

Mr. QUILLEN. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman for asking. I do not intend to ask for a vote on the rule, and I have heard no comment to the contrary.

Mr. BONIOR. Mr. Speaker, I thank my colleague.

PERSONAL EXPLANATION

Mr. KOPETSKI. Mr. Speaker, I had a medical emergency last night and this morning which prevented me from making the votes on rollcall Nos. 301, 302, 303, 304, and 305. If I had been present, I would have voted "nay" on rollcall Number 301, "aye" on rollcall No. 302, "nay" on rollcall No. 303, "nay" on rollcall No. 304, and "nay" on rollcall No. 305.

VOTING RIGHTS LANGUAGE ASSISTANCE ACT OF 1992

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 522 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 522

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 4312) to amend the Voting Rights Act of 1965 with respect to bilingual election requirements. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(1)(4) of rule XI are waived. After general debate, which shall be confined to the bill and which shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. No further amendment shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII prior to the beginning of consideration of the bill. Debate on each amendment to the committee amendment in the nature of a substitute, including any amendments thereto, may not exceed twenty minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

□ 2250

Mr. WHEAT. Mr. Speaker, as we have heard read by the Clerk, House Resolution 522 is a modified open rule providing the consideration of H.R. 4312, the Voting Rights Language Assistance Act of 1992. The rule provides for 1 hour of general debate, to be equally divided between the chairman and ranking minority member of the Committee on the Judiciary.

The rule makes in order the Judiciary Committee amendment in the nature of a substitute as an original bill for the purpose of amendment.

Only those amendments printed in the CONGRESSIONAL RECORD prior to today will be in order and will be debatable for 20 minutes each.

The resolution also waives clause 2(L)(4) of rule XI, requiring an inflation impact statement in the committee report, against consideration of the bill.

Finally, Mr. Speaker, the rule provides for one motion to recommit with or without instructions.

H.R. 4312 amends section 203 of the Voting Rights Act of 1965 and reauthorizes it for 15 years. Section 203, which expires on August 6, provides for bilingual voting assistance in jurisdictions where a language minority is at least 10,000 persons or 5 percent of the population and is of limited-English proficiency.

Recognizing that language barriers to voting still exist, H.R. 4312 was introduced by the Hispanic caucus, and, under the excellent leadership of Chairmen BROOKS and EDWARDS of the Judiciary Committee, is before us today.

Mr. Speaker, the right to vote is so fundamental to our citizenship, so vital, that we as Members of Congress must make every effort to ensure that this right is a reality across the length and breadth of this great Nation.

Last month we approved legislation to increase voter participation. Today we have before us reauthorization of the bilingual language assistance section of the Voting Rights Act. Later we are scheduled to consider the Voting Rights Extension Act.

We have a responsibility to the people of America to remove as many barriers as possible to effective voter participation. The lack of proficiency in the English language is one such barrier which has been addressed in the Voting Rights Act since 1975 and should not be forgotten or ignored now.

Bilingual voting assistance is still desperately needed.

Mr. QUILLEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the gentleman from Missouri [Mr. WHEAT], has fully explained the provisions of this rule. While it is open, the rule does mandate that amendments be printed in the CONGRESSIONAL RECORD prior to consideration of the bill and limits debate to 20 minutes on each.

Madam Speaker, under current law, bilingual voting materials must be provided in States and political subdivisions where more than 5 percent of the voting-age citizens are members of a single language minority and are not proficient in English.

This legislation would extend current law for 15 years from August 6, 1992 when it expires. It would also expand it to include jurisdictions where more than 10,000, but less than 5 percent of the voting-age citizens are members of a single language minority and are not proficient in English. H.R. 4312 would treat Indian reservations as separate entities for purposes of determining whether political jurisdictions containing Indian lands must comply with the bill's requirements. Assistance provided would include printing additional information on ballots, notices, and forms and providing translators at polling places.

Madam Speaker, I would like to note that dissenting views were filed by some of the Republican members of the committee. They point out that there is no evidence that this law has been effective, and there is no evidence that it is needed. The administration, however, does support the bill. It would also support an amendment to increase from 10,000 to 20,000 the threshold at which bilingual voting assistance would be required.

