be removed or, at least, rewritten, so that troublesome districts are more fairly identified.

Celebrate the Voting Rights Act—but not without updating it for the 21st century.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in strong support of the reauthorization of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. I am proud to be a cosponsor of this important legislation, known as the VRA.

The VRA was first enacted in 1965. Since the passage of the VRA, many discriminatory practices and barriers to political participation have been eliminated, enfranchising millions of racial, ethnic, and language minority citizens.

Sadly, in spite of these advances, this landmark legislation is still needed today. The fact remains that hate groups continue to exist in this country and unscrupulous politicians, for their own political advantage, continue efforts to disenfranchise vulnerable voters.

Just last month, on June 28, the U.S. Supreme Court ruled in GI Forum v. Texas that a 2003 redistricting plan in Texas Congressional District 23 violated the voting rights of Latino voters. The Supreme Court ruling was a resounding affirmation of the need for the Voting Rights Act.

The National Commission on the Voting Rights Act recently released a report which highlighted a troubling pattern of voter discrimination against minority citizens across the nation. Without a clean reauthorization of the VRA, key provisions that protect against these abuses will expire in 2007.

One key provision that will expire is Section 203. Voting instructions and ballot information can be confusing even for the native-born, fluent in English. Section 203 ensures that taxpaying American citizens, who are not fluent English speakers, receive the language assistance they need in order to participate in the election process through well-informed choices. The ability to vote in an informed way will also encourage greater voter participation.

Another key provision set to expire in 2007 is section 5. Section 5 requires certain states, with a history of discriminatory practices, to get permission from the Justice Department prior to changing their election process. This is a necessary safeguard against the potential disenfranchisement of poor and minority voters living in these States.

Mr. Chairman, the Voting Rights Act continues to be as relevant today as it was in 1965. While the discrimination existing today may take a different form than that of 1965, the fact remains it still exists in 2006.

The Voting Rights Act is an important deterrent and protection against the disenfranchisement of thousands of American citizens.

As the model of Democracy for the world, we cannot afford to lose one of the fundamental expressions of our democracy—open, free and unencumbered elections. I urge my colleagues to support this bipartisan effort to renew the Voting Rights Act.

Mr. BLUMENAUER. Mr. Chairman, I support the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization in hopes that it will be a vehicle for true comprehensive election reform on a national level.

More than 40 years ago the Voting Rights Act was enacted as a direct response to purposeful discrimination that denied many Americans, mostly African American, equal voting rights. Currently only 16 States are covered. I am disappointed that we have not broadened our scope and our vision.

Currently Georgia is considering changes to its voter registration which will fall disproportional on its African American citizens who have long suffered discriminatory practices.

This further proves that discrimination is alive and well in today's society. We must keep the faith with the civil rights struggle. There are a number of demographics, such as low income citizens, who are still targeted by those who shamelessly continue to manipulate the system.

Reauthorizing the Voting Rights Act for another 25 years is questionable considering the changes that should be made to address the political manipulation seen in recent years in elections through redistricting and with voting machines.

For instance, in Texas a politically driven redistricting between censuses altered the political dynamic of a geographic area and its voters. any professionals in the Justice Department were convinced that the Tom DeLay driven scheme had serious problems but were overridden by the political appointees who were their bosses. In Ohio, during the last Presidential election, inner-city voters had to deal with a purposeful lack of voting machines that led to lines that were hours long. The fact that these issues are not being addressed by this legislation shows its shortcomings and the need for further reform.

We should take a principled stand to make our election process work better for the American public. We need elections that are fair, where every vote is counted, and people have equal access to the polls. Without addressing these concerns this vote is largely a symbolic effort that does little to change the overall distrust with the election process. I hope it improves during the next steps of the legislative process.

Mr. CUMMINGS. Mr. Chairman, I rise in support of H.R. 9—bipartisan legislation to reauthorize the Voting Rights Act of 1965, and in opposition to the King amendment.

Fannie Lou Hamer, Rosa Parks, and Coretta Scott King—together with thousands of other Americans—fought tirelessly to vanquish discrimination and exclusion.

I recall their sacrifice for my colleagues, along with the observation of Dr. King during his 1957 Prayer Pilgrimage to Washington:

''All types of conniving methods are still being used to prevent the Negroes from becoming registered voters,'' Dr. King declared. ''The denial of this sacred right is a tragic betrayal of the highest mandates of our democratic tradition.''

Unfortunately, our nation still needs the protections that the VRA provides—I cite the states of Georgia, Ohio, and Florida as recent examples that represent the betrayal to which Dr. King refers.

Mr. Chairman, the four amendments approved by the Rules Committee are poison pills for the VRA. All four diminish the right to vote, are constitutionally unsound and violate the intent of the act. This amendment is no exception.

I urge my colleagues to vote to reauthorize the VRA—without the poison pill amendments.

Mr. KIND. Mr. Chairman, the Voting Rights Act of 1965 upholds the promise made in 1776 that all citizens are created equal. This historic legislation reaffirms the principles of equal opportunity and treatment for which so many were willing to shed their blood or give their lives during the civil rights movement of the 1950s and 1960s.

Last year, I had the honor of joining civil rights leader Congressman JOHN LEWIS from Georgia on a congressional pilgrimage to visit the historic sites of the civil rights movement and retrace parts of the 1965 Voting Rights March in Alabama. During the trip, we commemorated the 40-year anniversary of the march at the Edmund Pettus Bridge, the site of the violent attack on voting rights demonstrators known as Bloody Sunday.

We remember the events of the civil right movement in this country, not only to honor the courage, sacrifice, and accomplishments of those like JOHN LEWIS but also to rededicate ourselves to their ongoing work: the pursuit of justice, love, tolerance, and human rights in our country and throughout the world. Their cause must be our cause today. As long as the power of America's diversity is diminished by acts of discrimination and violence because of race, sex, religion, age or sexual orientation, we must still overcome.

And deep in my heart, I do believe we shall overcome. In the words of Dr. Martin Luther King: ''Human progress never rolls on the wheels of inevitability. It comes through the tireless efforts of men willing to be co-workers with God.'' As long as we move forward as one Nation, united in our common goals, we can cross any bridge; we can overcome any challenge.

The guarantee that all American citizens have a right to be full participants in our democracy is a fundamental American right. It is important that we live up to our nation's ideals of equality and opportunity for all and reauthorize the 1965 Voting Rights Act today. It is also my belief that we should make the act permanent, rather than reauthorizing it for short periods.

Mr. DAVIS of Florida. Mr. Chairman, I rise today in support of H.R. 9 ''The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.'' I am proud to support this legislation and the bipartisan efforts that have brought it to the floor today.

The renewal of these key provisions of the 1965 Voting Rights Act is a critical opportunity to provide continued oversight and reform to our election system. This legislation will ensure that minority voters who have been disenfranchised in the past will not run the risk of facing such hurdles in the future. Though the Fifteenth Amendment of our Constitution guarantees the right of all citizens to vote free of discrimination, it is important that these provisions of the Voting Rights Act are renewed so as to clarify and expand this fundamental American right.

In addition to its importance on a national stage the beneficial effects of the Voting Rights Act have been felt locally in the Tampa Bay area, which I represent. In 1992, as a result of a Section 5 objection to Florida's reapportionment plan, the state created a new majority-minority state senate district in the Hillsborough County area. This new seat was created to account for the more than 40.1 percent of African American and Hispanic members of the voting age population in the area. Prior to this change, the legislative record shows that the redistricting had been undertaken with the intention of protecting the white incumbent.

I urge my colleagues to join me in supporting H.R. 9, the Voting Rights Act Reauthorization, and ensuring that the right to vote is protected for generations to come.

Mrs. MCCARTHY. Mr. Chairman, The Voting Rights Act was established to end decades of oppressive tactics used to deny millions of African-Americans, Latinos, Asians, and Native Americans from exercising their right to vote. Forty years later, it is clear that the Voting Rights Act was one of the most necessary and effective civil rights laws ever enacted. Without it, America would be a very different place.

While great progress has been made since 1965, much work is left to be done. There are still people out there who want to suppress the vote of certain groups and this legislation will make sure no voter is disenfranchised. It will take more than 40 years of the Voting Rights Act to undo more than 100 years of Jim Crow.

Prior to the law's enactment, members of certain communities faced countless impediments to voting such as poll taxes, harassment, intimidation, and even violence when attempting to participate in elections. It is important to remember that these shameful tactics were not exclusive to the South, but common throughout the entire United States.

Thanks to the Voting Rights Act, there are more than 9,000 African American elected officials in the United States today, as opposed to only 1,479 in 1970. These numbers would have been unthinkable 40 years ago.

In order for democracy to thrive, everyone must have the right to vote, regardless of race, religion, or income. It is not only the responsibility of every American to vote, but also to ensure everyone is allowed to exercise to participate in the electoral process.

The Voting Rights Act of 1965 worked, and Congress must allow it to continue to work for future generations.

Mr. MOORE of Wisconsin. Mr. Chairman, I rise today in strong support of the ''Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act.''

Today we are reauthorizing critical components of the Voting Rights Act that will ensure that all citizens can carry out the fundamental right to vote and have the opportunity to elect their candidate of choice.

I know there has been push back from certain colleagues about certain provisions, such as the language assistance provision. I wanted to remind everyone that these are all U.S. citizens that are helped by this provision and a majority of the people who will benefit from these language assistance services are native born citizens.

It's not only citizens of Spanish-speaking heritage or Asian Americans, we are also talking about American Indians and Alaskan natives. These are people whose ancestors were here long before yours or mine and deserve every assistance possible when it comes to voting.

Today, as we consider the reauthorization of the Voting Rights Act, let us reflect on our ancestors and those who dedicated their lives toward civil rights causes, such as Fannie Lou Hamer, Rosa Parks, Coretta Scott King and her husband Dr. Martin Luther King.

Dr. King led the symbolic voting rights march from Selma, Alabama to the capital city of Montgomery, which motivated Lyndon Johnson to push Congress to pass the Voting Rights Act of 1965. Some of the provisions in the Voting Rights Act itself were first outlined in a March 14, 1965 article in The New York Times written by Dr. King.

In his speech after the Selma to Montgomery March, Dr. Martin Luther King said:

> Let us march on ballot boxes, march on ballot boxes until race-baiters disappear from the political arena. Let us march on ballot boxes until we send to our city councils, state legislatures, and the U.S. Congressmen (and women) who will not fear to do justly, love mercy and walk humbly [with thy God]. Let us march on ballot boxes until brotherhood (and sisterhood) becomes more than a meaningless word in our opening prayer.

The Voting Rights Act empowers us to confront the deceitful tactics used to undermine minority voters.

The Voting Rights Act empowers us to seek justice and support the policies in which we believe.

The Voting Rights Act empowers us to achieve the true definition of democracy, and ensure that every American has the right to vote.

In memory of the many great civil rights leaders that have passed on and in unity with many of the great ones to come, I urge my colleagues to pass the Voting Rights Act and reject any amendments that undermine this monumental bill.

Mr. LANGEVIN. Mr. Chairman, I rise in strong support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. Throughout my career in public service, I have fought to protect Americans' most fundamental right—the right to vote. As the secretary of state of Rhode Island, I worked to ensure the accuracy of our elections and to guarantee that all eligible voters were able to cast a ballot. I have the most profound respect for the great Americans who came before us and who worked tirelessly to fight injustice in our electoral system. We honor their service and their sacrifice today by reauthorizing the Voting Rights Act, and I am proud to be a cosponsor of this important legislation.

The Voting Rights Act has proven extremely effective in expanding the freedom to vote to citizens who had previously been disenfrachised, and, as a result, minorities have been able to participate in elections at record levels. However, while we have made significant progress, recent cases of voter intimidation and discrimination demonstrate that we have more to accomplish. We need to reauthorize this landmark legislation so that we may build on past progress.

The Voting Rights Act's strength lies in its mandate that states not use tests of any kind to determine a citizen's eligibility to vote, and in its requirement that states with a history of unfair voting practices obtain federal approval before enacting any election laws that may have a discriminatory effect. I am deeply disturbed that a vocal contingent of Republicans wants to weaken this bipartisan legislation by gutting the very provisions that have made the Voting Rights Act one of the greatest legislative accomplishments in our history. I strongly urge my colleagues to oppose the amendments we will consider today and to support final passage of H.R. 9 so that we may continue to protect the most precious right of Americans—the right to vote.

Mr. THORNBERRY. Mr. Chairman, ''We hold these truths to be self-evident, that all men are created equal.''

''It is a sordid business, this divvying us up by race.''

Mr. Chairman, those two sentences sum up my concerns with this bill. The first comes from the Declaration of Independence; the second from Chief Justice Roberts' opinion in League of United Latin American Citizens et al. v. Perry, a case about this very Act.

We should be moving closer to that American ideal of God-given equality before the law, rather than ''divvying us up by race'' for another 25 years, as this bill would do.

To have different levels of scrutiny apply to various states, based on judgments made 40 years ago that are no longer accurate or justified, is wrong. There is simply no reason to believe that Texas requires more Federal supervision of voting than does Ohio or Florida or any other State. The same standard should apply equally to each person across the country, regardless of where he or she lives.

I am anxious for the day when race and skin color is as irrelevant to voting as is hair color. Unfortunately, this bill pushes that day 25 years further away.

Mr. DAVIS of Illinois. Mr. Chairman, I appreciate having the opportunity to share with you my thoughts on the Extension Voting Rights Act of 1965 and the enormously positive impact it has had on our Nation. I am very gratified to know the strong support for reauthorization of the Voting Rights Act and appreciate your leadership on this important issue.

The importance and necessity of the Voting Rights Act cannot be overemphasized. We have learned through experience what a difference the vote makes to us. In 1964, the year before President Johnson signed the Act into law there were only 300 African American elected officials in the entire country. Today, there are more than 9,100 black elected officials including 43 members of Congress.

Let me be clear: expanding the opportunity to vote in America goes far beyond simply ensuring that minority voters have a voice or that African American politicians get elected. The Voting Rights Act has enhanced the lives of all Americans, not just Black Americans, not just minorities. By opening up the political process, the Voting Rights Act has made available a broader pool of political talent, greatly improving the quality of representation for all voters. Just as important, the Voting Rights Act has been instrumental in moving America closer to its true promise and, thus, has significantly benefited every single American, regardless of their race, economic status, national origin or political party.

I've heard it suggested that the Voting Rights Acts—or certain key provisions—need not be reauthorized because its very success has rendered it obsolete. This is a fallacy—and I urge you in the strongest possible terms not to fall for it. The Voting Rights Act must be reauthorized because it works!

African Americans in the South were prevented from voting by a battery of tactics—poll taxes, literacy tests that were for blacks only, and the crudest forms of intimidation. From the Southwest to some urban areas in the Northeast and Midwest, Latinos were discourage from voting by subtler but also effective techniques that exploited the vulnerabilities of low-income newcomers, for whom English was a second language. Both groups were also the targets of districting designed to dilute their ability to elect officials of their own choosing—a fundamental freedom that all too many Americans take for granted.

That is why it is so important that the Congress renew all three provisions that are set to expire: Section 5, which requires a federal approval for proposed changes in voting or election procedures in areas with a history of discrimination; Section 203, which requires some jurisdictions to provide assistance in other languages to voters who are not literate or fluent in English; and the portions of Section 6–9 of the Act which authorize the federal government to send federal election examiners and observers to certain jurisdictions covered by Section 5, where there is evidence of attempts to intimidate minority voters at the polls.

I am gratified at the degree of support—on both sides of the aisle—for the reauthorization of the Voting Rights Act. I urge you to also recognize the continued need for preclearance and other special provisions that are so necessary for the continued progress we must make as a nation.

Mr. LEVIN. Mr. Chairman, I rise in strong support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

We stand here today with a historic opportunity to improve and renew one of the greatest advancements in the history of our American Democracy.

In 1965, in a direct response to evidence of pervasive discrimination taking place across the country, including the use of literacy tests, poll taxes, intimidation, threats and violence, Congress enacted the Voting Rights Act. Since 1965, we have come a long way towards breaking down the many entrenched barriers to minority participation, but exhaustive hearings and testimony have clearly indicated that more can and must be done.

Opponents of this legislation make the false presumption that the Voting Rights Act has accomplished its goals and is therefore no longer necessary. Yet since its last reauthorization in 1982, the Department of Justice—under the Voting Rights Act—has objected to over 1,000 proposed changes to voting laws because they would have denied equal access to the political process.

Other Members would eliminate Section 203, which provides voters with language assistance at the ballot box. The current law requiring bilingual voting assistance was enacted because Congress found evidence of blatant discrimination against non-English-speaking voters. Many American citizens are proficient in English, but may not be able to fully comprehend the complex legal wording in ballot initiatives. It is important to remember that there are American citizens who can speak English, but not read it. Bilingual assistance is necessary to ensure that these citizens are not left out of the political process.

Today four amendments have been offered which seek to severely weaken and undermine the Voting Rights Act. These amendments seek to turn back the clock on the advancements made since 1965 in the enfranchisement and participation of minority voters. Let me be clear, I oppose any attempt to water down the Voting Rights Act, and will oppose each and every one of these damaging amendments.

Back in the early 1970s, I worked together with Congressman JOHN LEWIS—who was one of thousands to risk his life to challenge the discriminatory voting practices of the time—registering voters in Mississippi. Since then, our country has made substantial strides in expanding and ensuring the right to vote for all American citizens, yet discrimination still exists. Cases remain where absentee votes are deliberately ignored, voters continue to be unjustly purged from voter rolls, and problems with electronic voting machines persist.

Reauthorizing the Voting Rights Act is absolutely essential as we continue to work for complete equality in the voting process. I truly believe that the Voting Rights Act is the most effective civil rights law ever enacted, and I strongly support its passage without amendment.

Mr. WELLER. Mr. Chairman, I rise today in strong support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. This legislation is an important recommitment of our dedication to the principle that all United States citizens, regardless of race, have equal opportunity to cast their vote in our democracy.

Mr. Chairman, The Voting Rights Act, and civil rights in general, have always been a part of Republican legislative history. During the 152 year history of the Republican Party, we have not wavered in our fight for the freedom of individuals. Our party played a significant role in bringing an end to slavery, worked diligently to extend the right to vote to all U.S. citizens, regardless of race, gender or creed, led the civil rights legislation of the 60's, and, today, is continuing to advance the cause of freedom around the world.

In 1866, Republicans in Congress passed the nation's first ever Civil Rights Act. Three years later, in 1869, Republicans proposed a constitutional amendment, guaranteeing minorities the right to vote. Ninety-eight percent of Republicans voted for this amendment, which led to its passage and inclusion as the 15th amendment to our Constitution.

Continuing the Republican legacy of advancing individuals civil rights, U.S. Senator Everett Dirksen, from my home state of Illinois, was responsible, more than any other individual, for the passage of the 1964 Civil Rights Act. His leadership paved the way for its passage and the enormous support from Republicans for this Act carried over into 1965, when a higher percentage of Republicans in Congress voted for the Voting Rights Act than did their Democratic colleagues.

H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, will extend and revise the Voting Rights Act of 1965 to enhance the intended purpose of protecting the constitutional right of all citizens to vote and, in effect, their right to actively participate in the governing of our county. This bill protects the ability of all citizens to elect their preferred candidate by prohibiting discriminatory voting qualifications and prerequisites. By supporting this bill, we are not only defending the rights of U.S. citizens, we are adding to our country's long history of protecting liberty and freedom.

I believe it is imperative that this legislation garner the strong support of the entire House of Representatives. The Voting Rights Act Reauthorization and Amendments Act of 2006 carries on the legacy of its 1965 predecessor and creates greater safeguards for all American voters.

I would like to thank our distinguished Speaker, the gentleman from Illinois, for his leadership on this legislation and for bringing it to a vote on the floor. I urge all my colleagues to protect our citizens, and our constitution, by voting in favor of this legislation.

Mr. HINOJOSA. Mr. Chairman, I rise in strong support of H.R. 9. The Voting Rights Act is one of our nation's most effective and essential civil rights laws.

Since enacted in 1965, this law has been reauthorized 4 times—each time with bipartisan support. Today, I hope that we will reaffirm our bipartisan, national commitment to voting rights for all Americans.

I would like to salute the efforts of Chairman SENSENBRENNER and Ranking Member Conyers for their tireless efforts to produce a bipartisan reauthorization bill. The right to vote is for all Americans—it is not a partisan issue. I urge my colleagues to support the underlying bill and to reject any amendments that would weaken the protections afforded under the Voting Rights Act.

One amendment that would turn the clock back on voting rights is the Amendment being offered by Mr. KING of Iowa that would strike Sec. 203 of the act, which provides language assistance for voters who need it. Striking this section is a strike to the heart of the Voting Rights Act allowing for discrimination against voters based on language. It is a backdoor attempt to reestablish a literacy test for voting.

Let us, together, pledge to fight barriers to voting. Let us say never again to the days of literacy tests, poll taxes, and intimidation and threats to voters.

Let us, together, ensure that minority communities will not have their votes diluted, costing them real representation in elected positions.

The Voting Rights Act protects our democracy. Its legacy of success is indisputable. In my own state of Texas, we went from 563 elected Hispanics in 1973 to 2,137 in 2005. The number of Hispanic elected to Congress from Texas doubled between 1984 and 2005. Yet these gains could be undone without the on-going protection of the Voting Rights Act.

The Voting Rights Act is about securing and protecting our democracy. I urge all of my colleagues to support the passage of H.R. 9 as it was reported out of committee.

Mr. COSTELLO. Mr. Chairman, I rise today in support of H.R. 9, the Voting Rights Act. All of us are grateful for those sacrifices which forced America to bring equality and justice to all and we must continue to uphold the basic principles and sentiments embodied in the Voting Rights Act.

The landmark Voting Rights Act of 1965 guaranteed that racism and its bitter legacy would never again disenfranchise any citizen by closing the polls. The failure to ensure voting rights regardless of race or national origin was a national shame, which was finally addressed and corrected in this historic bill.

Over the last 41 years, progress continues to be made in ensuring all citizens have the right to vote. However, the past two presidential election involved vote-related controversies, which led to significant numbers of voters unable to vote or unable to have their votes counted. These instances make clear the Voting Rights Act is still necessary and much needed. I am a cosponsor of H.R. 9 because we, as Americans, must preserve and defend our most basic right and liberty—the right to have our voices heard through voting.

Mr. Chairman there is no civil rights legislation more important or effective than the Voting Rights Act. We cannot and should not return to the days before 1965. We need to extend the expiring provisions of the Voting Rights Act. I support H.R. 9 and urge my colleagues to do the same.

Mr. BISHOP of Georgia. Mr. Chairman, I rise today in strong support of the Voting Rights Act and urge this House to decisively reauthorize this legislation for another 25 years. The Voting Rights Act has been reauthorized and upheld for more than four decades, and today we must act to ensure that the provisions set to expire next year remain in effect and continue to protect the sacred right to vote.

The Voting Rights Act is one of the most important civil rights initiatives ever enacted, protecting minority voters from discrimination, and ensuring for all Americans, the right to vote in a fair and equal voting process. This bill was necessary when it was passed in 1965 and it is necessary today. It continues to work effectively to combat discrimination and its reauthorization will make certain that the gains that have been achieved for minority voters are not rolled back. Clearly we have come a long way, but as recently as yesterday a U.S. District Court blocked the enforcement of a controversial voter I.D. law, which would have required the presentation of state-issued photo identification prior to casting your ballot. In the last decade Georgia and several other southern states have continued to experience problems with race-based redistricting and government reorganization. These laws may not be as egregious as the challenges of the past, but they are no less discriminatory and reinforce the need for federal monitoring to protect minority rights.

Before I was elected to Congress in 1992, my area of Georgia had only been represented by an African American once in its history; it was for less than three months in 1870 and 1871. Jefferson Long was the first black Member of Congress from Georgia and only the second nationwide. It took 121 years and the passage of the Voting Rights Act before another African American was elected. This bill is vital to ensuring that minority voices are heard in our nation's capital and at every other level of government.

Indeed only a few short years before Jefferson Long's service in Congress, Georgians elected their first African American state legislators. The election of 1868 was the first in which African Americans in Georgia could participate in the electoral process through voting or running for office. It was hotly debated in the Georgia General Assembly whether or not the Constitution guaranteed African Americans the right to run for office, or simply to vote. Despite this debate, 33 African Americans were elected to the legislature in 1868 and began their service that summer—they were outnumbered four to one in the body by their white colleagues. They endured taunting and torment in the newspapers and on the Floor of the General Assembly. The legislature voted along color lines and expelled the black members of the General Assembly—the 33 were booted from the floor.

One of them—Henry McNeal Turner—said, ''You may drive us out, but you will light a torch never to be put out.'' Another, Tunis Campbell, journeyed from Atlanta to Washington and asked the new President, Ulysses S. Grant, to intercede. Grant and the Congress did the right thing and ordered the Georgia legislature to readmit the expelled legislators and all 33 reclaimed their seats in Atlanta. But, by the turn of the 20th century, the devices of Jim Crow—the poll tax, literacy tests, whites-only primaries, and others—had forced each and every black representative out of office. In 1976, while I was in the General Assembly myself, the black legislators caucus donated a statue to commemorate the centennial of their ordeal.

Today, in Washington, DC, we are called to remember Turner's call—we must not let the torch go out. The Voting Rights Act brings electoral law out of the dark and promises that the discrimination and intimidation that plagued voting in the past will not be tolerated in the present. The reauthorization of this bill will renew that promise to our children and our grandchildren. We should not, we must not, and we cannot allow it to be extinguished. We must extend the Voting Rights Act today—without amendment!

Mr. FILNER. Mr. Chairman, I have been active in the struggle for civil rights since my teenage years. In 1961, I joined the first Freedom Rides to desegregate transportation facilities in our Southern States—and was arrested and imprisoned for several months in Mississippi. In 1965, I joined our colleague, JOHN LEWIS, as he led the famous march from Selma to Montgomery, AL. This led directly to Congressional passage of the Voting Rights Act. Since then, I have not forgotten my long standing beliefs and have consistently fought to uphold civil and human rights for every person in the United States.

The Voting Rights Act, adopted initially in 1965 and extended in 1970, 1975, and 1982, stands as the most successful piece of civil rights legislation ever. The Act codifies and effectuates the 15th Amendment's permanent guarantee that, throughout the Nation, no person shall be denied the right to vote on account of race or color. In addition, the Act contains several special provisions that impose even more stringent requirements in certain jurisdictions throughout the country, including the requirement to provide bilingual assistance to language minority voters.

This Act marked the first successful Federal oversight of changes to election procedures in jurisdictions that had a poor record of respecting minority voting rights in the past. These ''special provisions'' are set to expire in 2007. Therefore, the Voting Rights Act must pass in its entirety, without amendment.

At this time, when our country has staked much of its international reputation on the ability to spread democracy and free elections to troubled regions across the globe, the importance of keeping this Act in legislation with its special provisions is very vital. I urge my colleagues to support the reauthorization of the Voting Rights Act and reject all amendments.

Mr. EVERETT. Mr. Chairman, I reluctantly rise today in opposition to H.R. 9, the reauthorization of the Voting Rights Act. The Voting Rights Act provides important guidelines to ensure the integrity of elections, yet the legislation before us chooses to reauthorize this Act with 30 year old information. I simply cannot vote to sentence Alabama to an additional 25 years under the foot of the Justice Department without just cause.

I am disappointed that the House chose not to update the 1965 Voting Rights Act when it reauthorized the measure. The whole debate was cast as either you're for the Voting Rights Act or you're not. There was no attention paid to the fact that the Act's formulas are out of date and place the Act itself at risk of constitutional challenge. As a result, states like Alabama continue to be punished for wrongs committed 40 years ago and the same criteria will remain in effect for another 25 years, through 2032.

Furthermore, I also oppose the Voting Rights Act's mandate that States provide bilingual ballots to non-English speaking voters. This provision serves only to impede the assimilation of non-English speakers into our society.

The Voting Rights Act remains locked in a time-warp reflecting the voting realities of 1964, not 2006. The very constitutionality of the Voting Rights Act may be in question. The Supreme Court found more than 30 years ago that the Act's formula, which is based on the 1964, 1968 and 1972 presidential election voting data, was constitutional because it is was temporary and narrowly tailored to address a specific problem. Thirty years have since passed calling into question the basis of this ruling.

''I supported an amendment to update the formula used to determine which jurisdictions are required to obtain Federal ''pre-clearance'' before changing voting procedures,'' said Everett. ''The formula would be updated to reflect voting participation in the most recent three presidential elections as a basis for Federal pre-clearance instead of decades old data.''

I also voted for an amendment to strike the provision in the Voting Rights Act requiring States to provide bilingual ballots.

It must be stated that efforts to reform the Voting Rights Act are not designed to weaken its effectiveness in protecting minority voting rights. These rights will continue to be protected. Reforming the Voting Rights Act is necessary to ensure that it reflects our current society.

Alabama has made tremendous progress in the area of voter participation due in large part to the Voting Rights Act. Out of the 50 States, it is second only to Mississippi in the total number of African Americans holding public office. As recently as 2004, African Americans and Caucasians in Alabama were registered to vote in equal numbers.

Unfortunately, the Voting Rights Act remains focused on a core group of southern States which have long complied with its Federal mandate. Modernizing the Voting Rights Act would enable Alabama and other southern states to be properly evaluated on recent voter participation data. It also would help identify recent voter registration problems in other areas of the country that are currently hidden due to the antiquated formulas of the Voting Rights Act.

The provisions of the Voting Rights Act don't actually expire until 2007. Accordingly, Congress has time to go back to the drawing board and create legislation that would actually update and strengthen the Voting Rights Act. Modernizing the Voting Rights Act both serves the public interest and protects the constitutionality of the law.

Mr. BONNER. Mr. Chairman, I came to the House floor today with every desire—every hope in my heart—to vote for extending the Voting Rights Act of 1965.

Unfortunately, later this afternoon when the vote is actually called, even after several amendments that in my view would improve it have been voted on and, in all likelihood, voted down—it will be with a heavy heart—but a clear conscious—that I must vote against the underlying bill.

Please allow me to explain.

Mr. Chairman, there are 160 members of this House who are attorneys by training. Some were judges and have ruled on the merits of the law; others were distinguished members of the bar in their hometowns and communities before they were elected to Congress.

All, I am certain, are more qualified than I am—as I am not an attorney—to look at the Voting Rights Act of 1965—and its subsequent extensions over the years—and argue with more authority and legal knowledge the pros and cons of Section 2 or Section 4 or Section 5 of the Voting Rights Act, or whether or not Ashcroft v. Georgia should or should not remain a factor as new congressional district lines are drawn in the coming decades.

Likewise, every one of us here in this body comes to Congress with some degree of political acumen and understanding.

Many of our colleagues were former legislators back home; we have former governors and secretaries of state, former political science professors who once taught the subject in the classroom, even a former wrestling coach who serves today with great distinction as our Speaker.

