

days from what we are going to pass out of the House: Increase in minimum wage, lower student loan rates for you and your family, increased border security, and allowing the Secretary of Health and Human Services to begin to negotiate on behalf of all the Medicare recipients.

This is not brain surgery. We are not saying we have this grand elaborate scheme that we cooked up somewhere and we are bringing it before the American people. This is basic fundamental stuff. But when you are not so attached to the special interests, when you don't have a K Street Project in which there is this give and take with the big lobbying firms down here, you are able to govern in a way that benefits all of the American people. And that is what we are trying to get at.

Let us take the country in a new direction, where we have a philosophy where everybody contributes to America and everybody benefits. We are actually looking out for the common good. We will provide for the common defense and we will increase the common wealth.

You know, I go to some of these States like Virginia and Pennsylvania and Massachusetts, and they are all commonwealths. That philosophy, what do we have in common, how can we pool the common wealth to benefit everyone? Everyone contributes and everyone benefits. And what we have now, Mr. DELAHUNT and Mr. MEEK, is a situation that has set up a system that has been corroded and corrupted. Now, I am not saying by individual Members. I think over time this happens.

Jefferson said that every few years we need to have a revolution. Well, we need a bloodless rebellion to shift power out of the hands of the Republican controlled House, Republican controlled Senate, and the Republican White House. This is George Bush's Congress, Mr. DELAHUNT. Let us make no mistake about it. They do what he says. They follow his lead. They are afraid to stand up to him.

He hasn't vetoed one spending bill or one bill that this Congress has passed out. They rubber stamp the Bush philosophy and they consistently agree with the President. This is his Congress.

I yield to my friend.

Mr. DELAHUNT. Well, I think that is underscored by the fact when we hear them express concerns about immigration, about illegal immigration, we have not heard a single voice from our friends on the Republican side criticizing the President for the failure to enforce. Well, maybe one voice. Maybe he is here tonight. But no criticizing the President for the failure to enforce our immigration laws, particularly against employers.

Imagine, three enforcements against American businesses for hiring illegal immigrants in the year 2004 when in the last year of the Clinton administration there was far in excess of some 400. That is a disgrace. And it is the respon-

sibility of this Republican Congress to criticize their lack of aggressive oversight on this issue. The problem has become all of ours, but it was created by the lack of funding to strengthen our borders while Democrats have been putting forth proposal after proposal to increase those numbers.

With that, I yield back to my friend from Ohio.

Mr. RYAN of Ohio. I appreciate your yielding as we begin to wrap up. Maybe Mr. MEEK could get that chart down there and give us the Web site as we begin to close.

I think you can be an amateur historian to recognize what has happened here; that in 1994 there was a move afoot to change things. Newt Gingrich, Dick Armey, and there was a crew of them who came to this floor, like we come to this floor, and like we will continue to come to this floor, to talk about issues. They were talking about balancing the budget and they were talking about instilling fiscal discipline. Mr. MEEK showed earlier the quote from Mr. Gingrich, and I read last week in the Boston Globe a comment from Dick Armey, the former House Republican leader, who said "I'm not sure what this Congress has accomplished."

These are two of the main leaders of that revolution. The Republicans have gotten very far away from what they wanted to accomplish and, I think, what this country deserves. And when that happens, Madam Speaker, it becomes time for a change in America. I think that is where we are.

Again, if you just look at what the Democratic Congress will do within the first couple of days that we get in, that this Republican Congress has failed to do in the past 5 or 6 years under complete Republican dominance, we will raise the minimum wage, we will cut student loans in half for both student loans and parent loans, we will implement the 9/11 recommendations to make sure we provide for the common defense of the United States of America, and we will allow the Secretary of Health and Human Services to negotiate down drug prices for the Medicare bill to not only save the taxpayers money but drive down drug costs for everyone.

We are going to invest in the small business, as our small businesses are trying to retool themselves. We need assistance for them with the Manufacturing Extension Program and with the SBA 7(a) loan program. We want to give local community development organizations the tools they need to help their small businesses, and some of these programs help businesses. They send out a couple of engineers to help them retool, to make sure that they are streamlining their businesses, to make sure they can find export markets. This is a positive thing, because many small businesses can't afford to do it.

So we've got an agenda. Put us in, coach, we are looking for an oppor-

tunity to play. We have an agenda, and I think the American people will recognize in just a few short days what the difference is between the current Republican leadership and what the Democrats will do.

Our Web site is www.HouseDemocrats.gov/30something, and all of these charts and statistics are available on that, Madam Speaker.

□ 1900

SHORTEN REAUTHORIZATION OF VOTING RIGHTS ACT

The SPEAKER pro tempore (Miss McMORRIS). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, it is a privilege to have the opportunity to address you this evening and take up a number of issues that I believe are important to the American people.

As I come in here and listen to the tail end of the dialogue that takes place here on the floor, I thank the gentleman from Massachusetts (Mr. DELAHUNT), my friend whom I serve with on the Committee on the Judiciary, for acknowledging that some of us will stand up and speak to the lack of enforcement on the part of this administration.

In fact, in our private conversation, I reiterated something that I put into the RECORD the night before last in that if you are an employer in the United States and you are knowingly and willfully hiring illegals, you were 19 times more likely to be sanctioned under Bill Clinton's administration than you are under the current administration. That is the level that this enforcement has drifted to. That is the issue that they speak to.

However, I would say on the other side of this argument, we have seen an acceleration of enforcement on the border. It is too little too late to satisfy me and many of my colleagues here in Congress. But the point missing from this dialogue is when amendments are offered on the floor; if they are serious about passing those amendments, it takes homework to get that done. You have to reach across to the other side of the aisle and identify some people to work with on the other side of the aisle and get those sponsors and cosponsors for those amendments so when it comes to the floor it is ready for passage.

A late-arriving amendment that is not designed to pass, but makes a statement has very little opportunity to actually make it into law, and some of those amendments are viewed that way by myself and many others. So I am looking forward to a bipartisan effort on this enforcement. It is one of the reasons that I have talked so long and relentlessly on many things that we need to do.