Madam Speaker, I urge adoption of this rule.

Madam Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. WHEAT. Madam Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. BROOKS].

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

Mr. BROOKS. Madam Speaker, I rise in support of the rule making in order the consideration of the bill H.R. 4312. As we will discuss at greater length in the Committee of the Whole, H.R. 4312 reauthorizes an important provision of the Voting Rights Act of 1965 providing for assistance to citizens who speak a language other than English.

The bill extends the language assistance section of the Voting Rights Act for 15 years. Currently, a jurisdiction must provide targeted voting assistance—including registration information, ballots and instructions—if 5 percent of its voting age citizens belong to a language minority and are not proficient in English.

I am pleased that the rule makes in order all amendments printed in the RECORD before the House begins consideration of H.R. 4312. I believe the Rules Committee has crafted a fair and workable rule for the consideration of this important bill, and I urge adoption of the rule.

Mr. WHEAT. Madam Speaker, I yield 1 minute to the gentleman from Texas [Mr. DE LA GARZA].

(Mr. DE LA GARZA asked and was given permission to revise and extend his remarks.)

Mr. DE LA GARZA. Madam Speaker, I rise in support of the rule. This legislation has worked well, it has brought many into the mainstream of American life, and has given those who because of matters beyond their control, like lack of an education, the ability to participate in the political process. I urge my colleagues to support the rule and the legislation.

Mr. WHEAT. Madam Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Madam Speaker, this is a very important piece of legislation.

I wish to express my strong support for the Voting Rights Improvement Act which expands bilingual voting assistance and affirms our country's historical commitment to dismantling the obstacles to voting.

As a Representative of New Mexico's Third Congressional District, which is 40 percent Anglo, 40 percent Hispanic, and 20 percent native American, I am well aware of barriers to the political process and the significance of bilingual voting materials in this process. Restrictions on bilingual voting materials are among a host of discriminatory practices—in education, housing, employment—which Hispanics, and other language minorities, continue to endure in this country.

It is essential for Congress to assert the right of all Americans to participate in the political process, regardless of their proficiency in English. Voter surveys have demonstrated that a significant percentage of Hispanics employ bilingual materials, when available. Exit polls in New Mexico, Texas, and California from 1984 to 1992 indicate that approximately 20 percent of Hispanics who were voting used bilingual ballots. In addition, an overwhelming percentage of Hispanic voters support bilingual voting materials. In one recent survey of Hispanic voters in Texas, 95 percent supported the continuation of printing bilingual ballots.

More importantly, the availability of bilingual voting assistance has coincided with a remarkable increase in the rate of voter participation among the Hispanic community. From 1980 to 1990, the rate of Hispanic citizens voting increased at a rate five times greater than the rest of the Nation. These figures reveal the significant role bilin-

gual voting materials have played in the political empowerment of Hispanics.

This legislation also includes a much-needed measure for native Americans by basing eligibility for bilingual materials on the reservation, rather than county voting age population, thereby correcting an inequity which leaves many reservations ineligible for these materials. Without this correction, only 4 of over 500 native American tribes would be covered under existing bilingual voting assistance provisions. The alternative standard provided by this legislation reflects our commitment to the full participation of native Americans in the democratic process, as well as the preservation of native American languages which are among our Nation's cultural treasures.

Recently, a strong nativist movement has reemerged in our country. Numerous States have adopted English-only statutes and the English-only movement threatens to destroy many programs which provide vital services to non-English speakers. Just as literacy tests and poll taxes restricted minority access to the political process in past years, so do attempts to restrict bilingual voting materials. Bilingual voting materials do not divide us. Rather, they unite our Nation by bringing groups who have been the recipients of pervasive discrimination into the political arena, a process which joins millions of Americans.

For thousands of Hispanics, Native Americans, and Asian-Americans across the country, the right to vote in an informed manner remains at stake. Many Hispanics who use bilingual voting materials, especially those with low educational attainment and low incomes, have little other involvement in the political process. For these individuals, fair access to the voting process is all the more critical. I strongly support the Voting Rights Improvement Act and encourage its swift passage.

Mr. WHEAT. Madam Speaker, I yield back the balance of my time, and I 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.