Every person in this room is as qualified as I am—many are probably more so to peer into the proverbial ''crystal ball'' we all wish we had and try to guess whether by passing this extension, we'll be making our country a ''little more red'' or a ''little more blue.''

Let's be honest, Mr. Chairman, for many in this hallowed chamber, that is what this vote today is all about.

But while I am neither an attorney who has mastered Constitutional law nor a political expert who has extraordinary vision, I believe it is safe to say that I am the only member of this body who was born in Selma, AL, arguably one of the most significant sites in our Nation's struggle to advance the civil rights of all Americans.

As a child of the South born in the late 1950s, it is fair to say that I watched the Civil Rights Movement unfold before my very eyes.

No, I would never pretend to fully understand as a boy what men like my colleague and friend, Congressman JOHN LEWIS, went through to advance the cause of racial justice.

There is not another member of this body for whom I have greater respect or hold in higher regard than JOHN LEWIS, who, himself, is an Alabama native.

While I was a child watching the Civil Rights Movement progress, he was a young man helping to make it all happen.

And seemingly without malice in his heart, he turned the other cheek time and time again, even as Bull Conner, Jim Clark and others beat him, jailed him, spit on him, cursed him and did everything in their might to break his spirit and determination.

That, Mr. Chairman, is one reason why I have such a heavy burden with this vote.

Let me be clear about one thing: although many of our forefathers did not believe so at the time, the original Civil Rights Act of 1965 was necessary medicine to remedy an age-old ill and we Republicans can be proud—extremely proud—of the lead role our party played in its passage and enactment.

In 1965, racial discrimination was real—especially at the ballot box. In my birthplace of Selma, just over 2 percent of the registered voters were listed as African-American—even though the town of 30,000 people was over 57 percent black.

I remember hearing my parents talk about the numerous injustices that were taking place all over the South . . . of having a separate section for young blacks to watch a movie in the Alco Theater in Camden where I grew up, of having ''Colored'' water fountains at the Wilcox County Courthouse and other symbols—some large, some small—but all of which were intended to divide our country based almost solely on the color of a person's skin.

Mr. Chairman, today we can say with certainty that the Voting Rights Act of 1965 was needed and it worked. It did what it was intended to do. And in more ways than we can innumerate, we can thank God that it has changed our country for the better.

The Alabama I grew up in—in the 1960s—is a far cry from the Alabama I am privileged to represent here in this great body today.

Isn't it fitting that the first African-American female to serve our country as secretary of state is none other than a daughter of Birmingham, a lady who, as a little girl, knew the four other children who were tragically killed when a bomb exploded on Sunday, September 15, 1963, exposing the face of evil that reared its ugly head at the 16th Street Baptist Church in Birmingham.

Not a day passes when I am not so extremely proud to know that whether on the world stage, where there is so much strife and division, or coming back to help victims of Hurricane Katrina in her home State, Dr. Condeleeza Rice is a person of the highest moral standing, of the greatest integrity and is a shining example to us all.

Mr. Chairman, 50 years after she had been arrested simply for refusing to give up her seat on a bus in Montgomery to a white man, wasn't it appropriate for our Nation's capitol—this majestic building recognized around the world as a symbol of hope and freedom—to bestow its highest honor by allowing the body of Mrs. Rosa Parks, a former seamstress who went on to become the ''mother of the Civil Rights Movement,'' to lie in state for the Nation—and the world—to mourn her passing?

But, you see, Mr. Chairman, by extending the very provisions that were so necessary and needed in the 1960s—and by imposing for another 25 years the sanctions of Section 5 of the Voting Rights Act on a region of the country that has changed—and has changed for the better—what we are doing today is merely celebrating the success of the Selma to Montgomery march without acknowledging that the march for justice should continue.

It should continue to Palm Beach, Broward, Miami-Dade and Volusia Counties in Florida, where many of our colleagues and even more Americans believe with all their hearts that the presidential election of 2000 was stolen by the Supreme Court and a few hundred hanging chads.

If the prescription for suppressing the voting rights of African-Americans and other minorities who were disenfranchised in the South in the 1960s worked—and it did—then why are we not continuing the march for equality and justice for the citizens in Milwaukee and Chicago and Cleveland and the other great cities of our country who, in recent elections, have protested that their right to vote was compromised and their voice in this great democracy was intimidated?

The Alabama of today can boast the fact that there are more African-American elected officials in Alabama than any other state in the nation. That's quite a statement, Mr. Speaker,

a statement of real progress over the past 40 years. I count many of these men and women as my close friends and partners as, together, we are working to build a better State and region for our children and grandchildren, regardless of the color of their skin.

One person, in particular, whom I count as just such a partner is my friend and colleague, Congressman ARTUR DAVIS. On several occasions, ARTUR and I have held joint town meetings in Clarke County, a county that we both represent, as well as shared the stage in other Alabama cities talking about the progress our home State has made in recent years.

Without a doubt, ARTUR represents the very best Alabama has to offer; he is not only a rising star on the Democrat side of the aisle, but he is truly a leader whose vision and voice this Nation can benefit from.

Regretfully, on this issue, ARTUR and I respectfully disagree with each other.

He believes that it would be unconstitutional to make Section 5 of the Voting Rights Act apply to the entire Nation. I, on the other hand, believe if it is unconstitutional for Section 5 of the Voting Rights Act to apply to the rest of the Nation, then it might well be unconstitutional for it to continue to apply only to those States that were placed under it more than 40 years ago.

Last year, my hometown, Mobile, added a chapter to the rich history of progress that has come our way on this long and often-painful journey in that we elected our first African-American mayor, even though the majority of our citizens and the majority of the registered voters in Mobile are Caucasian.

As Mayor Sam Jones said on election night, ''we are too busy to be divided,'' but Mayor Jones' victory should tell us all that Dr. King's vision of an America where his ''four children will one day live in a Nation where they will not be judged by the color of their skin but by the content of their character,'' that America is more real today, Mr. Speaker, than ever before.

Are we where we need to be?

Have we completed our journey?

Of course not.

But make no mistake, discrimination does not stop at a State line and, sadly, it knows no boundaries. And that is precisely why, Mr. Speaker, I cannot vote for this particular extension of the Voting Rights Act because, at least in my humble opinion, it continues to pretend that the only vestiges of racism and discrimination exist in the nine states and the few other selected counties throughout the country that were originally covered.

And assuming that the four amendments that have been ruled in order—those by Mr. NORWOOD of Georgia, Mr. GOHMERT of Texas, Mr. KING of Iowa and Mr. WESTMORELAND of Georgia—assuming these four amendments all fail, and they most likely will—then what we have left is nothing but a hollow gesture.

It is true that some of our colleagues will most likely march to the microphone later today to declare this as a significant victory but, in all reality, it is nothing more than a very regretful missed opportunity.

Mr. Chairman, I wish with all of my heart that we had spent as much time over the past few months working to expand to the entire Nation the precious right of freedom and the privilege of voting without fear or retribution.

I regret that we were not able to be bold enough to say to the southern States which have shown so much progress that, after 40 years of advancement, we are now ready to move forward and give those areas where the sins of our fathers are no longer committed an opportunity to come out from under the burden of crawling to the U.S. Justice Department, on bended knee, and asking for its blessing to continue on the march for equality.

I truly lament the fact that, as our great Nation is in the midst of an important national debate, one that is focused on how we secure our borders and deal with the all-important matter of having between 11 and 20 million people who are in this country illegally, I can only wish that we had been courageous enough to say, ''if you want to become a citizen of this country and enjoy the many benefits that come with that citizenship, then you need to learn English—which is our national language—and you need to become a full-fledged participant in what has made—and continues to make—us different from almost every other country in the world and that is our right to participate in free elections and self-governance.''

Mr. Chairman, you see for me to cast a vote for this extension is asking me to condemn my beloved Alabama to another 25 years of being punished for mistakes that are no longer being made.

I know in my heart that the drumbeat for justice must continue and the battle for equality is long from over. I know more progress can be made—and will be made—in the coming months and years.

But I also believe, with every ounce of my being, that this bill will have to pass without my support. For the real opportunity to empower people—and bring credibility to the process that we hold so dear—that opportunity is one that could have been but will not be.

Mr. LANTOS. Mr. Chairman, I rise today as a cosponsor and strong support of H.R. 9 the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act, and urge all of my colleagues to vote for this important legislation.

As a representative democracy the most precious right afforded to our citizens is the right to vote. Unfortunately, we are all aware that for most of America's existence this instrumental right was denied to African Americans. And while the passage of the 15th Amendment to the U.S. Constitution in 1868 ensured all American men the right to vote, true equality for all voters was not achieved for another century with the passage of the Voting Rights Act in 1965. This not only guaranteed the fundamental rights of minority voters but provided the necessary enforcement mechanisms to make sure that any American who wanted to exercise their right to vote would be able to.

Mr. Chairman, the Voting Rights Act of 1965 truly transformed our Nation and helped make the dream of freedom a reality. The Voting Rights Act has subsequently been renewed four times, in 1970, 1975, 1982 and most recently in 1992. Despite the success of the 1965 Act, obstacles still exist which prevent minority voters from exercising their full and unfettered franchise, including unauthorized redistricting and last minute changing of poll locations. Because of these and other concerns about full and fair access to the polls for minority voters in this country, the Voting Rights Act continues to need to be renewed.

The legislation before us today reauthorizes three key enforcement provisions of the Voting Rights Act which have been essential to eliminating and deterring voting discrimination and preventing the denial of access to the ballot box. While progress on these crucial areas of voting protection has been made, it is clear from the mountains of evidence that the House Judiciary Committee received during its extensive hearings on this legislation that an ongoing and persistent level of discrimination still exists in our country necessitating the renewal of the Voting Rights Act.

Mr. Chairman, in my home State of California, perhaps one of the most diverse states in the Nation, the renewal of the Voting Rights Act will continue to ensure that the citizens of California can exercise their right to cast a fully informed vote. Section 203 of the Voting Rights Act will require 28 of the State's 58 counties to provide the necessary language assistance so that over 1.5 million voters at the polls are able to comprehend the ballot before them in the booth.

My unwavering commitment to the principles of this important legislation extends to opposing the four amendments considered during the debate today which would either undermine or weaken the act. I am pleased to state that I will vote for this legislation and urge all of my colleagues to join me in continuing to protect the civil rights of all Americans.

Mr. PRICE of Georgia. Mr. Chairman, I strongly support the undisturbed right of all Americans to freely exercise their right to vote. I support the extension of the Voting Rights Act (VRA). H.R. 9 is not extension of the Voting Rights Act. This is not your parents Voting Rights Act.

The 1965 VRA was a monumental step in the right direction—correcting past sins—and it has worked extremely well.

In Georgia in 1964 there were fewer than 25 minority elected officials.

In Georgia today there are 61 minority elected officials.

In Georgia in 1964, 27.4 percent of minority citizens were registered to vote.

In Georgia today, 64.2 percent of minority citizens are registered to vote.

In Georgia in 1964 there were NO minority statewide elected officials.

In Georgia in 2004 there were 9—out of 34—minority statewide elected officials; including our State Attorney General, our State Labor Commissioner and the Chief Justice of our State Supreme Court.

Great progress has been made. The Georgia of today is not the Georgia of 1964.

In fact, minorities in Georgia are enfranchised to a greater degree than those in many States not currently covered by the VRA—and States that will never be covered by the VRA—because of H.R. 9.

Why? Because this legislation will perpetuate the myth that nothing has changed, that no advances have occurred in minority participation in the voting process. This legislation perpetuates the right that there are no new jurisdictions in our Nation that are currently challenged in providing for minority participation in the electoral process.

So how will this Nation decide whether an area needs to be included under this Bill? It will be based upon the 1964 Presidential election. That's right! An election contested over 40 years ago! This is not a Voting Rights Act—it is a Voting Discrimination Act!

Because voters in States that are promoting and accomplishing the enfranchisement of minorities are being discriminated against—and

States that currently have discriminating practices will continue to do so—with no fear of being caught or covered by the same rules as those under the jurisdiction of the Voting Rights Act.

And America loses—

What we are doing today is not a renewal of the VRA. We are putting into law the undemocratic notion that minority citizens can only be appropriately represented by members of one political party. This is a notion that should be anathema to all Americans.

The original and rightful intent of the VRA was to ensure that all Americans could exercise their legal right to vote. Recent court decisions have revealed that the judicial branch believes that the VRA should not only ensure the legal right to vote, but that it must also ensure the victor in any given election as a fait accompli.

I support extension of the current VRA—for all of America.

I support the enfranchisement of every American legally able to vote.

I look forward to the day when Members of Congress may work together positively, to solve the challenges that confront us—together.

Unfortunately, that day is not today.

Mr. SERRANO. Mr. Chairman, I rise today in strong support of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

Mr. Speaker, this is an historic moment. I am honored to be on the floor of the House today as we take the next small step on the march toward equality that Rosa Parks and Dr. Martin Luther King, Jr., began just over half a century ago.

The Voting Rights Act is nothing less than the cornerstone of our commitment to government of the people, by the people, and for the people—all the people. For free peoples there is no right or duty more vital than the right to vote. By enacting the most significant civil rights statute in our Nation's history, Congress spoke loud and clear in 1965 that voting is a fundamental right of all American citizens.

The VRA made it the sacred duty of the Federal Government to enforce this right not only by protecting the individual voter, but also by evaluating the actual effects of voting law changes on minority influence. In so doing, the VRA created opportunities for members of all communities, regardless of race, color or creed, to serve their fellow citizens in government.

Today, we have the opportunity to take stock of the gains we have made and to reaffirm this country's commitment to tackling the challenges that remain ahead. When President Lyndon B. Johnson signed the VRA in 1965, he said that ''to seize the meaning of this day, we must recall darker times.'' Unfortunately, those dark times are not completely behind us. Despite the steady progress of the last 41 years, there is very little doubt in my mind that we still very much need section 5 and section 203 of the Voting Rights Act, which would sunset if this Congress neglected to act.

For reminders that Dr. King's march from darkness is not yet finished, we need only look to recent changes to maps and voting requirements in Texas and Georgia. The Supreme Court struck down portions of the new Texas congressional map just 2 weeks ago, and a ruling on new discriminatory election practices in Georgia have seriously eroded the Justice Department's ability to enforce section 5. The bill before us today, thankfully, restores the statute to the original intent of Congress.

I should note that I represent a district covered by section 5. Although the VRA was originally built upon the blood and activism of heroes who lived in a very different time, all of my constituents in my majority minority congressional district have a greater voice in this country today because of their sacrifices. Therefore, my Latino constituents are keenly aware that section 5 is as important to their political empowerment as the section 203 requirement for certain jurisdictions to provide language assistance.

Now I am aware that there is a small minority of Members here today who will try to strike section 203 from the reauthorization bill before us today. They will argue that providing language assistance at the polls somehow discourages immigrants from learning English. To this argument, I say first that I have never met any immigrant, much less one who became a citizen, who did not want to learn English or understand that learning English is their key to the American dream. In my city of New York, there are not enough English as a second language courses to go around for all the folks who want to take them.

Second, this argument ignores the fact that the majority of voters who utilize language assistance are natural born U.S. citizens. Persistent inequalities in our education systems see to it that even those who speak, read and write English in their everyday lives are not always equipped to deal with often complex ballot instructions. Section 203 is a measured, targeted solution that speaks to a principle that all Members of this body should agree on: that all eligible citizens, regardless of their access to education, have the right to cast an informed vote.

That is why we must renew section 203, along with section 5 and the other expiring provisions, without delay.

Twenty-five years from now, we may be able to file away voter discrimination, like slavery before it, as nothing more than a painful memory in our troubled past.

Twenty-five years from now, the conditions that drove Dr. King and others to begin their march may be nothing more than faint scuff marks on the boots of those of us who continued that march.

Twenty-five years from now, we may live in a country in which no racism, no cultural intolerance and no partisan ambition will impel any American to attempt to strip any other American's right to make his or her voice heard.

Twenty-five years from now, six decades after President Johnson declared with his pen that ''there is no room for injustice anywhere in the American mansion,'' we may finally be able to declare that we have completely banished discrimination from our democratic process.

But that day is not yet upon us, Mr. Speaker. For that reason, I applaud Chairman SENSENBRENNER and Ranking Member CONYERS for bringing this momentous renewal to the floor.

I also want to thank both of them for their receptiveness to the concerns of the Black, Hispanic and Asian Members of this body, many of whom would not be in this House if not for the Voting Rights Act.

The version of the bill reported by the Judiciary Committee is a magnificent product of bipartisanship, and I strongly urge my colleagues to support it in its entirety and reject any amendments that would weaken the commitment of this Congress to civil rights.

Mr. CUMMINGS. Mr. Chairman, I rise in support of H.R. 9—bipartisan legislation that will extend and strengthen the Voting Rights Act of 1965.

Fannie Lou Hamer, Rosa Parks, and Coretta Scott King—together with thousands of other Americans—fought tirelessly to vanquish discrimination and exclusion.

Forty years ago, millions of Americans were excluded from our democratic process.

In many States, voters were required to pass impractical literacy tests or pay hefty poll taxes.

It was to carry the American democratic journey beyond these failings that Black citizens and civil rights workers risked unemployment, violence and death.

I recall their sacrifice for this House, along with the observation of Dr. Martin Luther King, Jr. during his 1957 Prayer Pilgrimage to Washington.

''All types of conniving methods are still being used to prevent the Negroes from becoming registered voters,'' Dr. King declared. ''The denial of this sacred right is a tragic betrayal of the highest mandates of our democratic tradition.''

Eight years later, during the Selma voting rights marches, televised pictures of a vicious ''Bloody Sunday'' attack on unarmed Americans touched the conscience of this Nation—leading directly to enactment of the Voting Rights Act of 1965.

Mr. Chairman, this landmark legislation, often called the most important civil rights law of all, is still important in our own time.

From my own life experience, I can attest that we have come a long way toward universal justice in this country, but we are not there yet.

I note that a Federal court recently upheld a Voting Rights Act challenge to a proposed Georgia requirement that would require every voter to present a government photo ID before voting—a requirement, the court held, that would disproportionately burden minority voters.

And in the Texas redistricting cases that the Supreme Court just decided, the Court held that Texas District 23 violates the Voting Rights Act by making it more difficult for Latino-Americans to elect representatives of their own choosing.

In communities like my own throughout the country, the Voting Rights Act is the very foundation of our faith that America is moving forward toward the day when ''liberty and justice for all'' will truly prevail.

Americans of our own time—minority and majority Americans alike—need the continued guidance that the Voting Rights Act provides. We have come a long way, but more needs to be done.

The four amendments approved by the Rules Committee are poison pills for this bill and the sponsors know this. Any plan or scheme—by purpose or effect—that would diminish the right to vote is un-American and violative of the act.

With this renewal of the Voting Rights Act, we have the opportunity to live up to Dr. King's vision of a better, more unified country.

"Give us the ballot," Dr. King declared during that 1957 Prayer Pilgrimage to Washington, "and we will . . . fill our legislative halls with men of good will and send to the sacred halls of Congress men who will not sign a southern manifesto because of their devotion to the manifesto of justice."

Mr. Chairman, we can be those noble people whom Dr. King prophesied, the people who reaffirm and strengthen that truly American manifesto of justice that reads:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude."

These are inspiring and powerful words, Mr. Chairman.

Our duty is clear. Vote to reauthorize VRA without the gutting amendments.

Mr. ORTIZ. Mr. Chairman, I ask my colleagues to join me today in reauthorizing the single piece of legislation that has been a guardian of voting rights in our democracy since its inception. Su voto es su voz—Your vote is your voice. The people who vote make decisions in this Nation; and the more people that vote the better this democracy can be. While the government literally represents "We the People," we were actually sent here by voters, which—at best—is about half the people we represent.

It is ironic that today, the backdrop for this discussion is the Supreme Court decision on Texas redistricting recently that spoke to the unconstitutionality of how the State divided the Hispanic population in the 2003 map. While I wish we did not need the VRA and to protect minority voters, the bottom line is we still have discrimination in this country—a fact illustrated by the Supreme Court's Texas redistricting decision.

My public service began before some of you were born—not that I'm happy to admit that. My first campaign was 1964, the last election year before the Voting Rights Act of 1965 abolished literacy tests and poll taxes—both components of a time when one segment of this Nation could diminish the voting strength of other entire segments of this Nation. My mother took out a $1,000 loan—a fortune for a migrant family in 1964—to bankroll my first campaign.

The money was mostly to help offset the poll tax for Hispanic voters, whose priority was putting food on the table for their families. We have improved our democracy since then, but our civil tone in political debates has coarsened. This country, this Congress, will be better—we will reflect the population of this Nation far better—if the VRA is reauthorized.

This is a tool for our citizens to use to ensure that their voting rights—the most fundamental tool to speak in this democracy—remains protected. The Voting Rights Act protects voters from discrimination and ensures an even playing field for all voters. The Hispanic Caucus endorsed this bipartisan bill because the renewal of this basic civil rights law will ensure that all Hispanics can fully participate in the political process, protected by law from voting discrimination.

Key provisions of the VRA are set to expire in 2007 if they are not reauthorized by Congress, including those that protect voters from discriminatory practices that are used to commit fraud and intimidation. I know many of my colleagues have deep concerns about ensuring that non-native, English-speaking citizens getting language assistance in order to cast an informed ballot. Have you ever read one of those State constitutional amendments as you cast your ballot. Not being a lawyer, it's a little hard to follow.

Those receiving language assistance under this bill are taxpaying citizens, equal to all of us in this democracy—every one of them, equal to every one of us. This provision helps citizens navigate complicated rules and ballot language. This House should pass the bill, and I thank Chairman SENSENBRENNER and JOHN CONYERS for their hard work in bringing a fair and balanced bill to the floor, one which—if this Congress reauthorizes in the end, will continue protecting the voting rights of all Americans.

It's exactly the kind of bill the Congress of the United States should pass overwhelmingly and return from a rapid conference so it will continue to provide justice to communities that have long suffered from discrimination—and so it will be the law of the land.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Fanni Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization. Our democracy depends on protecting the right of every American citizen to vote, which must never be compromised.

The Voting Rights Act is the most effective civil rights law ever enacted. It was put into place in direct response to significant and pervasive discrimination taking place across the country, including the use of literacy tests, poll taxes, intimidation, threats, and violence. By outlawing the barriers that prevented minorities from voting, the VRA put teeth in the 15th amendment's guarantee that no citizen can be denied the right to vote on the basis of race.

This legislation has been renewed four times by bipartisan majorities in the House and Senate and signed into law by both Republican and Democratic Presidents. In the 41 years since its initial passage, the VRA has enfranchised millions of racial, ethnic and language minority citizens by eliminating discriminatory practices and removing other barriers to their political participation. The VRA has empowered minority voters and has helped to desegregate legislative bodies at all levels of government.

Efforts to remove many of the key provisions of the original legislation are extremely unfortunate. States with histories of discrimination should not be allowed to repeat past injustices. Amendments to weaken the act undermine the heroic efforts of countless Americans who fought for decades for the right to vote. We must stand together to defeat any measure that would weaken the provisions of the VRA.

It is imperative that we adopt the bipartisan bill without amendments that violate the spirit of the original VRA to once again ensure the right of all Americans to vote.

Mr. HOLT. Mr. Chairman, I rise today to express my support for the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, which will reauthorize expiring provisions of one of the most important and effective civil rights bills in the history of the United States. Passage of the Voting Rights Act of 1965 marked a pivotal turning point in American history, and I urge my colleagues to join me in supporting its extension for another 25 years.

As honored as I am to be a part of reauthorizing this landmark legislation, I am to the same extent disheartened that it remains necessary. Would that we could say, the 41-year anniversary of the legislation having come and gone, that 40 years had been enough to cure all of our electoral ills. But clearly it has not been enough, and it pains me deeply to have to look at my own country and acknowledge that some of its electoral abuses, although perhaps less overt, are at least as bad today as they were in 1965, if not worse.

I wish to commend the Judiciary Committee, Subcommittee on the Constitution for its exhaustive inquiry into the effectiveness of and continuing necessity for the expiring provisions of the Voting Rights Act. Through this process, which was informed by elected officials, scholars, attorneys, representatives of the civil rights and election integrity community, the Department of Justice, other governmental organizations and private citizens, we can all be assured that we extend these critical voting protection measures for unquestionably just cause.

The Judiciary Committee's report on the inquiry is compelling. Since 1982, for example, under the Voting Rights Act section 5 preclearance procedures, the Department of Justice has successfully screened out more than 700 proposed election procedure changes that were discriminatory. The rejected proposals included objectionable practices like discriminatory redistricting plans, relocating of polling places making elected positions appointed positions, and other such techniques. In fact, before the subcommittee even commenced its hearings in 2005, I co-moderated a day-long election reform forum in December 2004. Sponsored by the Leadership Conference on Civil Rights, Common Cause, and the Century Foundation, the forum documented extensive and ongoing disenfranchisement activities. It was entitled "Voting in 2004: A Report to the Nation on America's Election Process," and the reports delivered by election reform experts and civil rights groups are still available on the Common Cause website.

It is important to note, however, that the last 40 years have not been a bad-news only story. The Judiciary Committee's report documents both the continuing shortcomings of our electoral system and improvements made to it by the Voting Rights Act. It shows that the Voting Rights Act has been effective, but much work remains to be done. For example, between 1965 and 1988, the gap between registration of White voters and Black voters in Mississippi narrowed from 63.2 to 6.3 percent, and from 50 to 7.4 percen in North Carolina. Similar increases in Black registration were experienced throughout the States covered by section 5 during that period. Meanwhile, the number of African-American elected officials has increased from 1,469 in 1970, to over 9,000 in the year 2,000. Over the period from 1978 to 2004, the number of Asian-Americans elected to office has more than doubled.

The statistics also show that much work remains. The Judiciary Committee also found that in each of six southern States covered by section 5—Alabama, Georgia, Louisiana, Mississippi, South Carolina and North Carolina—African-Americans make up 35 percent of the population but hold only 20.7 percent of the State legislative seats. Latinos represent the largest minority population in the United States, at 15 million residents, but occupy only 0.9 percent of the total number of elected offices in the country.

I believe that the greatest invention of humans is our system of Constitutional democracy. It has transformed not just America, but the world, demonstrating that peaceful and productive government by the consent of the governed is possible. That consent—the very cornerstone of the system—is given by the vote. We have demonstrated that majority rule with protections of minority rights and minority influence is possible. The Supreme Court has held that the right to vote is the most fundamental right, as it is preservative of all others. The measure before us which will assure the continued life of the Voting Rights Act in the decades to come—is of monumental importance.

I am also eager to continue the fight to improve the fairness, accuracy and integrity of our electoral system as soon as this historic measure passes. I hope my colleagues will rapidly work with me towards passage of my Voter Confidence and Increased Accessibility Act, H.R. 550, to ensure that all votes are not only counted as cast, but can independently be audited so that both the losing side-actually, especially the losing side—and the winning side can accept the electoral results. The legislation would require a voter-verified paper record of every vote cast and other things to ensure the reliability, auditability, an accessibility of the voting process.

In addition, and especially because the measure before us will eliminate the further use of Federal examiners to assist in assuring the accuracy, integrity and full inclusivity of voter registration lists, I hope my colleague will support me as I work to pass my Electoral Fairness Act, H.R. 4989, which will substantially enhance the protections afforded to voters under the Help America Vote Act and the National Voter Registration Act in connection with the voter registration process. The legislation would establish fair and uniform rules governing the casting and counting of provisional ballots; ensure that adequate staffing, equipment and supplies be equally available at all polling places to minimize wait times for all voters; and protect the accuracy, integrity and inclusiveness of the voter registration rolls.

I urge my colleagues to join me today in reauthorizing the Voting Rights Act, and committing themselves to working to preserve and advance its legacy in every possible manner.

Ms. ESHOO. Mr. Chairman, I rise in strong support of H.R. 9, which reauthorizes the Voting Rights Act (VRA) for an additional 25 years.

Congress first passed the VRA in 1965 to dismantle ''Jim Crow'' and to respond to widespread disenfranchisement of minorities. Since then the VRA has been reauthorized numerous times and expanded to address other issues that impact voting access and fair representation, including congressional districting, language requirements and election monitoring.

In 41 years since the enactment of the original VRA, enormous gains have been made in ensuring the voting rights of minorities. However, our country still struggles to live up to the principles of equality and fair representation, and the legacy of racial bias still haunts the electoral process in some areas. Among the provisions reauthorized by H.R. 9 is Section 5 which requires jurisdictions covered under this section to have any changes to their election procedure pre-approved by the Justice Department or a U.S. District Court. This provision is vital to ensure that local jurisdictions do not employ tactics that discourage minority voting. Because of what is at stake, I believe it's vital that we reauthorize the VRA and do so by an overwhelming majority.

I strongly support the legislation before us, but I would be remiss not to take this opportunity to address the challenges we still face with respect to our elections. The 2000 and 2004 Presidential elections demonstrated the work that needs to be done to ensure that the will of the people is accurately reflected at the polls.

After the 2000 election, Congress acted in a bipartisan manner to pass the Help America Vote Act which, among other things, required the replacement of outdated punchcard and lever-machine voting systems. While many counties have upgraded to electronic voting machines, we cannot fully guarantee their accuracy until every electronic voting machine is equipped with a voter-verifiable paper ballot so that voters can verify their votes prior to casting their ballots and a recount can be ordered if necessary. Legislation to enact these steps has been introduced in the form of H.R. 550, the Voter Confidence and Increased Accessibility Act, and is supported by over 190 bipartisan cosponsors. After we vote to pass the reauthorization of VRA, we should turn our attention to passing H.R. 550 so we can provide full confidence, fairness and transparency in our election process.

Mr. Chairman, I urge my colleagues to support H.R. 9 and to do everything possible to make sure every vote is counted and that every vote counts in our electoral system.

Mr. LARSON of Connecticut. Mr. Chairman, after much delay and hankering by the Republican leadership about bringing this bill to the floor for a vote, I am proud to rise in strong support of reauthorizing the Voting Rights Act. As a cosponsor of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, I urge my colleagues to join me in rejecting any poison pill amendments meant to dismantle the broad agreement on this crucial piece of civil right's legislation.

No congressional duty is more profound than ensuring and protecting the voting rights of all Americans. As Members of this House, we cannot, we must not, be divided or indifferent in reaffirming America's promise that everyone is created equal. The vote is sacred in this country. Throughout our history, Americans have given their lives for freedom and the right to elect their leaders, from Lexington and Concord in Massachusetts, to Seneca Falls in New York, to Selma and Montgomery in Alabama, Americans demand the highest standards; the highest confidence; the highest protection in their right to participate in the democratic process.