But I came tonight to talk about another issue, and that is an important

issue that is in front of us tomorrow. Tomorrow the House of Representatives will be taking up the legislation that is proposed to reauthorize the Voting Rights Act.

Now, the Voting Rights Act was first written into law in 1965. It was an essential piece of legislation in 1965. We were in the middle of the civil rights demonstrations that were taking place. Those of us who lived through that time, and I can say during that period of time it was a very impressionable point in my life. If my math is correct, I was a sophomore in high school. The television was full of mostly peaceful marches and peaceful demonstrations.

It was an issue that those of us who lived in the Midwest were pretty much protected from that and didn't see the necessity for those kinds of demonstrations right away, but the demonstrations on television, and it was important that television did carry that message at the time, that educated the American people.

I look back on that time, that time in history, when we saw mostly peaceful marches. We saw fire hoses and dogs, yes, and there was violence and there were people that died in the process. But for the size nation that we are, for as large a problem that we had, and the problem we had was the institutionalization of racial segregation primarily in the South. And there were millions of Americans who were citizens in good standing that were shut out of the polls and shut out of many of the other avenues of what we consider normal life today.

It is hard for the generations that are sophomores in high school today to understand what it was like in those years back in the middle 1960s and in many of the years before them.

The circumstances of the segregation in the South and the discrimination that was there, the poll taxes, the literacy tests, many of the Jim Crow laws that were put in place to keep African Americans from going to the polls and being able to vote and help select our national leaders and their Members of Congress and their State leaders, and participate fully in the life of freedom that had been earned by the blood of hundreds of thousands a century earlier; and it took a century to get the Voting Rights Act in place after the end of the Civil War. That is how big this issue was back in 1965.

This sore festered for a century. In a century, this Nation couldn't find a way to come to grips with the issue of discrimination in the South. For me, it is hard for me to have that reference point except for what I saw on television and read in the newspaper, and what my teachers and classmates and family had to say.

Some of that, I have to admit, is a little vague in my memory. But I can say there was an incident that framed it for me. That was some years ago my wife and I needed to go down to New Orleans for a conference down there. We decided that we would drive down

on the east side of the Mississippi River and come back on the west side of the Mississippi River. I like to see what is in this country. So when we do those trips, we weave back and forth and take side trips.

As we went down, we stopped also at Vicksburg to see the battlegrounds of the great Civil War battles that took place in Vicksburg, Mississippi. That was an experience, to stand on that hallowed ground and understand the battle that took place there and the price that was paid to move forward more on liberating and freeing the people that were enslaved the hundreds of years before that.

But the thing that impressed me the most was the stop that we made in Port Gibson, Mississippi. Port Gibson, Mississippi, was a location where a priest that had grown up in our hometown, Father Tony Pudenz. Father Pudenz had been the pastor in St. Joseph's Church, I believe it is St. Joseph's, in Port Gibson, Mississippi. That was his favorite parish. That was the place he wanted to retire. In fact, he was on the edge of retirement at that moment.

But as we went through Port Gibson, I knew he had lived there. He had grown up in our hometown, and he was about 75 years old. So we drove through the town and I looked for the church and rectory. When I found the rectory, we pulled in and I knocked on the door. Father Tony Pudenz came to the door, actually astonished that someone from Iowa would drop in on him unannounced with a surprise, to the rectory at St. Joseph's Parish in Port Gibson, Mississippi.

Well, that visit turned out to be one that framed this for me because he took us over to the church which was just a few steps across the yard. He said, I want to show you my church. He pointed out that the church was built in 1848, and it was built originally with \$10,000 that was contributed to the parish by the family of Jim Bowie.

Jim Bowie was killed at the Alamo more than a decade earlier, but the family had significant presence in Mississippi and somehow they had enough money to make that kind of contribution to that parish in 1848. In fact, a lot of woodwork in that church, as I understand the way it was told to me by Father Tony Pudenz, was carved by the Bowie family.

As I looked at that woodwork, I thought about how that tied back to the history of the United States and to the history of Texas, and how it anchored back to a time before the Civil War.

As we stood in that church, and the glass in that church is all blue tint so it is like standing inside of an iceberg. It is like the sun would shine through if you were standing with ice windows rather than these blue-tint windows, and it gives almost a surreal sense with the woodwork done by the Bowie family and that sense of standing inside an iceberg or standing inside an igloo, per-

haps, that was done with fairly clear ice.

As we stood there, he pointed up to the balcony. And the balcony, very similar to the balcony that the press sits in here in the United States Congress, and he said this church was built by these families and the floor of the church was for the white families and the balcony was for the black families.

And I looked at that. To stand there in that place and understand that in a house of God they would construct a house of God to be segregated for one color of people to go up to the balcony and for another color of people to be seated downstairs, and for their minds, never the twain shall meet; even though they go to church together, they would be separate. And I will say certainly equal in the eyes of God, but not equal in the eyes of fellow Christians going to church in Port Gibson, Mississippi, probably some time well prior to 1848, but the church was built beginning in the year 1848.

As we stood there in the aisle on the floor of that church, he said that last week, the previous week, they had buried the editor for the newspaper in Port Gibson. This editor of the newspaper was the individual who, in 1967, had, with the segregation still in the church, went in and sat down with his family, several children, sat down in a floor pew, and sat there with his family. And a moment before mass began, he got up, took his family and hand in hand they went to the back of the church and went up the steps in the back of the church and sat down in the balcony with the African Americans that were there to go to mass.

No longer was that church segregated because the editor of that paper had the courage and principle to take his family up to the balcony to sit with the black families and worship with them together.

When that happened, part of the people, some of the families, got up and walked out of the Catholic Church and walked across the street to the Episcopal Church where those families and their descendants worship to this very day.