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to House Resolution 522 and rule XXIII, 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. 4312.

□ 2255

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. 4312) to amend the Voting Rights Act of 1965 with respect to bilingual election requirements, with Mrs. UNSOELD in the chair.

The Clerk read the title of the bill.

LEGISLATIVE PROGRAM

(By unanimous consent, Mr. MICHEL was allowed to speak out of order.)

Mr. MICHEL. Madam Chairman, I have asked for this time that I might proceed for a moment to inquire of the distinguished majority leader how we intend to proceed for the balance of this evening and beginning tomorrow, so that Members will be better informed as to what the schedule is.

Mr. GEPHARDT. Madam Chairman, will the gentleman yield?

Mr. MICHEL. Yes, I am happy to yield to the distinguished gentleman from Missouri.

Mr. GEPHARDT. There will be no more votes this evening. The general debate will go forward on the Voting Rights Act which we just passed a rule for.

It would be our intention at 10 o'clock in the morning to go to the Voting Rights Act and try to finish it hopefully by 12:30, and then out hope is to go to the supplemental appropriations bill and try to finish it by 3 o'clock. We very much want Members to be done here by 3 o'clock.

Mr. MICHEL. I appreciate that. That will obviously require the cooperation of Members to do that. I think that seems to be the best way to proceed for the moment. We will I guess have to play it a bit by ear.

Mr. GEPHARDT. If everyone cooperates, we can finish both bills by 3 o'clock tomorrow.

Mr. MICHEL. Madam Chairman, I thank the distinguished majority leader.

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

Under the rule, the gentleman from Texas [Mr. BROOKS], will be recognized for 30 minutes and the gentleman from Florida [Mr. MCCOLLUM] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. BROOKS].

Mr. BROOKS. Madam Chairman, in 1965, with President Johnson's signature of the Voting Rights Act, this Nation began to address the compelling need to protect one of the most fundamental attributes—and obligations—of citizenship: the right to vote. Similarly, the enactment 10 years later of section 203 of the act, the language assistance section, marked the beginning of the end of practices and procedures which, in a more subtle fashion, effectively excluded citizens of language minorities from participation in the electoral process. Just as the Voting Rights Act represents a fundamental commitment to preserve a fundamental right for all our citizens, section 203 constituted an equal commitment to affirmatively promote the exercise of that right—to ensure that all voices may be heard in the electoral process.

Section 203 has worked well for 17 years. The legislation before us today simply extends that section so that it will expire at the same time as the

other provisions of the act and ensures that its targeted assistance is provided to communities where language barriers remain as an obstacle to participation in our democracy. The bill continues the practice of current law which provides local jurisdictions with maximum flexibility to balance the needs of minority language voters with those of efficient administration of the electoral system.

Because this important section will expire on August 6, the Judiciary Committee has moved the legislation swiftly to ensure that there is no gap in coverage—particularly during this crucial election year. I want to salute subcommittee Chairman Don Edwards for his strong and abiding leadership in this effort and in his constant vigilance in protecting the civil rights of all Americans.

There is no more important step we can take to preserve the American people's confidence in our Government than to support legislation which protects the right of all citizens to participate in our Nation's democratic system through exercise of the right to vote. Because this legislation furthers that goal, I strongly support it and ask all my colleagues for their support in this important effort.

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

I rise to discuss this bill tonight for a few minutes.

Section 203 of the Voting Rights Act requires covered jurisdictions to provide multilingual assistance to voters. Proponents of H.R. 4312 wish to extend section 203 until the year 2007 and expand the number of jurisdictions subject to its provisions.

The purpose of enacting temporary provisions, such as section 203, is to allow the Congress to reexamine the effectiveness, use, and continued need for Federal action. The burden to justify the extension and broad expansion of section 203, therefore, rests on those who seek to extend this law for an additional 15 years. Based on the evidence presented to the Congress, it is highly doubtful, in my judgment, that this burden has been met.

Since the subcommittee first held hearings on this issue, we have repeatedly asked for reliable statistical evidence which shows that section 203 works. We have been looking for evidence that multilingual assistance has increased minority language voter participation in jurisdictions covered by section 203.

