

# House of Representatives

FRIDAY, JULY 24, 1992

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HOYER).

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 23, 1992.

I hereby designate the Honorable STENY H. HOYER to act as Speaker pro tempore on Friday, July 24, 1992.

THOMAS S. FOLEY,  
Speaker of the House of Representatives.

## PRAYER

Rev. George A. Pera, D.D., L.H.D., pastor, Westminster Presbyterian Church, Alexandria, VA, offered the following prayer:

Almighty God, in whom is found all goodness and righteousness, we ask Thy blessing upon this assembly. We give Thee thanks for all those past and present who, by their leadership, have inspired in us a passion for excellence.

Whatever our tasks, may we do them honestly and well, knowing that the longings and aspirations of the people of this Earth rest on our deliberations. Make our hands eager to work effectively, our feet swift to walk in Thy ways, our ears, eyes, tongues, hearts, and minds dedicated to noble living and effective service. Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MILLER of Washington. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Chair's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MILLER of Washington. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further pro-

ceedings on this question will be postponed until the end of the legislative day.

The point of no quorum is considered as withdrawn.

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Ohio [Mr. APPELGATE] for the purpose of leading us in the Pledge of Allegiance.

Mr. APPELGATE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3269. An act for the relief of Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini; and

H.R. 3836. An act to provide for the management of Federal lands containing the Pacific yew to ensure a sufficient supply of taxol, a cancer-treating drug made from the Pacific yew.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2877. An act entitled the "Interstate Transportation of Municipal Waste Act of 1992."

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 295) "An Act for the relief of Mary P. Carlton and Lee Alan Tan."

The message also announced that, pursuant to Public Law 101-549, the Chair, on behalf of the Republican leader, appoints Mr. John Doull of Kansas, to the Risk Assessment and Management Commission.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will take no 1-minute speeches.

## VOTING RIGHTS LANGUAGE ASSISTANCE ACT OF 1992

The SPEAKER pro tempore. 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 further consideration of the bill, H.R. 4312.

□ 1005

## 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 further 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.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, July 23, 1992, 39 minutes remained in general debate.

The gentleman from Texas [Mr. BROOKS] has 29 minutes remaining and the gentleman from Florida [Mr. MCCOLLUM] has 10 minutes remaining.

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

Mr. BROOKS. Madam Chairman, I yield myself such time as I may require.

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

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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.

Madam Chairman, I yield 3 minutes to the distinguished gentleman from California [Mr. EDWARDS], chairman of the subcommittee.

Mr. EDWARDS of California. Madam Chairman, I thank my chairman for yielding me this time.

Madam Chairman, I must admit that I participate in this debate today with feelings of reverence. The Voting Rights Act of 1965, together with the sister bill, the omnibus civil rights bill of 1964, are the brightest stars in America's constellation of achievements in human rights.

Many of my colleagues now Members of this House were too young to remember how life was in the early 1960's before the Voting Rights Act was passed. In many places in America African-Americans were not allowed to vote, and if they tried, or if they tried to register, they were assaulted, beaten, hosed down with fire hoses, bitten by police dogs, and some were murdered. Young Americans who went to these areas in 1963 and 1964 trying to help African-Americans to register and vote were similarly assaulted, beaten, jailed, and yes, Madam Chairman, some were murdered.

The Voting Rights Act of 1965 changed all of that. It guaranteed the right to vote. It provided machinery to protect the right to vote.

□ 1010

It brought sunshine, sunshine, liberty, and fair play to all Americans, and today, Madam Chairman, we, in this House of Representatives, have the honor and the privilege of participating in an important extension of this noble bill.

We are grateful to many Members who have aided us in this effort, particularly the author of the bill, the gentleman from New York [Mr. SERRANO], also the distinguished chairman of the Hispanic Caucus, the gentleman from Texas [Mr. ORTIZ], the Black Caucus, led by the able chairman, the gentleman from New York [Mr. TOWNS] gave us great help, mem-

bers of my subcommittee, the gentleman from Michigan [Mr. CONYERS], the gentlewoman from Colorado [Mrs. SCHROEDER], the gentleman from Texas [Mr. WASHINGTON], the gentleman from Oregon [Mr. KOPETSKI], and my splendid staff, Catherine LeRoy, Melody Barnes, and we were assisted by minority staff member Kathryn Hazeem.

Madam Chairman and my colleagues, several amendments will be offered. Each, I regret to say, each, Madam Chairman, is designed to cripple the bill, to do damage to this great piece of legislation. We hope that all of them will be defeated.

We ask our colleagues to stand tall with us to defeat all of these amendments.

Mr. BROOKS. Madam Chairman, I yield 3 minutes to the distinguished gentleman from Kentucky [Mr. MAZZOLI], chairman of the Subcommittee on International Law, Immigration, and Refugees, and a distinguished member of the committee.

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

Mr. MAZZOLI. Madam Chairman, I thank the gentleman for yielding.

Madam Chairman, I rise in very strong support of the bill, which came out of our committee, and in opposition to the amendments which will be offered today.

Essentially speaking, the Voting Rights Language Assistance Act is part of a larger picture. It is important in its own right, because there are many American citizens who are not English-proficient, do not speak English language as proficiently as they will later on in their lives, and in the meantime, we have to give them some opportunity to know about elections in order to fully participate.

Madam Chairman, I look at this in the context of a larger picture, as a part of a larger picture, which would include the motor-voter bill. Now, our colleagues in the House will recall that the House itself passed the motor-voter bill. The President vetoed the motor-voter bill, which allows people, citizens, whether of Kentucky or elsewhere, a chance to register to vote when they apply for their automobile licenses or extend those licenses or at public places like libraries. They can register to vote and, of course, once registered, they are in a position to vote.

The President unfortunately vetoed that bill, as he vetoed the campaign finance reform bill, which also invigorates and changes and updates and modernizes the political process and does many things including limiting campaign spending, reducing the influence of special interests, again, to encourage people to vote by reviewing their faith in the political process.

So while this bill on its own feet and in its own stead is an excellent piece of legislation, and I certainly intend to vote for it, and I am happy that the White House seems disposed to sign

this bill into law, I am certainly distressed that the President and people around him have counseled against other actions which this body has taken and the other body has taken that will and could encourage people to vote.

So I support the voting rights extension.

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

Mr. MAZZOLI. I am happy to yield to the gentleman from Pennsylvania.

Mr. KOSTMAYER. Will this legislation fund the printing of ballots in languages other than English?

Mr. MAZZOLI. It could. It has that possibility. It does not necessarily intend that, but it could yield that result.

Mr. KOSTMAYER. Can the gentleman tell me, describe to me, under what circumstances the legislation would finance the printing of ballots in languages other than English?

Mr. MAZZOLI. Well, I would also encourage my chairman to engage with me in this debate, but the gentleman's question has to do with the use of the money under the bill for printing of ballots in languages other than English. It only would occur, I would tell my friend, the gentleman from Pennsylvania, only in certain selected areas where either there are 10,000 people, of a certain ethnic group, who are not English-proficient, or, under the current Voting Rights Act, 5 percent of the voting-age population in a particular ethnic group is not English-proficient.

Mr. KOSTMAYER. If the gentleman will yield further, am I correct in saying that one must be in this country for 5 years before one can be a citizen and vote?