At that time, that little parish of St. Joseph was, I think he said, about 75 families, maybe it was 90 families, and a mix of three-quarters white, one-quarter black, but they go to mass together seated together as part of God's family like they really are. That is what it was like in 1967. That is what it was like in 1965 when the Voting Rights Act was passed.

It is no longer like that in the South today. That is something, an experience for me that frames a lot of this issue, and an understanding of what went on.

It was important to pass the Voting Rights Act in 1965. It was important to enfranchise every one of the adults that are all viewed to be the same as God's children. And we are God's children, all of us.

We need to guarantee those voting rights to everyone. The Voting Rights

Act was a quantum leap to do that. The discrimination statistics that were there, the statistics that were gathered up beginning in 1964, and the measurement of those statistics in 1968, and then in 1972 showed that there were lower percentages of blacks voting than whites voting. And there were lower percentages of blacks that were registered to vote than there were whites registered to vote, and something needed to be changed.

And so those criteria and other criteria were established and the Department of Justice was charged with the enforcement of the Voting Rights Act to guarantee a path to the polls for every legitimate voter in America, and no longer would there be Jim Crow laws, and no longer would there be people who didn't have an opportunity to voice their opinion in the polls and choose their local and national leaders.

The Voting Rights Act has been an extraordinarily successful act. It was designed to be temporary. No one believed in 1965 that we couldn't cure this problem and at some point we could make enough changes that we could move away from the need for those requirements. They were strict. They are tough.

The voting districts that are still under that today are locked in in statistics that are measured from 1964, 1968 and 1972. We are not using 2004 data to evaluate whether Georgia still should be a covered district. We are using 1964, 1968 and 1972 data; not 2004, not 2000, not 1996 data.

So those districts that have been declared to be racist, bigoted districts that demonstrated that by the statistics that are there, the measurement criteria, are stuck in time.

If we pass this legislation tomorrow with the Voting Rights Act, and we use those 1964, 1968 and 1972 statistics to measure States like Georgia, Texas and the locales within 16 States across this country, they are locked in. They are locked in and can't move a voting booth from the Catholic Church to the Episcopal Church across the street, or from the post office to the school. They can't move a voting booth 10 feet without prior authorization by the Department of Justice.

That will be the case fixed in time from 1965 until 2032. By 2032, that is almost four generations. Four generations could come and go, and we are using the same measurement of people in 2032, if we pass this legislation as presented to this Congress.

Thomas Jefferson declared a generation to be 19 years. That is not too bad a measure. We know generations turn over a little faster or slower than that. But truthfully, 19 years, multiply it out, it is almost four generations between 1965 and 2032. But it will be true, there won't be anyone voting in 2032 who remembers what it was like in 1965 when they passed the Voting Rights Act. That would be a simple fact.

And if you want something to be institutionalized in perpetuity in legisla-

tion in America, then you reauthorize that for a quarter of a century or a half a century. By the time that comes up, no one remembers what the debate was. No one is vested in any other alternative. They just think, huh, that is the way it was then, that is the way it always has been, why would we want to change something after all these years? It seems to have worked pretty well and they got so used to it they can't conceive of not having it in place.

□ 1915

So I submit that we need to take a look at shortening up the reauthorization so that we can do a better look at the effects of any changes in this reauthorization for the Voting Rights Act. And I submit that districts that are covered, districts today need to have an opportunity to work their way out of that that is not as stringent as the very, very tight district requirements that are in it today so that they can work their way out. And to measure someone by 1964 standards in 2032 is just utterly wrong. Back in 1964, to think that the great-grandchildren of the people that made that decision will be voting in 2032, and they are responsible? How can we hold them responsible for decisions that were part of the culture in 1965?

So we have come a long way, America, and we will never eradicate racism in this country totally. There will always be some elements of it because there will always be the levels of prejudice, and they might not always be something that can be defined as racism. It might just be prejudice that comes from other reasons because there will always be competing forces in this society. But the evidence of it has diminished significantly and dramatically. And I would like to give the people in Georgia and Texas and these other States an opportunity to move out of that list. And I would like to, if it is good enough for Georgia and Texas, it ought to be good enough for the rest of us. That would be the standard that I would go by and then shorten this reauthorization time.

There is another aspect of this that is an essential piece, and that is the Federal mandate for foreign language ballots, and that is a piece that we will be debating here on the floor tomorrow.

The Federal Government, the Congress, in I will say an unexpected move in 1975, put into place temporary measures to require a Federal mandate for foreign language ballots. Now, I don't remember that there were people in America clamoring for the foreign language ballots in 1975. It may have been the case, but it was designed to be a temporary measure. They thought the need for it would diminish as assimilation increased.

What we have seen since 1975 is partly because we are the enablers there has been less assimilation instead of more assimilation. The direction for more languages in America has in-

creased towards more and more languages in America instead of less, and we still have in place this mandate for foreign language ballots.

The reason that I am opposed to requiring them at the Federal level is because if you are a naturalized citizen here in United States, by law you will have had to demonstrate your proficiency in both the spoken and written word of the English language. That is the standard that is required before you can be a naturalized citizen. And so if you are a naturalized citizen in America, you have no claim to a foreign language ballot because the certification of your citizenship says you are certified to vote in English. That is one of the important responsibilities of citizenship. And if the standard wasn't high enough that you can read a ballot, we need to raise the standard, not lower the standard and hand you a ballot in a language where there may be errors in because we don't have enough interpreters to interpret into other foreign languages.

I simply want to lift the mandate. I want to allow localities to make the decision on whether they need to provide foreign language ballots, not the Federal Government. I don't want to be printing millions of ballots that aren't used. I don't want to get any more letters like this letter that I have here in front of where the gentleman who wrote it said, in all five elections where I have served as a judge, no foreign language ballots were requested in my precinct. Yet in the last election in that precinct they printed 33 different kinds of ballots, not because there were 33 different languages but because there were 11 different parties and three different languages that were required.