Unfortunately, we have not been able to find any such evidence. The information from the Census Bureau's current population survey indicates that rates of Hispanic voter participation have declined since the enactment of section 203, even relative to the overall decline in voter participation nationwide and even taking into consideration large increases in the number of Hispanics becoming citizens.

□ 2300

How can we justify extending a provision for 15 years and expanding its coverage when we do not know whether or not it works? We do not know whether section 203 has had any impact on minority language voting.

We also need to ask the question—do bilingual ballots stop voting discrimination? Under the U.S. Constitution, the States have primary authority to regulate elections. Congress can only intervene where there is a finding of discriminatory treatment or an unjustified restriction of the opportunity for citizens to vote.

In 1975, when the multilingual voting provisions were first considered, Assistant Attorney General for Civil Rights Stanley Pottinger testified before a congressional subcommittee:

If a strong case were made of widespread deprivations of the right to vote of non-English-speaking persons * * * expansion of the special provisions of the act might be warranted. * * * In light of the other remedies available and in light of the stringent nature of the special provisions, the Department of Justice has concluded that the evidence does not require expansion based on the record before us.

There is no evidence that things have gotten worse since 1975. There is no evidence that there is widespread intentional use of English language ballots and voting materials to deprive citizens of their right to vote which would be remedied by the multilingual assistance provisions of section 203. Therefore, the record, this year, appears to be less compelling in 1992 than it did in 1975 or 1982.

If anything, it seems that this bill is directed toward alleged discrimination in educational opportunities. If the problem we are trying to solve is in education—we should pass an education bill. Passing a 15-year extension of voting language assistance won't stop alleged discrimination in education and more important, it won't teach anyone English.

The assumption underlying this bill seems to be that once the number of non-English-speaking voters in a jurisdiction, for whatever reason, reaches a certain quantity, conducting elections in the English language becomes per se discriminatory, violating the 14th and 15th amendments. This assumption is quite extraordinary when one considers that most American political discourse is in English, that Americans of minority backgrounds strongly support English, and that our naturalization laws require a knowledge of English.

In addition to the lack of evidence of effectiveness and need, there is another reason why this proposal is troublesome. We all know that this Nation does not need to be further separated or fragmented along racial or ethnic lines. A Federal policy of multilingualism and ethnic separatism discourages our coming together as one people. By encouraging people to learn English, we encourage them to participate in a meaningful way in all

aspects of this Nation's civic and social life. English, as our common language, is a unifying force and the federal government should not be discouraging its use.

In addition to extending section 203 for an additional 15 years—until the year 2007, H.R. 4312 will expand the number of jurisdictions subject to coverage by adopting an absolute population test of 10,000 voters and by covering native American reservations, if 5 percent of the population of the entire reservation is limited to English proficient. These new coverage tests will be extremely burdensome.

The 10,000 numerical trigger will require Los Angeles County, for example, to provide voting materials in six languages: Spanish, Chinese, Tagalog, Japanese, and Vietnamese. According to the Congressional Budget Office, Los Angeles County would have to endure a significant cost burden because its current election equipment cannot incorporate these additional languages.

While the administration supports reauthorizing section 203, it does not support the 10,000 voter trigger or the new Indian reservation formula. According to the Department of Justice, "lowering the trigger to 15,000 or 10,000 individuals would increase the number of jurisdictions required to provide language assistance without proportional increases in the number of individuals benefited by that assistance." Likewise, with respect to the Indian reservation formula, Attorney General John Dunne said, "any effort to address [the Indian reservation situation] must target carefully those jurisdictions containing substantial numbers of native Americans who need language assistance." It is clear that the formulation as contained in the bill does not accomplish that task.

Under the 5 percent threshold, 18 jurisdictions are required to provide language assistance to 14,000 Indian voters. The new formula—as presently drafted—will add 59 new jurisdictions, but only cover an additional 4,900 voters. Over half of those new jurisdictions have fewer than 50 voters who will need assistance. Several of them have no native Americans who will need voting assistance, but they will still be covered under the act.

The new coverage formulas proposed by H.R. 4312, like those already found in section 203, are arbitrary and mechanical. They have no relationship to illegal discrimination and, as shown before in what I have said are burdensome and unworkable.