Mr. MAZZOLI. It could be less time. But that is roughly correct.

Mr. KOSTMAYER. Five years?

Mr. MAZZOLI. Roughly speaking, 5 years.

Mr. KOSTMAYER. So folks are here for 5 years and we are still going to print ballots in their native language because they do not speak English yet?

Mr. MAZZOLI. It could be done.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. TORRES].

Mr. TORRES. Madam Chairman, if we pass weakening amendments to limit the reauthorization of section 203 of the Voting Rights Act, we will have effectively gutted the law. We have not put restrictions on other laws meant to help people. We did not insert language into the Civil Rights Act of 1991 stating we are restoring our civil rights laws for only 4 years because discrimination will be no more by then.

We have not told disabled people that the Americans With Disabilities Act is only good for 6 years, because people with physical disabilities won't be discriminated against after that or be disabled. We are only seeking to reauthorize section 203 for 15 years, to 2007, to

bring it in line and make it uniform with the rest of the Voting Rights Act.

Studies show that native Americans, and many Hispanic and Asian-American citizens who speak English poorly and are of voting age, who were the original intended beneficiaries of section 203 in 1975, still suffer the effects of unequal educational opportunities. In fact, evidence shows that 17 years later educational disparities in Hispanic, native American and Asian-American communities may even be worse now than they were in 1975. Obviously, language assistance as required by the act will continue to be both needed and used by these Americans for longer than 5 years and at least until 2007.

I urge all members to oppose all weakening amendments, and let us pass the Voting Rights Language Assistance Act of 1992. The right to vote is the cornerstone of democracy, we should be doing everything in our power to protect that right, not to take it away.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Madam Chairman, I rise today as chairman of the Congressional Hispanic Caucus in support of H.R. 4312, the Voting Rights Language Assistance Act of 1992. On behalf of the Hispanic Caucus, Congressman JOSÉ SERRANO introduced H.R. 4312, which would reauthorize and refine the Federal bilingual voting mandate.

Bilingual voting and registration assistance goes to the heart of American democracy.

It permits Hispanic, Asian-American, and native American citizens to participate in the political process.

It gives language minority citizens the power to have a voice in how our Government is run.

Opponents will argue that bilingual voting assistance inhibits the integration of Hispanics and language minorities into the mainstream of American life.

That argument is dead wrong.

Providing bilingual voting assistance is a way of encouraging citizens to participate in the most American of institutions—the political process.

By giving language minorities a reason to believe in American Government and by giving them a way to become invested in the decisions our Government makes, bilingual voting assistance can cultivate a sense of patriotism and civic duty that is sorely needed in today's anti-Government climate.

Time after time, Hispanics have shown that when they are given the chance to contribute to their country, they deliver.

Hispanic-Americans have earned 38 Congressional Medals of Honor in serving their Nation. Hispanic soldiers have received more Medals of Honor than any other minority group.

Because they want to believe in all the opportunities America has to offer, it is not surprising that Hispanics and

other language minorities widely use bilingual voting assistance once it is provided.

Exit polls taken in the Southwest show that one in five Hispanic voters use bilingual voting assistance.

Nationwide that suggests that as many as 1 million Hispanic voters could benefit from bilingual voting assistance. Since the introduction of bilingual assistance in native American reservations, voter participation rates have soared by as much as 180 percent.

National census figures on voter participation—often cited by opponents—are next to useless in assessing the effectiveness of bilingual voting assistance.

Only 10 percent of the Nation's 3,000 counties provide bilingual voting assistance. The small number of Hispanic voters who receive and successfully use bilingual voting assistance are lost in large, nationwide figures.

By including a numerical benchmark in the formula used to calculate coverage, H.R. 4312 would ensure that more Hispanics who should be getting bilingual voting assistance receive it.

By giving more citizens greater access to the ballot box, H.R. 4312 can make our Government more responsive to the people.

And that is what America is all about—listening to the needs of all citizens, regardless of race, color, or ethnicity.

I urge my colleagues to cast a vote for democracy and support H.R. 4312, the Voting Rights Language Act of 1992.

□ 1020

Mr. MCCOLLUM. Madam Chairman, I yield 1 minute to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Madam Chairman, I rise in support of the bill. We must do more to open up our democratic process to all who have been shut out. Approving the voting extension bill today will do just that. It will allow American citizens, most of them elderly, the opportunity to read often confusing ballot language in their native language. Bilingual ballots allow Americans who have limited-English proficiency to have full access to our democratic process.

At a time when so many feel shut out of our electoral process, let us invite all Americans to help our democracy grow and prosper. Lo necesitamos. We need it.

Madam Chairman, I urge all Members to approve the bill and reject all amendments which seek to cripple complete voter access.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. SERRANO].

Mr. SERRANO. Madam Chairman, my experience with this section is a very personal one and one of reasons why I strongly support it.

In 1985, I ran for a position known as Bronx Borough president, an office I

lost by less than 1 percent, and yet we were able to accomplish a few things. We found out right before the election that the board of elections was doing very little to assist language minority voters in the city of New York. We sued under section 203 asking for support.

The litigation was settled by stipulation and the board of elections was required to conduct an aggressive voter education campaign in the Spanish language media. They were supposed to recruit students and other bilingual people to serve as inspectors.

This, in my opinion, turned the Bronx around to the point where in the next 8 years we elected four Hispanic council members, a Member of Congress, two more assembly members, and two more senators.

There are many people who feel that this section of the Voting Rights Act is the most important one.

Now, I know some of the fears that are presented here that somehow support of this section is to turn against the essence of our country, which is to speak English.

Well, nothing in the studies that we have conducted indicates, unfortunately, that people hold on to their native tongues. In fact, by the second generation and surely by the third, none of the children any longer speak their native language.

What this says is that once a person is a citizen, you want to give them every possible opportunity to participate in the electoral process.

Others will argue that this costs some money, and therefore it should not be done unless we supply that money. Well, I do not know where in the Constitution it says that in order to receive civil rights, you should have someone pay for it. Civil rights is something that is very much a part of a person.

Now, the change in this bill, the changes we make is that we include by changing from 5 percent to 10,000 different counties throughout the Nation.

I know we are short of time, so I yield back the 10 seconds that I have left.

Mr. MCCOLLUM. Madam Chairman, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Madam Chairman, I thank my colleague, the gentleman from Florida, for yielding me this time.

I just would like to carry on a colloquy with the gentleman from New York [Mr. SERRANO] to allow him some more time and just to ask a few questions.

As I understand it, roughly, a person must be here about 5 years before he or she becomes a citizen.

Mr. SERRANO. Madam Chairman, if the gentleman will yield; yes.

Mr. STEARNS. The argument would go then that after that period of time of 5 years they should have learned English well enough so that they could understand the ballot. So why does the

Federal Government have to pay to promulgate another language in the United States where English is the official language?

Mr. SERRANO. Well, Madam Chairman, if the gentleman will yield further, there are two quick arguments I can think of on that.

First of all, the gentleman is discussing whether or not we should allow people to be citizens who speak limited English, having limited-English proficiency. That is another issue perhaps for another day.

If they need the assistance, they should be given the assistance in order to allow them to vote.