This is a subject that is easy to understand. It is relatively simple. But it's important and it's essential because if we send the message out of this Congress that we are going to chase you down and hand you a foreign language ballot, whether you want it or not, then we are also sending a message that we really aren't serious about assimilation.

And if we are going to be bringing into America 10 million or 60 million or 90 million new Americans in the next generation, 19 years generation, if we are going to do that, we have got to be invested in assimilation.

No nation in the world has ever assimilated the numbers of people or the percentage of the population that we have here in this country. But there is a limit to what we can do. And if we send the message that says we are not serious about assimilation, we are going to be enablers for people to live in ethnic enclaves. And if we do that we are ensuring that they will not be able to access the American dream.

That is the wrong message to send. We have to lift the mandate. And if it is necessary to have foreign language ballots at the localities, then they can make that decision locally. They are paying for it anyway.

And so, Madam Speaker, that is the basis and the core of my argument. But there is a gentleman here from New Jersey who is articulate on this subject matter, someone whom I look forward to hearing from, and I would be very happy to yield as much time as he may consume to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I appreciate the gentleman from Iowa for yielding me the time. And I also appreciate the gentleman from Iowa for your work on this issue. I came to the floor to address the issue that you were just touching upon, and that was the issue of bilingual or multi-lingual ballots.

But before I get there, let me just touch on something you mentioned because you raised an important point, and that is that the current extension of the Voting Rights Act, as you referenced going forward for 25 years, looks all the way back to the initial status and the initial data from the early 60s, mid-60s.

You could step back for a moment and say what was the fundamental problem that they were trying to address, legitimately so, at that time? And I think you might say you would put it into two categories, one personal and the other institutional. Personal, just meaning the individuals who may have been involved in the particular voting districts at the time that may have been creating illegitimate voting barriers for people of different nationalities or different race or what have you. And the other would be institutional, and that is to say that at that point in time, there were in actuality in America, unfortunately, particular institutional barriers as well in place. So you could look and say there was two elements that the Voting Rights Act had to address. But that, as you also pointed out accurately so, was 40 some odd years ago. Those institutional barriers fortunately have all been removed. The personal ones, though, interesting, I would think just by the advent of time also have to have been removed as well because the people who were elected to office in the mid-60s, for one reason or another, are no longer with us today, at least not in elected office. So the two aspects that the Voting Rights Act were specifically going to address from the data back then and the specifications of who was in place and what the institutions are no longer with us, not to say that we may not have other personal situations that may crop up today in the future. And that is why I think you come to the floor, and other Members do, such as myself, says that we should strive in this House, and in the House just down the halls from here as well to make sure that all barriers, personal or institutional, today and in the future, will always be removed, and that you will have the fullest level of political participation that you can have. So I appreciate you bringing out that point of just exactly what we are dealing with when we are dealing with the Voting Rights Act.

But I came to the floor to address the issue of the multi-lingual ballots. And I want to begin by giving credit where credit is due, because those who are listening here tonight, realizing that the bill is coming to the floor tomorrow, may think, based upon some of your comments and other things, that things are moving forward just in a legitimate and a good manner, and that we are going to succeed in this area of eliminating multi-lingual ballots.

Well, the credit, as my dad always said, "give credit where credit is due." And the credit, if we are successful in the amendment coming to the floor tomorrow, are due to the gentleman to my right, the gentleman from Iowa, because I will say this, that it was in an RSC meeting, Republican Study Committee meeting, which meets on Wednesday afternoons here, where you came to address the group, brought this to my attention, and I think to the attention of a lot of people in the RSC for the first time.

I was struck by it, that this is an issue that needed to be addressed. And I was a little bit concerned that there was not enough agitation, aggravation or concern among my colleagues that this was going to be addressed. But you were a driving force and reassured me, you said, "Scott, I think we are going to be able to build up the momentum on this. I think we are going to be able to get the word out on this, and I think once people realize just exactly what is in the Voting Rights Act, what the problems are and what the changes are needed, we are going to be successful." I was not as positive as you were at that moment, but you were dogged on that like you are dogged on so many other things, and I think that with the support of our colleagues here tomorrow, and if we hear from the voters who listen to this each evening, if they make sure that their Members hear from their concerns that we will be successful on this. So I come initially just to applaud you and salute you for your dogged determination.

The problem with the Voters Rights Act and the multi-lingual ballots, I think, can be said also to fall under a couple of different categories. First is the length of time that you would look for if we do not eliminate it, that it would continue for. It will continue for 25 years. And so just as there was a problem of looking back to the 60s and looking at that past data that is incorrect now as we here try to legislate today, I would hazard a guess that the circumstances in this country will be significantly different than they are today 25 years hence.

Now, I have been here now for 3 years, just as the gentleman from Iowa has been as well, and I can think of many other very important significant legislations that we have reauthorized. But for the life of me, and I stand to be corrected, I cannot think of any other bill, any other important issue, whether you are dealing with the air, the water, the environment, our schools,

our education or our health, our defense or otherwise, I cannot think of any other areas, and again I stand to be corrected, where we have reauthorized something for two and one-half decades. So I think that is the first area that we need to be addressing, and you are rightfully so for bringing it up.

Just as a side note on this, I did put in an amendment that would limit this down to 6 years, but that was the proverbial compromise amendment if we were not successful in getting your amendment to the floor tomorrow which would eliminate the multi-lingual ballots entirely. But as I understand, the Rules Committee has met, 4 hours ago, around 3:00, and they saw the wisdom of going your road of at least allowing the vote on the floor. So we will go for that vote and not for the limitation of 6 years.

The second part, the difficulty or the problem with the current status of the VRA, one being the length of time, the second one being what is in the current law right now. We are really not, by allowing multi-lingual ballots to continue, we are not really enforcing current law. Current law, and I should have it right here, says that if you come into this country, legally and become a legal naturalized U.S. citizen and therefore have the right to vote, current law states that you must, according to the law, under section 312 I think you referenced, if not on the floor tonight, in previous times, an applicant must demonstrate, "an understanding of the English language, including an ability to read, write and speak in ordinary usage the English language."