The fact remains that not too long ago many Americans were denied the right to vote based on their sex or their skin color and in all honesty, many still battle the remnants of this discrimination today. It has been more than 40 years since President Lyndon Johnson called upon Congress to ''extend the rights of citizenship to every citizen of this land'' and pass the Voting Rights Act eliminating illegal barriers to the right to vote. Since that time, the face and even the language of the American voter may have changed, but our government's commitment to protect the integrity of every vote has not.

So today, I ask my Republican colleagues to put aside their partisanship and petty political gamesmanship and join me in protecting the most fundamental right of the American people, who are the rightful owners of this American government. I urge the Members of this House to reaffirm our commitment to protect democracy and support the clean final passage of H.R. 9.

Mr. STRICKLAND. Mr. Chairman, I rise today in strong support of H.R. 9, the Coretta Scott King, Fannie Lou Hamer, and Rosa Parks Voting Rights Act Reauthorization and Amendments Act of 2006. I can think of no better way to honor the legacies of Mrs. King, Mrs. Hamer, and Mrs. Parks than to pass this good, bipartisan bill.

Like most of my colleagues, I remember vividly the passage of the original Voting Rights Act of 1965. This landmark piece of legislation served as a significant milestone in the Civil Rights Movement. However, as we act to reauthorize this bill, it is all too obvious that the struggle for equal voting rights for all Americans is not over. Sadly, we know that we still need the VRA because we continue to hear reports of election-day abuses and violations.

Now is not the time to weaken or water-down the VRA. Some of my colleagues will offer amendments under the guise of modernizing the VRA. I believe that these proposed changes to the legislation will strip out some core protections that are still necessary. I urge all of my colleagues to oppose any amendments to H.R. 9, and to overwhelmingly pass a clean Voting Rights Act Reauthorization.

Mr. CASE. Mr. Chairman, I rise today in strong support of H.R. 9, The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, which I am pleased to cosponsor, and in strong opposition to the amendment offered by Congressman CHARLIE NORWOOD.

Over the last 40 years, efforts to renew and restore the VRA have been accomplished on a bipartisan basis. It is in that spirit that we have all worked together to bring the bill before us to the floor today. I would especially like to thank Judiciary Committee Chairman JAMES SENSENBRENNER, Judiciary Committee Ranking Member JOHN CONYERS, and Congressmen MEL WATT and STEVE CHABOT for their leadership on this issue.

Voting is the most important duty and right of Americans. By enacting the VRA, we tore down barriers to equal opportunity for minorities at the ballot box, removing the essential political mechanism that maintained the legal structure of segregation. As ruled by the U.S. Supreme Court, the equal right to vote is fundamental because it is ''preservative of all rights.''

It is with this in mind that I express great concern with the amendment proposed by my colleague, Mr. NORWOOD, as it essentially seeks to undermine the very means by which the VRA has maintained social justice.

Currently, section 5 of the VRA applies to any state or county where a discriminatory test or device was used as of November 1, 1964, and where less than 50 percent of the voting age residents of the jurisdiction were registered to vote, or actually voted, in the presidential election of 1964, 1968, or 1972. The Norwood amendment would change the preclearance formula by using rolling voter registration data and voter turn-out data from the three most recent Presidential elections.

My colleague argues that his amendment will ''modernize'' section 5. I believe that what his amendment really does is change the very focus of the preclearance provision, as it aims to make low voter turnout and registration the issues and not a recorded history of voting discrimination.

In fact, if the Norwood amendment were enacted, it would make my home state of Hawaii—a state without any history whatsoever of voting discrimination—the only preclearance state in our nation. This demonstrates in spades that one cannot reduce discrimination nor the need for federal oversight to so simplistic and mechanistic formula.

Reauthorization of the VRA gives us an opportunity to not only to reflect upon the progress we have made, but to maintain those gains that we have achieved. Adoption of the Norwood amendment would be a giant leap backwards.

I urge my colleagues to oppose the Norwood amendment, and all other weakening amendments, and support final passage of H.R. 9, a true bipartisan bill.

Mahalo, and aloha.

Mr. BUTTERFIELD. Mr. Chairman, I rise to support the Fannie Lou Hammer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. I want to thank the Speaker and Majority Leader for their willingness to go forward with this debate prior to our upcoming recess.

The 1965 Voting Rights Act changed America. It created the opportunity for minority citizens to fully participate in Democracy. Prior to the enactment and enforcement of the Act, black citizens in the South were disenfranchised primarily because of the Literacy Tests and because of the design of election systems that submerged concentrations of black voters into large, majority-white election districts. The result was that African-American communities could not elect candidates of their choice to office.

Why? It was because black voters did not comprise sufficient numbers within the district and white voters refused to vote for candidates who were the choice of the minority community. And so, the votes of black citizens were diluted which is a clear violation of the principal of one-person, one-vote.

The Voting Rights Act permits minority citizens to bring Federal lawsuits when they feel their vote is being diluted. Hundreds of these lawsuits have been successfully litigated in the Federal courts. In my prior life I was a Voting Rights attorney in North Carolina. As a result of court ordered remedies, local jurisdictions have been required to create election districts that do not dilute minority voting strength. The result has been absolutely incredible. When I was in law school 32 years ago, there were virtually no black elected officials in my congressional district. Today, I count 302.

The Voting Rights Act also requires some jurisdictions to obtain Department of Justice pre-clearance to any change in election procedure. This, at first blush, may appear to be unfair to those jurisdictions. But the jurisdictions that are covered have a significant history of vote dilution and this requirement of pre-clearance simply assures that the jurisdiction does not, intentionally or unintentionally, make changes in their election procedures that will discriminate. This is called section 5. Section 5 has prevented many, many election changes that would have disenfranchised minority voters. It serves a useful purpose and should be extended.

A short story. In 1953, in my hometown of Wilson, North Carolina, the African-American community worked very hard to teach the literacy test and qualify black citizens to vote. They then organized and elected an African-American to the City Council in a district with a large concentration of black voters. That was big news. When it was time for re-election in 1957, the City Council arbitrarily and without notice or debate, changed the election system from district voting to at large voting which resulted in the submerging of black voters. The change also required voters to vote for all city council seats on the ballot. If not, the ballot was considered spoiled. It was called the ''vote for six rule.''

Needless to say, that candidate, Dr. G.K. Butterfield, was handily defeated. If Section 5 had been in place in 1957, this jurisdiction would not have been able to implement the changes and this community would have continued to have representation.

Mr. Chairman, we have made tremendous progress in this country with respect to civil rights and voting rights. We must not turn back. I urge my colleagues to vote for H.R. 9 as reported by the Committee on the Judiciary and require covered jurisdictions to get the Department of Justice to analyze voting changes to determine if they will have the effect of diluting minority voting strength.

Mr. CROWLEY. Mr. Chairman, I rise today in support of a clean version of the Voting Rights Act; a version that is free of mean spirited amendments that aim to divide this country rather then unify and protect the rights of minorities to vote.

After being delayed for close to a month, the Voting Rights Act is finally allowed the vote it deserves. However, numerous Republican members would like nothing more then to see this important legislation derailed. Hence they have offered up amendments that will taint the purity of this bill.

One such amendment would prohibit Federal funds to be used in enforcing bilingual balloting. Many of the constituents that I and other members of this Chamber represent, would like nothing more then to participate in the basic democratic right of voting. However, many of these people who are citizens still struggle while they learn the English language and assimilate.

Let me be clear, we are not talking about undocumented residents. These are citizens of the United States. Many of whom have voted you and me into the office that we hold today.

The Voting Rights Act was passed in 1965 to protect the rights of all minorities to vote in the United States. However, these amendments offered today, are political tricks that only serve to continue to disenfranchise minority voters.

From not counting votes, purging legitimate voters from voter rolls, mandating ID cards to vote, and downright voter intimidation, it is clear now more then ever that the Voting Rights Act must be reauthorized as the original drafters of the legislation intended—excluding all amendments to this legislation that are being offered today.

I urge my colleagues to vote ''no'' on any amendment to the Voting Rights Act and vote ''yes'' on a clean version of this bill.

Ms. KILPATRICK of Michigan. Mr. Chairman, the right to vote—to participate fully and fairly in the political process—is the foundation of our democracy. For years after the Civil War, many Americans were denied this fundamental right of citizenship. Horrible acts of violence and discrimination, including poll taxes, literacy tests, and grandfather clauses, were used to deny African-American citizens the right to vote, especially in the South.

During the 1960s, many brave men and women fought against bigotry and injustice to secure this most basic right for all Americans. The Voting Rights Act, VRA, the ''crown jewel'' of our civil rights statutes, was born out of their courage, struggle, and sacrifice.

President Lyndon Johnson signed the Voting Rights Act into law on August 6, 1965. It provided protection to minority communities, and prohibited any voting practice that would abridge the right to vote on the basis of race. Any ''test or device'' for registering or voting was forbidden, thereby abolishing poll taxes and literacy tests.

Although the Voting Rights Act is a permanent Federal law, it contains some temporary provisions, including the ''pre-clearance'' and the bilingual provisions.

The ''pre-clearance'' provisions were enacted as temporary legislation in 1965. Sections four and five address ''pre-clearance'' and are only applicable in certain parts of the country. These provisions were originally added to help bolster the constitutionality of the Voting Rights Act. The VRA required State and local political jurisdictions with a documented history of discrimination to submit any proposed changes to their voting laws to the U.S. Attorney General or to Federal judges for ''pre-clearance'' before the changes could take effect. This process ensured that the Federal Government had the ability to prevent discriminatory voting laws before they were implemented. For example, States must receive approval before changing the closing time of polling places. Congress renewed these provisions in 1970, 1975, and 1982. The process of ''pre-clearance'' provision continues to protect voters today.

Mr. THOMPSON of Mississippi. Mr. Chairman, I rise today in support of H.R. 9, the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

Passage of the 1965 Voting Rights Act has allowed millions of minorities the constitutional right to vote in Federal elections. In 1964, only 300 African Americans in the United States were elected to public office, this included just three in Congress. One of the people for whom this bill is named is Fannie Lou Hamer. Fannie Lou Hamer was born, lived, and died in the trenches of Mississippi's 2nd Congressional District. Her history and involvement in voter education and voter participation include people like me who stand before you as the highest-ranking African American elected official in the State of Mississippi, an opportunity that would not have been possible without the passage of this act.

Moreover, with the expiration of major provisions, section 5, section 203 and sections 6 through 9, of the Voting Rights Act rapidly approaching, Congress must reauthorize these provisions now to protect those who may face discrimination in their efforts to exercise their right to vote.

In 2001, one of the most shameful and shocking reminders of discrimination occurred in Kilmichael, Mississippi. An all-White city

council canceled city election 3 weeks before they were to be held after several African Americans appeared to be in a strong position to win seats. Section 5 of the Voting Rights Act, which requires covered jurisdictions to obtain approval, or ''preclearance,'' from the U.S. Department of Justice or the U.S. District Court in D.C. before they can change voting practices or procedures, protected the voting rights of the people of Kilmichael. When elections were held, three African Americans were elected to the Board of Aldermen and the town elected its first African-American mayor.

As our Nation embraces the notion that the right to vote is essential in preserving the health of our democracy, section 203, which requires certain jurisdiction to provide bilingual language assistance to voters in communities where there is a high concentration of citizens who are limited English proficient and illiterate, is a critical element to the Voting Rights Act. As leaders committed to diversity, it is imperative that all minority language Americans are guaranteed the right to vote and have a voice in a political process that affects every aspect of education, healthcare, and economic development in this country.

Ongoing efforts must be made to guarantee fair access to the political process, and Sections 6 through 9 authorizes the Federal Government to send Federal election examiners and observers to certain jurisdictions covered by section 5 where there is evidence of attempts to intimidate minority voters at the polls. These statutes must remain in place to prevent the discriminatory election practices that still exist today.

As influential policymakers, it is our obligation to look beyond what is good for any one of us to what is good for the whole country and its future. It is vital that we act now to renew section 5, section 203 and sections 6 through 9 of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 an additional 25 years.

Mr. DINGELL. Mr. Chairman, I rise in strong support for H.R. 9, the Fannie Lou Hamer, Rosa Parks, Coretta Scott King Voting Rights Act Reauthorization. As a cosponsor of this important legislation, I urge my colleagues to pass this reauthorization without amendment.

The Voting Rights Act has went a long way in ensuring that the voting rights of minorities are honored, and that American citizens, whatever their ethnicity, are able to go to the polls and participate in the electoral process without threats, intimidation, or violence.

As a member of this body when the Voting Rights Act was initially considered, I know first-hand how this law has changed America for the better, ensuring that all Americans are able to exercise their constitutional right to vote.

Before the Voting Rights Act, some States had nasty little devices called poll taxes and literacy tests that just happened to keep minorities from voting, while, at the same time, failing to disqualify any White citizens from exercising the franchise. And if those devices did not work, intimidation, threats, and even violence were used to keep minorities from going to the polls.

Mr. Chairman, many of those nasty devices were wiped away when the Congress passed President Lyndon Baines Johnson signed into law the Voting Rights Act. Those that were not directly wiped away by the Voting Rights Act were defeated by cases brought before the U.S. Supreme Court by the Attorney General of the United States.

As George Santayana stated so eloquently: ''Those who cannot remember the past are condemned to repeat it.'' It is important that the House pass this historic renewal of the VRA without amendments that would besmirch the legacy of the three women who are honored in its title. To do anything less would jeopardize many of the accomplishments that those three courageous women and thousands of others fought for: that all Americans can exercise their right to vote freely without fear.

Mr. KUCINICH. Mr. Chairman, the passage of the Voting Rights Act in 1965 was a reaction to the ''exceptional conditions'' of the time. Obstacles to voting, borne of racism, had become accepted practice in many States. Many of these obstacles were written directly into State constitutions. These deterrents, including literacy tests and poll taxes, were designed to exclude and restrict nonwhite voters.

As we quickly approach the expiration of provisions of the Voting Rights Act, we must stop and take a hard look at voting rights in America. Although the taxes and tests are now a memory, remnants of the prejudice and fear that conceived of them remain. In the many hearings held by the Judiciary Committee examining the expiring provisions, the committee found numerous recent incidents in which objections were raised to changes in voting law.

One of the nine States subject to the provisions of section 5, provisions that require preclearance of changes to voting law by the Department of Justice, is Georgia. Since 2002, four objections have been raised against proposed changes to laws in that State. These four objections stopped discriminatory changes in that State.

The long lines and intimidation tactics used in my home State of Ohio in 2004 are proof that this reauthorization will not, in and of itself, solve our Nation's need for voting reform. But it is a strong step in the right direction.

The Voting Rights Act is still needed in America. We have stopped many of the egregious practices that plagued our voting system in 1965, but our work is not done. I strongly support the reauthorization of the Voting Rights Act and encourage my colleagues to join me in voting for this important bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 9

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006''.

SEC. 2. CONGRESSIONAL PURPOSE AND FINDINGS.

(a) PURPOSE.—The purpose of this Act is to ensure that the right of all citizens to vote, including the right to register to vote and cast meaningful votes, is preserved and protected as guaranteed by the Constitution.

(b) FINDINGS.—The Congress finds the following:

(1) Significant progress has been made in eliminating first generation barriers experienced by minority voters, including increased numbers of registered minority voters, minority voter turnout, and minority representation in Congress, State legislatures, and local elected offices. This progress is the direct result of the Voting Rights Act of 1965.

(2) However, vestiges of discrimination in voting continue to exist as demonstrated by second generation barriers constructed to prevent minority voters from fully participating in the electoral process.

(3) The continued evidence of racially polarized voting in each of the jurisdictions covered by the expiring provisions of the Voting Rights Act of 1965 demonstrates that racial and language minorities remain politically vulnerable, warranting the continued protection of the Voting Rights Act of 1965.

(4) Evidence of continued discrimination includes—

(A) the hundreds of objections interposed, requests for more information submitted followed by voting changes withdrawn from consideration by jurisdictions covered by the Voting Rights Act of 1965, and section 5 enforcement actions undertaken by the Department of Justice in covered jurisdictions since 1982 that prevented election practices, such as annexation, at-large voting, and the use of multi-member districts, from being enacted to dilute minority voting strength;

(B) the number of requests for declaratory judgments denied by the United States District Court for the District of Columbia;

(C) the continued filing of section 2 cases that originated in covered jurisdictions; and

(D) the litigation pursued by the Department of Justice since 1982 to enforce sections 4(e), 4(f)(4), and 203 of such Act to ensure that all language minority citizens have full access to the political process.

(5) The evidence clearly shows the continued need for Federal oversight in jurisdictions covered by the Voting Rights Act of 1965 since 1982, as demonstrated in the counties certified by the Attorney General for Federal examiner and observer coverage and the tens of thousands of Federal observers that have been dispatched to observe elections in covered jurisdictions.

(6) The effectiveness of the Voting Rights Act of 1965 has been significantly weakened by the United States Supreme Court decisions in Reno v. Bossier Parish II and Georgia v. Ashcroft, which have misconstrued Congress' original intent in enacting the Voting Rights Act of 1965 and narrowed the protections afforded by section 5 of such Act.

(7) Despite the progress made by minorities under the Voting Rights Act of 1965, the evidence before Congress reveals that 40 years has not been a sufficient amount of time to eliminate the vestiges of discrimination following nearly 100 years of disregard for the dictates of the 15th amendment and to ensure that the right of all citizens to vote is protected as guaranteed by the Constitution.

(8) Present day discrimination experienced by racial and language minority voters is contained in evidence, including the objections interposed by the Department of Justice in covered jurisdictions; the section 2 litigation filed to prevent dilutive techniques from adversely affecting minority voters; the enforcement actions filed to protect language minorities; and the tens of thousands of Federal observers dispatched to monitor polls in jurisdictions covered by the Voting Rights Act of 1965.

(9) The record compiled by Congress demonstrates that, without the continuation of the Voting Rights Act of 1965 protections, racial and language minority citizens will be deprived of the opportunity to exercise their right to vote, or will have their votes diluted, undermining the significant gains made by minorities in the last 40 years.

SEC. 3. CHANGES RELATING TO USE OF EXAMINERS AND OBSERVERS.

(a) USE OF OBSERVERS.—Section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f) is amended to read as follows:

''SEC. 8. (a) Whenever—

''(1) a court has authorized the appointment of observers under section 3(a) for a political subdivision; or

''(2) the Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b), unless a declaratory judgment has been rendered under section 4(a), that—

''(A) the Attorney General has received written meritorious complaints from residents, elected officials, or civic participation organizations that efforts to deny or abridge the right to vote under the color of law on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2) are likely to occur; or

''(B) in the Attorney General's judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to the Attorney General to be reasonably attributable to violations of the 14th or 15th amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the 14th or 15th amendment), the assignment of observers is otherwise necessary to enforce the guarantees of the 14th or 15th amendment;

the Director of the Office of Personnel Management shall assign as many observers for such subdivision as the Director may deem appropriate.

''(b) Except as provided in subsection (c), such observers shall be assigned, compensated, and separated without regard to the provisions of any statute administered by the Director of the Office of Personnel Management, and their service under this Act shall not be considered employment for the purposes of any statute administered by the Director of the Office of Personnel Management, except the provisions of section 7324 of title 5, United States Code, prohibiting partisan political activity.

''(c) The Director of the Office of Personnel Management is authorized to, after consulting the head of the appropriate department or agency, designate suitable persons in the official service of the United States, with their consent, to serve in these positions.

''(d) Observers shall be authorized to—

''(1) enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote; and

''(2) enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated.

''(e) Observers shall investigate and report to the Attorney General, and if the appointment of observers has been authorized pursuant to section 3(a), to the court.''.

(b) MODIFICATION OF SECTION 13.—Section 13 of the Voting Rights Act of 1965 (42 U.S.C. 1973k) is amended to read as follows:

''SEC. 13. (a) The assignment of observers shall terminate in any political subdivision of any State—

''(1) with respect to observers appointed pursuant to section 8 or with respect to examiners certified under this Act before the date of the enactment of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, whenever the Attorney General notifies the Director of the Office of Personnel Management, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision described in subsection (b), that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2) in such subdivision; and

''(2) with respect to observers appointed pursuant to section 3(a), upon order of the authorizing court.

''(b) A political subdivision referred to in subsection (a)(1) is one with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote.

''(c) A political subdivision may petition the Attorney General for a termination under subsection (a)(1).''.

(c) REPEAL OF SECTIONS RELATING TO EXAMINERS.—Sections 6, 7, and 9 of the Voting Rights Act of 1965 (42 U.S.C. 1973d, 1973e and 1973g) are repealed.

(d) SUBSTITUTION OF REFERENCES TO ''OBSERVERS'' FOR REFERENCES TO ''EXAMINERS''.—

(1) Section 3(a) of the Voting Rights Act of 1965 (42 U.S.C. 1973a(a)) is amended by striking ''examiners'' each place it appears and inserting ''observers''.

(2) Section 4(a)(1)(C) of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a)(1)(C)) is amended by inserting ''or observers'' after ''examiners''.

(3) Section 12(b) of the Voting Rights Act of 1965 (42 U.S.C. 1973j(b)) is amended by striking ''an examiner has been appointed'' and inserting ''an observer has been assigned''.

(4) Section 12(e) of the Voting Rights Act of 1965 (42 U.S.C. 1973j(e)) is amended—

(A) by striking ''examiners'' and inserting ''observers''; and

(B) by striking ''examiner'' each place it appears and inserting ''observer''.

(e) CONFORMING CHANGES RELATING TO SECTION REFERENCES.—

(1) Section 4(b) of the Voting Rights Act of 1965 (42 U.S.C. 1973b(b)) is amended by striking ''section 6'' and inserting ''section 8''.

(2) Subsections (a) and (c) of section 12 of the Voting Rights Act of 1965 (42 U.S.C. 1973j(a) and 1973j(c)) are each amended by striking ''7,''.

(3) Section 14(b) of the Voting Rights Act of 1965 (42 U.S.C. 1973l(b)) is amended by striking ''or a court of appeals in any proceeding under section 9''.

SEC. 4. RECONSIDERATION OF SECTION 4 BY CONGRESS.

Paragraphs (7) and (8) of section 4(a) of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a)) are each amended by striking ''Voting Rights Act Amendments of 1982'' and inserting ''Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006''.

SEC. 5. CRITERIA FOR DECLARATORY JUDGMENT.

Section 5 of the Voting Rights Act of 1965 (42 U.S.C. 1973c) is amended—

(1) by inserting ''(a)'' before ''Whenever'';

(2) by striking ''does not have the purpose and will not have the effect'' and inserting ''neither has the purpose nor will have the effect''; and

(3) by adding at the end the following:

''(b) Any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting that has the purpose of or will have the effect of diminishing the ability of any citizens of the United States on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2), to elect their preferred candidates of choice denies or abridges the right to vote within the meaning of subsection (a) of this section.

''(c) The term 'purpose' in subsections (a) and (b) of this section shall include any discriminatory purpose.

''(d) The purpose of subsection (b) of this section is to protect the ability of such citizens to elect their preferred candidates of choice.''.

SEC. 6. EXPERT FEES AND OTHER REASONABLE COSTS OF LITIGATION.

Section 14(e) of the Voting Rights Act of 1965 (42 U.S.C. 1973l(e)) is amended by inserting '', reasonable expert fees, and other reasonable litigation expenses'' after ''reasonable attorney's fee''.

SEC. 7. EXTENSION OF BILINGUAL ELECTION REQUIREMENTS.

Section 203(b)(1) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa–1a(b)(1)) is amended by striking ''2007'' and inserting ''2032''.

SEC. 8. USE OF AMERICAN COMMUNITY SURVEY CENSUS DATA.

Section 203(b)(2)(A) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa–1a(b)(2)(A)) is amended by striking ''census data'' and inserting ''the 2010 American Community Survey census data and subsequent American Community Survey data in 5-year increments, or comparable census data''.

SEC. 9. STUDY AND REPORT.

The Comptroller General shall study the implementation, effectiveness, and efficiency of the current section 203 of the Voting Rights Act of 1965 and alternatives to the current implementation consistent with that section. The Comptroller General shall report the results of that study to Congress not later than 1 year after the date of the enactment of this Act.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–554. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. NORWOOD

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 109–554.

Mr. NORWOOD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. NORWOOD:

Page 11, strike lines 1 through 3.

Page 11, line 4, strike ''(2)'' and insert ''(1)''.

Page 11, line 7, strike ''(3)'' and insert ''(2)''.

Add at the end the following:

SEC. 10. CRITERIA FOR INCLUSION FOR PRECLEARANCE AND OTHER PROVISIONS OF TITLE I.

The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended—

(1) in the first sentence of section 4(a)(1), by striking ''the first two sentences of'';

(2) by striking the second sentence of section 4(a)(1);

(3) in section 4(a), by striking ''or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'' each place it appears;

(4) so that subsection (b) of section 4 reads as follows:

''(b)(1) Subsection (a) applies in any State or subdivision of a State that the Attorney General determines maintains a test or device, or with respect to which the Director of the Census determines that less than 50 percent of the citizens of voting age residing

therein were registered on November 1 of a critical year, or that less than 50 percent of those citizens voted in the presidential election of that critical year. The critical years for the purposes of this Act are the 3 years in which the last preceding presidential elections took place.

''(2) A determination under paragraph (1) is not reviewable in any court and shall take effect upon publication in the Federal Register.'';

(5) in section 4(f)(4), by striking ''the second sentence of section 4(a)'' and inserting ''subsection (a)''; and

(6) in section 5, by striking ''Whenever a State or political'' and all that follows through ''1972'' and inserting ''Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) based on a determination made under section 4(b) enacts or seeks to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on the day before that determination was made''.

The Acting CHAIRMAN. Pursuant to House Resolution 910, the gentleman from Georgia (Mr. NORWOOD) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I ask unanimous consent that I be able to submit for the RECORD an article from Dr. Ronald Gaddie of the University of Oklahoma and an article from the American Enterprise Institute.

The Acting CHAIRMAN. The gentleman's request will be covered by general leave.

MYTHS AND REALITIES OF THE NORWOOD AMENDMENT TO THE VOTING RIGHTS ACT

(By Ronald Keith Gaddie)

There is a myth abounding in the debate about the renewal of the Voting Rights Act, that the Norwood amendment guts section 5, limiting its scope only to Hawaii and largely removing Section 5 oversight in the 16 states currently covered in whole or in part. Professor Rick Hasen, with whom I largely agree, gave credence to this myth in his editorial in Roll Call. I agree with Prof. Hasen regarding the bailout amendment from Mr. Westmoreland. However, I think the Norwood Amendment deserves a more careful, data-informed treatment before it is dismissed.

This myth is simply wrong. Saying ''only Hawaii'' leaves the impression that the Norwood Amendment withdraws the Voting Rights Act from its original target, the South, and that it is being retired to a permanent sunshine sabbatical on Maui. The truth is far more complex, and far less threatening to the continuation of coverage by the Voting Rights Act.

In my supplemental testimony to the Senate Judiciary Committee this past June, I supported updating the coverage formula to refer to the Presidential elections of 2000 and 2004. In that testimony, I also argued that the trigger be set to the two most recent elections, so that it would have ''a capacity to consider the evolution of the electorate, and that the trigger be based on the voting-eligible population—citizens. Any state or jurisdiction administering elections where participation fell below 50 percent of the citizen voting age population would be subject to preclearance.'' The consequence of this trigger is not dire. Instead, most of the currently covered jurisdictions continue to be covered, and other jurisdictions where we observe both racial strife and low political participation will fall under Section 5 preclearance.

An examination of data from the two most recent elections gives us a notion of how the Norwood amendment would affect coverage. Norwood's trigger, based on participation in the 1996, 2000, and 2004 presidential elections, requires Section 5 in over 1,000 counties across most of the states in the union based on participation in 2000 and 2004. Lacking data for 1996, I limit my discussion to these elections, which resembles the trigger I proposed to the Senate (Note: these data, including a map of the potentially affected jurisdictions, are available at my website, http://soonerpolitics.com).

Where are these counties? Of the 1,010 counties covered, 486 were not previously subject to Section 5. Of these, 58 are in states already covered in part by Section 5: twelve in California, eighteen in Florida, five in Michigan, sixteen in North Carolina, six in New York State. Another 121 are in Arkansas and Tennessee, states not currently covered by Section 5. Kentucky, Missouri, Oklahoma and West Virginia account for another 155 counties, including any rural Appalachian counties or, in case of Oklahoma, counties with notable Native American populations. In sum, 334 new counties come from former Confederate or Border South states or from current section 5 states.

Another twenty-one counties come from New Mexico, where a state court in 2001 and 2002 accepted the presence of racially polarized voting in the southern part of the state and in the areas populated by Navajo and Jicarilla Apache. Of the remaining 131 new, covered counties, 67 are in Indiana and Pennsylvania, where population loss since the census might explain the presence of low voting rates. This leaves 64 counties scattered over sixteen states, including a variety of very populous counties like rapidly-growing Clark County, Nevada (Las Vegas) and also sparsely populated places such as Glacier County, Montana, the home of the Blackfeet Indian Nation and about 14,000 residents. Many of the counties that are picked up in the new states with very few covered counties also host Indian reservations, including counties in Nebraska, Michigan, Idaho, Montana, North Dakota, and Oregon.

So where drops out? It appears that 340 counties in currently covered states do not get picked up, plus Alaska and ten townships of New Hampshire. Of the 340 counties that are not picked up by the trigger, 43 are in Mississippi, 31 are in Louisiana, and 58 are in Virginia, and result in a 55 percent reduction in covered counties in these three states. Of 64 Louisiana parishes, 58 would not get picked up. These four states account for over half of the currently-covered counties that would no longer be covered.

An additional 118 counties come from the 254 counties of Texas, though the only major urban county to no longer be covered is Tarrant County (Fort Worth). Dallas (Dallas), Harris (Houston), El Paso (El Paso), and Bexar (San Antonio) counties and most of the South Valley continue to be covered. Jurisdictions that are not covered tend to be in sparsely populated west Texas. Also, twenty-two of 159 Georgia counties and nine of 46 South Carolina counties are not picked up by the new trigger. Most of the Georgia dropouts are in the Atlanta urban doughnut or outside the black belt, as too are the South Carolina dropouts. Only four of 14 Alabama black belt counties stay in, due to their high voter participation, and about half of the historic rural majority-black counties of Mississippi are also not picked up.

The original trigger of the Voting Rights Act was crafted to target jurisdictions with egregious voting rights and human rights problems. The updating of the trigger in the 1960s and early 1970s picked up non-Southern jurisdictions that had participation problems and also, coincidentally or not, often had other voting rights challenges that might not have been addressed in the absence of an updated trigger. The Norwood Amendment trigger preserves coverage in most of those original and updated jurisdictions, and also expands coverage in a fashion similar to the 1968 and 1972 trigger updates. And, in doing so, it picks up jurisdictions where noted advocates such as Laughlin MacDonald have stated the need for greater oversight, such South Dakota, by identifying areas in partially-covered states and uncovered states where lower participation might indicate the need for closer scrutiny by the Department of Justice.