But in the case of my community, for instance, we are born in Puerto Rico. We are born American citizens with all rights under the law, yet we are born in a Spanish-speaking country. Should we then when we arrive within the 50 States not be allowed to vote because we do not fully understand the language?

Mr. STEARNS. Let us take Lithuanians, or let us take folks who speak in a variety of languages. I mean, do we go to all the languages?

Mr. SERRANO. If they meet the requirements of the law, I would say not only should we go through the language, but we should encourage that kind of participation.

The gentleman mentioned, incidentally, a group of people who are looking for freedom and liberty throughout the world. If they come here and we invite them to come here by our way of being and our freedom and democracy, we should do nothing to impair their ability to vote.

Mr. STEARNS. Well, I would just like to conclude then, what the gentleman is advocating is that we have foreign languages throughout the world and the United States should set up ballots for these foreign languages throughout the election process for everybody who speaks a different language.

Mr. SERRANO. If you meet the numbers, but the law does not provide for everybody in the world to have their language on the ballot, I assure the gentleman of that.

Mr. STEARNS. Madam Chairman, I thank my colleague.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentlewoman from Illinois [Mrs. COLLINS].

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I rise as an African-American whose family was once disenfranchised by the mere fact that our skin color was black. Therefore, I am in full support of H.R. 4312, the Voting Rights Improvement Act of 1992. This bill simply reauthorizes section 203 of the Voting Rights Act of 1965 to provide bilingual voting assistance for

another 15 years and makes adjustments so that more language-minority Americans can receive this important help.

With fewer and fewer Americans voting these days, and these are our English-speaking citizenry, we need to take steps to encourage as many Americans as possible to participate in the electoral process. If thousands are discouraged or prevented from casting their ballots simply because they are not fully proficient in English, then voting is not truly for all Americans. There is no real democracy.

Citizens who want to exercise their fundamental right to elect those who represent them in Government, but have not completely mastered the English language, ought certainly be given bilingual assistance so that they can do so.

The current formula for providing bilingual assistance is almost useless in many large urban areas. In my own Chicago metropolitan district in Cook County, IL, there are 88,000 Hispanic-Americans who need bilingual assistance, but they are not eligible under section 203 under present law.

H.R. 4312 would expand coverage so that any county, such as Cook County, IL, that has more than 10,000 eligible voters who are not fully English proficient, would have to provide bilingual registration forms and ballots. There is nothing wrong with that.

H.R. 4312 is critical to eliminate disenfranchisement by language barriers, thereby enabling more Americans to exercise their fundamental right to fully participate in our democracy and to vote for free representation of and advocacy for their concerns.

Mr. McCOLLUM. Madam Chairman, I yield 3 minutes to the gentleman from Florida [Mr. JAMES], a member of the committee.

Mr. JAMES. Madam Chairman, understanding of English is a requirement of citizenship in the United States.

It is a practical requirement, because English is our language of political discourse and has been for 300 years.

And English is a legal requirement. Naturalized citizens are required by Federal law to demonstrate the ability to "read, write and speak the ordinary usage of the English language."

That is as it should be. If there are people in America who do not understand English—people who do not know what it means to say "all men are created equal"—people who have never heard of "due process of law"—people to whom "government of the people, by the people and for the people" means nothing at all—people who cannot read the promise of the Statue of Liberty: "I lift my lamp beside the golden door," such people should not be voting.

Listening to the proponents of this bill, I wonder if there is wide-spread circumvention of our immigration law?

In fact, I do not believe that is the case. I believe our citizens understand English. In fact, I suspect our natural-

ized citizens have a better understanding of English than this Congress, facing a \$400 billion deficit, understands compound interest.

And facing that \$400 billion deficit, there is no need for this Government to spend \$1 million—nor for the States to spend \$10 million—to encourage voting among people who do not understand the word "vote."

Certainly, large numbers of Americans came here recently. That has been true through most of our history. And surely many recent Americans were born in lands where English was not spoken. That has been true for 200 years of our history as well.

These new citizens, like our ancestors before them, came to America to become Americans.

Most nations on Earth are held together by their past. Most nations are, or claim to be, people who are descended from common ancestors who have shared a common history.

We are a people held together by common goals and values; people who share a common future.

Let us reaffirm that future today. Let us reaffirm our confidence that these immigrants are as American as those who came before. And let us vote "no" on this divisive, destructive, expensive piece of legislation.

□ 1030

Mr. BROOKS. Madam Chairman, I yield 2 minutes to a distinguished Member, the gentleman from Arizona [Mr. PASTOR].

Mr. PASTOR. Madam Chairman, today, a few minutes ago, we heard that if a citizen of this country does not know English, that he or she should not be able to vote, the basic right of any citizen of this country.

Well, let me talk about the first citizens in this country, a people that we fought, that we conquered, the first citizens who today have to go to BIA schools, Government-run schools where they do not learn English properly.

They are on reservations, Madam Chairman. Our Government has put them there. But yet they are citizens of this country.

They would like to participate in this country, to make decisions for their people, and yet we deny them participation because this Government does not teach them English properly.

The native Americans of this country, the first citizens of this country, need to have a voice in their Government. If we are going to deny their vote because we do not teach them English properly, then shame on this country, shame on our society. Why should we exclude the native Americans because we try to treat them as second-class citizens? I ask my colleagues, there are many citizens, the first citizens, of this country who have the right to vote; they only ask the assistance to be well informed and to participate in this Government like any other citizen should.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentlemen from Illinois [Mr. HAYES].

(Mr. HAYES of Illinois asked and was given permission to revise and extend his remarks.)

Mr. HAYES of Illinois. Madam Chairman, I rise before you today to encourage my colleagues to vote in favor of H.R. 4312, the Voting Rights Improvement Act. I speak on behalf of the millions of people in this country for whom English is a secondary language. Although the Voting Rights Act guarantees Hispanic, Asian, and native American citizens bilingual assistance at the polls, millions of them are left out of the process because the formula used to calculate coverage under the act is flawed. In large cities like Chicago, minority populations, although large, do not make up the required percentage of the total population required to be eligible for language assistance. H.R. 4312 would address this oversight by changing the guideline for assistance to include these large populations. For these individuals, bilingual voting assistance means the difference between casting a vote and being locked out of the electoral process. It is of great concern to me that in America, a country founded on the principles of freedom, justice, and equal representation under the law that there are literally millions of Americans who have been denied the right to vote. These individuals have not been refused their constitutional rights because they are not citizens, rather they have been denied access to the ballot because of a simple language barrier.

When the motor-voter bill, a bill that will make it easier for millions of Americans to register to vote was considered on the floor of this great House, it met great opposition from my colleagues on the opposite side of the aisle. Why are many Republicans so fervently against a measure that would make it easier for millions of minorities to vote? The answer to that is immoral, but simple; they know that by giving people the right to vote you empower them. They know that by giving people the right to vote, you give them a voice in our Nation. Finally, they know that by giving these disenfranchised people the right to vote they would have to answer to them, they might even have to address their needs to get elected and to stay in office. A scary thought for many Republicans, a scary thought for a politician who has built his career on catering to the needs of big business and the rich.