So when you think about it, who are the people who are allowed to vote in this country? Well, they fall into two categories, one, you were born here and so you are a legal citizen, which means you went through the entire education process, age 1 through 18 in this country. So hopefully you have gone through our fine public schools or private or otherwise schools and so you should be able to read the English language.

Second is the naturalized citizens. Naturalized are those who come through and come through the process, and those individuals are those people I have just cited section 312, who have certified, attested to, they have taken a test, a citizenship test, if you will, to become a citizen of this country. That test is administered in English. And at the end they basically certify that they can, that they possess the ability to read, write and speak the English language. So if they are able to do that, if they are able to take a test in the English language, then you would think they should also be able to complete a simple U.S. ballot in any municipality or county or state. So that is the second point, that we are basically ignoring current law by continuing on with multi-lingual ballots.

Thirdly, the problem is that this is, once again, another unfunded Federal

mandate on the county governments, municipal governments and the like. I was on the phone about I guess 3 weeks ago, some time after you were speaking at the RSC, and I was speaking with election commissioners throughout the State, my State of New Jersey, and they were telling me about the costs that they have to be engaged in to pay for it. It comes out of the taxpayers' pockets to print up and publish and mail out these multi-lingual ballots. That comes out of local taxpayers. Doesn't come out of this House. Doesn't get appropriated from Washington. And so that is just another example of where we are sending down the rules. We are putting out the mandates by passing the VRA with this language in it, but someone else foots the bill. So there is another problem with the VRA, that it is an unfunded mandate.

Another, fourth aspect is the basically arbitrary and capricious nature in the way that the multi-lingual ballots are implemented under the VRA and have been in the past and will be unless the King amendment is passed tomorrow.

□ 1930

And I think you have touched upon this in the past, but let us make the point clear to those who don't follow it, that the way you look to determine whether or not a multilingual ballot is necessary and required under the VRA is to say whether or not 5 percent of the population in that respective voting district cannot speak the English language.

One of the primary functions or processes in order to determine that is to look at the surnames of those individuals, and I think you have already given examples, and other people that have come to this floor have given examples, that just because you have an Asian surname, it does not necessarily mean that that is your language and you cannot speak English. Just because you have an Hispanic surname does not mean that you cannot read or write the English language. And in some sense, therefore, it is insulting to those individuals.

So the fourth aspect is the arbitrary and capricious nature of the way that the multilingual ballot law is required and enforced; and because it is arbitrary and capricious, it creates two things: It creates a disincentive for those people who are new to this country to assimilate into this Nation and learn the predominant language, which is English, so it is a disincentive to them.

And, secondly, I guess the word to be almost an insulting nature to them, that just because you are new to this country or may have been here for several years as naturalized citizens that you don't possess the ability to learn to read and write the English language.

And I will close on this. When I had the opportunity to speak with some election commissioners, they have told

me that they have received letters from voters in their district complaining that they got a multilingual ballot, saying, in essence, What are you saying about me? Is the government saying that I am not smart enough to read and speak the English language? So the people, basically, were insulted, if you will, by the fact that just because they have an Hispanic surname or another surname of sorts that the government has taken the position that they cannot read and write the English language.

So there are one, two, three, four problems: that it is an overly extended time for reauthorization; that we are not complying with or basically ignore the current law, which is a law that requires people, when they come into this country, to attest to the fact that they can speak and read and understand the English language; thirdly, that this is yet again another unfunded mandate by the Federal Government; and, fourthly, that it is basically an arbitrary and capricious standard that we are applying to the States.

Applying the 5 percent rule in basically an insulting and discriminatory matter, discriminatory in the sense that if there is another ethnic group, another individual group there that has maybe 4 percent, 4.5 percent, they do not rise to that level, but someone at 5 percent does rise to that level.

So there are four basic problems that lead the gentleman from Iowa and me to believe that there is not a fundamental reason for us to continue the VRA multilingual ballot.

And I would hope that we will get sufficient votes tomorrow, Mr. KING, to pass your amendment and move forward to correcting this portion of the VRA.

Mr. KING of Iowa. Mr. Speaker, reclaiming my time, I thank the gentleman from New Jersey for his contribution to this discussion and this debate here this evening. And, also, I thank him for his dogged determination on a number of sound causes that he and I have worked together on.

And sometimes I just simply admire the work that Mr. GARRETT does. And I am not always over there to lend a hand, but I want him to know that, if needed, I am willing to on any subject that I can think of that Mr. GARRETT has brought forward. And I appreciate the leadership and support that has been there on this cause.

It has not been an easy task. I had not thought about it as dogged determination; I had simply thought about it as a cause and a principle that needed to be established. Simple common sense if you are going to have a Nation that promotes assimilation and one of the standards of that promotion of assimilation is a Federal law that defines the standards by which people that come to this country are naturalized, conditions they must meet before they can get a hold of that brass ring called citizenship.

And, Mr. Speaker, citizenship needs to be precious. It needs to have great

value. If we are going to be a strong nation, we have got to look at this flag and feel that lump come into our chest when it comes down in the parade. We have got to have a sense of common history, a sense of unity, a sense of common cause. And if we market citizenship off cheaply and if we diminish those standards, then we are going to find that our values also are scattered and diluted and diminished.

But when we pull ourselves together with this and we promote the idea of assimilation, and that is that the language requirements for demonstration of English proficiency are in the Federal Code 4, it is to set that standard high enough that anyone who then is naturalized as an American citizen has a significant amount of English proficiency that will let them go out into the rest of the world and access this American Dream.

And we know that the lowest numbers that I can find are that those who speak English in the United States earn at least 17 percent more than those who do not speak English in the United States. Those who speak English well earn more than twice as much as someone who does not. So these issues are important.