The politics of the Voting Rights Act renewal dictate that the Norwood Amendment will not pass in the House. But on its face the Norwood Amendment is not predatory. Rather, it acknowledges a political reality of significant gains in participation in areas long-covered by the Voting Right Act, while also continuing and extending coverage in areas where voters are not participating, and where the need for stricter scrutiny of voting and registration practices could be in order.

TABLE I.—CHANGES IN S. 5 COVERED COUNTIES, NORWOOD AMENDMENT, USING 2000 AND 2004 ELECTION PARTICIPATION

	Currently covered counties	Counties covered by Norwood amendment	Net change, currently covered counties	Net change, currently non-covered States	Total number of counties in State
Alabama	67	36	−31		67
Arkansas	0	54		54	75
Arizona	15	12	−3		15
California	4	16	12		58
Colorado	0	6		6	64
Florida	4	22	18		67
Georgia	159	137	−22		159
Hawaii	0	4		4	4
Idaho	0	3		3	44
Illinois	0	3		3	102
Indiana	0	37		37	92
Kansas	0	8		8	105
Kentucky	0	63		63	120
Louisiana	64	6	−58		64
Massachusetts	0	1	1	14	

TABLE I.—CHANGES IN S. 5 COVERED COUNTIES, NORWOOD AMENDMENT, USING 2000 AND 2004 ELECTION PARTICIPATION—Continued

	Currently covered counties	Counties covered by Norwood amendment	Net change, currently covered counties	Net change, currently non-covered States	Total number of counties in State
Maryland	0	9		9	24
Michigan	2	7	5		83
Missouri	0	15		15	115
Mississippi	82	39	−43		82
Montana	0	1	1	1	56
North Carolina	40	56	16		100
North Dakota	0	4		4	53
Nebraska	0	1		1	93
New Jersey	0	2		2	21
New Mexico	0	21		21	33
New York	3	9	6		62
Nevada	0	4		4	17
Ohio	0	6		6	88
Oklahoma	0	38		38	77
Oregon	0	2		2	36
Pennsylvania	0	30		30	67
South Carolina	46	39	−7		46
South Dakota	2	9	7		66
Tennessee	0	67		67	95
Texas	254	136	−118		254
Utah	0	2		2	29
Virginia	123	65	−58		134
Wisconsin	0	1		1	72
West Virginia	0	39		39	55

AN ASSESSMENT OF RACIALLY POLARIZED VOTING IN MILWAUKEE, WISCONSIN

PREPARED FOR THE PROJECT ON FAIR REPRESENTATION, AMERICAN ENTERPRISE INSTITUTE

(By Charles S. Bullock III and Ronald Keith Gaddie)

The scope of racially polarized voting is not confined to the Section 5 states or to the South, but indeed occurs in places such as Wisconsin. During the 2002 federal trial to establish new state Assembly boundaries for the Badger State, the well-regarded University of Wisconsin political scientist David Canon entered testimony on behalf of plaintiffs arguing for the existence of racially polarized voting and significant differences in African-American versus Anglo participation in Milwaukee. The following data and analysis are drawn from Canon's reports and affidavits.

Canon's analysis focused on sixteen biracial elections within Milwaukee County. In fourteen of these contests, white turnout exceeded black turnout, often by double the rate of voter participation.

In his analysis, Canon found nine instances of ''legally significant'' racially polarized voting in black-versus-white contests: the 1992 Milwaukee County Executive primary, the 1992 House district 5 primary, the 1995 at-large school bard primary, the 1996 Supreme Court primary, the 1996 Milwaukee Mayor's race (General election), the 1998 gubernatorial primary, the 1999 at-large school board election, and the 2000 Supreme Court general election. Eight of these contests were primaries or non-partisan contests, and in those eight contests, the white turnout rate was on average double that of the black turnout rate.

The average black vote for the black candidate (86.2%) in the eight polarized, primary or nonpartisan contests was comparable to the average white vote for the white candidate (85.2%). These levels of polarization are comparable to levels observed in the most polarized southern elections, and exceed the degree of polarization in recent Georgia elections. Overall, in the nine instances of legally significant polarization identified by Canon, black voters cast at least 89% of votes for the black candidate on six occasions while white voters cast at least 89% for the white candidates on three occasions.

Dr. Canon exhibits an explicit concern that Republicans in Wisconsin would use districting to locate black voters in such a fashion that a Voting Rights Act violation might occur. In his criticism of State Assembly redistricting plans advanced by the Assembly and Senate Republicans in 2002, Canon observed that: ''the black majorities are too small in the Republican plans, black voters will not be able to elect their candidates of choice in as many as four of the six black-majority districts. The highly-polarized nature of voting in Milwaukee County and the relatively low turnout of African-American voters means that the combined minority voting age population should be at least 65% and the African-American voting age population should be at least 60% in order to ensure that minority voters have an opportunity to elect candidates of their choice . . . given the relative lack of responsiveness of the Republican Party to the particular needs of minority voters, see ''Electing 'Candidates of Choice' and Effective Minority Representation in the 2002 Wisconsin State Legislative Districts,'' pp. 27–30, the link between the creation of majority black districts and this partisan goal, and the dilution of black voting power by making it more difficult to elect minority candidates of choice, I believe that the State of Wisconsin would subjected to legal liability under a ''totality of circumstances'' test under Section 2 of the Voting Rights Act.'' (page 48–49)

Taken a step further, we should note that the Federal panel hearing this case sidestepped the issue by crafting a ''best principles'' map base on compactness and minimum population deviation. This map continued the five existing minority districts at relatively high percentages, and rejected an argument of ''packing'' of districts under the Democrat's proposed maps in Milwaukee. While the argument is side stepped, and a generally Republican map resulted from the court's effort, they also implicitly accepted the logic of the Democrats by basically preserving the black districts of Milwaukee in a fashion consistent with the Democrat's expert recommendation.

Here, we see motive and opportunity, and we have expert analysis that demonstrates polarization akin to the South, and prescribing a remedy much more intensive than that used in many southern jurisdictions—Dr. Canon says that the 65% district is still necessary in Milwaukee, while the need for the district has passed in any southern jurisdictions covered by Section 5, as demonstrated by Professor Epstein.

Please also note that while Epstein's analysis was not accepted by the district court in Ashcroft, it was accepted by Justice O'Connor in her decision.

Mr. NORWOOD. Mr. Chairman, when the original Voting Rights Act passed this House, it was to correct voting discrimination evident in the 1964 Presidential election. The legal protections and enforcement scheme in the new law were all designed around that challenge.

The specific challenges of 1964 have long ago been rectified, yet the specific enforcement scheme contained in sections 4 and 5 remain based on 1964, 1968, and 1972 Presidential elections. Here are the current rules on the VRA:

To fall under section 5 Federal oversight, a voting jurisdiction has to have committed both of the following offenses:

One, they must have maintained discriminatory tests or devices to discourage voting in 1964, 1968, and 1972 Presidential elections.

Two, they had to have fallen below 50 percent voter registration or turnout in 1964, 1968, and 1972 Presidential elections.

Note that an area must have committed both offenses back then to fall under section 5.

We have a rare opportunity today to update the Voting Rights Act and bring it back into compliance with the original intent of the bill to safeguard voting rights all across the country, not just in the current 16 States.

Instead of continuing to face legal protections on 1964 conditions, this amendment will update them to modern results and toughen the standard, and, indeed, add more jurisdictions under the Voting Rights Act.

First, instead of requiring a jurisdiction to violate both of the standards to fall under section 5 oversight, a jurisdiction is placed in the penalty box for violating either one of the two triggers.

Second, the Presidential election years used to determine violations are updated to the most recent three elections, 1996, 2000, 2004. They would be automatically updated in the future to ensure that the act stays current.

Third, the penalty period for new violations is increased from the current 10-year bailout rule to 12 years, by requiring an area demonstrate three

clean Presidential elections in a row in order to get out of the penalty box.

Under this amendment, the Justice Department is ordered to automatically review nationwide results and add noncomplying areas to the section 4 list or section 5 oversight after each 4-year cycle. Any jurisdiction that does not violate either trigger for three Presidential election years in a row will be automatically removed from section 5.

That is a real incentive for State and local governments to move aggressively into compliance with the Voting Rights Act. It guarantees the terms for getting off the list, without bankrupting local governments with legal bills as do the current arbitrary 10-year bailout requirements, which in many cases are impossible to meet. And it is certain that a partisan Justice Department wants to make sure you stay under there for 10 years, and with enough time we will explain how they do that.

□ 1330

The Justice Department will therefore determine whether specific jurisdictions need to be added or deleted from Federal oversight list based on their performance in 1996, 2000, and 2004 rather than 1964, with automatic rolling updates to future election cycles.

The end result of this amendment would be expanded Federal oversight in areas with current violations, and section 5 oversight relief for areas with long-standing historic Voting Rights Act compliance.

My State of Georgia, under my amendment, will unfortunately, remain on the list since we fell below the 50 percent trigger in 1996.

There are currently 837 jurisdictions under section 5 oversight. That would be on the chart to the right. Under this amendment, there would be a minimum, with my new amendment there would be a minimum of 1,010 covered jurisdictions all across the country in 39 States. That is indicated by the chart on my left. The white areas are people not under 5; under my amendment the colored areas are people who would be under 5 because they broke the same rule under section 4 as we did in Georgia.

In fact, there would be substantially more than that. Our researchers could only find areas out of compliance in 2000 and 2004, without spending a great deal of money in 1996, but we will know 1996. So all these areas that failed to comply in 1996 would also be added to section 5 oversight as well. We just can't tell you for sure right now how many more that might be.

Mr. Chairman, this amendment will significantly improve voting rights protections by eliminating default amnesty for modern violations. It will provide understandable and clearly defined goals for areas not in compliance with either original trigger, and thereby encourage vigorous remedial action by those governments, and actually strengthening and updating the Voting Rights Act to go after current violations.

I do not understand why it is not important about violators in 2004, but we seem to not take that up in H.R. 9.

Our amendment provides long-overdue equity to the areas of our country that unjustly remain under penalty for 40-year-old violations that have long been remedied. And do not kid yourself, just because a partisan Justice Department objects to a submittal does not necessarily mean they are right. The Supreme Court has said on occasion that they are wrong. Nor does it mean that there has been any discrimination.

I urge Members to support updating the Voting Rights Act for the 21st century with this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 20 minutes.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment guts the Voting Rights Act, and let's make no bones about it. It does so by altering its coverage formula to cover only those jurisdictions in which voter registration and turnout fell below 50 percent in the 2004, 2000, and 1996 Presidential elections.

Based on the Census Bureau Current Population Survey, there is not a single State, except Hawaii, with voter registration and turnout below the 50 percent level required by this amendment. That means that only the State of Hawaii in its entirety would be covered, along with random scattershot jurisdictions across the country that do not have the century-long history of discrimination that the covered States do, and which the Supreme Court requires for the application of the preclearance and Federal observer conditions contained in the VRA.

The amendment not only guts the bill, but turns the Voting Rights Act into a farce.

To give you a sense of the absurdity of this amendment, let's take the example of Montana. In Montana, the amendment would only cover Glacier County, where there has been absolutely no evidence of voting discrimination, but where voter registration and turnout fell below the thresholds established by this amendment. That is the little blue spot on the Canadian border on Mr. NORWOOD's map.

The amendment, however, would not cover Blaine County, where just a few years ago a Federal District Court and a U.S. Court of Appeals found widespread evidence of discrimination against American Indians, who comprised one-third of all of the voters.

This amendment would also not cover Big Horn County, where a Federal court documented the virtually complete disenfranchisement of American Indian voters, nor would it apply to several other counties in Montana where voting discrimination has occurred, such as Rosebud County.

Under this amendment, similarly absurd results apply in 38 other States. So you might want to check on how this amendment affects your State before deciding whether to vote ''yes'' on it.

In addition, the amendment would render the temporary provisions of the Voting Rights Act unconstitutional. This amendment is designed to make all of the expiring provisions unconstitutional, and it simply guarantees that the Supreme Court of the United States will wipe this act off the books.

As recently as 1999, the Supreme Court upheld the constitutionality of the current coverage formula in the Voting Rights Act. In 1999, 7 years ago. In Lopez v. Monterey County, the Supreme Court upheld the Voting Rights Act's voting rule preclearance requirement finding that it ''burdens State law only to the extent that the law affects voting in jurisdictions properly designated for coverage.''

By radically altering the coverage formula of the Voting Rights Act in a way that severs its connection to jurisdictions with proven discriminatory histories, this amendment will render H.R. 9 unconstitutional and leave minority voters without the essential protections of the preclearance and the Federal observer requirements central to the VRA. The elimination of these provisions would threaten to destroy the advances of voting rights the VRA has made possible to date and must continue to protect and advance in the future.

There is broad agreement on this point. Justice Scalia, in his opinion in the recent Texas redistricting case, joined by the Chief Justice, Justice Alito and Justice Thomas, makes its clear that the Voting Rights Act with its current coverage formula will be upheld as constitutional, and that section 5 of the Voting Rights Act applies only to jurisdictions with a history of official discrimination.

The existing formula triggering coverage under the Voting Rights Act is not at all outdated in any meaningful sense of the term, and States covered are not unfairly punished under the coverage formula. Sixteen States are covered in whole or in part under the temporary provisions of the Voting Rights Act. The formula does not limit coverage to a particular region, but encompasses those States and jurisdictions where less than 50 percent of the citizens of voting age population registered or turned out to vote in 1964, 1968 or 1972.

But coverage is not, and I repeat ''not'' predicated on these statistics alone. States are not covered unless they applied discriminatory voting tests. And it was this aspect of the formula that brought these jurisdictions with the most serious histories of discrimination under Federal scrutiny.

The U.S. District Court for the District of Columbia has held that ''Obviously, the preclearance requirements of the original act and its reauthorization had a much larger purpose than to increase voter registration.'' On the occasion of each reauthorization, Congress reviewed voting progress, including increases in registration and turnout, and the necessity of continuing coverage under the act.

The review was no different in 2006. The Judiciary Committee had 12 hearings, called 46 witnesses, and compiled more than 12,000 pages of evidence of continued discrimination in covered jurisdictions. In Georgia alone, 91 objections were interposed by the Justice Department since 1982, including four since 2002. In Texas, 105 objections were interposed. All of these incidents involved voting rule changes that the Department of Justice determined to be discriminatory.

Indeed, the reauthorization of this formula in H.R. 9 is based on recent and proven instances of discrimination in voting rights compiled in the Judiciary Committee's 12,000-page record. Moreover, the Voting Rights Act as it exists already includes provisions that allow for the expansion and reduction of covered jurisdictions as necessary, which ensures that the list of covered jurisdictions is appropriately revised and updated.

Insofar as voting conditions have improved over the years in the covered jurisdictions, that improvement is due precisely to the Voting Rights Act itself and the requirements preventing discriminatory voting rule changes from going into effect. This amendment would abolish exactly those provisions that are directly responsible for the enhanced voting protections that the VRA has secured for millions of Americans. As a result, the amendment undermines the VRA's goal of ensuring that progress made by minority voters continues and that America never backslides in its protection of minority voting rights.

Mr. Chairman, I reserve the balance of my time.

Mr. NORWOOD. Mr. Chairman, I yield myself 1 minute. I would like to simply point out that most of what the chairman said I certainly don't agree with, and I fully expect the Supreme Court not to agree with it either.

I didn't write section 4, but I can read even though I am not a lawyer. It is very clear what the mechanism in section 4 says and means to put you under section 5, and there is no reason, I think, on earth, that every jurisdiction in this country shouldn't have to live under the same rule.

The scattered counties we are talking about over there that would go under section 5 end up being 200 or 300 more that aren't under there now. And, Mr. Chairman, if you think they have problems in Montana in discriminating, you ought to do something about it. All I can do is have them follow section 4 of the original VRA.

Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I appreciate my good friend from Georgia yielding the time to me, and I appreciate his work on behalf of the Voting Rights Act during the process of this debate.

Mr. Chairman, this bill is named after Fannie Lou Hamer, Coretta Scott King, and Rosa Parks. These brave women dedicated their lives to ensuring that everyone had access to the polls and the right to vote. It is up to us standing here today to honor their legacy by ensuring that the bill we pass to rewrite the Voting Rights Act will stand the test of time forever.

There is no question that the Voting Rights Act was needed in 1965. Georgia had a terrible record and merited the drastic remedy imposed on it by preclearance and section 5. The thrilling thing is, it worked; Georgia is not the same place it was. Today, we have more than 600 elected black officials; nine of the 34 statewide officeholders are minorities, and black voter turnout in the 2000 election exceeded white voter turnout. Georgia is a changed State, changed for the better because of the Voting Rights Act.

A cornerstone of the civil rights movement, my friend from Georgia's Fifth District, Mr. LEWIS, said, under oath during a lawsuit in 2002: ''We have changed. We've come a great distance. I think it's not just in Georgia, but in the American South, I think people are preparing to lay down the burden of race. There has been a transformation. It is altogether a different world.''

My concern is that failing to acknowledge the change will result in the VRA being found unconstitutional. There is no basis for continuing to single out certain States, especially when more than half of the findings of liability on section 2 claims have come from States outside the covered jurisdictions. The remedy of section 5 is no longer congruent and proportional to the discrimination that exists.

We must have a record on which to show continued drastic remedies are needed, and that record is not here from this reauthorization. The lack of evidence of State-sponsored discrimination is of major concern for the future of the VRA when viewed by a court. There is a lot of paper, but not many facts or statistics to show why Georgia is different from Tennessee or why Texas is different from Oklahoma or why racially polarized voting in Wisconsin shouldn't be addressed with a remedy such as the VRA. Updating the formula is the answer.

Mr. NORWOOD's amendment does not gut the VRA. It ensures its continuity for future generations. By rolling the formula, every jurisdiction is reviewed every 4 years. Low turnout generally means problems with voting, and this amendment uses the same formula already in law to identify these problems.

□ 1345

Any Member who votes against this amendment whose district is covered based on this amendment is being disingenuous about their views on civil rights. You argue for equal rights and the beauty of the VRA, but don't want it applied to your State or in your district.

Mr. Chairman, I urge the Members, such as Mr. CHABOT, Mr. FITZPATRICK, Mr. MCGOVERN, Mr. DIAZ-BALART, Ms. KILPATRICK, Ms. TUBBS JONES and Chairman SENSENBRENNER, who have talked about how good this bill is, to vote for this amendment. If it is good for the South, it should be good for your State and good for your district.

Mr. Chairman, I urge all Members to support the efforts made by Mr. NORWOOD.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I join Chairman SENSENBRENNER in opposition to the Norwood amendment. The amendment represents a fundamental misunderstanding of the Voting Rights Act and its structural design by arbitrarily selecting the last three election cycles as the starting point for confronting and combating voting discrimination. The amendment unhinges section 5 from its historical connections, disrupts the delicate balance embodied by the act, and makes it likely that the act would be declared unconstitutional.

The Voting Rights Act, as amended and extended on four separate occasions, struck a delicate balance that remains relevant today. The act imposes special requirements on specific jurisdictions that have a history and ongoing record of unequal policies.

The Norwood amendment misguidedly seeks to establish a remedy where one already exists. Voters may seek redress for recent voting rights infractions under existing provisions of the Voting Rights Act. And where a court finds sufficient justification based on actual evidence, it may impose the identical preclearance requirements that covered jurisdictions must satisfy currently. If the Norwood amendment only duplicated the existing protections of the Voting Rights Act, perhaps the only complaint would be that it is redundant and unnecessary.

In 1975, Senator Strom Thurmond offered a similar amendment to change the trigger to the next election, making virtually the same arguments that are being made by Mr. NORWOOD today. He stated: ''One of the main problems with the Voting Rights Act is that it is, as presently constituted, an ex post facto law which punishes several Southern States for events which occurred in 1964.''

In a remarkable colloquy that ensued between Senator Thurmond and Senator Jesse Helms from my home State, Senator Helms proposed yet another

amendment which would have a presumption of discrimination if registration and participation of voting-age citizens exceeds 50 percent in the last election.

Like the amendment offered by Mr. NORWOOD, this amendment should be defeated as we defeated the ones by Mr. Helms and Mr. Thurmond back at that time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the subcommittee chairman, the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I rise in opposition to this amendment.

Under the gentleman's amendment, which would utilize election data from 1996 and 2000 and 2004 Presidential election data, as the chairman mentioned, the only State that would be fully covered under the preclearance and Federal observer provisions of the Voting Rights Act would be the State of Hawaii. Not only does this undermine the policy of protecting minority voters who have been historically discriminated against, the central crux behind the Voting Rights Act, but it threatens the constitutionality of the Voting Rights Act and the progress made by minority voters over the last 40 years. And that is one of the principal things that the Subcommittee on the Constitution looked at and why we took so much testimony on this issue because we want to make sure that this stands up if there is a challenge in the Supreme Court, and there probably will be.

Section 4 of the Voting Rights Act sets forth a formula under which certain jurisdictions are subjected to voting rule preclearance and Federal observer requirements. While the formula utilizes neutral registration and turnout data from the 1964, 1968 and 1972 elections, coverage is really about the documented history of discriminatory practices which is reflected in the first prong of the coverage formula that brings jurisdictions that maintain prerequisites for voting or registration under the scrutiny of the Federal Government.

Examples of such discriminatory practices include that minorities, one, demonstrate the ability to read, write, understand or interpret any matter; two, demonstrate any education achievement or knowledge of any particular subject; three, possess good moral character; or, four, prove qualifications by the voucher of registered voters of members of any other class.

I can tell you firsthand that the testimony gathered during the 12 hearings, which is reflected in more than 12,000 pages of record, demonstrates a continued need for the preclearance and Federal observer provisions.

The Norwood amendment, without any historical basis, would revise the coverage formula which has been upheld by the Supreme Court as recently as 1999 in Lopez v. Monterey County.

In one amendment, the underlying policy of the Voting Rights Act would be put at risk; and the constitutionality of the remaining provisions of the Voting Rights Act would be threatened, jeopardizing the protections for minority voters and thereby possibly jeopardizing the advances in voting rights that the Voting Rights Act has facilitated to date.

I strongly urge my colleagues to oppose this amendment.

Mr. NORWOOD. Mr. Chairman, I just want to mention to my colleague that 43 of the people you had testify were 43 people who came in to justify what you had done in H.R. 9. Everybody has been here long enough to know how you set up hearings. There were three people in that whole group that disagreed.

Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Chairman, I thank the gentleman for yielding me this time.

I moved to Georgia in 1969 from Minnesota, and I saw the abuses the Democrat leadership, the Democrat Governors and Democrat officeholders, were putting on black voters, restricting them the vote.

When I was elected to the Georgia house with DAVID SCOTT in 1974, at one time I was one of 19 Republicans in a 180-member house.

As we started to build the Republican Party, the Democrats needed those black votes and started treating them differently; but treated them in multimember districts, and we know what that means: put a large district with four posts in it, not enough minority voters to nominate a black candidate to run, but enough to ensure that four white Democrats will win.

That finally went away under provisions of the Voting Rights Act. But in 2001 our last Democrat Governor brought them back. He gerrymandered our State so badly that he created multimember districts throughout the State with four posts in a large district, guaranteed not enough black voters to nominate a black candidate, but guaranteed enough to elect four white Democrats.

Did he get it precleared by the Department of Justice under the rules? No, he sued the Justice Department in a friendly court in Washington, D.C. and he spent $2 million of taxpayers' money on outside attorneys to get a favorable decision. And Georgia was back in multimember districts in the election of 2002. That is how keenly this act has worked in some States for clever Democrat Governors.

If you believe it must be done, and I frankly saw the success of it during my years in the legislature, if you believe it must continue to apply, why in the world don't you want it to apply to every jurisdiction? Why in the world shouldn't everybody be looked at on a regular basis?

It may not be the kind of amendment that you like, but the chairman was offered many opportunities to sit down and negotiate the language, and chose not to do that.

But if this Voting Rights Act is good for Georgia and 15 other States, it ought to be wonderful for the country, and you should support this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT) with a different view on what is going on there.

Mr. SCOTT of Georgia. Mr. Chairman, I appreciate you yielding me this time.

Let me just pick up from the last point: Why shouldn't it be applied to the whole Nation? The opposition knows full well: if that were the case, it would immediately be ruled unconstitutional. In every case, the Supreme Court was very clear that whatever the remedy is, it must fix the size of the problem where there has been demonstrated discrimination. That is the whole purpose of it.

Mr. Chairman, let me quickly with my time, I want to get to this amendment because it is very important that we show why this amendment is designed to do two things: one, to make this bill unconstitutional; and, two, to kill the Voting Rights Act.

The Norwood amendment would do one important thing: it would take the list of jurisdictions currently covered under section 5 and throw it in the garbage can. It would completely disavow every known jurisdiction that is now covered under the Voting Rights Act. That alone is enough for us to have a reason to defeat this amendment.

We know that jurisdictions on the list today are still discriminating because we heard testimony, 12,000 pages of testimony. I was there in the committee each and every day. And much of that testimony, Mr. Chairman, came directly from the State of Georgia.

As I said earlier, there is no State that needs the Voting Rights Act's protection as does Georgia. When my colleagues from Georgia say they are being punished, who is being punished? I will tell you who is being punished. It is those African American citizens down there who year after year, as we have testified, have said that they are being punished and discriminated against because of the violations of the act.

As we sit here and debate this bill today, the Voter ID bill from Georgia gives ample evidence that Georgia is still discriminating. The power of the Voting Rights Act is the power of section 5, and the power of section 5 is to make sure these procedures are precleared. It is designed to prevent discrimination. We dare not take that protection off the books, and that is what the Norwood amendment will do and why we must vote it down.

Mr. NORWOOD. Mr. Chairman, of course our amendment does not do that. It simply applies to every jurisdiction in the country equally, equal protection under the law.

Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Chairman, today, some 41 years after the first Voting Rights Act was passed by Congress, the facts that relate to infringements on voting have substantially changed. And here we are talking in this amendment about a portion of the Voting Rights Act that was deemed to be temporary and was deemed to be remedial in nature.

The bill we are asked to pass today, however, without this amendment relies on facts that are over 40 years old, and the Norwood amendment seeks to overturn those facts and base this legislation on facts that exist today, in fact, the three most recent Presidential elections rather than the election of Lyndon Johnson.

Now, the opponents of the Norwood amendment argue that it might render the Voting Rights Act unconstitutional to do that. Doesn't that give you some pause, some concern? If you can't justify this legislation on the facts of 2006, if you can't base it on the last three Presidential elections and those facts will make your act unconstitutional, that alone ought to cause you to vote against it.

This is here because the 15th amendment has given jurisdiction to Congress to do certain things, and we act on those facts. But the facts are still the facts even though this bill may attempt to say they are something different.

Just because some of our Members prefer to linger in the sins of the past, it is our responsibility to legislate on the facts of the present, and those facts do not justify an extension of section 5.

Mr. SCOTT of Georgia. If the gentleman would yield.

Mr. DEAL of Georgia. No, I don't have time to yield.

The Acting CHAIRMAN (Mr. FOSSELLA). The gentleman from Georgia (Mr. DEAL) controls the time.

□ 1400

With all due respect to my good friend, Mr. SCOTT, with whom I also served in the Georgia legislature, we are talking here about a portion of the act that was deemed to be temporary. That is why we are talking about an extension of it today, that alone, a temporary extension, something that was only 5 years in its initial duration, is now, 41 years later, being asked to make it for an additional 25 years.

I would submit that the Norwood amendment needs to pass. It is a welcome improvement to the legislation.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii (Mr. CASE) to explain why Hawaii does not have a history of discrimination and should not be covered under the Norwood amendment.

Mr. CASE. Mr. Chairman, I rise in opposition to this amendment for the same reasons as have been articulated otherwise.

But I also rise in opposition because of this amendment's specific impact on my State of Hawaii, because under his amendment, Hawaii would be, per se, subjected to a preclearance requirement solely because of relatively low turnout in recent presidential elections.

Now, I am not proud that we have had a low turnout in recent Presidential elections; but I say to the gentleman very directly, the author of this amendment, that it is not because of any history of discrimination against our citizens with respect to voting, and we should not be subjected, by application of some mechanistic and standardized formula unrelated in any way to the facts to section 5 preclearance.

And that really demonstrates the fallacy of the amendment, the removal from relevancy of applicable conditions in any State, past, present or future in determining who is and is not subject to preclearance. It is and should be relevant, and there are available means to come out from under preclearance.

But this amendment is not that, and I urge its rejection.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, today, when walking through the Capitol, I saw President Roosevelt's words inscribed on a wall. They stopped me in my tracks. He said, ''We must remember that any oppression, any injustice, any hatred is a wedge designed to attack our civilization.''

These words should guide us in this debate. They were deemed so important that they are literally a part of the structure of our Nation's Capitol.

The Voting Rights Act is the most important and successful civil rights law in our Nation's history. From poll taxes to literacy tests, States historically disenfranchised voters based on their race, their gender and educational background.

While America exports democracy around the globe, we must not deny it here at home. Sadly, many Americans have lost faith in our electoral system. From the 2000 election in my home State of Florida, or Ohio in 2004, many Americans feel like some in their government don't want their vote to count. We must renew the Voting Rights Act to restore that lost faith.

Some say the preclearance provisions are no longer needed, and they are wrong. Since 1982, the Department of Justice has made more than 1,000 objections to discriminatory changes in State and local voting laws. If the gentleman from Georgia's amendment is adopted, these 1,000 objections would never be considered. This amendment deserves to be defeated. All the amendments need to be defeated, and the Voting Rights Act should be adopted in full.

Congress passed the Voting Rights Act because millions of Americans had been intentionally denied their equal right to vote.

Some of my Republican friends also want to take away language assistance at the polls, and they speak the emotional rhetoric of anti-immigrant jingoism.

But this bill isn't about illegal immigration—it is about Americans participating in their democracy.

The overwhelming majority of those who receive language assistance at the polls are native-born, tax-paying American citizens.

In 2004, there were 15 initiatives on Florida's ballot. This issue is not only about distinguishing Candidate A from Candidate B. The VRA ensures that citizens also understand these confusing ballot initiatives.

In my district voters receive assistance in Spanish, Creole, and Seminole dialects.

Instead of erecting more barriers to voting, we should identify ways to increase civic participation and make people more confident in their Government and their leaders.

I urge my colleagues to pass this bill with no amendments.

Mr. NORWOOD. Mr. Chairman, I yield 2 minutes to my friend from Georgia, Dr. GINGREY.

Mr. GINGREY. Mr. Chairman, I rise today in support of the amendment of my friend and colleague from Georgia, Representative CHARLIE NORWOOD.

This amendment will correct a fundamental flaw of this bill. As currently drafted, H.R. 9 will not only apply 1964 standards to the world of 2006, but it will continue to apply it for the next 25 years.