It is time, in this great country of ours to focus on what really matters. Not the needs of big business, not perpetuating our huge military machine, but it is time to concentrate on the needs of the people of our great country. The greatest legacy this country wills its citizens the right to vote. The right, by birth, to raise our voices and shout, this is how the system ought to work. Although it is shameful that

more Americans do not exercise their God given birthright, that is their choice. It is inexcusable, however, that millions of Americans want to vote but cannot because they have been denied the tools necessary to help fulfill their obligation. It is imperative that we pass H.R. 4312, the Voting Rights Improvement Act of 1992, if only to remove the gag we have placed on millions of Americans by not allowing them to cast their votes. It is time to open the doors of opportunity in this country and make provisions to allow all Americans the right guaranteed them in our precious Constitution. The right to cast a vote.

Mr. MCCOLLUM. Madam Chairman, may I inquire how much time each side has remaining?

The CHAIRMAN. The gentleman from Florida [Mr. MCCOLLUM] has 4 minutes remaining, and the gentleman from Texas [Mr. BROOKS] has 9 minutes remaining.

Mr. MCCOLLUM. Madam Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON].

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

Mr. EMERSON. Madam Chairman, as the principal sponsor of H.R. 123, I believe that English should be the language of Government and that all citizens should be proficient in the tongue that in our society is the economic door opener.

We need to be giving incentives to all citizens, whatever language they speak, to know and to be able to function in English. We do not want to degenerate into a situation such as that which exists in our neighbor to the north, Canada, where secession on the part of Quebec is a very real possibility, occasioned by language divisions.

Now, that is not to say that we should not have transition provisions or that we should not know other languages or cultures; indeed we should.

However, there should be one language of Government and the incentive factor should be geared to encourage everyone to know English sooner rather than later.

Our efforts vis a vis voting should be to move the English-learning factor forward faster rather than to make it easier to delay and put off learning English.

Madam Chairman, I am puzzled as to why the proponents of official other linguistics do not want people of those other tongues to have the necessary incentives to know English. English is the economic door opener in the United States of America, and we should concentrate our efforts on ensuring that all citizens know the tongue of this country very well. It will make a great difference in their economic livelihood as they progress throughout their lives.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentlewoman from Hawaii [Mrs. MINK].

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

Mrs. MINK. I thank the chairman of the distinguished Committee on the Judiciary for allowing me time to speak during general debate.

Madam Chairman, this country is great because of its diversity, and we often say those words without understanding the deep significance, the meaning that this implies as an obligation to this Government to do whatever we can, especially in the Congress of the United States, to open up the possibilities of participation.

All this bill does is to enlarge that scope of responsibility by saying to each of our counties that if there are 10,000 individuals eligible to vote of a particular limited-English-speaking minority, that those individuals should be given special assistance. This Congress has provided special assistance in numerous other kinds of incidences. What is more fundamental to the right of citizenship than the right to vote?

□ 1040

And, Madam Chairman, if that right to vote is impaired because of barriers that are structured because of possible intimidating factors surrounding the electoral process, because of its implications that the Government does not take time to explain, that liberty, my colleagues, is not a real liberty, and for thousands of people all over the country of Asian extraction it is an intimidating process to begin with. They need the assistance.

I do not have to remind this Congress how difficult it was for Asians in the first place coming to this country. In the beginning, we passed an exclusionary act and did not give them the opportunities of citizenship until 1952. And since 1965, with the enlargement of the Civil Rights Act, and the Immigration Act and all of those wonderful laws, Asian-Americans have been coming, for the first time, to this country. They need the assistance to be brought into this society, to be given the feeling that they belong, that they are entitled to elect their officials in a process that they understand.

Mr. MCCOLLUM. Madam Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Madam Chairman, the bilingual portion of this bill is not in the best interest of our country. We, Americans, are people from all over the world. We are one people but from diverse cultures and from every country in the world. We have not had the problems they have experienced in Yugoslavia or the problems they have in Quebec. Why? Because we have this wonderful bond called the English language.

When my grandfather came from Odessa, he did not say, "I want to vote in Russian," or others did not say, "I want to vote in Hebrew," and others did not say they wanted to vote in German, Italian, or French. No, we wished

to be Americans, and so we adopted the English language. That is the bond, the glue, that has kept our Nation together.

Madam Chairman, our motto is *E Pluribus Unum*, out of many, one; out of many people, one Nation; out of many countries, one Nation. That is our heritage. We are one people and one Nation, and let us keep it that way.

Mr. McCOLLUM. Madam Chairman, I yield myself the balance of my time.

Madam Chairman, we have in this debate today a question of whether or not we are going to extend the Voting Rights Act for another 15 years as it applies to section 203, which is the section dealing with bilingual ballots. As I discussed at length last night, there is no record that demonstrates that we really need this kind of ballot. There are a lot of presumptions going on in certain areas that we do.

Madam Chairman, the balloting process only applies to a limited number of minority language peoples. It only applies to Hispanic-Americans, Asian-Americans and some native Americans and Alaskans. It does not apply to Poles, many of the African nations; it does not apply to most of the countries around the world or the people from those countries who are here. It is a very narrow application, and yet it is a very onerous burden, or could be, on many of the municipalities and counties around this country if we make the changes that are proposed in this bill to require even greater numbers of ballots to be printed without any proof.

Madam Chairman, what we really need is a study to do that, and I am going to offer an amendment in a few minutes in regard to that, and it seems that would be a much better way to do this, and not extend this 15 years longer, and require all of the States and the local governments to come up, as they are right now going to have to under this bill, with all kinds of different ballots in a language other than English.

Many of my colleagues made the point, and it is quite true, that anyone who becomes a citizen, with the exception of one jurisdiction, I think, everyone has to be a citizen to vote in the United States. They do have to be proficient in English. That is a requirement to become a citizen. So, there is no real need that I can see for the bilingual ballots in most instances, and it does not seem to me that it is necessary, particularly, for us to rush into this and extend it for another long period of time when we do not have any study at all to justify what we have done already for the past 17 years.

Mr. BROOKS. Madam Chairman, I yield such time as he may consume to the distinguished gentleman from El Paso, TX, Mr. COLEMAN, long a fighter and believer in this effort to extend the voting rights for all the people of this great country.

(Mr. COLEMAN of Texas asked and was given permission to revise and extend his remarks.)

Mr. COLEMAN of Texas. Madam Chairman, I want to thank the chairman of the Committee on the Judiciary for yielding this time to me. As chairman of the Committee on the Judiciary, he has been at the forefront of attempting to address this issue in a way that probably, at least in terms of the Hispanic population of America, is not as significant as it is in California, or in my part of the State of Texas, or south Texas, or New Mexico, or Arizona perhaps. But let me say to him that I appreciate very much his leadership in bringing this legislation to the floor.

As my colleagues know, the issue at hand really goes beyond helping any specific group. Yet I submit to my colleagues that the people that will be assisted by this legislation are important. Why are they important? Because they are us. They are a part of the fabric and fiber of this Nation.

People suggested during the time we debated the Immigration Act that we had these great problems with immigrants. The truth of the matter is immigrants, whether they were here under documentation or without it, have played a very significant role in the future of this Nation. They work here. They live here. They are us.