The intrusive nature of the bill is especially troubling when one considers that we have no data which tells us whether or not the language groups that will be covered in Los Angeles County or in other jurisdictions are already registering and voting. In addition, a number of these jurisdictions already provide bilingual voting assistance on a voluntary basis. How can we argue that they are discriminating

against voters when they provide materials without a Federal mandate?

In conclusion, in the absence of evidence that multilingual ballots increase voter participation, in the absence of evidence of discrimination in voting, and with the certainty that our Nation is already being pulled apart and our divisive tendencies do not need to be further encouraged, serious doubts remain about the need to extend and expand section 203.

I will be offering two compromise amendments, which, if adopted will substantially address the concerns I have raised with respect to this bill. The first will extend section 203 for 5 years and require a study of effectiveness by the Bureau of the Census and the Department of Justice.

I do not believe that we need to extend this bill for another 15 years and that we certainly should not do it without a study to find out if it is working, the subject matter of what we are trying to do is working.

The second will require that jurisdictions subject to coverage under section 203 provide bilingual voting materials to citizens upon request. This amendment will reaffirm Congress' commitment that only citizens should vote and clarify, consistent with the Department of Justice regulations, that compliance with section 203 may be accomplished by targeting multilingual voting assistance to those who have the greatest need for such assistance.

It is surprising to me that, true, we do have jurisdictions in this country that are beginning to offer the opportunity to vote to noncitizens, and I certainly do not think we ought to be dictating the kind of voting requirements in this bill to those who are not citizens.

For those reasons, I have grave reservations about this bill, but I do have the amendments to offer.

Madam Chairman, I reserve the balance of my time.

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

Mr. MCCOLLUM. Madam Chairman, I yield 2 minutes to the gentlewoman from Florida, [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. I thank the gentleman for yielding time to me.

Madam Chairman, I urge my colleagues to support the voting rights improvement act, which will reauthorize and extend the federal requirement for bilingual ballots.

This important legislation will continue and improve section 203 of the Voting Rights Act which requires bilingual assistance in registering and voting. This requirement is scheduled to end next month. This bill will continue this section until the year 2007, the year the rest of the Voting Rights Act is scheduled to end.

Section 203 has ensured that language minority citizens, many of whom have resided in the United States for many years, are fully guaranteed the right to cast an independent, informed vote. It covers only those counties with

a substantial language minority populations.

If this section is allowed to expire, minority language voters in 68 U.S. counties will have another barrier to overcome in participating in elections. Many of these voters are elderly American citizens who have contributed much to our Nation. By failing to continue this provision, they would be discouraged from participating in our system.

This bill will also improve the present section by expanding it to include many minority language communities which have previously not been covered, including such large areas as Los Angeles County and Cook County, IL. It will expand the present requirement that a county must provide bilingual assistance to voters if 5 percent of voting age citizens do not speak English well enough to make an informed vote. Under this bill, a county would also be covered if it has more than 10,000 voters who speak English poorly, that is, are classified as a single-language minority.

I can speak from personal experience, that bilingual ballots have been a major factor in opening the doors to many minority voters in south Florida who have registered for the first time. It has helped to open the doors to many who have fled tyranny to come to this Nation. It has permitted all of us to enjoy the fruits of participation in our democratic system.

I ask that you support this legislation which would help boost participation among many minority voters, who, in the past, have felt left out of our political system. That is why this bill has received the support of many nonpartisan organizations, as well as the support of both the administration, and Members of Congress in both parties. At a time when fewer Americans are participating in our political system, let us keep going forward, not backward, in this important area of voting rights.

□ 2310

Mr. MCCOLLUM. Madam Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. SCHIFF], a member of the committee.

Mr. SCHIFF. Madam Chairman, I thank the gentleman from Florida [Mr. MCCOLLUM] for yielding this time to me, and, as a member of the Committee on the Judiciary, I appreciate his hard work on this bill and many other bills before the committee.