Some of the standards that we used to require in our Federal mandate, the standards that we use that establish the determination that there will be foreign language ballots imposed into these districts, whether anyone actually asks for one or not, the issue that was brought up by Mr. GARRETT that the standards of 5 percent or 10,000 people, whichever comes first, is the standard that would then require limited English proficiency groups, would require those ballots to go into a district. And, now, how do you measure who speaks English in a limited-English-proficient manner? And the manner that was brought up by Mr. GARRETT, the surname analysis, can you imagine having a computer program, and in that program you run through it the last names of all of the voters that are registered in that voting district, and you have software set up that picks up things like the little apostrophe over the "O" in maybe an Hispanic name or the configuration of the vowels and the consonants when it comes in a certain way that indicates that it is a surname of a certain nationality.

So this surname analysis will do a measure of likely Hispanic last names, or I should say Spanish last names, or maybe likely Asian or Chinese last names. I do not know if it picks out the Irish or not, but I can go through the phone book and do that. So it kicks out these names. And if it kicks out 10,000 names that have a Spanish last name or 10,000 names that are Chinese last names, or 5 percent or more of that voting district that are Spanish, Chinese, Lithuanian, whatever the subject might be, then by Federal law there will be ballots printed in those languages at that locale, paid for by

the local election board or the county taxes or whoever is the one in each particular State that determines that, a Federal mandate, an unfunded mandate.

And I especially think it is ironic about Spanish surnames, because some of these people that have a Spanish surname are descended from immigrants that came here in the 1500s. They have been here since about before the Mayflower, before Jamestown. They came up to the Southwest. They were Americans long before anybody else that I know of, and yet we would presume by their last name alone the prejudicial preconception that we have to send them Spanish language ballots.

It is a lousy measure. It has never been a good measure. It is actually, I believe, a prejudiced measure, to be so prejudiced that because of your name, they can determine whether you can speak English. That should be anathema to all of in this Chamber, Mr. Speaker, and I hope that we fix that tomorrow.

But another measure that is equally as ridiculous is the census, another way that we determine whether people can speak English well enough to qualify for all-English ballots or whether we have to give them a ballot in another language and impose that upon them whether they want it or not.

So the United States Census puts out this questionnaire, and presumably there is someone sitting down interpreting the questionnaire. I do not think it just gets mailed out in other languages. But they ask the question, How well do you speak English? A, not at all; B, not well, do not speak English well; C, speak English well; or, D, speak English very well.

Now, if you say that you don't speak English at all or not well or even if you say that you speak English well, all three of those categories, A, B, and C, are all measured as limited-English-proficiency speaking. Even if you say you speak English well, you have to say that you speak English very well in order to not be qualified as having limited English proficiency that would trigger the foreign language ballots.

So I think there have to be English professors, high school literature teachers, probably politicians as well, who make their living with this language, who will read that and think "I have never reached the standard that I thought I ought to; so I do not want to be so proud that I put down I speak it very well. I think I will just put down I speak it well. And, inadvertently, they will be putting themselves in a category that will be calling for a foreign language ballot.

And with the Chinese language, how many dialects are there, 300 and some dialects? At least it used to be. But which version of Chinese is it? Is it Mandarin? Is it Cantonese? Is it any other version there?

There is really no way we can administer this effectively with an equal protection perspective as long as it is a

Federal mandate. And it is a Federal mandate. It is a federally unfunded mandate that imposes foreign language ballots on voting districts whether anyone wants them or not and whether anyone calls for them or not. In fact, I do not know that there are records kept on these ballots and how many are actually used. If there were, I would like to have seen those records.

But to give you an example, Mr. Speaker, this letter came, and it is dated June 24, so it is fairly fresh. And I just happened to be going through my mail a couple of days ago; and I get a packet of it, and I read through it, and try to be tuned in to what the American citizens have to say about the work that we are doing here.

And this gentleman has freed me up to speak about this openly and publicly and into the RECORD. But I think for the sake of avoiding the kind of things that might come, I will just read it to you and represent it without identifying him individually. But this is an individual who is a judge in a voting district out in California. He has a Ph.D., and he is an educator, a professor. He has a good handle on the English language.

But it says in his letter: "Dear Congressman KING, let me express my support for your efforts to let the multilingual ballot provision of the Voting Rights Act fade into the sunset. For several years I have served as an election judge in a polling place in my hometown," which is in California. "My precinct over the years has around 650 registered voters. In the June, 2006, primary, we had 11 parties on the ballot." That would be political parties. "We had available 33 separate ballots because members of each of the 11 parties had ballots available to them in three languages—English, Spanish, and Chinese. In the primary, general, and special elections over the past years in which I have served, no voter has ever requested a ballot in a language other than English." I will repeat that. "No voter has ever requested a ballot in a language other than English.

"Putting aside the question of the appropriateness of ballots in languages other than English, I would simply point out the large cost to the county in complying with the Voting Rights Act. The waste of public money is significant. As a Republican, I would be truly disappointed if a Republican majority in the House and the Senate cannot repeal at least the multiple language provisions in the Voting Rights Act.

"Very truly yours . . ." A copy sent to the chairman of the Judiciary Committee as well.

So we made contact with this gentleman. And in there again he reiterated that in all five elections where he has served as a judge, no foreign language ballots were ever requested in his precinct even though they had 33 different versions in this last primary election. Thirty-three, not one other

than English was called for. And it cost his county, and I believe this to be a low-population county, \$100,000 approximately per election to print foreign language ballot materials and to administer and to translate.

So \$100,000 does not sound like a lot to a Member of Congress when we deal with billions and, in fact, trillions of dollars, but it adds up over this country. We have thousands of counties in America. And of those that are compelled to print these foreign language ballots, the dollars contribute.

And it isn't just the cost of it. It isn't just the burden of the administration. But it is the risk of the mistakes that come when we translate into foreign languages.

We have to have a standard. We have to have an official ballot. And when you start translating into foreign languages, you lose the sense and the meaning. And there are languages out there that their voice inflection determines the meaning and its context determines the meaning, so it becomes a judgment call on how it is interpreted.