I think it is only right and proper that this Congress at this point in time provide the necessary bilingual voting assistance that we should to all of our citizens, to all of the people in this country, and, after all, we are here talking about not those persons who are here in an undocumented fashion at all, but rather only citizens of these United States.

America, as we know, needs more, not less, bilingual educators. America needs more, not less, ability in terms of our foreign language proficiency. What in the world is wrong with an America that stands up and says, "Of course English is important; of course, to succeed, you're going to need to become proficient in English"? We know that. Does it mean that it is exclusive? That we cannot reach out a hand in a bilingual fashion, whatever that language may be, and tell them we will provide them the assistance to become proficient? We will provide them with the information necessary to act as a good citizen? To vote? To participate in elections? To pay taxes? To obtain a drivers license? To do all of those things that many of us who are fortunate enough to be born in this country take for granted? I would only say that, quite honestly, the failure to pass this legislation would further erode our political process.

I know many of us will recall recently that, when this Congress passed what became known as the motor-voter bill, the bill that permits quick registration and quick voting, we saw that legislation vetoed, and I have to say to my colleagues that I do consider that a

very partisan act, one that was, quite honestly, not called for. I would only hope that on the other side of the aisle and this President would seriously consider the issues at hand here with this legislation. We should not act in a partisan, political way on legislation that helps our fellow citizens. I hope the administration will not seek to deny any citizen of the United States the opportunity to vote.

Madam Chairman, if we do not open the political process to all citizens, we know who the loser will be. It is us. It is America. Let us not further encourage cynicism or disillusionment.

As an original cosponsor of this bill, I feel very strongly about the rights of all the citizens of the United States to be full participants in what we call the American dream. Do we honestly believe it is in our best interest to deny that to anyone? Let us provide them the assistance and the ability to become proficient in English. Let us provide them the assistance and the ability to fully participate in these United States.

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

Mr. COLEMAN of Texas. I yield to the gentleman from New York.

Mr. SERRANO. Madam Chairman, one of the things the gentleman, I am sure, is aware of is the fact that none of us here, as the gentleman well knows, is interested in having our people not learn to speak the language. But one of the things that the people speaking against this bill continue not to realize is that we have a unique situation with the Commonwealth of Puerto Rico.

□ 1050

I was born an American citizen on the island. I was born on an island that speaks Spanish for the most part. Yet during the Persian Gulf war, no one said we will not take 16,000 troops out of Puerto Rico only because they do not speak English proficiently.

Some, unfortunately, did not return, who never spoke a word of English on the battlefield because they only spoke Spanish.

I really think the gentleman has in his words tried to put forth the fact that this is something we want to accomplish and something some of the people do not understand.

Mr. COLEMAN of Texas. Madam Chairman, reclaiming my time, if I might comment on the statement of the gentleman, without any question there has never been a requirement for a citizen of the United States, to defend this country, to act on behalf of this country, and I can honestly say to you that in my own congressional district there has never been a requirement. Men went out and fought and died for this country who never spoke a word of English. It has happened before, it will happen again.

There is nothing wrong with us aiding and assisting those of us who want

to become proficient and become true participants in this American dream.

Madam Chairman, I thank the gentleman for his comments.

Mr. BROOKS. Madam Chairman, I yield my remaining time to the gentleman from Texas [Mr. WASHINGTON].

The CHAIRMAN. The gentleman from Washington is recognized for 1 minute.

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

Mr. WASHINGTON. Madam Chairman, I thank the gentleman from Texas [Mr. BROOKS], the chairman of my committee, for yielding me the last minute that he has.

Madam Chairman, I had not planned on speaking during this portion, but I heard the gentleman from Pennsylvania [Mr. KOSTMAYER] speak. I respect the gentleman a great deal, and I want to respond to some of the things that he said.

Certainly it is true that as a nation we need to do everything we can to bring all of our people together. But it cannot be gainsaid that if people have limited proficiency in English, for whatever reason, and they are citizens, that we should be denying them the right to vote. Because if we do not pass this voting rights extension, what we are saying to our people is unless you speak English, then you will not be allowed to vote.

If we are going to do that, then we ought to carry it to its logical conclusion and say those who speak correct English would be the only people who would be allowed to vote.

Now, I know a lot of people down in my part of Texas that speak broken English, but they vote every day. They say "ya'll" and other things like that, which is not correct English. But they are allowed to vote.

There are a lot of thoughtful people on both sides of this issue. Let us pass this extension, and then let us work between now and then. The gentleman from California [Mr. ROHRBACHER] and I are friends. The gentleman is a great intellect. Let us work to make sure that when it comes up again, every one of our citizens does speak English, and we will not have to worry about another extension.

Mr. SERRANO. Madam Chairman, I rise today in support of H.R. 4312, the Voting Rights Language Assistance Act of 1992, legislation I am proud to sponsor on behalf of the Congressional Hispanic Caucus.

The Voting Rights Act, and section 203 in particular, are largely responsible for the opportunity I have been given to serve in the Congress of this, the greatest, the most free and democratic nation in the world. I am proud of my accomplishments and those of the community of which I am a product. With pride in my community comes a debt, to ensure that those who follow me are offered genuine opportunities to themselves achieve. It is service to this debt which guides my work in Congress, and which has led me to sponsor this legislation.

I have a very personal appreciation of the need for and the value of the language assistance provisions of the Voting Rights Act. In 1985, I ran for the office of president of the borough of the Bronx.

I ran as a long-shot. I nearly won; after impounding the voting machines and conducting several court-ordered re-counts, officially I lost by less than 1 percent of the vote.

Several weeks in advance of the election, it came to my attention that the board of elections of the city of New York had few plans to assist language-minority voters, in spite of the fact that language-minority voters clearly exceeded 5 percent of the voting population. Not only was the board of elections hostile to the provision of bilingual services, some of its practices actually discouraged limited English speaking voters from exercising their franchise.

I turned to section 203 of the Voting Rights Act, to enforce the rights of Puerto Rican voters to participate effectively in the election, and to elect the candidate of their choice. I, and the Puerto Rican voters who joined my suit, alleged that the acute shortage of trained Spanish-speaking election inspectors and interpreters, coupled with the dearth of bilingual voter information conspired to disenfranchise thousands of New York City voters.

The litigation was settled by stipulation, pursuant to which the board of elections was required to conduct an aggressive voter education campaign in the Spanish language written press, radio and television. In addition, the board of elections was required to recruit students and other bilingual people to serve as inspectors and interpreters throughout the borough.

As I stated, I did not win that election, but thousands of Latino voters were enfranchised, for the first time. This, indeed, was a victory.

Section 203 is not a luxury. It is the essence of the franchise for a large and growing number of voting, American citizens.

Voting is the primary means by which citizens participate in the governance of their towns, counties, cities, States and Nation. It is a fundamental right protected by the U.S. Constitution, a right which goes to the essence of our democracy. It is the voice through which citizens are heard on those concerns and interests relevant to their lives and the tool with which they ensure that people sensitive to their needs are elected to govern. It is a right guaranteed to all Americans, no matter their heritage, educational or economic background and regardless of the language which they speak.

The Voting Rights Act was adopted to rid this country of discrimination in voting and to safeguard for minorities an equal opportunity to participate in the political process and to elect representatives. Section 203 of the Act is that tool by which the rights of limited English proficient voters are preserved and the barriers to their equal, effective participation are removed.