Mr. Chairman, I know that some claim this amendment is a poison pill designed to kill the bill. But I would say that this amendment, rather, is a disinfectant that will save this bill from a constitutional challenge.

The Norwood amendment will strengthen this act by creating a rolling standard using turnout from the three most recent Presidential elections to determine a State's compliance requirements under section 5. This rolling standard will keep every State, whether south, north, east or west, on their toes with respect to the voting rights of their citizens. Just look, Mr. Chairman, at the additional jurisdictions that would be covered by the Norwood amendment.

It makes no sense to use the election of 1964 as a measure of voter participation in 2006, and the Norwood amendment fixes this flaw. It ensures the passage of a Voting Rights Act that is not only fair, but it also upholds the constitutional guarantee of equal protection under the law.

Mr. Chairman, in good conscience, how can we be justified in punishing the citizens of States covered by section 5 based upon voter participation in 1964? The Norwood amendment will correct this inequity and ensure that the underlying bill protects the voting rights of every citizen in every State by using a modern and accurate standard.

Mr. Chairman, again, I encourage all my colleagues, please adopt this amendment. Give this House an opportunity to renew a true and constitutional Voting Rights Act.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to my distinguished ranking member, the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, ladies and gentlemen of the committee, I think it is very, very important that we realize that the coverage formula in this bill does not need to be changed, as is being proposed by the gentleman from Georgia, in order for it to be up to date. Jurisdictions free of discrimination for 10 years can come out from under coverage. There is a bailout provision. Let's continue to use that, because I think it is so important.

Now, during the course of all the hearings and testimony and witnesses, the gentleman from Georgia (Mr. NORWOOD) never testified before the committee.

This issue has been explored very carefully. When we crafted this bill, we wanted to make sure that it would stand the test of time, and this trigger in 4 that governs section 5 is so important.

The Supreme Court has spoken. There must be congruence and proportionality before the injury to be prevented or remedied, and the means adopted to that end.

Mr. NORWOOD. Mr. Chairman, who has the right to close?

The Acting CHAIRMAN (Mr. BISHOP of Utah). The gentleman from Wisconsin has the right to close.

Mr. NORWOOD. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT), and then I will do my close, and the chairman says he will then close.

Mr. GOHMERT. Mr. Chairman, I have an amendment that we were trying to propose some time back when this was about to first come up because I felt like, as we all know, there is racial discrimination and it still goes on. We need to fix it. And I thought my amendment should apply across the board.

But the reason I have not continued to push that, and after a number of sleepless nights of reading cases, I believe Mr. NORWOOD's language is better. It is a misnomer to say his applies across every jurisdiction. It will only apply to jurisdictions where there is racial disparity and discrimination. Why shouldn't we want to eliminate those?

The big elephant in the room that people seem to be unwilling to notice is, there is an emerging equal protection argument here that could destroy the whole Voting Rights Act, and that is, you are having States here and jurisdictions that have discrimination who are going to ram this down on areas who have improved so dramatically they are better off than some of those doing the cramming down on them. That is going to raise an equal protection issue that puts the whole act in jeopardy.

Mr. NORWOOD. Mr. Chairman, I want to say to Mr. CONYERS, I am not on the Justice Committee, the fair Justice Committee. I don't have any right to testify before the committee, nor am I asked to testify before the committee, nor would I, I doubt, be allowed to testify before the committee simply because I don't agree with H.R. 9 as it presently is written.

What we are asking here basically is that everybody be treated equal under the law. Section 4, I didn't write. Section 4 clearly says what the formula is. In fact, section 4's formula is why my State is under section 5.

Why in the world shouldn't we look at everybody in the country today, in the 21st century?

In 1964, my son was 2 years old. He was part of the 30 percent of Georgians that are still in Georgia today. I don't think he had anything to do with 1965.

I was 23 years old. I didn't have a clue what was going on in 1965. Half of the 30 percent of the people in Georgia who were in Georgia in 1965 had nothing to do with this. You are finding my grandchild guilty for something my grandchild didn't do, is not doing and doesn't want to see happen. Yet you will not take this and apply it to other States who deserve to have the same equal protections under the law that we do in Georgia.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, let me just set the record straight. When the gentleman from Ohio (Mr. CHABOT) conducted the hearings before the Subcommittee on the Constitution, he allowed nonmembers of the Judiciary Committee to come and participate in the hearings and to ask questions of the witnesses that came before the hearing. And I know that the gentleman from Georgia, Mr. WESTMORELAND, did participate very actively. We were very happy that he came, and appreciate the contributions that he made.

So we have not been exclusionary at all. And a lot of other committees simply do not allow nonmembers of the committee to participate. Mr. CHABOT did.

But I would like to point out that much of the impetus behind this amendment comes from Georgia. And I think the fallacy of the amendment of the gentleman from Georgia (Mr. NORWOOD) is that he wants to base coverage exclusively on voter participation and not on any other factors, and that is what the constitutional flaw is.

The reason that section 5 does have the preclearance requirement is based on a number of factors, including the past history of discrimination and discriminatory voting practices.

In Georgia there have been 91 objections since the last reauthorization by the Department of Justice, and seven of them have been objections that have resulted in withdrawal of voting changes since 2002. So the arguments that Georgia isn't doing all this bad stuff anymore are not borne out by the statistics of what has been submitted to the Justice Department and where preclearance has been rejected.

During the general debate today, I introduced two rather extensive reports into the record from outside groups that gave the history of section 5 objections and voting rights problems in the State of Georgia since the 1982 reauthorization.

Now, the amendment that Mr. NORWOOD has proposed is a Trojan horse. It is designed to make the section 5 protections unconstitutional. And I guess the argument that I am hearing, the result of which is that if you can't win here, jiggle the law so that it ends up being declared unconstitutional in court.

This has been an important part of the Voting Rights Act. We should not run the risk of changing the formula that has met the test of time with repeated constitutional challenges. That is why the Norwood amendment should be rejected.

I urge a ''no'' vote.

Mr. BAKER. Mr. Chairman, the road to justice is a difficult journey. It is not a mere step, but rather a lengthy endeavor. The result of the endeavor is to seek out those who have committed wrongdoing and deliver punishment in accord with the offense. All that any may hope, is that through the travail, there will be reflection on the truth. The truth is determined by careful, objective analysis of the facts, as best they can be determined. Facts are what result from examination of the evidence. When evidence show that the accused was not in the state at the time when the offense occurred, there is sufficient reason to find the accused was not a participant in the offense. It is even more explicit that the accused did not participate in the offense when the person was not yet born. Yet, that does not insulate the unfortunate from accusation. Accusation is the understandable action from those affected by wrongdoing. Someone is at fault, and failing clear evidence to establish the responsible party, accusations flow until the evidence and the facts lead all to justice. All of us should find affront in unsubstantiated accusation.

Here is where I discover reason for concern in the matter before us. The bill now pending, when enacted, will seek to serve justice. Notwithstanding the evidence, or the facts, for the next twenty five years, all those who follow in the scourged seven states will be branded with the racist label. This follows 25 years application of the previous penalty, which was assessed based on the facts and the evidence of the 1960's.

In the case now pending, the decision to condemn will be built upon the evidence now 42 years buried in history. It is not evidence or facts discovered today. The actions of the grandfather will now determine the fate of the grandson.

What is it that I ask? I have always found merit in the principle that where action is justified for one, it should be justified for all. Public policy should be applicable to all within jurisdiction of the government. Do we believe that discrimination ends at a county line? Is it really your view that justice is served in 43 other states, while bigotry only survives in a constrained geographic corridor? Where is the evidence? What are your facts? Why is it this legislation will mandate supervision of seven states, and not the whole of our Nation?

Many have been incensed even by the thought of this discussion, because they mistakenly view this legislation as all that stands between them and their right to vote. The 15th

Amendment to the Constitution apparently is of no consolation, although it ensures the right to vote to every American across the entire Nation. The bill now pending leaves 43 States on a different legislative landscape.

There is much in history to regret. We should not forget, or fail to learn from the troubled past. But we must also think about the present. Careful, analytical thought must precede action. Action to condemn or punish should be taken only when the evidence establishes the facts. All should be presumed innocent until proved guilty beyond a reasonable doubt. This principle establishes our freedom from the actions of an otherwise tyrannical government.

How do we come to this moment? Am I to believe that my grandchildren, not yet born, are condemned to a life of racial intolerance? How can this be? All reason is to be cast aside?

And if, my colleagues, you believe this policy to be well advised and necessary, why is it then ill advised to make it applicable to your constituents? And failing that, would you not examine the evidence, determine the facts, before condemning my constituents?

The pending amendment by the gentleman from Georgia, Mr. NORWOOD, would remedy most of my concern. Failure to adopt that amendment will leave those in Louisiana without an opportunity for fair deliberate consideration. Without the adoption of this provision, I cannot support the underlying bill.

For those who demand justice, it is now time to demand justice for all.

Mr. SENSENBRENNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. NORWOOD).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. NORWOOD. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1415

AMENDMENT NO. 2 OFFERED BY MR. GOHMERT

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109–554.

Mr. GOHMERT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. GOHMERT:
Strike section 4 and insert the following:

SEC. 4. EXTENSION OF TITLES I AND II.

Section 4(a) of the Voting Rights Act of 1965 (42 U.S.C. 1973b(a)) is amended—

(1) in paragraph (7), by striking ''at the end'' and all that follows through ''1982'' and inserting ''before August 6, 2016''; and

(2) in paragraph (8), by striking ''at the end'' and all that follows through ''1982'' and inserting ''on August 6, 2016''.

In section 7, strike ''2032'' and insert ''2016''.

The Acting CHAIRMAN. Pursuant to House Resolution 910, the gentleman from Texas (Mr. GOHMERT) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GOHMERT. Mr. Chairman, I yield myself such time as I may consume.

I would like to thank the leadership for making this amendment in order. It is a simple amendment. It just changes the reauthorization period so that it comes up again for review in 2016 rather than in 2032.

The Voting Rights Act was first enacted in 1965, and at that point the original framers and drafters of this important act had it authorized for 5 years. In 1970 Congress extended it for another 5 years. They realized the importance of constant review of this important act. And then they adjusted the coverage at that point since the evidence showed that there was ongoing and new discrimination. Then in 1975 Congress extended the act for 7 more years.

It appears that Congress was getting a little more lazy in their obligation to continually monitor this act. So in 1982 Congress amended the act by providing that Congress ''reconsider'' the administrative provisions of the act in 1997 and the provisions expire in 2007. So even as lazy as they got, they still said we had better review this, reconsider it in 15 years. So we went from 5 years to another 5 years to 7 years and then to 15 with reauthorization at 25. And now this bill proposes another 25.

My amendment would simply shorten that period to 10 years from now because I believe there is empirical evidence that shows that this act needs to be reviewed much more often. The Supreme Court has unequivocally established that they will regularly change the playing field and regularly change the rules.

Two recent independent studies have found the following to be true: that in Georgia, Mississippi, and South Carolina, States covered by section 5 of the Voting Rights Act, African Americans now are registered to vote at higher rates than Caucasians. In Texas and Arizona, States that come under the Voting Rights Act in 1975, and although there are still gaps in Caucasian and Latino voter participation, the gaps are smaller than in the noncovered States such as California and New Mexico, which have a comparable Latino population. And then, finally, in States covered by section 5, the percentage of African American elected officials is actually much higher than in nonsection 5 States even where there is a higher African American population. That shows that this does need to be relooked at.

I would actually prefer to do like the original framers proposed, and actually did, and have it reviewed in 5 years and then the next in 5 years. But I am also realistic. I realize that a 5-year would not pass and actually it does not get us past considering the next census data; so we are proposing 10 years from now.

Mr. Chairman, we need to review this act again sooner than 2032 to be sure that the Voting Rights Act of all individuals are being protected and if the formula needs to be readjusted in 2016 so that areas experiencing racial disparities in voting can fix those problems, and even then you would have a 10-year history that would satisfy all this concern I keep hearing about constitutionality of changing things.

If there are additional areas where there are increased racial disparities, they need to be addressed. Some should even be addressed now, but indications are that some jurisdictions that are in need of section 5 protection will refuse to fall under the act while cramming it down again in areas that are actually in better racial condition regarding racial disparity. This, of course, again, risks constitutional issues of equal protection, all of which point to a need for review in far less than 25 years.

I would also like to finish by saying that this is far too important a piece of civil rights legislation not to force reconsideration before 2032. The right to vote is a lynch pin of our Republican form of government. Its protections should not be rejected or neglected for 25 years. I still look forward to the day when we can actually live Dr. Martin Luther King, Jr.'s dream where individuals are actually judged by the content of their character and not by the color of their skin.

The Voting Rights Act has done a great deal of good. It has. Why would we neglect our responsibility to continue to monitor and to get it right, make it better, rather than making it punitive and neglected for too many years? I do have grave concerns.

And I understand your position is you think this is a poison pill. You think we are trying to do something that may create problems for the Voting Rights Act vote. I can assure you that is not the intent here. It has done some good. I would like to continue to see it do good. But I am telling you, you are raising issues by not addressing it more often.

So until we have the dream Martin Luther King had, then we should not neglect our obligation to monitor and reconsider what the initial drafters saw as a temporary measure for 5 years.

And I thank you for the ability to come before the floor. I appreciate the Rules Committee. I appreciate the chairman's pushing such an important piece of legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Wisconsin is recognized for 20 minutes.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

First of all, the amendment offered by the gentleman from Texas (Mr.

GOHMERT) is not really a 10-year reauthorization. It is a 9-year reauthorization since the Voting Rights Act's temporary provisions do not expire until August 6, 2007. So this really is kind of a little bit less than what has been advertised.

The last time the Voting Rights Act was reauthorized, it was reauthorized for 25 years; and there is no reason why it should not be reauthorized for another 25 years. Minority citizens register, turn out, and cast meaningful ballots as a result of the protections extended by the Voting Rights Act. And while we have made great strides in achieving Martin Luther King's goal of having people judged by the depth of their character rather than the color of their skin, without the Voting Rights Act's being there, their vote will not be treated equally with the votes of every other citizen in that jurisdiction or of the United States of America.

History has also shown that when Federal oversight is eliminated, minority voters suffer the most. And the purpose of this legislation is to protect the progress made by minority voters over the last several decades and to continue that progress for the next 25 years.

The 12 hearings conducted by the Judiciary Committee and the enormous evidentiary record shows that all Voting Rights Acts violations that have occurred in covered jurisdictions support the conclusion that renewal of the Voting Rights Act for another 25 years is warranted.

Anyone who votes for this amendment will have to tell their constituents why the following information and testimony did not justify the full 25-year renewal of the preclearance provisions of the Voting Rights Act. The committee report makes clear ''more section 5 objections were lodged between 1982 and 2004 than were interposed between 1965 and 1982.'' So we are talking about the fact that the number of actions that have required objections in precleared States have not gone away or significantly diminished. And since 1982, the Department of Justice has objected to more than 700 voting changes that have been determined to be discriminatory. And I have talked earlier in this debate about the number of objections, both since 1982 and since 2004, that have been objected to as being discriminatory.

Let me say that with the 9 years proposed in the Gohmert amendment rather than the 25 years, when this act comes up for renewal in 2016, as the gentleman from Texas wants, there will be significantly less record because it is a significantly shorter period of time. And believe me, the people who have been opposed to the Voting Rights Act, and we have heard a lot from them today and will continue to hear a lot from them, will say, look, things are getting much better. The last time it came up they had 24 years of records and it was yea big, and now let us look at this. It has not been quite as much. And believe me, a court is going to take judicial notice of that as well.

Now, in the face of the current evidentiary record of abuse, it would be shortsighted and irresponsible not to reauthorize the VRA for at least as long as the last reauthorization President Reagan signed into law in 1982. Moreover, renewing the preclearance and Federal observer provisions of the Voting Rights Act for an additional 25 years is necessary to allow a meaningful change to be measured and to make eradication of discrimination in the voting process an achievable goal. Most activity under section 5 of the Voting Rights Act occurs during redistricting, which only happens every 10 years following each census.

If the Voting Rights Act is not renewed for an additional 25 years, it will capture only one redistricting cycle, and that will not provide enough evidence of the past use and practice to allow Congress to make the same reasoned determination regarding renewal 10 years from now that this Congress is allowed to make on the previous record of 25 years.

For this reason adopting this amendment will effectively preclude the Congress from ever reauthorizing the Voting Rights Act again because it will deny Congress the sufficiently large set of data the Supreme Court has held necessary for the Voting Rights Act to be reauthorized.

Further, this amendment, if adopted, would completely nullify the current incentive the VRA provides to encourage covered jurisdictions to maintain clean voting rights records for 10 years in order to be eligible to utilize the bailout process. This amendment sends the message to covered jurisdictions that the VRA will not apply to them in the future regardless of their conduct over the next 10 years.

In sum, to protect minority voting rights for decades to come, to prevent tying Congress' hands in 10 years by denying it the sufficient record on which to decide future renewals as required by the Supreme Court, and to prevent nullifying the current Voting Rights Act's incentive to maintain clean voting records for 10 years, this amendment should be soundly defeated.

Mr. Chairman, I reserve the balance of my time.

Mr. GOHMERT. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the chairman of the Judiciary Committee's bringing up the period of extension that my amendment provides. It is exactly 10 years from now, 2016. That is what the amendment has said all along, 2016; and it does raise a very interesting point.

What I think most people do not realize is that the bill on the floor today does not actually reauthorize the Voting Rights Act for 25 years from now. It actually reauthorizes the bill for 26 years from now. So that should be understood by others. And I would only submit that since evidence now exists that there is even a jurisdiction in Wisconsin, California, New Mexico, a number of places that are not currently covered, you bring this back up 10 years from right now and a 10-year additional history may very well be plenty of history to assuage the concerns about historical discrimination.

If areas continue to have the discrimination that are not currently covered and it continues for 10 years, then that should be enough to effectively convince people on both sides of the aisle that the Voting Rights Act needs to be extended and it needs to be expanded so it truly is remedial and not just punitive.

□ 1430

Mr. Chairman, there are others who wish to speak, and I yield 3 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. Mr. Chairman, I rise once again to argue for strengthening the Voting Rights Act. When I first heard about the rewrite, I was shocked to learn that we were going to put the same States that had problems in 1964, 1968 and 1972 under coverage for an additional 25 years without solid evidence that they continue to have State-sponsored discrimination different than any other State.

Chairman SENSENBRENNER has talked about that; we do not have enough history if we just do it for 10 years.

We have had 41 years of history, and we cannot make a judgment on that, of the States that are not under section 5. We do not know how many violations they have. Some here today have cited the number of objections in Georgia. One of the recent objections in Georgia came from Dougherty County in Albany, Georgia, where a black majority city council had their objections that were sufficient for the Justice Department to rule.

Let me just read about some of the other objections in Georgia we keep hearing about. Six of these were creation of additional judicial slots in superior and State courts, objections for which the Federal courts found no merit since they approved these additional judgeships.

Another four objections went to redistricting plans. The first three forced Georgia to draw districts that courts later found to be unconstitutional under Miller v. Johnson. The fourth involved the post-Miller plans to correct for racially drawn State legislative districts.

An eleventh objection involved Monroe municipal elections that a court deemed to have already been precleared.

An October 1992 objection in Union City was withdrawn, and there is no indication that the city made any changes to secure removal of the objection. That might be a twelfth inappropriate DOJ objection.

The key number is, since 2001 there have been only five objections. This is

when every jurisdiction in the State of Georgia, 159 counties, 300 cities, 180 school boards, 180 house districts, 56 senate districts, were redrawn in redistricting plans. That is hundreds and hundreds of plans that only had five problems, and only four were objections to redistricting plans, and one of those was, the objection was a plan drawn by a black majority city council in Albany, Georgia.

When we talk about these objections, let's talk about facts. Let's just don't say objections. Let's talk about that most of these objections had no facts.

We do not know how many objections will be brought up across this country because of racial discrimination, because in 2002 a lawsuit brought in Wisconsin said that there was more polarized voting at a higher percentage in Wisconsin than in the South.

Let's look at this whole country, let's look at it for 10 years, and then let's come back and see what the results are.

Mr. SENSENBRENNER. Mr. Chairman, I yield to the gentleman from Texas (Mr. GENE GREEN) for a unanimous consent request.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of the reauthorization and against all amendments.

Mr. Chairman, I rise to take part in an ongoing historic dialog that unfortunately, we must continue to address in the United States Congress.

The issue before us today is whether we should reauthorize certain sections of the Voting Rights Act. I grew up in the fifties and sixties when we had segregated water fountains, schools, an restrictions on voting.

We are here to decide if we should continue mandating pre-clearance for any changes in election policy in jurisdictions that are known to have a history of disenfranchising the rights of minority voters.

My home state of Texas is included on that list.

Over the last forty years, the renewal of this Act on this Floor has embodied what we hope this country will be: a Country where regardless of race, religion, or political party, we come together to ensure that the core of our democracy continues to thrive.

The right to vote is the core of our democracy and we must protect this right for all Americans.

Recently, the Department of Justice failed to pre-clear an election plan for a bond election in the area I represent.

Polling places were few, and it was the opinion of many that putting polling places only in select areas for this election was a violation of the Voting Rights Act.

DOJ agreed and the election has been postponed until a better plan can be put in place.

This is but one recent example of how the Voting Rights Act ensures people have access to the polls so their voice can be heard.

As we support an emerging Democracy in Iraq and the success of the elections that were held there, we need to remember that this Country has also struggled to achieve Democracy and one that everyone can participate in.

Let us be an example to Iraq in the world that a true Democracy includes ALL Americans and that we are committed to preventing the discrimination that millions of Americans had to endure in the past.

I urge my colleagues to reauthorize these Sections of the Voting Rights Act and send a message that this Country is still the example of how representative government should work.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I join Chairman SENSENBRENNER in opposing the Gohmert amendment to extend the vital protections afforded by the expiring provisions of the Voting Rights Act for merely 9 years.

The gains made under the Voting Rights Act mark impressive racial progress for our Nation and should be celebrated.

But to acknowledge progress is not to disavow the continued obstacles faced by minority voters for which the Voting Rights Act provides protections. These obstacles are not easily removed. My own election to Congress close to 3 decades after the Voting Rights Act was passed illustrates that 10 years is simply not enough.

If we are serious about continuing the progress all seem to praise, we must be equally serious about keeping in place the mechanisms that made that progress possible. Just 3 years ago, ruling on the propriety of race-conscious admissions standards, Justice Sandra Day O'Connor concluded in the affirmative action case, ''It has been 25 years since Justice Powell in Bakke first approved the use of race to further an interest in student body diversity in the context of public higher education.''

Justice O'Connor went on to recognize that in the area of public education 25 years of protections were, sadly, not enough. Despite the measurable progress in that arena, the Court understood the need for continuing protection, but expressed hope that an additional 25 years would be enough to overcome our Nation's unfortunate history of racial hostility and division.

Voting protections are just as necessary today as educational help is in the college arena. I ask opposition to this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to this amendment.

The Voting Rights Act should be reauthorized for another 25 years and not a 10-year renewal that is recommended in this amendment. That is just too short a period of time.

The reauthorization process for the Voting Rights Act is not a quick one. In fact, for the last 9 months, the subcommittee that I have the privilege to chair, the Subcommittee on the Constitution, has spent 8 to 9 months and been really immersed in these hearings to establish a significant record so the renewal will pass constitutional muster.

As I said before, we have spent more time on this particular issue than any other issue that we have been involved in in the 6 years that I have had the privilege to chair that particular subcommittee. And I fear that a shorter reauthorization period could jeopardize the act by not allowing both Congress and the civil rights community to study the impact and need for the act.

In addition, traditionally, redistricting has occurred on the State level every 10 years, and if the Voting Rights Act is also reauthorized every 10 years, it makes this process even more burdensome and gives States less of an incentive to comply with the requirements of the Voting Rights Act.

The Subcommittee on the Constitution has established the need for renewing the Voting Rights Act for another 25 years, evidence like the more than 700 voting changes that have been determined to be discriminatory since 1982 as further proof of this need.

This amendment not only jeopardizes the carefully crafted bipartisan bill that has been offered, but could diminish its impact and, most importantly, its ability to withstand constitutional scrutiny. That is one of the chief challenges that we face, why we went into such detail, why we had so many witnesses, why we had 12,000 pages of testimony; because we know that it is likely that there will be a constitutional challenge.

So I would urge my colleagues to oppose this amendment.

Mr. GOHMERT. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman. I think what we do in the U.S. Congress is important. I think what this committee has done on this bill is important. Indeed, we hear from the committee members over and over again, we had many, many witnesses, 12,000 pages of testimony. They put some effort into it.

So why is that same committee afraid of leaving the door open for future Congresses in 10 years from taking another look? Because I can tell you this, as a member of the State legislature who served on the reapportionment committee in 1991: The Voting Rights Act is fluid. It evolves, it changes.

We have seen the Bossier Parish decision. We have seen the Ashcroft v. Georgia decision. We have seen the LULAC decision in Texas. All have profound impacts on the Voting Rights Act, and therefore, I think it is important for Congress to come back in 10 years and take a look at it.

I know the committee has been a little clever with 9 years, but you guys, we could say your reauthorization is 26 years, but the intent is 10 years. We all

know that, but what Mr. GOHMERT is saying is, the Voting Rights Act changes, and anybody who has served in the legislature and anybody who has watched the Voting Rights Act knows it changes without one single vote of Congress.

This is the first time we have been voting on it in 25 years, and yet it is totally different than the interpretation of 1982, the interpretation of 1991. Reapportionment in 2001 was totally different than the 110 years before that, and I can say this, it is going to impact lots and lots of minorities.

We tend to think of this as black v. white. There is a huge growing Hispanic population that is totally almost removed from this argument today. Those are the ones 10 years from now that are going to have the most impact. So I urge my colleagues to support this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. CONYERS), my distinguished ranking member.

Mr. CONYERS. Mr. Chairman, we have to remember one historical fact. For 400 years, we have been dealing with the problem of discrimination and racism in America. I think it would be simplistic in this Congress that we would think, after 40 years, we do not need to worry about it that much anymore and shorten the period of time.

It is going to take a while for us to evaluate the progress that is being made, and I am proud to say progress is being made, but the bailout provision is there and it works quite well.

Now, in addition, we have to be very careful about the fact that some jurisdictions will play the wait-out game. They will wait out for the 10 years to expire, and then we will be back in a big problem again.

Keep this a 25-year measure.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to thank Chairman SENSENBRENNER, Chairman WATT and Ranking Member CONYERS for the tremendous work they have done on getting us to this point with this very important piece of legislation.

Mr. Chairman, I want to address this issue of time. Those of us who have read Martin Luther King, Jr.'s, letter from the Birmingham city jail may recall that King dealt with the question of time. In dealing with that question, he said that he had come to the conclusion that the people of ill will in our society make a much better use of time than the people of goodwill. He thought in his writings that we are going to be called to repent in this generation not just for the vitriolic words and deeds of bad people, but for the appalling silence of good people.

This Congress broke its silence on voting rights violations some 41 years ago. Although the 1964 elections triggered the Voting Rights Act, the 1965 Voting Rights Act was rooted in 10 generations of slavery, from 1619 to 1863, giving you 244 years. That is 10 generations. Then another 102 years of what we call ''creative devices'' that came into being in 1863 and the Voting Rights Act of 1965 got rid of.

These creative devices, when I first ran for office, I ran from Charleston County in something called ''full-slate voting.'' It meant that there were 11 positions available and one African American running, in order for any vote for that African American to count, you had to vote against that person 10 times, because for your vote to count, you had to cast 11 votes for that position. That was the law that this act got rid of.

We also had something called ''numbered posts'' that set up racially polarized voting. The Voting Rights Act got rid of that.

We also had at-large voting, rather than voting from districts. The Voting Rights Act got rid of that.

Now, Mr. Chairman, I heard the gentleman earlier talked about what was going on in Georgia. For some strange reason, nobody is talking about what happened in the 41st year of this act when Georgia put in place voting cards in order to vote. You had to have a picture, government-issued identification card.

□ 1445

That is a creative device that ought to be submitted to the Justice Department. Now, it was; and the Justice Department accepted it. But the courts looked at it and said, this is unconstitutional. All of this is made possible by various sections of the Voting Rights Act. It ought to be extended for 25 years. I plead to the Members of this body to do so.

Mr. GOHMERT. Mr. Chairman, I yield 3 minutes to my friend, the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of this amendment in order to enhance and support the constitutional framework upon which this law before us is predicated. The reason I say that is that, you know, 25 years ago, as I mentioned, I was working with the distinguished ranking member of the full committee on extending this law for 25 years.

At that time, there seemed to be evidence supporting that. But I have been gone for 16 years in this House. I come back and find there are very few Members here who were here when I was here before. As a matter of fact, sometimes I talk to Members and I feel like I am sort of the museum piece being pulled out for people to observe.

The only point I make is 25 years is a long time. And if you look at the testimony before the Senate Judiciary Committee by Professor Hasen from Loyola Law School in Los Angeles, he points out that this kind of amendment may very well be the kind of amendment that saves this law under consideration by a future Supreme Court with respect to its constitutionally.

Why? Because he said, beginning in 1965, Congress imposed the strong preclearance remedy on those jurisdictions with what the Supreme Court called a pervasive, flagrant, and unremitting history of discrimination in voting on the basis of race.

In South Carolina v. Katzenbach, the court upheld section 5 of the act as a permissible exercise of congressional power. But what has changed since 1965, as Professor Hasen says, both the law and the facts. And he suggests that we may be creating an infirm law by extending it for 25 years because the Court has said you have to have a connection with the historic discrimination, and it has to be proportionate to that.

And it has to pass those two tests. And the very argument that we extend it for 25 years, I think, argues against the defense of this in court. And rather than saying that the gentleman from Texas's amendment is an amendment that weakens this law, I believe it strengthens it. I suggest again, we have three counties in California that are under preclearance coverage only because in 1972 they had military installations, and so the people there were counted in the census, even though they voted in their home States.

One of those counties has 49.6 percent participation. Those counties have not been able to get out from under it. Now we are going to say, for another 25 years, because of the presence of military in your sparsely populated counties during the height of the Vietnam War, you are not going to be able to get out.

I find that difficult to justify if you are appearing before the Supreme Court saying that we have carefully tailored this bill. So I would just ask my colleagues, look at this amendment. It is not a gutting amendment. It is an intelligent amendment that really goes to supporting the constitutional framework of this bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Chairman, let me just say that one of the issues that many of my constituents call and they are very concerned about is time. They are concerned whether or not they are going to lose their right to vote. No, they are not. But I want to read a brief statement from the administration, the Bush administration:

''The administration is strongly committed to renewing the Voting Rights Act and therefore supports House bill H.R. 9. The Voting Rights Act is one of the most significant pieces of civil rights legislation in the Nation's history, and the President has directed

the full power and resources of the Justice Department to protect each citizen's right to vote and to preserve the integrity of the Nation's voting process. The administration is pleased the House is taking action to renew this important legislation. The administration supports the legislative intent of H.R. 9 to overturn the U.S. Supreme Court 2003 decision in Georgia v. Ashcroft.''