Madam Chairman, I rise in favor of H.R. 4312. In my adopted State of New Mexico; my native State is Illinois, but at the age of 21 I moved to New Mexico, and it is now my State, my adopted State of New Mexico; since I moved there in 1969, two individuals, Hispanic individuals, have been elected Governor of the State of New Mexico. Today in New Mexico the Governor is not Hispanic, however the Lieutenant Governor is Hispanic. The secretary of state is Hispanic. The speaker of the

State house of representatives is Hispanic. The senate president pro tempore of the State senate is Hispanic. The chairman of the county commission for the county that surrounds the Albuquerque area is Hispanic. The mayor of Albuquerque is Hispanic.

Now in New Mexico we have bilingual ballots and bilingual voting materials in English and Spanish universally throughout the State. In every voting machine in the State of New Mexico, for each election, regardless of what city, or county or what neighborhood that voting is located in, the ballot position of office, the referenda, if there are any, the voting materials, are always available in English and Spanish.

Now I cannot prove precisely that the availability of voting materials universally in English and Spanish is the proof positive cause of our having so many Hispanic officials elected in the State of New Mexico. But I can suggest that, if the facts I have just related occurred in any other State which I am familiar, including my native State of Illinois, it would be national headlines: "Hispanic elected Governor," "Hispanic elected Lieutenant Governor," "Hispanic elected secretary of state" and so forth. We just do it, we do not think about it, and I suggest to my colleagues that suggests at least a correlation between language assistance and voting and greater participation in the electoral process, and since we do want greater participation of all our citizens in the electoral process I urge the adoption of H.R. 4312.

Mr. MCCOLLUM. Madam Chairman, I yield 7 minutes to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Madam Chairman, I rise in opposition to H.R. 4312.

Madam Chairman, this legislation goes to the heart and soul of what America is all about, and I think it is really about time that some of us talked very frankly about this without fear of people calling each other names. There are a lot of people who believe in some of the things that I am going to say right now, but they have been afraid to say these things because they are afraid to be called racist, and I think that it is unfortunate that people of all religions and all faiths who love each other in a country like ours cannot be frank with one another because they are afraid that someone will relate this to some sort of malevolence in their heart, and I can assure my colleagues there is no malevolence in my heart toward anyone of any race or of any religion. Instead this is a heartfelt position, and I know it reflects that of a lot of other Americans of good will.

Madam Chairman, let us look at what America is all about and what this bilingual ballot, and bilingual education, and a bilingual America means.

What is America? America is a dream where people came here from every part of the world, from every race and every religion. They came here to this vast continent between two great oceans, and they came here from every

ethnic background, speaking every language, from every race and religion. And they came here to live in peace and freedom and to use the opportunity that exists here and existed here that was available to all people to improve their lot, and to improve the lot of their families and to live in freedom.

There were two things that tied us together as a people. I am talking about the American people, all of those who came here. The two things that tied us together were, No. 1, a love of liberty, the love of the fundamental principles of freedom, and of dignity and decency for the individual. That kept us together as a people, and it kept us free.

But, yes, there was another factor that kept us together as a people and insured our freedom as a people, and that was that we were also tied together by the English language. Madam Chairman, my relatives did not speak English when they first came to America. Most people's relatives did not speak English when they came to America. They spoke many, many different languages, but they knew the importance of learning the English language. That had a lot to do, not only with the development of the United States of America and the protection of our freedom, but the fact that those individuals themselves were capable of enjoying the opportunity that existed in this great country.

Now throughout our history there have been few requirements as to being American. What an American meant was just anyone who came here who loved liberty and wanted to be part of this great experiment that God placed on this planet, that people who wanted to be together and live together in freedom could come here and enjoy this experiment. This experiment has been shown as an example and has been a hope for all mankind. Yes, there were a few requirements of being an American. We did not have a welfare system in those days, so self-sufficiency was a requirement, and, because we did not have a welfare system, anyone who wanted to be self-sufficient who could be was permitted to come to this country, and we had open doors. All they required was self-sufficiency, and they required a Pledge of Allegiance to our flag and to those principles of liberty that our Founding Fathers laid down, principles of liberty that were for all people, and they required a proficiency in English, and that was not a mistake.