Citizens who are unable to effectively participate in an election because of the difficulty of language are denied this franchise, just as surely as they would be if literacy tests were administered or poll taxes levied.

The effectiveness of the assistance provided pursuant to section 203 has been proven in the Hispanic, Asian American, Native American and Alaskan native communities, and the

continuing need for language assistance in voting remains significant.

Though successes achieved under section 203 are real and measurable, the communities served by the provisions still face real obstacles to empowerment and full and equal political participation in our society. Language minority communities, the intended beneficiaries of section 203, have grown dramatically during the past decade. However, while these communities continue to enjoy significant growth, formidable barriers to full and equitable participation in the political/electoral process remain. Latinos continue to suffer stark educational, economic, and health care disparities as compared with the general population.

Experience over these last 10 years with section 203 provisions confirms its effectiveness, but also reveals some inadequacies in the method by which jurisdictions are identified for coverage. Relying exclusively on the 5 percent trigger deprives large limited English proficient populations of badly needed assistance.

Significant jurisdictions such as Los Angeles County, Cook County, Queens County, Philadelphia and Essex County, all have significant limited English proficient Latino voters who have been denied bilingual voting assistance because none of these counties meet the 5 percent standard. These counties are densely populated major metropolitan areas in which it is virtually impossible for Latino voting populations to meet the 5 percent margin even though those populations are numerically large.

Similarly, large Asian American communities in Los Angeles, San Francisco and three New York City counties—Kings, Queens, and New York—are currently not covered though they have significant language minority populations.

Coverage of the Native American communities is also thwarted by an imprecise standard. Section 203 should be amended to require that a jurisdiction provide language assistance if there are more than 5 percent of a single-language, limited-English proficient Native American voters on the reservation.

We are a nation of many immigrants, comprised of all races, nationalities and religions. America was created by immigrants, and continues to evolve with the contributions of new immigrants.

Concerns about acculturation of immigrants are often related to the question of whether new immigrants will learn English. Research shows that today's immigrants, like their predecessors, overwhelmingly lose their mother tongues by the second or third generation.

Far from threatening the primacy of English in America, it is precisely tools such as section 203 which facilitate the integration of immigrants into the diverse culture of this Nation. Bilingual elections do not promote cultural separatism, but instead help to integrate non-English speaking citizens into our system of democracy.

I urge my colleagues to vote for passage of H.R. 4312 and to oppose all weakening amendments.

Mr. RANGEL. Madam Chairman, as an original cosponsor of this important legislation, I rise in strong support of the Voting Rights Language Assistance Act.

When my colleagues and I, in Congress, passed the Voting Rights Act in 1975, we included section 203 to require counties that have large numbers of minority language citizens to provide bilingual voting assistance.

Since then, millions of Americans—Latinos, Asians, native Americans, and others throughout the United States who would otherwise have been disenfranchised—have benefited from this support and have exercised their most precious right—the right to vote.

Madam Chairman, the American people still need this legislation. The Voting Rights Language Assistance Act would reauthorize and refine the bilingual provisions of the Voting Rights Act, which are due to expire this year.

The bill extends existing law for 15 years, through 2007. This bill would also tighten current legislation to ensure that minority language communities are covered by the bilingual provisions of the Voting Rights Act.

To date, counties are only required to provide support if 5 percent of voting age citizens do not speak English well enough to cast a ballot. However, in densely populated cities like New York, huge limited-English-proficient populations may still comprise less than the required 5 percent. The Voting Rights Language Assistance Act would require that a county provide assistance if it meets the 5 percent minimum or if it has more than 10,000 voters who speak English poorly.

Bilingual voting assistance helps to guarantee a fundamental American right: the right to vote. Our democracy, Mr. Speaker, will succeed only if its citizens are able to participate in the political process, choose their leaders effectively, and influence the operation of their Government. When a community is disenfranchised because it has not yet become proficient in English, everyone loses the benefit of its contribution to our valued democratic process.

Bilingual voting assistance helps to bring diverse American communities closer together. No one, Mr. Speaker, can deny that a deepening divide separates Americans of different races. This bill will strengthen the American democracy by enhancing the quality of the political process.

Opponents of the bill would query: "If their English isn't good enough to cast a ballot, then how can they understand the issues well enough to make an informed decision? But, we know that a broad multilingual media network exists that provides language minority communities with the opportunity to keep abreast of current issues.

Moreover, bilingual voting assistance does not cost much. The total cost of providing written assistance averaged 7.6 percent of total election costs, according to the General Accounting Office, which predicted the costs would only decrease as election materials were recycled and election officials gain experience in providing bilingual assistance.

Section 203 clearly works. In New York alone, many Latino voters use bilingual voting assistance, and 4 out of 5 Asian-American voters would be more inclined to vote if ballots were also written in their native language.

For generations, Madam Speaker, good and honorable people have come to the shores of the United States from every continent, from every country on Earth.

They bring with them their desire to succeed, their love of freedom, and their own culture and language.

From the beginning, the United States has

benefited and been enriched by these immigrants, different as they look and sound.

The music of many languages flows through the streets of New York; it is a rich heritage that should be nurtured, cherished and promoted.

When someone comes to America, they do not leave their language, history, and culture at the door. And we should not insist that they do.

I strongly urge my colleagues to pass the Voting Rights Language Assistance Act without any weakening amendments. Millions of Americans depend on this legislation. We must not let them down.

Mr. FRANKS of Connecticut. Madam Chairman, I rise today in opposition to H.R. 4312, which would extend the bilingual ballot provision of the Voting Rights Act to the year 2007 and also expand the number of jurisdictions subject to its provisions.

Section 203 of the Voting Rights Act of 1965, which requires jurisdictions that have more than 5 percent of a language minority to provide bilingual election materials, has been in place since 1975. When this section was enacted many proponents argued it was needed to increase voter participation among language minorities.

However, there is no evidence present that indicates section 203 has any impact on improving voter participation of language minorities, such as Hispanics. For instance, according to the Census Bureau, voter participation in the Hispanic community has declined since the enactment of section 203, even relative to the overall national decline of voter participation.

Another reason I do not feel H.R. 4312 is in the best interest of our Nation is because of the financial burden it would impose on our local governments. According to Congressional Budget Office estimates, this legislation will cost American taxpayers and local governments millions of dollars. In fact, in large urban areas where many different language minorities exist, costs would be increased to meet all these different languages. It is my feeling that this money could be better spent. For instance, funding for this bill would be better spent in assisting individuals to learn English so that they can better participate in American democracy.

I do support efforts which assist immigrants when they first enter America. It is important that we provide bilingual materials to our new American citizens until they have achieved fluency in English. In addition, I believe we should set goals that all Americans should understand English by a certain age. Programs like Head Start and other important educational programs will ensure that children from language minorities have the proper educational assistance in learning the English language. However, this bill does nothing to help language minorities learn English.

Our great Nation has a long tradition as a place where many nations can come together as one. This country was built with the hands of many great immigrants from different parts of the world. Yet we have been able to stand together despite all our cultural differences. The driving force behind this assimilation is our ability to communicate through one common language—English. We have relied on

English since the birth of this country to unify and bring together different nationalities in helping to communicate and understand one another. Most importantly, English has allowed us to have a common link to participate in this great democracy.