And, again, we do not interfere with the right of the localities to print foreign language ballots if they so choose. What we do is just remove the unfunded Federal mandate that requires foreign language ballots and we let the localities make the determination on how they are going to provide ballots that can be read and utilized by the people that are there in the fashion that they see fit. There is nothing that prevents them from doing that. In fact, there is nothing that prevents them from doing that today, Mr. Speaker.

In fact, I have here a copy of yesterday's USA Today.

□ 1945

It lays out circumstances in the State of Wisconsin. The headline in this story is, "Lawmaker critical of Wisconsin translations." We are going to disagree about these things across the country. It is part of our system, but the story reads like this.

"The Wisconsin State election board began translating voter registration forms and absentee ballot applications into Spanish and Hmong this year, a move that one State lawmaker says could swing an election.

"This is for people who function on a day-to-day basis in languages other than English but want to acclimate to Wisconsin and to participate in the democratic process," Elections Board spokesman Kyle Richmond says.

"Translating the voting materials was not required under the Voting Rights Act because Hmong- and Spanish-speaking residents make up fewer than 5 percent of the State's eligible voters."

Mr. Speaker, we do not address that issue. We leave that intact. If States want to determine they are going to print foreign language ballots, they will print them.

We also protect and preserve the Federal statute that exists that allows an

individual to bring a translator into the voting booth with them. So, if ballots can be printed in foreign languages because of the local government, if we protect the tenth amendment, the States rights issue, and let them determine their election process, and if we lift the foreign language ballot, the Federal mandate, the unfunded mandate for foreign language ballots, then we have got the principles of the tenth amendment there, the States rights issue. We have got that and we support that. We support the Federalism issue that government is better off if it is devolved to the States and remains in the States rather than bring the power here to Washington, D.C. It is time to get it back to the States where they belong.

I would submit another issue that seems to be a bit of a curiosity to me, Mr. Speaker, and that is the issue of what will be the case when we get to that point where there are voting districts where no one in that district speaks English. Is it presumed by law that one would have to then qualify under this Federal mandate to get an English language ballot, even if no one wanted one in that district?

Well, it seems a little hard to conceive of this today, but it is far easier to conceive of this today than it was easy to conceive of this in 1965 when this was not part of the law, but in 1975, when it was put into the law and they believed that it would be temporary then, those who voted for this provision, this unfunded Federal mandate for foreign language ballots are the people who, if they are watching us today, if they are on this planet or looking down on us from above, would be astonished that we would still have this in place. They would be astonished that we have this difficult of a debate going on about whether we can simply let the sunset take place, let these provision requirements expire and allow States rights to take place and allow localities to make these decisions.

This is just an interesting subject that we will take up tomorrow, Mr. Speaker. We will debate this significantly and intensively, and I am hopeful that the wisdom of this Chamber will be reflected in a positive vote on the floor here in the United States House of Representatives.

I am quite appreciative of all the effort that has gone into this. This has been a spontaneous effort, not an orchestrated effort but a spontaneous effort, and sometimes when you stand up and take a stand it reflects through the hearts and the philosophies of those of us who are charged with representing the wishes of the people in all of America.

I know that when this bill, the reauthorization of the Voting Rights Act until 2032 came to the Judiciary Committee and I offered a couple of amendments then to try to improve it, the climate in the committee at that time was not very conducive to amendments being adopted. Yet, I made the argu-

ment, offered the amendments, and there were nine that voted with me on the amendment that would have eliminated this Federal mandate for foreign language ballots. That was a significant amount on the amendment.

But on final passage, then I found myself as the sole voice that voted "no" on the reauthorization of the Voting Rights Act in the Judiciary Committee, 33-1 was the vote, and I have often said when I found myself the lone vote, dissenting from everyone else, I use a defense, it is a little ditty that I simply memorized, and it talks about the people's judgment, people's judgment being a democratic vote, a majority vote that rules here in this House, as it should, and it goes like this: Nor is the people's judgment always true, but most can err as grossly as the few.

In this case, I do not want to point out the people that disagreed with me on this issue as necessarily erring, but I want to point out the necessity to stand on principle and how a single vote can make a big difference, and with that 33-1 vote, had I not put that vote up, it would have been unanimous coming out of the Judiciary Committee. Had it been unanimous, it would have been very difficult for anyone to make an argument we should reconsider the cover districts arguments from Georgia, Texas and other covered districts that have been led so well by LYNN WESTMORELAND and CHARLIE NORWOOD.

That team has been strong and powerful, and they have been dogged in their determination, and they have been relentless, and they believe powerfully in their cause. I support the spirit of their efforts, but that would have, I believe, have fallen on deaf ears if it had been a unanimous vote out of the Judiciary Committee, but one "no" vote gave them a small beachhead to go to work on and their beachhead gave a beachhead for the rest of us to head our positions together here and our need to allow the sunset of the foreign language ballot mandate to take place.

I reflect back upon the moment when I gave a Memorial Day speech in Denison, Iowa, and as I finished my speech and as the ceremonies concluded, the mayor came up with his little baby in his arms, and I suppose he was 6-weeks-old at the time. So I took a look, good look at that healthy, little boy, and I said to the mayor what is his name. Well, his name is John Quincy. I said John Quincy. John Quincy said always vote for principle, though you may vote alone. You can take the sweetest satisfaction in knowing that your vote is never lost. He looked at me and he smiled and he held that little boy, and he said that is why I named him John Quincy. He will be a man of principle.

That always matters to vote your principle, though you may vote alone, but your vote is never lost. There are stories after stories on how important it is how one vote can make a significant difference in America.

This may be one of those times. I am hopeful it will be one of these times, Mr. Speaker, but I believe strongly that there is not a necessity out there for the Federal Government to mandate foreign language ballots. I believe strongly that we need to send a message that we are a Nation that welcomes legal immigrants with open arms, we encourage them to come into this fold.