Madam, Chairman, that was there because we knew to have one country, to have a country where opportunity for all was the order of the day, that we had to have a common language because it was an enabling language, not just for the people who came from England, but for the people who came from England, for the people who came here from Mexico, for the people who came here from France, the people who came here from every part of the world.

English has kept our Nation together, and I believe, I firmly believe,

and I think many Americans of good will believe, that all official business in our country, Federal, State, or local, should be done in the English language. It was a mistake for our Federal Government to require State and local governments to print ballots in foreign languages in the first place. Command of the English language is a requirement for obtaining citizenship and for good reason. The English language binds us together as a nation, and separate language would divide us. If we require English proficiency as a requirement for citizenship, how is it we hear from proponents of this bill that printing ballots only in English is discrimination against non-English-speaking citizens? According to our nationalization laws, Madam Chairman, we should not even have non-English-speaking citizens. It is a requirement of becoming a citizen of this country.

The authors of this legislation are not content with simply perpetuating another mistake for another 15 years. They want to make it worse, and I think that tomorrow we will learn how; by lowering the threshold from a 5-percent requirement. They are changing the threshold from a 5-percent requirement, and that means 5 percent of the people speak another language, and they have to have a ballot in that language. Now we are going to lower it to 10,000. Not only is that bad for those individuals who are involved now who do not have the incentive to learn the language that they had before, but it almost makes it impossible for the process to work in some of the parts of our country.

□ 2320

In southern California we have had a massive influx of immigration and there are some problems with that. The illegal immigration part of it, the people involved with public services are destroying the social fabric of our country. They are destroying the social services because we cannot afford to take care of everybody in the world. We cannot afford to provide government services for everybody in the world who can make their way here.

But the people who are here legally, which is a whole other question, those people too have a right to become part of this system. They have every right as every other American to be treated as every other American, and part of that used to be learning to speak English. But if we try to print ballots in all of these languages, in southern California what that means is in some instances we will have six, seven, or eight languages required on the ballot. It will swamp the electoral process.

Madam Chairman, my amendment will be heard on the floor tomorrow that tries to handle that problem. I would ask Members to reject the whole idea of bilingualism and also to vote for my amendment tomorrow.

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

Mr. BROOKS. Madam Chairman, I reserve the balance of my time, and I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. EDWARDS of California) having assumed the Chair, Mrs. UNSOELD, 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. 4312), to amend the Voting Rights Act of 1965 with respect to bilingual election requirements had come to no resolution thereon.

INTRODUCTION OF THE BANKRUPTCY JUDGESHIP ACT OF 1992

(Mr. BROOKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOKS. Mr. Speaker, today I am introducing—along with Congressman HAMILTON FISH, the ranking minority member of the Judiciary Committee—legislation to authorize 32 additional bankruptcy judgeships.

Bankruptcy courts are an essential element of the Federal judiciary and the American economic system. Unfortunately, as clearly documented in a hearing in the Judiciary Committee's Subcommittee on Economic and Commercial Law earlier this year, extraordinary increases in bankruptcy filings over the past few years have overwhelmed—and in some cases overwhelmed—the courts.

In 1988, the year the most recent bankruptcy judgeship bill was enacted, 613,000 bankruptcy cases were filed nationwide. By 1991, that figure had soared to an estimated 944,000 cases—an increase of over 50 percent in just 3 years. This dramatic increase continued in the first 3 months of this year when more than 252,000 cases were filed—a pace that, if it persists, would result in more than 1 million filings for 1992.

The Brooks-Fish bill authorizing additional bankruptcy judgeships will relieve the staggering burden on the courts and help have these cases considered on a more timely basis—a move that would be of enormous benefit to debtors and creditors alike.

The case for additional bankruptcy judgeships is certainly compelling. But we cannot disregard another fact of life: The paucity of Federal funds that have resulted in immense Federal budget deficits. Each new judgeship, therefore, has been carefully targeted to assure the most efficient use of scant judicial resources. Every one of the judgeships authorized by the Brooks-Fish bill was recommended by the Judicial Conference of the United States after carefully weighing a number of factors, including the results of an objective new case-weighting analysis of the courts' workload.

Additionally, the Brooks-Fish bill enhances efficiency in the use of judicial resources by authorizing temporary