In a time when our Nation is in desperate need of cohesiveness and a unifying force, I believe it is counterproductive to consider legislation in this Congress which gives individuals disincentives to assimilate into our society. Instead, we must focus our efforts on helping people learn to communicate in English, giving them a greater opportunity to be part of our great country.

For these reasons, I am opposed to the passage of H.R. 4312.

Mr. PANETTA. Madam Chairman, I rise today in strong support of the Voting Rights Language Assistance Act. As the former Director of the Office of Civil Rights, I am painfully aware that while our Nation is committed to equal opportunity, enforcement through legislation is desperately needed.

Under our Constitution, every citizen has the right to vote. However, this is an empty right for a citizen if he or she does not have access to the ballot or does not understand the ballot. The Voting Rights Act has required certain counties to provide language assistance to ensure that all citizens can exercise their right to vote. We must extend this requirement and improve it by changing the formula to include jurisdictions where there are at least 10,000 minority-language citizens.

The right to vote is the most fundamental component of our democracy. It is the right that empowers every individual to be heard. It is a right held by English speakers, and by non-English speakers, by college-educated persons and by those who did not complete high school, by men and by women, by wealthy and by impoverished, by people of color and by European Americans.

We are a government "of the people, by the people, and for the people." The key to having this type of government is to have the greatest possible number of citizens participating in the electoral process. In order to maximize electoral participation, we must require language assistance programs. It is through these programs that all citizens are able to have access to the ballot and able to make informed decisions.

I urge all of you to look at the real issue at hand, which is that language barriers bar some citizens from the electoral process. They have the right to vote under the Constitution, but cannot exercise it because they do not speak English. They make tremendous contributions to our society, but they cannot vote, because they cannot speak English well enough to register. They pay taxes, but they cannot vote because they cannot read the ballot.

A citizen's limited English proficiency should not preclude him or her from the electoral process. Rather, we should encourage every individual to learn English. My parents came here from Italy and did not speak English. However, they eventually learned. All citizens eventually learn to speak English. But, they should not be deprived of their fundamental rights simply because their English is, at first, limited.

Our Constitution does not require citizens to speak English, it does require that every citizen have the right to vote. Protecting the right to vote is the issue, and language assistance is the way.

Today we have the opportunity to show our strong support for equal opportunity and fairness. Let us do this by action, and not merely talk. I urge you to take a firm stand on voting rights and upholding our Constitution by supporting the Voting Rights Language Assistance Act.

Ms. NORTON. Madam Chairman, I am pleased and proud to rise in support of H.R. 4312, the Voting Rights Language Assistance Act of 1992, a bill to extend for 15 more years the commitment made by Congress in 1975 to provide bilingual voting assistance for many American citizens whose primary language is other than English.

Legislation to facilitate voter participation by non-English speaking American citizens is necessary and consistent with this Nation's history and philosophical creed. The United States has been called everything from a melting pot to a caesar salad to describe its splendid and diverse mix of races, ethnic groups, and cultures. People from all over the world have come and continue to come to this country, inspired not only by greater economic opportunity but also by the chance to be part of a democracy where political expression is not simply allowed, but is encouraged. Too few Americans entitled to vote do, in fact, vote. The right to vote is fundamental, and therefore must be fiercely protected and vigorously encouraged. The Voting Rights Language Assistance Act of 1992 does both.

The Nation's capital is home to a rich mixture of peoples. We celebrate and take pride in our cultural and ethnic diversity. Since the late 1970's the District has provided bilingual voting assistance in those areas of the city with significant non-English speaking populations. In this Presidential election year especially, and in the future as well, such voting language assistance efforts are particularly important to ensure that every citizen takes part in the political process.

We speak different languages and have different opinions; yet in the democratic process we meet on common ground. One person, one vote lies at the heart of our Government. It is the mechanism by which all our voices are heard—individually and collectively. By ensuring that all citizens have equal access to the ballot, this Congress is fulfilling its obligation to work toward achieving a fully participatory democracy. I encourage my colleagues to support this important and just legislation.

Mr. FAZIO. Madam Chairman, I rise today in support of H.R. 4312, the Voting Rights Language Assistance Act, a bill that will ensure that more Americans can exercise their constitutional right to vote.

The right to vote is the cornerstone of our democratic system. Yet, there are still millions of citizens who cannot fully exercise this right because they are not comfortable with English. If H.R. 4312 is passed, it will open up the electoral process to these Americans—most of whom are either elderly or native born—who are dependent on another language.

The current provision in the Voting Rights Act that affects this segment of our population helps citizens in large language minority communities register and vote by providing bilin-

gual language assistance. However, it will expire on August 6, so we must act quickly.

By enacting H.R. 4312, we will extend this provision for another 15 years, through the end of the Voting Rights Act. We will also improve this provision by including more language minority citizens in its scope. If we do not enact H.R. 4312, millions of Americans will be locked out of the voting process.

As Susan B. Anthony, the American suffragist, said over a century ago:

Here, in the first paragraph of the Declaration [of Independence], is the assertion of the natural right of all to the ballot; for how can 'the consent of the governed' be given, if the right to vote be denied?

Language should not be a barrier to any American citizen's right to vote. All Americans are entitled to full participation in our democratic system of Government, and we, here in Congress, have a responsibility to guarantee access to all segments of our voting age population. I urge my colleagues on both sides of the aisle to join me in removing this unnecessary obstacle that lies in the path of so many of our citizens. Let us open the door to democracy to all Americans.

Ms. PELOSI. Madam Chairman, I rise in strong support of H.R. 4312, the Voting Rights Improvement Act of 1992. I commend Congressman SERRANO, Chairman BROOKS, and Chairman EDWARDS for moving this important legislation.

The Voting Rights Improvement Act does exactly what its name implies: It reauthorizes and improves provisions of the Voting Rights Act which require bilingual voting assistance for communities who need it. There is no process more American than the voting process. All of our citizens deserve the opportunity to exercise their constitutional right to vote.

America is a nation of diversity, with people whose roots are traced back to many different lands. And many of these American citizens do not speak English well enough to fully participate in the electoral process. Let me underline the word citizen. This bill gives citizens the opportunity for a meaningful vote. The America I believe in does not allow discrimination against its citizens based on their language abilities or where their ancestors were born.

Language minority citizens comprise a significant portion of the electorate. How can we not provide them with the materials necessary for meaningful participation in the electoral process? The answer is that we cannot deny them such an opportunity and continue to call ourselves Americans.

If the Voting Rights Improvement Act is not passed, 68 counties in the United States would no longer provide bilingual voting assistance to citizens who need such materials. This bill is well-targeted by continuing a provision of current law which calculates coverage by counting only those citizens who do not speak English well enough to make an informed vote. We are not talking about some extravagant expenditure for a questionable cause. Today we are voting to preserve every citizen's right to vote for their elected representatives.

I urge my colleagues to support the Voting Rights Improvement Act and to oppose any weakening amendments.

Mrs. KENNELLY. Madam Chairman, I rise today to express my strong support for H.R. 4312, the Voting Rights Language Assistance

Act. This bill, which I cosponsored, extends for 15 years the requirements that counties with large limited-English proficient communities provide bilingual assistance in registering and voting. It also expands the number of counties that are required to provide this assistance.