That says it all. Bipartisan support. Democrats, Republicans, and the administration. This is an American bill.

Mr. GOHMERT. Mr. Chairman, I reserve the balance of my time

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the very distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of the Voting Rights Act Reauthorization and Amendments Act, H.R. 9, and strongly oppose the Gohmert amendment. It reduces the 25-year reauthorization period of the expiring provisions to 10 years. The provisions set to expire in 2007 include section 5, which requires jurisdictions with a history of voting discrimination to obtain Federal approval for any new voting practices or procedures implemented.

Section 203 ensures that American citizens with limited English proficiency get the help they need at the polls. Sections 6 through 9 authorize the Attorney General to appoint Federal election observers where there is evidence of attempts to intimidate minority voters at the polls.

These provisions require the creation of a credible record. Most important, each of the expiring provisions depends upon the conduct of State elections, all of which operate independently and on schedules that do not coincide. Furthermore, lawsuits that come out of these expiring provisions make the creation of a record a very difficult task.

If Congress were to reauthorization the Voting Rights Act for short periods of time, as this amendment suggests, it would create an incentive for jurisdictions to wait out their obligations rather than comply, thus contributing to the widespread noncompliance with the statute that continued into the late 1970s.

In order for Congress to let voters know whether discrimination still exists in particular jurisdictions, it must be able to review voting changes through multiple redistricting cycles. The 3 years following the decennial census represent the time of the highest volume of voting changes and the greatest opportunity for discrimination.

The 25-year reauthorization period already in H.R. 9 is the product of numerous oversight hearings as well as analysis by Representatives, scholars, and election law practitioners. The amendment by the gentleman from Texas should be defeated because it simply is not sound.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me thank the authors of the bill. I rise today in strong opposition to the Gohmert amendment. You know, what is considered to be punishment for some Texans protects the legal privilege of other Texans. Another native Texan added Latina protection.

The passage of the 1965 Voting Rights Act has changed the face of this Nation, enabling millions of Americans the opportunity to vote. When I hear about 25 years being too long, it reminds me of how many years passed before we got the privilege. I do not think 25 years is too long, because we are in the midst of looking at a violation right now in Texas in redistricting.

Mr. Chairman, I appreciate the fact that this gentleman supports the Voting Rights Act, but I do not support the 10 years; I support the 25 years.

There are many who say there is no longer a need for the Voting Rights Act. Unfortunately, this is not the case.

At every election minorities continue to face an uphill battle exercising their right to vote.

In preparing for this reauthorization, the Judiciary Committee reviewed hundreds of examples of voter intimidation and discrimination.

It is unfortunate, but this level of discrimination will not be eradicated in the next 10 years.

Additionally, 10 years is not enough time to effectively review patterns of discriminatory conduct.

This is not a punishment for Southern states. It's a pledge that Congress will work to ensure all Americans have the ability to vote and to have that vote counted.

In addition, no state is force to comply with these provisions for another 25 years. There are ways for jurisdictions to exit both Section 5 and Section 203.

The Voting Rights Act is current, necessary, and protects the rights of millions of Americans.

Now is the time to reauthorize this historic cornerstone of civil rights for another 25 years. It is imperative to our rights, our freedom and our democracy.

Mr. GOHMERT. Mr. Chairman, as I understand, the chairman for the Judiciary Committee will be closing. Is that correct?

The Acting CHAIRMAN. He has the right to close, yes.

Mr. GOHMERT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in conclusion on this amendment, it is an amendment for 10 years from now. I did not realize originally, as did many others, that this was extending actually 20, the bill before us extending 26 years from this summer.

But let me reinforce my point earlier, and Mr. LUNGREN's point earlier about the dangers of having this go too long. This was testimony before the Senate Judiciary Committee from Professor Richard Hasen. He is with Loyola Law School. I don't know the gentleman personally. But they are in Los Angeles, California. I understand he is probably not a conservative Republican.

But his position before the Senate Judiciary Committee was: ''Congress should impose a shorter term limit, perhaps 7–10 years,'' he said, ''for extension. The bill includes a 25-year extension and the Court may believe,'' talking about the Supreme Court, ''it is beyond congruent and proportional to require, for example, the State of South Carolina to preclear every voting change no matter how minor through 2031.''

He was thinking it was 25 instead of 26. But in any event, it brings the point home, if you really want this to all survive constitutional muster, if you really want it to stay and continue to help, then why does it not make sense to continue to monitor it?

I know there are so many games that get played around this floor, but I am telling you and I am giving you my word as I stand before this body, I will work with anyone, Mr. Chairman, in this body, when there is proof of racial discrimination to help work to make this act stronger and better to stamp that out.

You run the risk of creating an unconstitutional act and undoing so much of what has already been done. We have heard the argument, gee, it takes too long to reauthorize. I applaud my friend, Mr. CHABOT, who has done such great work, heard from all of the witnesses. As he has indicated, he has taken months of testimony.

But I would humbly point out that it has actually taken a year less to get this thing to the floor to reauthorize than apparently was anticipated, because here we are a year before the bill was actually going to expire renewing it for 26 more years from now.

So I am not trying to play games. We are better continuing to monitor this. This is too important to put it off and not relook at it constantly. But folks, you know, Mr. Chairman, you know if it is not coming up for reauthorization, it is hard to get anything done to fix something that is broken.

Besides that, the Supreme Court may fix it for us as ruling it more punitive than remedial. With that I would encourage the Members of the House, through you, Mr. Chairman, to please let's vote to extend this for 10 years from now and not for 26 years from now.

Mr. Chairman, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, there are three reasons why this amendment should be rejected. First of all, it flies in the face of the fact that there have been more section 5 objections lodged by the Justice Department since the last reauthorization than during the first 17 years of operation of the Voting Rights Act.

Since 1982, over 700 objections have been lodged. That means we still need

this law, and we need the law on the books for a long time.

Second, adopting this amendment will effectively prohibit Congress from ever reauthorizing the Voting Rights Act again, because it will deny us, the Congress of the United States, a sufficiently large set of data the Supreme Court has held necessary for the VRA to be authorized.

What the gentleman from Texas's amendment does is, it gives Congress 16 years less data in the future by shortening the reauthorization period from 25 years to 9 years.

Finally, the amendment, if adopted, would completely nullify the current incentive the Voting Rights Act provides to encourage covered jurisdictions to have clean voting records for 10 years in order to get out through the bail-out provisions. This is only a 9-year extension. The way I was taught math, 9 is less than 10.

So there is no incentive whatsoever for a covered jurisdiction to clean up its act to be able to bail out, because the act will expire before they can have the 10 years to do it. Vote against the amendment. It is a bad one.

Mr. Chairman, I yield back the balance of my time.

□ 1500

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. GOHMERT).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 109–554.

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KING of Iowa:

Strike sections 7 and 8.

The Acting CHAIRMAN. Pursuant to House Resolution 910, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, especially I want to thank Chairman SENSENBRENNER for the hard work that they have done to put together the framework for the reauthorization for the Voting Rights Act. And also I want to thank the sponsors of my amendment, Mr. ISTOOK, Mrs. MILLER from Michigan, Ms. GINNY BROWN-WAITE of Florida, Mr. SPENCER BACHUS from Alabama, for joining me in this and many others who have worked hard throughout the last 4, 5, and perhaps even 6 weeks to get us to this point where we can have a debate on this amendment and end up having a vote on how to improve the Voting Rights Act.

I think it is important from a symbolic standpoint to be able to improve and vote on the Voting Rights Act. We are able to do that because also of the indulgence and the patience and the good years that come from all the leadership in this Congress, and I appreciate that a great deal.

What my amendment does is it recognizes that the Voting Rights Act was established in 1965. 1975, not as an original part of the act itself but as I would say a decade-old afterthought, came this imposition of foreign language ballots in 1975, and that came in as a temporary measure. Now, today, it is not so temporary from 1975 until 2006, but it is set up to sunset August 6, 2007.

So what my amendment does, Mr. Chairman, is it would lift the Federal mandate imposing foreign language ballots on localities by allowing the amendment to sunset, and the mandate is due to expire in 2007.

It is that simple. And the reason is this, that it is consistent with federalism. The Federal Government doesn't need to be imposing foreign language ballots on any locality anywhere in this country. They can make those decisions locally.

Anyone who is a citizen of the United States that is a naturalized citizen has had to demonstrate their proficiency in both the spoken and the written English language, so they have no claim to a foreign language ballot if they are a naturalized citizen. So, therefore, there isn't a need for foreign language ballots unless someone is here by birthright citizenship and hasn't had enough access to English to be able to understand a simple ballot. But in those circumstances we protect those people by allowing a right to assistance. They can bring an interpreter of their choice into the voting booth with them to do that interpretation.

So all my amendment does, the King-Istook-and others amendment, it lifts the mandates and allows the local electoral districts to retain their local control and their right to print in the languages they choose; and there are plenty of examples across the country that do that.

Some of the things that are objectionable about this would be, for example, the determination of how a district is imposed by the Federal Government on foreign language ballots, and one of those things is surname analysis, Mr. Chairman. So we have a computer program that sorts the last names of people. If it kicks out that a certain percentage of them have a Spanish last name or a Chinese last name, then there will be foreign language ballots that go to those districts, whether everyone there maybe came here with Cortez. That is how bad it has gotten. It has been abused.

And we protect the rights for localities. So it is a reasonable and general amendment that lifts the Federal mandate for foreign language ballots and lets local governments to do what they choose.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman is recognized for 20 minutes.

Mr. SENSENBRENNER. Mr. Chairman, this is a poison pill amendment. If this amendment is adopted, the supporters of this legislation will withdraw their support, and the extension to the Voting Rights Act would be defeated. So from a practical standpoint, the amendment should be opposed; but on a substantive standpoint, it should be opposed as well.

A recent survey of 1,000 registered voters was conducted on the Voting Rights Act's provision requiring bilingual ballots for taxpaying legal citizens under certain circumstances.

Let me make this clear. The amendments in the Voting Rights Act have nothing to do with illegal immigrants voting. Illegal immigrants are not eligible to vote. We are dealing with people who are United States citizens. And United States citizens ought to have their right to vote protected even if they are not proficient in English.

When those surveyed were asked specifically whether they supported or opposed the renewal of the Voting Rights Act with bilingual ballot provisions, 70 percent of the registered voters supported or strongly supported a renewal bill that contained the bilingual ballot provisions for taxpaying legal citizens. I ask the membership of the House to stand on the side of those 77 percent, an overwhelming majority.

When those polled were asked specifically what they thought of the part of the VRA that required States and counties where over 5 percent of the citizens are not fluent in English to provide assistance in their native language, 65 percent either strongly favored or favored those provisions.

Even though section 203 affects only 12 percent of the country, it was enacted for sound reasons and is still needed to remove barriers to voting by legal taxpaying citizens who do not speak English well enough to participate in the election process. According to the 2000 Census, most of the people who are potential beneficiaries of section 203 assistance are native-born legal citizens, meaning they are not immigrants who were naturalized, they are people who are citizens because they were born in the United States of America.

The Judiciary Committee's records shows that adults who want to learn

English experience long wait times to enroll in English as a second language literacy centers. And, once enrolled, learning English takes adult citizens several years to even obtain a fundamental understanding of the English language. Even after completing literacy classes, it is often not enough to understand complex ballots.

I strongly support the proposition that Americans be fluent in the English language. However, effectively denying them their right to cast ballots that they cannot comprehend will not advance this goal, but will frustrate it.

Section 203 was enacted to remedy the history of educational disparities which have led to high illiteracy rates and low voter turnout. These disparities still continue to exist. As of the year 2000, three-fourths of the 3 million to 3.5 million students who are native-born citizens were considered to be English language learners, meaning the students don't speak English well enough to understand the basic English curriculum. ELL students lag significantly behind native English speakers and are twice as likely to fail graduation tests. California has over 1.5 million ELLs, Texas 570,000, Florida 25,000, and New York over 230,000.

The intricate complexity of many ballot initiatives cannot be understood by those who understand minimal English. Chris Norby, the elections supervisor for Orange County, California, testified that many ballot initiatives include triple negatives that confuse even fluent English speakers. In California, the June 6, 2006 ballot was written for those at the 12th through 14th grade comprehension and reading levels.

And let me point out that this type of assistance is most critical in those States that have lots of referendum questions on the ballot. It is pretty easy to determine a vote for which candidate one prefers by looking at the names and marking the ballot in the appropriate way; but with the initiative questions and the referendum questions on the ballot, those have been written in many cases by Philadelphia lawyers and it is real hard to understand the true meaning of the question so that one can cast the proper vote to reflect their sentiments.

The amendment will also hurt the elderly who are exempt from the naturalizations test language proficiency requirements and are not required to learn any English whatsoever before they become legal naturalized citizens.

Current law allows the jurisdiction to get out from coverage under section 203 if it shows the D.C. Federal court that the applicable language minority population's literacy rate is at the national average or above. So teach the people how to read and you are out from underneath it. If they don't know how to read English, then they should be under it. In this way, section 203 provides an incentive for jurisdictions to develop successful ways of helping non-English speakers learn English. Adopting this amendment would remove that incentive and subvert the goals it purportedly advances.

Furthermore, the assistance authorized under section 208, which is the provision that authorizes voters to be accompanied into the polling booth under the Voting Rights Act, does not provide adequate protection for many language minority voters. With the increased number of linguistically isolated households in this country, seeking assistance of a family member is not feasible. The assistance provided by section 203 is the only certain form of assistance that language minority citizens can rely on to exercise the right to vote and enjoy autonomy and independence in the voting booth.

I would like to remind members that 2 weeks ago, on June 28, the House soundly rejected on a bipartisan basis and by a vote of 167–254 an effort to defund the Department of Justice's efforts to enforce section 203 during the consideration of the Commerce Justice State appropriations bill.

I believe that one of the cornerstones of American society is the ability to speak English. English is the language of commerce in this country, and I believe every citizen should strive to become proficient in the English language. However, punishing those who don't attain this goal and taking away the incentive for local jurisdictions to develop educational programs to increase the literacy rate above the national average is not the answer. That is why this amendment should be rejected.

Mr. Chairman, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield 1½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I rise today in support of the amendment offered by my good friend from Iowa, Representative KING, and I would ask for its adoption.

This commonsense amendment will remove a substantial and unnecessary burden for our State and local governments by allowing the sunset of sections 7 and 8 of the bill which mandate the printing of multilingual ballots on the basis of data collected in a flawed manner by the Census Bureau.

Under current law, if the Census reports that 5 percent of the State's population speaks primarily a language other than English, even though most of them can speak English quite well, then the whole State must print ballots in that language for every precinct. Once a State or voting jurisdiction meets this 5-percent threshold, any other minority language can be added with a significantly lower threshold.

Mr. Chairman, this is insanity, and, furthermore, it is an unfunded mandate on our States. There are already existing avenues to assist individuals, as the chairman just said, who may have difficulty reading a ballot in official English, and there is no reason whatsoever to waste taxpayers' dollars on printing thousands upon thousands of ballots that will probably never be used.

This amendment will not prevent any State from printing multilingual ballots, but will only remove this burdensome Federal mandate on the States. Let's adopt this commonsense cost-saving provision and stop the insanity.

Mr. KING of Iowa. Mr. Chairman, I would inquire as to how much time I have left.

The Acting CHAIRMAN. The gentleman from Iowa has 15 minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, how much time do I have?

The Acting CHAIRMAN. The gentleman from Wisconsin has 12½ minutes remaining.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I rise to support the opposition of my chairman to this amendment.

I am really amazed sometimes how much of an effort we put forth to support democracy around the world and yet won't do the same thing right here at home.

One of the things I have on my wall at home is the first ballot after apartheid that was used in South Africa. Our government, the United States Government, encouraged the folks of South Africa to put photographs of the candidates on the ballot so that they would know who they were voting for because they couldn't read.

□ 1515

Can you imagine us doing that here in the United States, even though it would facilitate people's ability to vote? Yet here we are trying to confuse this issue with the issue of immigration, illegal immigration, when it has nothing to do with that.

The majority of voters protected by section 203 are not even immigrants. Section 203 provides language assistance to cover United States voting-age citizens who are not fluent in English. According to the 2000 census, three-quarters of all voters covered by section 203 are native-born voting-age citizens in the United States. So this notion that this is somehow a part of the anti-immigrant movement is just a fallacy.

We need to be doing whatever we can to enable our citizens to vote, and this amendment goes in the face of that. I think we should oppose it and move on with the passage of this bill.

Mr. KING of Iowa. Mr. Chairman, I yield myself 30 seconds.

I wonder if I might have been stereotyped here. I didn't hear anything about immigration on this side. I didn't hear anything come out of Mr. GINGREY about immigration. We are

talking about the Voting Rights Act, and I think that is what this debate will be about on this side, the Voting Rights Act.

But I would point out that there is a reason why natural-born citizens utilize this more than anyone else, and that is because one of the criteria that is used to measure is the question on the census that says, Do you speak English: not at all, not well, well, or very well? And if you answer well, you still are put into the limited-language-proficient category.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, first of all, let me say that I wholeheartedly support the passage of the Voting Rights Act, the renewal of it. I think it is very, very important, critically important for this Congress to act on this issue today.

And let me say to my friends in the Congressional Black Caucus, obviously I have never had the African American experience, but I am sincerely moved when I hear such great civil rights leaders as John Lewis, and others who have spoken today with such passion about the injustices that happened in regards to voting.

Before I came to Congress, I served for 8 years as the Michigan secretary of state, with the principal responsibility as my State's chief election officer. So I feel I have some credibility to speak to this issue, because during those 8 years I actually had the occasion to have to actually threaten legal action against an African American clerk who I thought was disenfranchising African Americans in the city of Detroit of the right to have their votes counted.

I am also very proud of the fact that in 2001 the NAACP gave me the highest grade in the entire Nation for any secretary of state for election reform and for voter integrity programs.

I am also proud to be a member of the party of Abraham Lincoln, and while I strongly believe in clean elections, fair elections, and voting integrity, I also believe in States' rights and local control.

This amendment is all about States' rights and local control. It has nothing to do with the immigration issue. It has nothing to do with racial equality. It simply says that the Federal Government does not mandate to the States or the local units of government that they provide bilingual ballots. And if the State or local units decide they want to do so, fine, that is their option.

Mr. Chairman, consider for just a moment that in southeast Michigan alone we have the largest Arabic population in the Nation and we have the largest Macedonian population in the Nation. My home county has an Italian cultural center, a German cultural center, a Ukrainian cultural center, and a Polish cultural center, which are a reflection of the very proud ethnic heritage of the area. If the local election officials want to provide them with bilingual ballots, that should be their choice, not a Federal mandate. And the same should be so all across our great Nation.

Vote ''yes'' on this amendment.

Mr. KING of Iowa. I thank the former secretary of state of Michigan, and I now yield 1½ minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL of California. Mr. Chairman, I thank the gentleman from Iowa, and I am going to give you three reasons why we should support this amendment.

First is that it is an expensive, unfunded mandate on local governments. The county in which I live, Orange County, California, very diverse county, in the last cycle spent $600,000 on bilingual ballots when only seven-tenths of a percent, seven-tenths of a percent of the ballots requested were multilingual or bilingual ballots.

Secondly, the current law is discriminatory. In Orange County, California, we are required under the Voting Rights Act to print ballots in five languages, but yet in the school district where my kids went to school, which is only one city out of 35 cities in Orange County, there are 83 different languages spoken at home. So what about those other 78 language speakers? Aren't we discriminating against them by not putting out ballots in their languages, too?

Now, I happen to think it would be less discriminatory if they were only in English, because then everyone would have the same opportunity to understand the ballot as everyone else. But the point of this amendment is that that is for the county to decide. Some counties may not have 83 different languages, while others do. That is for them to decide.

And, third, I think it is interesting that the chairman brought up Chris Norby, a supervisor in Orange County, as being in opposition to this amendment. Chris Norby is actually very strongly in favor of this amendment. The issue that was discussed was the complexity of ballot initiatives.

Now, ballot initiatives, and California is kind of the hotbed of those things, and I personally have been involved in drafting them, but they are complex and they are complex to translate. That is the point.

Mr. KING of Iowa. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Iowa for the time, and I would like to ask my good friend, the sponsor of this amendment, to engage in a brief colloquy.

Mr. KING of Iowa. I would be happy to engage in a colloquy with the gentleman from Arizona.

Mr. HAYWORTH. Mr. Chairman and my colleagues, as a long-time advocate for the sovereign rights of Native American tribes and in recognition of the importance of preserving those languages indigenous to America, I do need to ask the gentleman from Iowa for a few points of clarification.

First and foremost, does this amendment restrict a tribe or local government's ability to print a ballot in any language it deems necessary to better serve its voting population?

Mr. KING of Iowa. No, this amendment does not impose restrictions on printing ballots in languages other than English.

Mr. HAYWORTH. Mr. Chairman, current Federal law allows a voter to receive necessary assistance from someone while in the voting booth. This statute makes it possible for a tribal elder, who may be more comfortable communicating in an indigenous tribal language, to be aided by a translator while participating in the democratic process.

Does this amendment in any way restrict any American from receiving such assistance?

Mr. KING of Iowa. The answer is ''no,'' this amendment does not change the Federal law that allows voters to bring their own interpreter.

Mr. HAYWORTH. I thank the gentleman from Iowa for clearly stating his amendment does not infringe on tribal sovereign rights to print ballots in native languages or on the ability of a tribal member to receive translational assistance while voting.

With this assurance, I will support this fiscally responsible amendment before us, which removes a costly and unfunded Federal mandate currently being forced upon these local tribal and State governments.

Mr. KING of Iowa. I thank the gentleman from Arizona, and I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Mr. Chairman, I want to thank the gentleman for yielding, and I rise in gratitude to Chairman SENSENBRENNER for his leadership on the reauthorization of the Voting Rights Act. It is historic in its scope, and I admire his thoughtfulness and the dignity with which he has gone about this process.

I also rise, although in opposition, with deep respect for the gentleman from Iowa, whom I would support for anything, including Pope. Even though, from time to time, we differ on issues, he is a man of integrity and principle.

The arguments have been made today by the chairman, and they will be by others in opposition to the King amendment, in a substantive way, that even though section 203 only affects 12 percent of the counties of this country, it was enacted for sound reasons and we still need it; that to support the King amendment could literally hurt the elderly, who in many cases were excluded from the English proficiency requirements of naturalization and,

therefore, would, if this amendment passed, be denied the language assistance to participate as American citizens in the voting process.

There has also been the thoughtful discussion that we are not just talking about choosing between candidate A and B, but rather, Mr. Chairman, we are talking about ballot initiatives that can oftentimes be written in double negatives, and so language assistance is appropriate for Americans in exercising their blood-bought right to vote.

So I just simply rise today in opposition to the King amendment; to say that language requirements belong in immigration law, not in the ballot box.

I myself have authored an immigration reform proposal that would require all new guest workers within 2 years to pass a 40-hour course in English proficiency. And I believe, as many of my colleagues who support this amendment believe, that it is central to assimilation and to becoming a part of the American experience to achieve English proficiency. But I say with deep respect to my sincere colleague, Mr. KING, not here, not in the ballot box, and not for Americans.

There is a certain amount of sacred soil in America. I tend to think this floor, Mr. Chairman, is sacred soil in democracy. But I think the four corners of that curtained ballot booth are also sacred soil, and we ought to do everything that is necessary in our power to make sure that Americans can exercise their blood-bought, God-given right to vote in an informed manner.

And so I rise to oppose the King amendment and to thank again the gentleman for his sincerity.

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for the highest compliment anyone has ever received on the floor of this Congress, and express the same of my friend, Mr. PENCE.

Mr. Chairman, may I inquire of the Chair how much time I have left?

The Acting CHAIRMAN. The gentleman has 9½ minutes.

Mr. KING of Iowa. Mr. Chairman, I would be happy to yield 1½ minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), also a cosponsor of this amendment.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I thank the chairman very much for yielding this time. I rise today in support of this amendment, which I am cosponsoring along with my good friend and colleague Congressman KING.

Bilingual ballot requirements were not in the original Voting Rights Act. As a matter of fact, they were only added in 1975, and were always intended to be a temporary crutch, not a permanent mandate. And that mandate, by the way, is an unfunded mandate.

Now, many of us came from backgrounds in the State legislature and/or local governments, and what was the one thing we complained the most about? Unfunded Federal mandates. This, ladies and gentlemen, is an unfunded Federal mandate.

To become a citizen today you must demonstrate that you can speak English. These requirements have encouraged new immigrants to learn our language and become part of our society. We must return to this tradition to reunite our society and erase the divide between new citizens and those with two, three, and more generations in this great Nation.

Certainly, if you were a citizen living in Mexico and you wanted to participate in the latest Mexican election and English was the language that you spoke, I guarantee you that the recent Mexican elections did not have English ballots for those who only spoke English.

Mr. KING of Iowa. Mr. Chairman, I would be happy to yield 1½ minutes to the next governor of the State of Oklahoma, and a cosponsor of this amendment, Mr. ISTOOK.

□ 1530

Mr. ISTOOK. Mr. Chairman, I support this amendment. Congress should not dictate that American ballots must be printed in multiple languages.

Over 30 States, including Oklahoma, are now required by Congress to print bilingual or multilingual ballots in at least some parts of those States. In Oklahoma, it is required in Marmon County and Texas County. I have a sample of the ballots that will be used there on July 25, and this is for State and local races, not Federal elections. The candidates for county commissioner will be surprised that they have been relabeled as candidates for ''comisionario del condado.''

Instead of this confusion, we need the unifying force of an official language, English, which is the language of success in America.

To become an American citizen, we require people to read, write and speak in English. That is to help them to assimilate in our melting pot, truly to become Americans. We mock that when the cherished right to vote does not involve English any more.

My father was the son of immigrants, and he grew up bilingual, but English is what my father taught me and what he spoke to me. America's strength is not our diversity; it is our ability to unite around common principles even when we come from different backgrounds.

We have too many laws that undercut our unity. Today we can fix one of those laws, and we should. Please join me in doing what the American people want and expect us to do. Support this amendment and support the unifying force of a common language, the English language.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous consent request to the gentlewoman from South Dakota (Ms. HERSETH).

(Ms. HERSETH asked and was given permission to revise and extend her remarks.)

Ms. HERSETH. I thank the gentleman for yielding.

Mr. Chairman, I would like to lend my strong support to H.R. 9, The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. I would also like to commend House Judiciary Committee Chairman SENSENBRENNER and Ranking Member CONYERS for their leadership in working together to craft a bill that received overwhelming bipartisan support in the committee. The committee approved H.R. 9, as amended, by a vote of 33 to 1 on May 10, 2006. I am pleased that the leadership has scheduled H.R. 9 for floor consideration today and hope that the full House will pass this vital piece of legislation, as it was reported by the Judiciary Committee.

The preservation of all of the rights guaranteed to Americans under law in great measure depends upon the security of Americans' voting rights. Ensuring an equal opportunity for all citizens to vote is a fundamental governmental duty. All Americans recognize the importance of ensuring the right to vote. That is why the 109th Congress will address few more critical pieces of legislation than H.R. 9 in 2006, a year of Federal, state, and local elections.

The Voting Rights Act of 1965 was the product of a remarkable time in America, when courageous and visionary people from different backgrounds and communities came together to move the Nation from an era when too many Americans were denied one of the most fundamental freedoms. The Nation has made great progress since that time toward the goal of full voting rights for all. Reauthorizing the Voting Rights Act will ensure that we continue to move forward with protecting, preserving, and enhancing the gains that we as a society have made.

Some of the core provisions of the Voting Rights Act are set to expire in 2007. Importantly, H.R. 9 would reauthorize these provisions for 25 years. Expiring provisions of the Voting Rights Act require covered jurisdictions to seek ''preclearance,'' either with the U.S. Department of Justice or a specific federal court, of any proposed voting changes, such as redistricting. Two counties in South Dakota are subject to these requirements.

Section 203 of the Voting Rights Act requires that language assistance be provided to language minorities, including certain Native American communities. A number of jurisdictions in South Dakota are covered by Section 203.

Statements made by a number of the proponents of the King amendment seem to suggest that the only non-English languages come from foreign countries. But the fact is, in my home state of South Dakota and across America, any voters speak Native American languages—languages that were spoken here long before English was ever uttered in this hemisphere. Parts of Indian Country are covered by Section 203—a section with strong bipartisan support—based on a history of practices and procedures that disenfranchised certain language minorities. American Indians were here when many of our ancestors immigrated to the United States.

Just yesterday I had the opportunity to celebrate and honor the service of Native American code talkers who fought bravely during World War II. Native Languages were the basis for a military communications code that was never cracked by the Axis powers. They

saved countless lives and protected the freedoms we enjoy today.

Native Languages have always had a place in America and should continue to have a place in America. They are part of our history and have played an important role in defending this country. The rights of Native Language speakers should continue to be protected at the ballot box through all of the protections afforded by Section 203. That is why I strongly urge my colleagues to reject the King amendment.

It is incredibly encouraging to see the strides American Indians in South Dakota have made in recent years, including in the political process. I believe that full political participation, and especially voting, is one of the keys to continuing these welcome developments. Voting is not only the expression of support for a particular set of ideas, but is also an expression of hope, and belief in the future.

One of the ways we can help ensure that these hopes become a reality is to reauthorize the Voting Rights Act, because the Act continues to play a critical role in ensuring the integrity of the political process. It helps assure not only that an effective legal procedure exists for correcting violations of voting rights, but that violations can and will be prevented from developing. It is also a beacon that sends the message to all American citizens that voting rights must be respected.

Thus, I thank the leadership for scheduling H.R. 9 for floor action, and I urge my colleagues to give H.R. 9 their full support.

Mr. SENSENBRENNER. Mr. Chairman, I yield for the purpose of a unanimous consent request to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Chairman, I rise in opposition to the King amendment which would disenfranchise millions of Americans.

Mr. Chairman, the purpose of the Voting Rights Act is to ensure the right to vote to every American citizen.

While I oppose all of the amendments to the bill, I rise now to specifically speak to the King amendment which would deny this fundamental right to American citizens who have not yet fully accomplished English proficiency, or who are just more comfortable with their primary language.

Not only would the King amendment discriminate against the millions of naturalized citizens whose native language is Spanish, it would also discriminate against Native indigenous Americans in Alaska and American citizens who are Puerto Rican and for whom Spanish is their primary household language.

This is a mean spirited amendment and must be voted down by every Member of this House of good will and who believes in a fair and just America.

I urge my colleagues to oppose the King amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous consent request to the gentlewoman from California (Ms. HARMAN).

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I rise in strong opposition to the amendment.