I go and speak at the naturalization services whenever I have the opportunity. They are some of the most moving experiences that I have. When I look people in the eye and I can see that mist, that moistness in their eyes, that sense that that event in their lifetime ranks right up there with the wedding day or the day that their first-born child might be born with important moments in their lives, and there are many of them that will say that is the most important moment in their lives.

So I have had the opportunity at those naturalization services to remark about how important it is, from my perspective, and how I am moved by the stories that came through my family about my ancestors who came here, and I sign and autograph a Constitution for each one of the newly naturalized citizens I have had the privilege to speak to at a ceremony and pass them out and congratulate them and ask them to keep that Constitution close to them, close to their heart like mine is close to my heart, read it, study it, understand it, linking it to this history, becoming part of this shared experience that we have, reach out and reach towards this American dream, this American dream that really is to leave this world a better place than it was when we came, to lay the groundwork so our children can have a better opportunity than we have had.

We think it gets harder every generation, but it is hard every generation, and our parents gave us more opportunity than they had. So it goes, back through the generations, and so it needs to go on through the succeeding generations in the same fashion.

If America is going to be this glorious Nation that we have become, if we are going to take ourselves to the next level of our destiny, we always have to reach out and ask to challenge people to follow through in this American dream, to make America a better place.

So we can do that by promoting this great unifying idea of a common language. It is the most powerful unifying force known throughout history for all humanity. It is true for all languages. It just happens to be that we are fortunate in this country that our language is the English language, the language of business for the world, the language of the maritime industry for the world, the language of air traffic controllers and all air traffic communications in the world and this language that has been the companion to freedom everywhere throughout the world.

As I read the book written by Winston Churchill called, the History of the English-Speaking Peoples, and I followed through on that history, as each tracks the English-speaking peoples around the globe and a part of its conquest and trade and colonization, but the English people never doubted and never lacked for faith in their civilization, in their culture, in their destiny, in their duty, and they promoted those values around the globe. As they did so, wherever they went, they left the English language, and wherever the Americans have gone, we have left the English language. If you go places today, and follow the English language wherever the English language is, you will find freedom, also.

Freedom's been a companion to the English language wherever it has gone around the globe. We should be very grateful we are descended from English common law that respects these values that we have. We have taken up that cause, and we have advanced it beyond this constitutional republic that we have that is rooted in this responsibility to be an informed citizen and active citizen and informed voter. Part of that responsibility is to get informed within this English language so you can understand this culture of America.

It is very difficult to understand the decisions that have been made if you are not able to access the common newspapers that are there, not able to get on the Internet and not able perhaps to carry on in conversations around your entire regular travels that you have. It is very difficult. It is not impossible, but if we allow the localities to make the decisions on whether or not there are going to be foreign language ballots and what languages they might be in.

You can bet that those localities will be looking at these like this county in California, this particular voting district in California with the 650 registered voters, and they would say, well, we printed the last five elections in 33 different ballots and three different languages and no one in all that time has asked for a foreign language ballot; you suppose maybe this time we ought to cut those numbers down and maybe eliminate it all together and just put English language ballots out there like we did in the past? I think the answer is, yes, let us stop that waste; let us stop being bigoted in saying everyone cannot understand a language because of their last name.

Then perhaps there will be others like Wisconsin in this other USA Today article that is here, Mr. Speaker, where they decide at the locality, we want to spend the money, we want to take that responsibility, we want to reach out to the Hmong- and the Spanish-speaking people and give them a ballot in a language that they can understand and be comfortable with.

Now, I would question why it would be that they could be American citizens in Wisconsin and not speak the

English language well enough to vote. I would question that, but that is a debate for Wisconsin, not a debate for this Congress.

So I submit, Mr. Speaker, that tomorrow we will make a decision. It will be a big decision. It will be a decision that will have long-term implications. Those long-term implications do not seem very big today as we talk about the simplicity of this argument. No one will be disenfranchised from being able to vote. I ask them to become informed voters, and that is a challenge out there to English speakers and to other speakers to become an informed voter.

But what is down the line is the message that we are sending to the newly arriving Americans that 10 or 20 or 60 or 90 million Americans that we might have within the next generation, that message that here is our language, learn this language. We will not be able to say that if the first thing we do is hand them a foreign language ballot. How do we ask them to assimilate if we are going to be enablers?

That is the question that is before us. That is the long-term implication of these questions that are before us, Mr. Speaker, and I am going to ask this body tomorrow to make a long-term, wise decision, save millions of taxpayer dollars, take the oppressive thumb off the back of localities, let them make the decisions themselves, let them reach out to people and take care of them in that fashion, save the money, provide better, more efficient services, do the right thing, preserve the tenth amendment, preserve the idea of Federalism and move this Nation to the next level of its destiny so that we can be a Nation that welcomes all, with equal opportunity for all and prejudice against none and prejudice towards none.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. SLAUGHTER (at the request of Ms. PELOSI) for today.

Mrs. NORTUP (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

Mrs. JO ANN DAVIS of Virginia (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. TIAHRT (at the request of Mr. BOEHNER) for today on account of attending a funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McDERMOTT) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. LYNCH, for 5 minutes, today.

Mr. McDERMOTT, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, today.

Mr. THOMPSON of Mississippi, for 5 minutes, today.

Ms. LORETTA SANCHEZ of California, for 5 minutes, today.

Mrs. LOWEY, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. OBERSTAR, for 5 minutes, today.

Ms. EDDIE BERNICE JOHNSON of Texas, for 5 minutes, today.

Mr. PRICE of North Carolina, for 5 minutes, today.

Mr. LEWIS of Georgia, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, July 18.

Ms. FOXX, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. NADLER, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1509. An act to amend the Lacey Act Amendments of 1981 to add non-human primates to the definition of prohibited wildlife species; to the Committee on Resources.

S. 2430. An act to amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Resources Restoration Study; to the Committee on Resources.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 p.m.), the House adjourned until tomorrow, Thursday, July 13, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8486. A letter from the Secretary, Department of Agriculture, transmitting a copy of