Mr. Chairman, I rise in support of the Voting Rights Act and in strong opposition to this amendment to strike renewal of section 203, a key provision.

The Voting Rights Act is a touchstone of the American Civil Rights movement. It brought millions of Americans into the heart of American democracy. The Act demonstrated to the world, and to history, that we are capable of recognizing the mistakes of our past and acting to fix them.

This is a subject I know intimately. Many years ago, in the early 1970s, I served as Chief Counsel to the Constitutional Rights Subcommittee of the Senate Judiciary Committee. in 1975, the Subcommittee managed amendments to the Voting Rights Act, and we drafted, debated, and passed section 203 on my watch.

I knew then that section 203 was a vital protection of voting rights. It is no less important today.

By 1975, poverty, poor education, and institutionalized discrimination had combined to turn English-only ballots into a de facto literacy test. Many citizens did not register to vote because they could not read election materials or communicate with poll workers.

Section 203 helped lower these barriers by requiring that jurisdictions with a significant population of ''language minorities'' provide election information in more than one language. It has since been applied to 500, jurisdictions in 31 states.

The success of section 203 cannot be overstated. Study after study has demonstrated that when bilingual assistance is provided, more citizens register to vote, and more registered voters go to the polls. And since 1975, minority voter registration has continued to climb and more minorities have been elected to public office. The result is a stronger, more vibrant, and more representative democracy.

But the job is not yet done.

Today, as in 1975, millions of Americans do not speak fluent English. Some are recently naturalized citizens. Many others are native-born citizens, who may have been raised in homes where English was not their primary language. Because of poor schooling, discrimination, or other factors, these citizens still may not be proficient in English.

Section 203 gives these Americans a voice, allowing them to participate in their native languages

We must remember that the individuals protected by section 203 are citizens. They are family, friends, neighbors, and co-workers. And they are entitled to the same rights as any other citizen—including the right to cast an informed vote.

I urge my colleagues to defeat this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I thank the chairman for yielding me this time.

I would like to preface my remarks by expressing my profound admiration for the author of this amendment who I think is a great American patriot. In the Rules Committee, I supported his right to be heard on the floor today.

And I rise in opposition to the amendment. I think that we have made great progress. One of the beauties of America is we are constantly improving as a Nation. We have improved to the point that citizens, for example naturalized citizens, it is important to point out that the elderly, pursuant to our laws, when they have been residents, legal residents of the United States for many years and they seek to become an American citizen, according to our laws, they can take the exam to become an American citizen in their language of preference, their language of origin.

What we said in amendments to the Voting Rights Act, those people have a right to understand what they are voting on. Whether it is a simple choice of candidate or a complex ballot issue, elderly citizens who are naturalized have a right to understand what they are voting on.

Also, there are millions of native-born Americans whose language, primary language, is not the English language. And so we believe, just like we certainly are extremely proud of those citizens, whether they are naturalized or en route to be naturalized or native born and they defend this country, and we are certainly grateful to them and proud of them when they do so, we think they should have the right when they vote to be able to understand the ballot initiatives that they are voting on or other questions.

So I really think, Mr. Chairman, that the fairer we are as a society, the greater we are. The more fair our country is, the greater our country is. This is an example. We have opened an opportunity for full participation, for citizens whose primary language is other than English, to the ballot box. And I think we should be proud of that as a country.

So I again commend Chairman SENSENBRENNER for bringing forth this legislation and oppose the amendment before us at this time.

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. STEARNS) who has worked very hard on this issue.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I rise in support of this amendment. Let me ask the people, including my good friend, the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), CANDICE MILLER was the Secretary of State of Michigan, and she told me there are 23 Arabic dialects in Wayne County, in one county, in Michigan. Now are all of you prepared to have 23 separate languages on the ballot? Is that fair?

This amendment does not infringe on anybody's ability to cast an informed vote. States can still choose to provide language assistance and individuals can still choose to bring their friends as translators into the ballot box and help them understand.

This is simply a commonsense amendment that merely removes a

Federal mandate to provide translations. Are you going to ask the Federal Government to force a State to have 23 Arabic dialects in Wayne County? It is a States' rights issue.

Let's look at what Margaret Fung of the Asian American Legal Defense and Education Fund said: ''I think all of the language assistance is supplemental to what, hopefully, will happen, which is that everyone will learn English.''

Immigrants arriving on our shores add to the vibrant fabric of our Nation, but it is important as a melting pot that all of these immigrants learn to speak English.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous consent request to the gentleman from New Jersey (Mr. PAYNE).

(Mr. PAYNE asked and was given permission to revise and extend his remarks.)

Mr. PAYNE. Mr. Chairman, I rise in opposition to the King amendment and urge its defeat.

Mr. Chairman, I want to thank Chairman SENSENBRENNER and Ranking Member JOHN CONYERS for their hard work on the Voting Rights Act and for the opportunity to speak on the importance of passing this landmark piece of legislation.

I stand in opposition to the King amendment to strike sections 7 and 8 of the bill which ensure that all American citizens, regardless of language ability, are able to vote on a fair and equal basis.

Recent discriminatory actions in the States of Georgia, Texas, the Dakotas and even in my home State of New Jersey underscore the importance of including provisions such as language assistance for potential voters and the pre-clearance of electoral changes for covered jurisdictions.

In fact, in New Jersey there are approximately 1 million Spanish-speaking voters, which quite clearly exemplifies the need to extend provisions such as section 203. In 1999, the Department of Justice's Civil Rights Division found that Passaic County, New Jersey, was discriminating against Latino voters by denying equal access to the electoral process. The Civil Rights Division entered into a consent decree with the County of Passaic, and now the elections are monitored by the Federal observers. A three-judge panel of the U.S. District Court of New Jersey appointed an independent elections monitor to ensure that the county complies with the court orders. The monitor assisted the county in its efforts to comply with the court's orders.

Today, the House of Representatives stands at a fork in the road. On one side, we can journey down the path where we ignore past and recent history that has shown discrimination and disenfranchisement still prevents U.S. citizens from exercising their inherent right to vote. I am one of the Members of this Chamber who marched for civil rights back in the 1950s and 1960s.

From my first-hand experiences, I can attest that our gains have been hard-fought and a long time coming. Fortunately, we still have the opportunity to choose the right path of action.

The reauthorization of the Voting Rights Act is a reaffirmation of the values upon which America was founded. The American principles of justice and fairness compel this Congress to pass this piece of legislation without weakening amendments. Martin Luther King Jr., whose life and death symbolized the struggle for equality and justice along with his wife Coretta Scott-King, said that, ''Injustice anywhere is a threat to justice everywhere.'' If we pass the Voting Rights Act with these odious and retrogressive amendments, we are not only turning our back on the sacrifices of those who were harmed and killed for our right to vote but also turning our back on our diverse constituencies who have entrusted us to stand up for justice and equality for all.

I applaud the bipartisan efforts that have cleared the way for this bill to be voted on and I urge all Members of the House of Representatives to complete this journey with the swift and clean passage of this bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, just very briefly, the Tri-Caucus strongly believes that the VRA continues to effectively combat discrimination and protect the gains achieved for minority voters.

It is well documented that language assistance is needed and used by voters. For instance, the U.S. DOJ has reported that in one year, registration rates among Spanish and Filipino-speaking American citizens grew by 21 percent and registration among Vietnamese-speaking American citizens increased over 37 percent after San Diego County started providing language assistance.

In Apache County, Arizona, the Navajos have increased their turnout; and the Navajo Code Talkers, who sacrificed their lives during World War II, were able to participate in this process.

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Chairman, I rise today in my fullest support for the King amendment, and also his work to make sure that all political barriers to participation are removed. But we are clear that foreign language ballots do no such thing.

There are three reasons why I support the King amendment. First, section 312 of the current code says anyone coming into this country as a naturalized citizen must be able to be proficient in reading, writing and understanding the English language. So there should be no basis for requiring the ballots to be in another language.

In fact, we are ignoring the current law in providing a disincentive for new citizens to assimilate into this country without this amendment.

Secondly, as already pointed out, this is in fact yet another unfunded mandate on the States. Talk to your county commissioners and they will tell you how much this costs them. And I should also point out that this amendment does absolutely nothing, nothing to require that all ballots be in English. We simply say under this amendment that the States and localities will decide how to implement it themselves.

Third, this bill currently is an arbitrary and capricious attack against individuals by insulting the voters by simply implying that with a foreign language surname that they cannot understand the language. I support the amendment.

Mr. KING of Iowa. Mr. Chairman, I yield 1½ minutes to the cosponsor of this amendment and a member of the Judiciary Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Chairman, I rise today in support of the Voting Rights Act Reauthorization as an original cosponsor. I also rise in support of this amendment.

From the 1790s to the 1970s, our forefathers came to this country, America, from across the globe. They spoke a multitude of languages. They became American citizens. They exercised their right to vote, and they did so in English.

Teddy Roosevelt was right when he said: ''There can be no divided allegiance here. We have room for but one flag, the American flag. We have room for but one language here, and that is the English language.''

It was good enough for our forefathers, it was good enough for our grandparents, it should be good enough for us. There is a tradition in this country. For 180 years, we voted in English. That is the true American tradition, and this amendment is true to our heritage, not what has existed unnaturally for the last 20 years.

Mr. KING of Iowa. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of the King amendment. Mandating election materials and ballots be provided in languages other than English is a travesty and will lead to no good for this country and no good for the people who supposedly we are trying to help. It is a horrible, long-term attack on the unity of the United States of America.

When we come from various ethnic groups and races, what unites us, it is our language, the English language. We are hurting America by making it easier for people not to learn English. We are hurting those people by giving them an incentive not to learn English. This is multiculturalism at its worst. Bilingual ballots ought to be made history.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 15 seconds.

If that is the case, why do a million and a half people in California who are native-born citizens require these types of bilingual ballots? These are Census statistics.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, I rise in opposition to the King amendment which I refer to as ''let's return to the good old days.'' The good old days of literacy tests, because that is what

they are talking about. Make no mistake about what we are talking about here today.

In 1975, a bunch of brilliant people finally came up with an answer, and they said we have found a way to become inclusive, to increase voter participation, to make citizens more responsible, to engage them in our society and assimilate into society with a little bit of assistance at the polling place. That is what language assistance is all about. It is about inclusion, not exclusion.

Everything you have heard from the other side and the proponents of this particular amendment is about exclusion, about reducing voter participation. That is what is at stake here today.

I will ask anybody here in this body today that is considering voting for this particular amendment: Do you have campaign material in your career or on your Web site or your newsletters in another language? Let's not be hypocrites. Let's be honest and do the right thing today.

Mr. KING of Iowa. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Chairman, I rise in support of this amendment. It is interesting that individuals are required to take their U.S. citizenship test in English, not in another language, but in English.

It is also interesting that we provide an opportunity if they want to take a translator to the polls to help them, they are able to do that also.

But in my district, which is basically Orange County, individuals received a letter which is called an outreach letter offering foreign language ballots. These were sent to any individual who had a foreign-sounding name such as Martinez or Chen. The response I received was overwhelming, and it was pure anger that the assumption was made because my name happened to be Chen or Martinez that I was not a U.S. citizen capable of speaking English.

Less than seven-tenths of 1 percent of the 1.5 million people in Orange County actually requested non-English ballots, yet they only have to provide five ballots today: English, Spanish, Korean, Chinese and Vietnamese. The next Census has predicted that they will have to produce an additional five languages. This is a reasonable amendment. I ask for an ''aye'' vote.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous consent request to the gentleman from Virginia (Mr. SCOTT).

(Mr. SCOTT of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, Section 203 works: when language assistance is available, voter participation goes up. When language assistance is not available, voter participation goes down.

We are talking about citizens. In fact three-fourths of those affected by Section 203 are natural born Americans.

Section 203 only applies where there is a large number of citizens in the jurisdiction with the same language—enough voters to affect the outcome of an election—and enough for those who don't like how the affected community votes to have an incentive to try to depress the vote.

Section 203 is not a burden to communities. The evidence presented in our hearings was that the cost is negligible. For example, the bilingual poll worker will be paid the same amount as any other poll worker who would have been hired anyway.

Finally, Mr. Chairman, this amendment will not result in voters being encouraged to improve their English. Our hearing record revealed voters in affected jurisdictions waiting years to get into adult education classes. A repeal of Section 203 may make it less likely that those education programs will be properly funded in the future, and a repeal will definitely result in lower voter participation.

Mr. Chairman, we should encourage voter participation by defeating the King amendment.

□ 1545

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, the King amendment is a vote in favor of discrimination against language minorities. This point was driven home by a Federal court in Osceola County, Florida, just a few weeks ago.

Osceola County was purposefully denying voter registration and assistance opportunities to Spanish language voters, including a large Puerto Rican population. The Department of Justice sued and secured a consent decree requiring the county to comply with Federal law. In July 2002, Osceola County became covered by section 203 of the Voting Rights Act. However, the county continued to neglect its duties under Federal law. The Federal court found just 2 weeks ago that there is considerable evidence to suggest that the county's institution and maintenance of an at-large voting system was motivated by a desire to dilute the vote of an emerging Hispanic population.

Now, we are not talking about something that happened 40 years ago. This is just a few weeks ago now, in 2006.

Eliminating section 203 will encourage jurisdictions to disenfranchise emerging language minorities, which will be compounded by depriving these taxpaying U.S. citizens of the assistance they need.

Really, do you think that people who speak flawless English, who can't understand balloting initiatives that are complex, if they have a hard time, then what do you think someone who has English as a second language can do? Not very much without the assistance of section 203.

The CHAIRMAN. The gentleman from Iowa has 1½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I will take the opportunity to close with that minute and a half.

I would speak, first of all, to Mr. PENCE's statement that now is not the time. Now is actually the only time in a half a century where this Congress has the opportunity to have a voice on the reauthorization of this. It was reauthorized in 1982, until 2032 if the language prevails. It is in the bill. We have to do it now.

Citizens are required to demonstrate proficiency, in both spoken and written word, of the English language. They don't have a claim. Naturalized citizens do not have a claim to foreign language ballots. American-born citizens do have, and they can make that claim locally, like they do in places like Wisconsin, where the electoral board of Wisconsin just determined that they would be printing ballots in the languages both of Hmong and Spanish. So they have demonstrated how local control actually works, Mr. Chairman.

And then the waste is demonstrated in places like California where a small precinct, 650 people, 33 separate ballots for 650 people in languages English, Spanish, Chinese, at a cost of $100,000 for that county alone. Three hundred counties are covered by this. We don't need to be imposing this upon the American people.

The heavy hand of the Federal Government can be lifted off. People will still be voting in the languages of their choice because they will be controlled by the locale, consistent with the 10th amendment, States' rights, federalism, fiscal responsibility, and the philosophy of the majority of this Congress, the Republican Party and the view of the individual opportunity to vote. We will protect those rights.

But my amendment would lift the Federal mandate imposing foreign language ballots on localities by allowing the mandate to sunset. The mandate is due to sunset and expire in 2007. We let the wisdom of our forefathers take care of that.

The CHAIRMAN. The gentleman has 2 minutes remaining.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, this is a poison pill amendment. It is no secret that if this amendment is adopted, the voting rights extension will be doomed because the supporters of this bill will withdraw their support. So if you want a VRA, vote ''no'' on the King amendment.

I would repeat the fact that we are dealing here with United States citizens. Illegal immigrants, legal immigrants who have yet to be naturalized are not eligible to vote. Three-quarters of the people who do require language assistance for ballots are native-born

Americans. They achieved their citizenship by birth in the United States of America. And should we deny them the opportunity to understand their ballots because their background or the educational system where they grew up did not make them functional in English?

I believe English should be the national language. I believe that English is the language of commerce, and one cannot achieve the American dream without being functional in English. But, at the same time, should we deny people who are citizens, most of them native born, the opportunity to understand the ballots because this part of the Voting Rights Act ends up being repealed or allowed to sunset?

I answer that question, ''no.'' And that is particularly important in States that have a lot of ballot initiatives, some of which have got triple negatives the way they have been drafted.

The registrar of voters in Orange County, California, said that ballot questions are drafted there to reflect a 12th to 14th grade level of education. Believe me, if you are not functional in English, and it is a post-high-school grade level that the ballot questions are drafted in, certainly we ought to give these people assistance.

Reject the amendment.

Mr. MEEK of Florida. Mr. Chairman, I rise in strong opposition to the amendment by Representative KING of Iowa to repeal the language in the Voting Rights Act that requires certain jurisdictions with concentrations of citizens who don't speak English very well to provide language assistance to voters who need it and the American citizens who request it.

My district is one such jurisdiction. Over 34 percent of my district is made up of foreign-born American citizens. Besides that, nearly 45,000 U.S.-born citizens in my district speak some language other than English in their homes. These are Americans. They live here, work here, raise families and pay taxes here. They vote here.

This amendment is an attack on the fundamental right to vote for millions of citizens across the country. It's crucial that everyone in our democracy has the right to vote. Yet, having that right legally is meaningless if certain groups of people are unable to accurately cast their ballot at the polls. Voters may be well informed about the issues and candidates, but to make sure their vote is accurately cast, language assistance is necessary and reasonable in jurisdictions with concentrated populations of limited English proficient voters.

Some try to tie this to immigration, but this is not about immigration. According to the most recent information from the Census, more than 70 percent of citizens who use language assistance are native born, including Native Americans, Alaska natives and Puerto Ricans. Even though most new citizens are required to speak English, they still may not be sufficiently fluent to participate fully in the voting process without this much-needed assistance. Ballots are often too complicated even for native English speakers. To deny needed assistance to American citizens goes against who we are as a democracy.

Before the language assistance provisions were added to the Voting Rights Act in 1975, many Spanish-speaking United States citizens did not register to vote because they could not read the election material and could not communicate with poll workers. Language assistance has encouraged these and other citizens of different language minority groups to register and vote and participate more fully in the political process, which is healthy for our democracy.

Some try to say that language assistance costs millions of dollars. Language assistance is not costly. According to two separate Government Accounting Office studies, as well as independent research conducted by academic scholars, when implemented properly language assistance accounts only for a small fraction of total election costs. The most recent studies show that compliance with Section 203 accounts for approximately 5% of total election costs.

Let's examine what is at stake here:

In 2003 in Harris County, Texas, officials did not provide language assistance for Vietnamese citizens. This prompted the Department of Justice to intervene and, as a result, voter turnout doubled and a local Vietnamese citizen was elected to a local legislative position.

The implementation of language assistance in New York City had enabled more than 100,000 Asian-Americans not fluent in English to vote. In 2001, John Liu was elected to the New York City Council, becoming the first Asian-American elected to a major legislative position in the city with the nation's largest Asian-American population.

In San Diego County, California, voter registration among Hispanics and Filipinos rose by over 20 percent after the Department of Justice brought suit against the county to enforce the language minority provisions of Section 203. During that same period, Vietnamese registrations increased by 40 percent.

Those who have tried to master a second language know the near-paralysis that sometimes grips you. Confusion, embarrassment and frustration are constant companions for those trying to change the way their tongues work and their minds think in the important, pressure situation of voting. Such mundane tasks as ordering at a restaurant or going to the bank become challenges—every word a potential mistake in comprehension.

The language in section 203 is not about coddling immigrants, and this amendment shouldn't be about punishing new citizens for having to learn a second language under fire. Section 203 is about making sure that a fundamental right, the right to vote, is without obstacle.

I urgently ask that my colleagues join me in defeating the King amendment and standing for the rights of all Americans to cast the vote they intended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. WESTMORELAND

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 109–554.

Mr. WESTMORELAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. WESTMORELAND:

Add at the end the following:

SEC. ___. EXPEDITED DECLARATORY JUDGMENT IN CERTAIN CASES.

Section 5 of the Voting Rights Act of 1965 is amended by adding at the end the following: ''The Attorney General shall, not later than 3 years after the date of the enactment of this sentence, and annually thereafter, determine whether each State and political subdivision to which the requirements of this section apply meets the requirements for a declaratory judgment under section 4(a). The Attorney General shall inform the public and each State or political subdivision of the determination with respect to that State or subdivision. The Attorney General shall consent to the entry of judgment in favor of a State or political subdivision that seeks such a declaratory judgment if the Attorney General has determined that State or subdivision currently meets the requirements.''.

The CHAIRMAN. Pursuant to House Resolution 910, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to help save the Voting Rights Act. After carefully studying the issue and collecting information about the renewal, I have serious concerns about the constitutionality of this rewrite of the VRA.

When Congress last renewed the Voting Rights Act 25 years ago, it adjusted the system for providing bailout, a way for covered jurisdiction, if its record is clean, to get out from under coverage.

Congress believed that there would be a flood of bailout petitions, as a result, from jurisdictions with clean records. Instead, only 11 counties, and I believe they are all from Virginia, out of the thousands of jurisdictions covered have bailed out.

So today, hundreds of jurisdictions that are otherwise able to bail out simply are not doing so; and the committee did not appear to explore this question in detail during its hearings. My concern is that a failure to provide a better way to get out from coverage will result in the Supreme Court looking at the preclearance portion of this act in a negative way.

We must provide a better way for jurisdictions to get out from under the coverage. Although the bailout procedures are in place, many times small jurisdictions cannot figure them out or are afraid of asking to bail out and being rejected.

In order to bail out, a county has to hire an attorney and sue the United States Department of Justice in Federal court in Washington, D.C. Let me say that again. My hometown of Grantville, Georgia, with a population of 2,270 people, that has never had an objection lodged against it, would have to sue the United States Department of Justice in Washington, D.C., in order to bail out.

My amendment seeks to address the bailout issue by requiring the Department of Justice to assemble a list, using its existing databases, of all the jurisdictions that are eligible to get out from under Federal oversight, and then consent to entry of judgment, letting those jurisdictions out from coverage. The genesis for this idea came from Professor Rick Haysen, who is one of the leading election law experts in the country and has carefully studied the constitutional issues surrounding the renewal of the Voting Rights Act. He openly supports this amendment and urges all Members to look carefully at it.

The amendment does not change the existing bailout requirements, nor does it prevent any other party from intervening in an action for bailout and objecting, requiring a full trial.

The amendment does not get the VRA; it does not make a bill change to the bill, except to ease the process for jurisdictions that do not have problems with discrimination to get out from under coverage.

Some say this is a difficult burden to place on the Department of Justice, or that it cannot obtain all the information necessary. But the DOJ is free to request information of every jurisdiction in this country whenever it so desires. And it has the evidence of lack of objections in its possession.

Mr. Chairman, I urge all Members to carefully consider this question. We all want to preserve the legacy of the Voting Rights Act, and not giving careful consideration to the constitutionality of the renewal will probably result in the Supreme Court throwing it out.

To prevent that from happening, I urge that all Members support the Westmoreland amendment to H.R. 9.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 20 minutes.

Mr. SENSENBRENNER. Mr. Chairman, the provisions of the Voting Rights Act that prevent covered jurisdictions from enacting discriminatory voting changes and allow Federal observers to monitor elections in covered jurisdictions are crucial provisions that are protected and should continue to protect minority voters.

Further, covered jurisdictions can cost effectively remove themselves from coverage under the Voting Rights Act, as 11 counties in Virginia have done, if they can show a clean record on voting rights for 10 years.

However, this amendment would turn the Voting Rights Act on its head by requiring the Voting Section of the Department of Justice to conduct an annual, once a year, review of nearly 900 jurisdictions, and thus, drain all of its resources away from preventing voting discrimination.

The amendment would require travel to nearly 900 jurisdictions every year for the review of voluminous records, the interviewing of thousands of people to determine whether all the jurisdictions' voting changes have been submitted for preclearance, as required by the Voting Rights Act, and that all other bailout criteria have been met.

This would require not just a review of all the materials that covered jurisdictions may have submitted to the Department of Justice, but also a review of all the materials a covered jurisdiction may not have submitted to the DOJ. Placing this burden on the Federal Government does nothing to make the Voting Rights Act more constitutional, but it does everything to make the Voting Rights Act hopelessly incapable of effective administration, to the detriment of minority voting rights.

J. Gerald Hebert, a former Justice Department Voting Section lawyer, and the attorney who represented all 11 counties in Virginia that successfully bailed out of the Voting Rights Act, has written the following regarding what the Justice Department would have to do at all 900 covered jurisdictions under the Westmoreland amendment. And remember, this means each and every one of those jurisdictions:

''It has been my experience that to determine eligibility for bailout takes a rather comprehensive assessment of all aspects of the voting election process in a State or political subdivision. This would include, for example, a description of the opportunities afforded minority voters to become registered voters, the extent to which minorities participate in the political process, including their success as candidates, whether they have worked in the registration office, the extent to which they have served as poll officials in the jurisdictions, et cetera.

''Moreover, to assess bailout eligibility, it is usually necessary to review voter turnout numbers to determine the extent to which the electorate is participating in national, State and local elections.

''Views of the minority community are also routinely sought in bailout cases. The Attorney General would need to contact minority leaders in every jurisdiction to obtain their views on bailout.

''In addition, in order to assess whether a jurisdiction has faithfully complied with section 5, usually a review of all the records of the jurisdiction is undertaken to study whether any voting changes have been implemented by the jurisdiction without the requisite preclearance.''

Now, clearly, requiring such an assessment every year by the Justice Department would prevent it from its primary responsibility of enforcing minority voting rights. In reality, there are only a handful of attorneys in the Voting Section of the Department of Justice, and this amendment does not include one penny of additional funding to hire the additional resources that would be necessary to conduct this annual assessment.

Further, under this amendment, the Department of Justice would be given the unprecedented authority to determine on its own whether the provisions of the Voting Rights Act that protect minority voters from discriminatory voting changes will remain in effect.

□ 1600

The amendment states: ''The Attorney General shall annually determine whether each State and political subdivision to which the requirements of this section apply meet the requirements'' that would remove a jurisdiction from coverage under the Voting Rights Act. That is an unprecedented voting rights policy that places far too much power in a single Department of a Federal executive agency, giving it the unfettered authority to remove entire States from coverage under one of the most important civil rights protections enacted in the last century.

Giving so much power to a single executive branch agency over the vastly important decision of whether a given jurisdiction is covered or not covered by the Voting Rights Act's temporary provisions invites abuse. And the protection of voting rights should never be made subject to a regime that invites incentives other than the protection of voting rights.

In addition, this amendment invites lawsuits against the Department of Justice itself for its alleged failure to adequately conduct a review that it would be required to conduct in all 900 jurisdictions. So the gentleman's amendment says that this has got to be done every year in 900 jurisdictions. He does not give the Justice Department a penny to hire any additional people to conduct the review. And then it invites lawsuits against the Justice Department because they failed to do so because they do not have enough money to be able to do it.

In addition, the amendment compels the Department of Justice to prospectively take a litigation position, that it ''shall consent to the entry of judgment'' based on a previous determination even if subsequently discovered facts render the previous decision unjust. Meaning it ties the Justice Department's hand from acting based on newly discovered evidence.

The amendment denies the Justice Department the ability to assert itself in litigation as it sees fit in court, based on its assessment of tactics and legal considerations. This directive affronts established executive litigation authority and upsets the separation of powers.

In sum, this amendment, far from being a reasonable clarification of the

Voting Rights Act, will invite chaos. It will cripple the enforcement resources of the Voting Division of the Department of Justice. It would redirect limited resources away from voting rights enforcement, give the executive branch unprecedented and unfettered authority to remove crucial voting rights protections over large parts of the country, and impermissibly lock an executive branch agency into a litigation position.

Of all four amendments that have come before us today, this one is the worst. Please reject it.

Mr. Chairman, I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, the distinguished chairman of the Judiciary has argued that my amendment places an impossible burden on the Department of Justice. All we are asking them to do is to look at the jurisdictions that are now covered under section 5, and hopefully, I thought that the Department of Justice was looking at these jurisdictions. I thought they were keeping up if there was any violation or not any violation. The chairman of the Judiciary has just really caused me some concern to think that we are under the coverage of section 5, but nobody is looking at us. Nobody is looking to see if we are doing the right thing or not. I am confused. Maybe we need to do some more legislation to make sure the Department of Justice is doing their job.

They are the ones that know if there have been any objections. They should be the ones that have the information to know if a city or county should be able to bail out or not. Maybe this is why jurisdictions aren't bailing out.

I listened to the chairman read all the stuff. I felt like I was listening to an algebra problem. That is the reason we do not know if we can bail out or not. With all of its lawyers and all of its resources, if the Justice Department cannot figure out who can bail out, how in the world is a small city or county going to make that determination?

The chairman of the committee appears to be arguing my point. The bail-out procedures are so complicated that even the Justice Department cannot figure them out. That seems to indicate that we may need to take another look at the bail-out provisions in this law, which does not appear to have been done by those 12 hearings with all these different witnesses that never once looked at the flawed bail-out procedure.

I would also ask whether this burden is better borne by the Federal Government or by small cities, such as my hometown of Granville, and counties that are not able to come to Washington to litigate their past history.

Mr. Chairman, I yield 7 minutes to my colleague from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Chairman, I thank the gentleman for the time.

I find this sort of interesting, Mr. Chairman. It seems like you are concerned about the bail-out provisions and the cost to the Justice Department if they actually do their job, which they are not; but no one seems to be at all concerned about the cost of bilingual ballots or counties or States having to print 35, 37 different ballots on the box. Nobody cares about that unfunded mandate, only that the Justice Department could not possibly afford to do what it is supposed to do.

Actually, I hope that you are the one that argues the case when this goes to the Supreme Court, Mr. Chairman, and use that very same argument you just put on us about Mr. WESTMORELAND's amendment.

This amendment has the support of some of the strongest supporters of section 5 renewal, and it is there for a very practical reason. The Supreme Court would likely throw out a 25-year extension of section 5 if no attempts have been made to update the rules that determine whether counties remain under Federal oversight. The court allowed section 5 to stand for one reason. Even a nonlawyer can read it in there. It was to be a temporary remedial tool. There was not a thing in that law that says past discrimination puts you under section 5. There is nothing written in the bill that says that. You say that because of the findings, but it is not in the bill.

But the rubber-stamp renewal of section 5 for another 25 years would mean the original 837 counties would be under Federal oversight for 65 years, affecting people that had absolutely nothing to do with any of this. It does not take a legal scholar. Even I can determine 65 years is not temporary.

There must be a more realistic method for counties to win release from the penalty box than under the current law, which is almost impossible, if they have truly ended discriminatory practices or if they have followed the rules under section 4.

This amendment allows the Justice Department to help section 5 counties simply determine if they are eligible for bailout. What is the Justice Department for if not for that? It provides an expedited means for counties to regain their constitutional rights if they have met the bailout standards according to DOJ and no one else objects to their petition. This is not only fair. It gives many counties in compliance with the act a realistic chance to win release from section 5 for the first time.

It is hard work being fair, Mr. Chairman. It requires a lot of effort for everybody to be equal under the eyes of the law. And that is what basically Mr. WESTMORELAND's amendment is asking for. I actually think further amendments to the bail-out section are needed as well, though we are not doing it today. But the Westmoreland amendment will help justify allowing section 5 to withstand court challenges, while providing long-needed equity for counties that have indeed remedied past discrimination.

I am going to be honest with you. There is hardly any way to get out of the bail-out provisions. In 25 years, 11 counties have been able to do so. Don't you think more counties would have if they could possibly have done it? Those 11 counties that got out have minority populations of under 5 percent. They live right across the Potomac River. This nonsense about it costing $5,000, you cannot hire a lawyer to come uptown for $5,000. It costs big dollars for small cities and rural counties to get out from under this whether they are guilty or not, but nobody seems to care whether they are guilty or not. It does not concern anybody about fairness here.

Partisans, and there are plenty of them and you all know it, at DOJ try to make sure that there are objections to submissions. A very perfect example: all you have got to do is have one submission objected to by the Department of Justice. In the last 5, 6 years, we have had six objections in Georgia. One of them comes from a small little town in south Georgia where the city council is majority/minority. They had a change they wanted to make in their voting laws, and they submitted it to the Justice Department. The Justice Department says, oh, no, you can't do that, we object. It is not as if they are always right. It is just that they get the last word until the Supreme Court gets ahold of them.

That one objection puts my State back in the penalty box for 10 years. That is an unfair circumstance. That keeps us there for another 10 years. It does not matter what is right. It does not matter what is fair. It does not matter what is legal. It means you just cannot get out of it. It is designed to be that way. It is people in the civil rights division in the Justice Department that are very bias, very partisan; and they work darn hard at making sure we cannot get out of the penalty box.

I have heard over and over today people talk about a bill passed in Georgia. They are simply trying to make sure only American citizens vote. That is all it was all about. It is so easy to vote in Georgia. We have illegal alien citizens of other countries trying to vote all the time. A simple voter ID, it was precleared by the Justice Department that, Mr. Chairman, you think so much of. We were told it was all right. Then it goes to court. Well, you know how you do that? You venue shop. You go around and wait until you can find a judge that will say what you want to say, and that is exactly what they did in this particular case. So that is an objection; so now we get to stay in for another 10 years.

My last observation on this subject is all four of these amendments are commonsense amendments. They do not, in my opinion, have anything to do with bringing down section 5 or the Voting Rights Act, which I do not want them to do. They add some sensible changes to it. It has been 41 years since this was written.

Mr. Chairman, in 1982 you voted against section 203. Today you are promoting section 203. You are against the

King amendment. What happened? Did you change your mind in 25 years? Probably so. That is legal. That is fair. That is okay if you have changed your mind concerning how you feel about that in 25 years. A lot has changed in 25 years. A lot in our State and our country has changed.

Vote for these amendments and make this thing fair, and everybody will have equal protection under the law.

Mr. SENSENBRENNER. Mr. Chairman, I would like to yield 4 minutes to the very fair subcommittee Chair from Ohio, who presided over 12 hearings and 46 witnesses and 12,000 pages of testimony. It is tough being fair.

Mr. CHABOT. I thank the chairman for yielding.

I, first of all, want to indicate that I rise in opposition to this amendment.

First, what are the existing provisions of the Voting Rights Act that this particular amendment applies to? Well, the temporary provisions of the Voting Rights Act require jurisdictions with documented histories of unconstitutional practices to preclear voting changes with the Department of Justice or the U.S. District Court here in Washington, DC, District of Columbia.

These provisions also authorize the Department of Justice to assign Federal observers to monitor elections in covered jurisdictions to protect the rights of minority voters. Together, these provisions have been crucial to the success of the Voting Rights Act and the progress made by minority voters over the last 40 years.

The current provisions of the Voting Rights Act strike the right balance expanding and contracting coverage as necessary. In fact, 11 jurisdictions have successfully bailed out from coverage while other jurisdictions have been brought under the watch of the Federal courts.

Now, the amendment offered by the gentleman from Georgia would alter the balance contemplated by the Voting Rights Act and that is maintained by H.R. 9, the bill that we have before us.

□ 1615

Under the gentleman's amendment, the Department of Justice would be affirmatively required to conduct investigations into the bailout status of the approximately 900 covered jurisdictions and to announce the results of its investigation annually, thus diverting precious resources away from its administration and enforcement responsibilities under sections 5 and 203.

Not only would this amendment shift the burden of bailout from the covered jurisdiction to the Attorney General, but the amendment would render the Department of Justice ineffective in performing any of its responsibilities under the Voting Rights Act, to the detriment of minority voters in this country.

Under this amendment, minority voters would no longer be able to rely on the protections and enforcement actions undertaken by the Department to enforce voting rights laws. Rather, the Department would be visiting each and every covered jurisdiction to review voluminous records to determine which voting law changes the jurisdiction has complied with and which ones they have not, 900 jurisdictions.

In addition, this amendment has the effect of creating an unprecedented and what could be considered unconstitutional amount of authority to the Department of Justice to determine which jurisdictions should be removed from coverage. This is unprecedented voting rights policy that has the potential to undermine the most important civil rights law in our history.

H.R. 9 is bipartisan legislation, and I would urge my colleagues to maintain the bipartisanship and oppose this amendment.

Mr. WESTMORELAND. Mr. Chairman, may I inquire as to how much time remains for each side?

The CHAIRMAN. The gentleman from Georgia (Mr. WESTMORELAND) has 7 minutes remaining. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 10 minutes remaining.

Mr. WESTMORELAND. Mr. Chairman, I yield 3 minutes to my colleague from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Chairman, I rise today in support of the amendment offered by Representative LYNN WESTMORELAND, and I would ask all my colleagues to join me in supporting it.

I was surprised a little earlier to hear the chairman say that of the four amendments this is the worst of the lot.

Mr. Chairman, I would suggest that it is one of the best of the lot, and with all due respect to Mr. SENSENBRENNER and Mr. CHABOT, I wish there was as much concern about the unfunded mandates that this bailout provision in H.R. 9 puts on local jurisdictions and the unfunded mandates that the multilingual ballot requirements put on local jurisdictions as their concern of the financial burden and time constraints that it puts on the Justice Department.

This amendment will facilitate States and jurisdictions that have fully complied with the requirements of the Voting Rights Act to be expeditiously removed from its section 5 restrictions as already provided by law.

Mr. Chairman, this amendment will simply require that the Department of Justice on an annual basis proactively notify States and jurisdictions once they are eligible for relief from section 5 preclearance requirements. Once the Department of Justice determines a State or jurisdiction is eligible, the Department of Justice must promptly notify them and then consent to a streamlined judicial process for the State or jurisdiction, which in turn will significantly reduce the legal costs borne by our taxpayers.

Simply put, since the Department of Justice has the responsibility anyway to monitor and review States covered by the Voting Rights Act, the DOJ should also have the responsibility to notify States once they have qualified to be relieved from the restrictions and allow them to do so with a minimal amount of cost.

Again, Mr. Chairman, I want to encourage my colleagues, support this amendment. This may be one of the best of the four. In fact, support all four amendments.

It makes the underlying bill better and more equitable.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous consent request to the gentleman from North Carolina (Mr. ETHERIDGE).

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Chairman, I rise in support of the bill that came out of the committee.

Mr. Chairman, I rise today in support of H.R. 9, the Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

A few years ago, my son Brian and I were fortunate to have the opportunity to travel with Congressman JOHN LEWIS to Selma, AL, to participate in a reenactment of the 1965 voting rights march over the Edmund Pettus Bridge. On the 36th anniversary of Bloody Sunday, the most famous civil rights confrontation of the 20th century, I was deeply moved to hear firsthand accounts from JOHN LEWIS and others about that fateful day. When the original marchers got across the bridge, the Alabama State troopers savagely attacked and brutally beat them simply for peacefully demanding their rights as American citizens.

The sacrifices at Bloody Sunday produced the most effective Federal election reform in our Nation's history and guaranteed the voting rights of millions of American citizens.

The Voting Rights Act of 1965 protects our citizens' right to vote primarily by forbidding covered States from using tests of any kind to determine eligibility to vote, by requiring these States to obtain Federal approval before enacting any election laws, and by assigning Federal officials to monitor the registration process in certain localities. Although the Voting Rights Act is a permanent Federal law, it contains some temporary provisions that will expire in 2007. Sections 4 and 5 pertaining to pre-clearance of congressional district maps by the U.S. Department of Justice and the bilingual provisions contained in section 203, were considered constitutionally controversial and were made temporary in order to revisit the issues.

Mr. Chairman, I support reauthorization of H.R. 9 and oppose all amendments which attempt to weaken it. With the help of the Voting Rights Act, I am proud to say that my State of North Carolina has made substantial progress in lessening voting discrimination. However, more progress can be made and because sections 4, 5 and 203 continue to be necessary in some jurisdictions, they must be reauthorized. We must continue to protect the rights of all American citizens to fully participate regardless of race, color, ethnicity or native language.

Some argue that ballots should only be printed in English; however, the fundamental

right to vote must not be subject to a modern day equivalent of a literacy test. I oppose the amendment proposed by Representative KING which will effectively deny some citizens the right to vote.

I also oppose the amendments offered by Representatives WESTMORELAND and NORWOOD of Georgia. Section 5 of the Voting Rights Act is working for North Carolina and is an important protection for our citizens. My State of North Carolina has 40 counties which are subject to preclearance by the U.S. Department of Justice. In testimony before the Senate Subcommittee on the Constitution, Civil Rights, and Property Rights, Donald Wright, general counsel for the North Carolina State Board of Elections said ". . . there is a consensus that the temporary provisions have had the effect of moving the consideration of adverse effects on the voting rights of minorities to the 'front of the bus,' as opposed to the 'rear of the bus' where it was for much too long. There also continue to be instances in which section 5 prevents discriminatory voting changes from being implemented in North Carolina. To tamper with these temporary provisions may jeopardize the substantial progress minorities have made in our State."

Upon signing the Voting Rights Act, President Lyndon Johnson said, "The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men." I fully support passage of the Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments of 2006 for 25 years.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Chairman, I rise in opposition to this amendment because it will actually make it harder for the Justice Department to use its authority under section 5 to prevent discrimination from taking root.

It will do this by forcing the Department to treat those jurisdictions where the disease of discrimination is in remission as though the disease was cured once and for all.

It will make it harder for the Department to do its job by forcing the Department to turn way from treating the disease where it is still rampant, and spend all of its resource reexamining and re-reexamining and re-re-reexamining those places where it is in remission.

No doctor trying to eliminate a disease would regard remission as a cure, and neither should the Voting Rights Act.

No doctor trying to eliminate a disease would ignore those who are obviously sick and spend all his time treating a patient whose disease is in remission, and neither should the Voting Rights Act.

I was raised on the Ten Commandants, as was the sponsor of this amendment, and one of those commandments is one that I know he knows. It says, ''Thou shall not steal.''

Well, this amendment does not come right out and violate or break that commandment, but it does make it easier for those folks to break that commandment.

I, therefore, urge my colleagues to oppose this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous consent request to the gentleman from Michigan (Mr. UPTON).

(Mr. UPTON asked and was given permission to revise and extend his remarks.)

Mr. UPTON. Mr. Chairman, I rise in support of the legislation.

Mr. Chairman, I came to the Congress in 1987—the 100th Congress.

We had a number of stars in our freshman class—

JIM BUNNING—A Hall of Fame baseball pitcher,

Fred Grundy—an accomplished actor,

Amo Houghton—The 1st CEO of a Fortune 500 Company elected to the Congress,

JOHN LEWIS—a hero of the Civil Rights movement who plotted and marched with Dr. Martin Luther King, Jr.

As colleagues, JOHN LEWIS and I have travelled the roads back to Birmingham, Montgomery and Selma. We stopped along the way numerous times and heard the stories relived.

We travelled the bus route of Rosa Parks and we stopped at the church which had been bombed killing those sweet little girls.

I credit those brave Members of Congress that took action in the 1960's that addressed some of the racism and bigotry that still stain and haunt our history of a just nation.

Passage of civil rights legislation which included the Voting Rights Act was the right step.

Today, it's still not hard to find racism and discrimination. Yes, folks are still trying to prevent Americans from participating in our electoral process.

About a year ago, I sat on the House floor with the Dean of the House and my respected colleague, JOHN DINGELL, from the great State of Michigan.

We looked at the CONGRESSIONAL RECORD and the names of Members of Congress that voted for and against the different civil rights bills of the 1960's.

I was surprised to see how some of our former colleagues voted.

And, my bet is, that some of those that voted no then, would have the courage to vote yes now. That they would see the positive impact that those bills have brought about.

Mr. Speaker, we are the Peoples House—but we cannot be the Peoples House if we construct barriers for the people to participate.

The Voting Rights Act provides protections and removes the barriers. It needs to be extended.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I thank the chairman and the ranking member and the CBC chair for their moving forward this equal protection under the law for all Americans.

I tell you, the gentleman who proposed this said that this is to help save the Voting Rights Act. In fact, it is an attempt to destroy it, because this amendment turns section 5 on its head under this amendment. Instead of enforcing the Voting Rights Act and stopping voting discrimination, the Department of Justice would be forced to spend nearly all of its time conducting investigations.

As the ranking member of the Committee on House Administration, which oversees Federal elections, voter disenfranchisement continues nationwide, and this is the wrong time to weaken this voting rights bill with all of these poison amendments.

Three Presidents cannot be wrong. The architect of this one, the late President Lyndon Johnson's daughters are asking for this to be passed without these poison pill. We had the late Ronald Reagan, who continued this piece of legislation for 25 years, and our present administration, the President who strongly wants to renew this.

We must move forward. We must let generations to come know that we were steadfast in keeping the promise of this America.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Chairman, many of my colleagues have expressed some bit of surprise at the virulence coming from the Republican Members of the Georgia delegation. Well, let me just say that I am not surprised at all, because I was born in Georgia and I live there. I served in the Georgia legislature with a few of them.

But let me also say that just this week the second attempt by the Georgia legislature to impose a voter ID bill on the people of our State was struck down by the courts in violation of the Voting Rights Act.

We also learned in 2002, in my own election, with the crossover vote, that crossover voting can be used as effectively as the all-white primary was in days past.

So we need the Voting Rights Act. We need it because we are looking at the State of Georgia. We see what you are doing. And now the Nation also sees that the State of Georgia desperately needs to be under the Voting Rights Act because some things still have not changed.

Mr. WESTMORELAND. Mr. Chairman, the district court specifically did not rule on the issues raised by the plaintiffs in the case that my colleague from Georgia is talking about, the Voting Rights Act.

Mr. Chairman, I have no other speakers at this time, and I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. CONYERS), my distinguished ranking member.

Mr. CONYERS. Mr. Chairman, this Westmoreland amendment has some huge problems.

I would like to remind you that a 25-year veteran of the Department of Justice Voting Section commented that the bailout amendment proposed is

completely unworkable unless the staff of the Voting Section is tripled or cuts corners in making its determination. There is no way the existing staff can possibly do what this calls for and make a binding determination of eligibility for bailout. And plus, we do not include one dime in this proposal to take care of all of this.

We turn section 5 on its head, and we will not be stopping voting discrimination.

This amendment would cripple the Voting Section at the Department of Justice, making enforcement of the Act nearly impossible. There are 900 jurisdictions covered by section 5. How could we do a report on them every year?

Reject the amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield for the purposes of a unanimous-consent request to the gentleman from North Carolina (Mr. WATT).

(Mr. WATT asked and was given permission to revise and extend his remarks.)

Mr. WATT. Mr. Chairman, I rise in opposition to Mr. WESTMORELAND's amendment.

This amendment imposes far more federalism costs on states than does the current structure of the Voting Rights Act that its opponents criticize. In short, the amendment would permit the Department of Justice on an annual basis to snoop through every governance document maintained by a jurisdiction to determine whether it meets the eligibility requirements for bailout. This process will be far more onerous than that presently imposed on jurisdictions. Now jurisdictions are in control of what they provide to the Department, both for preclearance and bail-out purposes.

The mechanism established under this amendment also requires DOJ to expend tremendous amounts of time and resources exposing nondiscrimination while leaving discrimination unabated. This amendment turns the Voting Rights Act on its head and makes a complete farce out of our principles of democracy. It should be soundly defeated.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman.

As much as things change, they remain the same, and I oppose the Westmoreland amendment primarily because it interferes and interjects the Attorney General in a partisan decision on the enhancement of rights.

Let me document for you why the Voting Rights Act is still needed today. As Lucy Baines Johnson and Mrs. Robb have indicated, two daughters of Lyndon Baines Johnson, let me suggest to you that this map says and shows all the States that are being covered by this Voting Rights Act. If the Voting Rights Act is hindered by these four amendments, what we have is the inability of these individuals who are now suffering to have redress in the courts.

Even today, the Voting Rights Act is applicable to the State of Texas because of poorly drawn districts in 2002. It is applicable to South Dakota because of the violation of the rights of Native Americans.

So I suggest to Mr. WESTMORELAND, though he may be the loyal opposition, we, in fact, do need the Voting Rights Act without the intervention of the Westmoreland amendment which undermines and torpedoes the entire bill.

I ask my colleagues to join Senator Dole in her vote for the Voting Rights Act in 1965. Vote against these amendments and vote enthusiastically for the underlying bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield for a unanimous-consent request to the gentleman from Virginia (Mr. SCOTT).

(Mr. SCOTT of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, this amendment presents a new process, which was not considered in our exhaustive hearings. In fact, testimony at our hearings showed that the present bailout process is reasonable and inexpensive—all 11 jurisdictions that tried to bailout were able to do so.

Although there is not a problem now—this amendment is a problem.

There are nearly 900 jurisdictions covered nationwide by section 5. This amendment forces the Department of Justice to conduct an investigation in each jurisdiction every year.

This amendment also reverses the longstanding requirement that jurisdictions bear the burden of establishing that they are free from discrimination, and instead places the burden on the Attorney General to determine whether each jurisdiction qualifies for bailout. Voting Section attorneys at the Department of Justice would have to spend time developing the evidence necessary to make these determinations, rather than focusing their efforts on enforcing the act. There is no funding for this additional responsibility.

There is no problem, so let's not make one. We should defeat the Westmoreland amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Chairman, Mr. NORWOOD said some things change in 25 years, and he is right about it. One thing that has not changed in 25 years is that people say one thing and have a different agenda.

We have heard all day that we are opposed to unfunded mandates, and now we want to put a new mandate on the Department of Justice with no new money.

We have heard, when Mr. WESTMORELAND writes about this topic in the pages of The Hill, that he wants to lift the South from the whims of Federal bureaucrats, and this amendment would empower the bureaucrats of the Department of Justice more than ever.

We heard his remarks, again on this amendment, by saying, I want to save the Voting Rights Act; and then he proposes to save it by making it harder to administer, more subject to judicial challenge, and far more complicated.

It has not changed. People say one thing and have another agenda.

I close by saying the agenda today appears to be to water down this act and strip it of a lot of its power, and that is wrong.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Chairman, this amendment by Congressman WESTMORELAND, my colleague from Georgia, is the most treacherous and dangerous of the amendments. There is no amendment that clearly points out what the desires have been for all four of these amendments. Their goal has been one thing and one thing only, and that is to kill the Voting Rights Act.

□ 1630

We cannot allow that to happen. We must understand what those words from Thomas Jefferson truly meant when he said that ''we hold these truths to be self evident, that all men are created equal and endowed by their creator with certain inalienable rights, and among those are life, liberty and the pursuit of happiness.''

And there is nothing to give us that right more succinctly and more importantly than the right to vote and to think that my colleagues from Georgia are the ones leading this dastardly fight to deny the right to vote to African Americans.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, first of all I want to thank the Chair for yielding me the time and also for his leadership. You have done a wonderful job in conjunction with Mr. CONYERS and the Chair of the Congressional Black Caucus.

I stand here, here we are at the last amendment. I come from Ohio. In 2000, 2004, we had dilemmas in our voting. Across the country there have been dilemmas with voting. And this is the first time since I objected to the Ohio vote that we have even talked about voting on the floor of the House of Representatives.

We are overdue. Every Member of Congress owes all of the voters of this Nation the vote in favor of renewing the Voting Rights Act. Your conscience should be bothering you if you are not thinking about the fact that minority voters across this country were denied the right to vote.

I have heard people talk about, well, my grandson did not do it. Your grandson did not do it, but your great grandfather probably did. And you owe and the support of all of those who deserve the right to vote the right to vote. Thank you for the time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 15 seconds to the distinguished gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Chairman, do we want to be responsible for

stabbing the Voting Rights Act in the heart? We must defeat with all that we have, with all of our power, with all of our votes the Westmoreland amendment.

Mr. WESTMORELAND. Mr. Chairman, Professor Rick Hasen was quoted today saying if Congress goes on and passes the current version, as is, with a 25-year extension, there is significant danger that the measure is struck down.

Professor Sam Issacharoff was quoted saying: ''To the extent that the coverage of jurisdiction continues to be triggered by what happened in 1964, it puts a great deal of constitutional pressure on the continued vitality of the act.''

Neither of these men are conservatives. Neither of these men support me. These are liberal law professors who are very learned in the election law field that support this amendment. So if you want to talk about somebody stabbing the Voting Rights Act in the heart, or if you want to talk about somebody that is doing this because they do not have any desire to see it continue, you need to talk to these people, these liberal professors who agree with me and support what I have said.

Mr. Chairman, I think the one thing that I have learned here today is that section 5, as looked at by the Department of Justice, is not really looked at. The only thing they are is a bunch of checkers. They just check things as they come in to them, rather than looking at these 900 jurisdictions.

By the way, if Mr. NORWOOD's amendment passes, it would be a lot more than the 900 jurisdictions to be looked at, because of problems all across the Nation. But our DOJ has more attorneys on staff than the city of Granville does or the county of Coweta or the State of Georgia. If they do not know what jurisdictions should be able to bail out, God forbid that any city, county or State does.

I ask that the Members of this House please support the Westmoreland amendment to H.R. 9.

Mr. Chairman, I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I think those of you who have gotten to know me in the time I have been honored to serve here realize that the liberal law professors that instructed me at the University of Wisconsin law school about 40 years ago did not make very much impact then.

And maybe we should not listen to the group of liberal law professors that Mr. WESTMORELAND cites in support of his amendment today.

The fact is that this amendment turns the Voting Rights Act on its head, because in every one of the 900 jurisdictions, if the Westmoreland amendment is adopted, there is an army of Federal agents, if we fund them, that will come on down, look at everything that has gone on there relative to elections every year.

And of course this is an unfunded mandate, because the local officials that they have to talk are going to have to spend all their time talking to the army of Federal inspectors.

There are a number of other things that are wrong with this amendment as well, because it unconstitutionally requires by statute that the Department of Justice assume a litigation position. That is a violation of separation of powers.

The DOJ lawyers represent the United States of America Government and its people, and they should not have their hands tied, being told that they have to adopt a position even though the position might be contrary to the law that has been passed by the Congress and signed by the President of the United States.

This amendment expands Federal authority by people who have been complaining about Federal authority since the Voting Rights Act was passed 41 years ago. Let's not turn the VRA on its head. Let's reject this amendment. Let's reject all of the amendments.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. NORWOOD of Georgia.

Amendment No. 2 by Mr. GOHMERT of Texas.

Amendment No. 3 by Mr. KING of Iowa.

Amendment No. 4 by Mr. WESTMORELAND of Georgia.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. NORWOOD

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. NORWOOD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 96, noes 318, not voting 18, as follows:

[Roll No. 370]

AYES—96

Aderholt	Garrett (NJ)	Miller, Gary
Akin	Gingrey	Musgrave
Alexander	Gohmert	Myrick
Baker	Goode	Neugebauer
Barrett (SC)	Goodlatte	Norwood
Bartlett (MD)	Granger	Paul
Barton (TX)	Gutknecht	Pickering
Bass	Hall	Pitts
Bishop (UT)	Hastings (WA)	Poe
Blunt	Hayworth	Price (GA)
Bonilla	Hefley	Putnam
Bonner	Hensarling	Radanovich
Bradley (NH)	Hoekstra	Rohrabacher
Brady (TX)	Hostettler	Royce
Brown (SC)	Hyde	Ryun (KS)
Brown-Waite, Ginny	Istook	Shadegg
Burton (IN)	Jenkins	Shimkus
Campbell (CA)	Jindal	Shuster
Cantor	Johnson, Sam	Smith (TX)
Coble	Jones (NC)	Stearns
Cole (OK)	Keller	Tancredo
Conaway	King (IA)	Taylor (MS)
Crenshaw	Kingston	Taylor (NC)
Culberson	Kline	Thornberry
Deal (GA)	Kolbe	Wamp
Doolittle	Linder	Weldon (FL)
Duncan	Lucas	Weller
Everett	Mack	Westmoreland
Flake	Manzullo	Whitfield
Fortenberry	Marchant	Wicker
Foxx	McCaul (TX)	Wilson (SC)
Franks (AZ)	McHenry	
	McKeon	

NOES—318

Abercrombie	Cooper	Green, Gene
Ackerman	Costa	Grijalva
Allen	Costello	Gutierrez
Andrews	Cramer	Harman
Baca	Crowley	Hart
Bachus	Cubin	Hastings (FL)
Baird	Cuellar	Hayes
Baldwin	Cummings	Herger
Barrow	Davis (AL)	Herseth
Bean	Davis (CA)	Higgins
Beauprez	Davis (FL)	Hinchey
Becerra	Davis (IL)	Hinojosa
Berkley	Davis (KY)	Hobson
Berman	Davis (TN)	Holden
Berry	Davis, Tom	Holt
Biggert	DeFazio	Honda
Bilbray	DeGette	Hooley
Bilirakis	Delahunt	Hoyer
Bishop (GA)	DeLauro	Hulshof
Bishop (NY)	Dent	Inglis (SC)
Blackburn	Diaz-Balart, L.	Inslee
Blumenauer	Diaz-Balart, M.	Israel
Boehlert	Dicks	Issa
Boehner	Dingell	Jackson (IL)
Bono	Doyle	Jackson-Lee (TX)
Boozman	Drake	Jefferson
Boren	Dreier	Johnson (CT)
Boswell	Edwards	Johnson (IL)
Boucher	Ehlers	Johnson, E. B.
Boustany	Emanuel	Jones (OH)
Boyd	Emerson	Kanjorski
Brady (PA)	Engel	Kaptur
Brown (OH)	English (PA)	Kelly
Brown, Corrine	Eshoo	Kennedy (MN)
Burgess	Etheridge	Kennedy (RI)
Butterfield	Farr	Kildee
Buyer	Fattah	Kilpatrick (MI)
Calvert	Feeney	Kind
Camp (MI)	Ferguson	King (NY)
Cannon	Filner	Kirk
Capito	Fitzpatrick (PA)	Knollenberg
Capps	Foley	Kucinich
Capuano	Forbes	Kuhl (NY)
Cardin	Ford	LaHood
Cardoza	Fossella	Langevin
Carnahan	Frank (MA)	Lantos
Carter	Frelinghuysen	Larsen (WA)
Case	Gallegly	Larson (CT)
Castle	Gerlach	Latham
Chabot	Gibbons	LaTourette
Chandler	Gilchrest	Leach
Chocola	Gillmor	Lee
Clay	Gonzalez	Levin
Cleaver	Gordon	Lewis (CA)
Clyburn	Green (WI)	Lewis (GA)
Conyers	Green, Al	

Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Carson
Davis, Jo Ann
Doggett
Evans
Graves
Harris
Hunter
McKinney
McMorris
McNulty
Northup
Nunes
Pence
Ryan (OH)
Sessions
Slaughter
Sullivan
Tiahrt

□ 1659

Mr. OTTER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. McKINNEY. Mr. Chairman, during rollcall No. 370, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 2 OFFERED BY MR. GOHMERT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. GOHMERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 288, not voting 10, as follows:

[Roll No. 371]

AYES—134

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Campbell (CA)
Cantor
Carter
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Deal (GA)
Doolittle
Duncan
Ehlers
Everett
Feeney
Flake
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Gutknecht
Hall
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Kingston
Kline
Kolbe
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Norwood
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Putnam
Radanovich
Rehberg
Rogers (AL)
Rogers (KY)
Rohrabacher
Royce
Ryun (KS)
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Thornberry
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOES—288

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Buyer
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—10

Carson
Davis, Jo Ann
Evans
Graves
Hunter
McNulty
Northup
Sessions
Slaughter
Tiahrt

□ 1706

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. KING OF IOWA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 238, not voting 9, as follows:

[Roll No. 372]

AYES—185

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilbray
Bilirakis
Bishop (UT)
Blackburn

Blunt
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Deal (GA)
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Feeney
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Nussle
Otter
Oxley
Paul
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—238

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boehner
Bono
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Cannon
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—9

Carson
Davis, Jo Ann
Evans
Graves
McNulty
Northup
Sessions
Slaughter
Tiahrt

□ 1713

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. WESTMORELAND

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 302, not voting 12, as follows:

[Roll No. 373]

AYES—118

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonilla
Bonner
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Campbell (CA)
Cannon
Cantor
Carter
Chocola
Coble
Cole (OK)
Conaway
Cubin
Culberson
Deal (GA)
Doolittle
Duncan
Everett
Flake
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Goode
Goodlatte
Granger
Gutknecht
Hall
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Kingston
Kline
Kolbe
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris
Mica
Miller, Gary
Musgrave
Myrick
Neugebauer
Norwood
Nunes
Otter
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Putnam
Rehberg
Rogers (AL)
Rogers (KY)
Rohrabacher
Royce
Ryun (KS)
Shadegg
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Thornberry
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (FL)

NOES—302

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boehner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor

Payne
Pelosi
Peterson (MN)
Petri
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—12

Carson
Davis, Jo Ann
English (PA)
Evans
Graves
Harris
McNulty
Northup
Sessions
Slaughter
Thomas
Tiahrt

□ 1719

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. REHBERG) having assumed the chair, Mr. LAHOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 9) to amend the Voting Rights Act of 1965, pursuant to House Resolution 910, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SENSENBRENNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 390, noes 33, not voting 9, as follows:

[Roll No. 374]

AYES—390

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—33

Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bonner
Burton (IN)
Campbell (CA)
Conaway
Deal (GA)
Doolittle
Duncan
Everett
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Hefley
Hensarling
Herger
Johnson, Sam
King (IA)
Linder
McHenry
Miller, Gary
Norwood
Paul
Price (GA)
Rohrabacher
Royce
Shadegg
Tancredo
Thornberry
Westmoreland

NOT VOTING—9

Carson
Davis, Jo Ann
Evans
Graves
McNulty
Northup
Sessions
Slaughter
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1738

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REREFERRAL OF H.R. 503, AMERICAN HORSE SLAUGHTER PREVENTION ACT

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that the bill, H.R. 503, be rereferred to the Committee on Energy and Commerce, and in addition, to the Committee on Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute for the purposes of