Madam Chairman, this bill is a significant step in ensuring that millions of American citizens—Hispanics, Asians, and Native Americans—will have a role and importantly a voice in this Nation's political process. Linguistic barriers have often prevented many of our Nation's citizens from participating in the political process and exercising their right to vote. Let us not forget—this Nation was founded on the tenet that the right to vote was central to our democracy. Removing the language and other barriers will lead to increased voter registration.

Madam Chairman, I urge my colleagues to support this legislation, to give a voice to those citizens who have been left out. Expanding the number of counties will allow for the inclusion of those citizens often left out because the total population often dwarfs the minority language communities or because the current formula is based on percentage of total voting age citizens rather than the actual number of minority language citizens residing. This bill guarantees that crucial assistance be provided so that millions of Americans can participate.

Mr. CAMPBELL of California. Madam Chairman, I rise in support of H.R. 4312 without amendment. I would also urge my colleagues to vote in opposition to all amendments that will be offered.

Passage of this piece of legislation will not only reauthorize section 203 of the Voting Rights Act of 1965 for an additional 15 years, it also augments the mechanism that determines which jurisdictions must provide language assistance to certain language minority programs.

Historically, section 203 has provided language assistance for certain language minority populations. In 1975 and 1982, Congress found that discrimination against language minorities limited the ability of limited-English proficient [LEP] members of those communities to participate effectively in the electoral process.

Because of certain unintentionally restrictive elements of its coverage formula, section 203's current coverage standard fails to reach large concentrations of limited-English proficient [LEP] voters, who would benefit greatly from language assistance. To address this problem, H.R. 4312 amends section 203's coverage formula to better target significant populations of language minority voters in need of assistance by providing two alternative standards.

In addition to incorporating an alternative 10,000 voter benchmark the bill amends section 203 to provide an alternative coverage standard for Native Americans.

Sec. 203's current standard fails to adequately identify Native Americans needing language assistance because it does not take into account their unique history and demographics.

Native Americans comprise less than one percent of the total U.S. population. Most limited-English proficient [LEP] Native Americans live on reservations or equivalent areas that often predate the existence of States or counties. In many cases Indian reservations are dis-

vided into two or more counties or States. This division has the effect of further diluting the Native American limited-English proficiency vote resulting in an inability to reach the 5 percent trigger.

Without the alternative standard, only 4 of the more than 500 Indian tribes would be covered by section 203 alone. Today, 17 tribes in 15 counties receive language assistance under section 203 alone. If section 203 is reauthorized this year without the native American alternative standard the coverage drops to only 4 tribes in 5 counties.

Contrary to the dissenting opinions of this legislation, section 203 has produced an increase in voter participation in many counties. For example, from 1972 to 1990, the number of precincts with predominantly Navajo voters in Coconino County, AZ, quadrupled, while the numbers of registered Navajo voters increased by 164 percent and Navajo voter turnout increased by 120 percent. In Apache County, AZ, the number of precincts with predominantly Navajo voters tripled between 1972 and 1990.

In my district nearly 250 limited English proficiency native American voters will be affected, in two counties.

Equal opportunity to participate in the electoral process is a right every citizen of this country enjoys. As the only native American Member of this body I have said countless times the need for more participation from the native American population of this country. However without the alternative standards in place we jeopardize the vital participation of many native American people.

Again I would urge my colleagues to support H.R. 4312 without amendment to further guarantee the right to vote to all people.

Mr. STOKES. Madam Chairman, I rise today in support of H.R. 4312, the Voting Rights Language Assistance Act of 1992. I commend my distinguished colleague, Representative JOSÉ SERRANO, for his introduction of this bill, and the House leadership, and the Judiciary Committee, for bringing this legislation to the floor for consideration.

It wasn't very long ago that potential minority voters were excluded from participation in the electoral process through the use of literacy tests, poll taxes, and "English only" elections. Congress took strong legislative action to correct this problem by passing the Voting Rights Act of 1965, assuring equal access for all members of our society to the electoral process.

In 1975, section 203 together with two other language assistance provisions, were added to the Voting Rights Act. Section 203 is intended to prohibit discriminatory voting practices based on language, which violates the equal protection clause of the 14th amendment and the 15th amendment's guarantee to all eligible citizens of the right to vote. The inclusion of these provisions gave voting age citizens with limited-English proficiency [LEP], equitable access and effective participation in the electoral process. Moreover, section 203 has contributed to the rise in voter registration and participation by language minority communities where the need for language assistance in voting remains significant.

Current law provides that assistance must be provided if non-English speaking citizens make up at least 5 percent of the total population of the governing jurisdiction. H.R. 4312 would expand those requirements to cover

areas in which non-English speakers do not make up 5 percent, but number at least 10,000 or more in total population.

Today as a body, we have an opportunity to reauthorize and improve section 203 of the Voting Rights Act. By doing so, we will reaffirm our Nation's commitment to guaranteeing all eligible citizens the right to vote. The extension of section 203 for an additional 15 years, will allow it to expire when the Voting Rights Act itself expires. Furthermore, the extension would provide for the continuance of much needed bilingual assistance to single-language minority communities.

Madam Chairman, section 203 has helped to break down many of the barriers to full participation in the electoral process encountered by Hispanic Americans, Asian-Americans, native Americans, and Alaskan Americans of native American descent. The right to vote is a fundamental right guaranteed under the Constitution. Unfortunately, millions of potential voters have been unfairly excluded from exercising this right, due in part to prohibitive language barriers which exist in our electoral process. I urge my colleagues to join me today in voting in favor of H.R. 4312, and by doing so, extend language assistance to single-language minority voters, thus ensuring that every member of our society has a voice in democracy.

Mr. OWENS of New York. Madam Chairman, I rise in strong support of H.R. 4312, the Voting Rights Improvement Act of 1992. This bill is vitally important to the hundreds of thousands of first generation Americans who come to this country who are not yet fluent in English but who have the right to and the great desire to participate fully in our democratic process by exercising their right to vote. Section 203 of the Voting Rights Act provides them access to the process by taking down the language barriers that would otherwise prevent them from participating.

Section 203 requires counties and localities to provide bilingual registration and voting assistance if more than 5 percent of voting age citizens need such assistance. The measure improves section 203 by closing a significant loophole which has caused thousands of otherwise eligible immigrants to be exempt from coverage. In very densely populated cities and counties, there may be thousands of immigrants in need of services under section 203, but if, despite their large number, they make up less than 5 percent of the population of the locality, they will not be covered. This bill would add as an alternate measure of applicability a numerical benchmark of 10,000 people in a locality in need of assistance.

This new benchmark would mean that in many of our Nation's cities where there might be thousands of first generation Americans who have not mastered the English language, but these thousands make up less than 5 percent of the voting age population, people who need language assistance to participate in the voting process would be able to receive this assistance and fully partake of their rights as citizens of the United States.

Section 203 is a wonderful example of the democratic process at work. In our country we accept immigrants from almost any country and introduce them to the democratic system at work. And in some counties and cities we must take extra steps to ensure that these new Americans can participate fully in the process. Section 203 has had great success

at opening the doors to the voting process for these American citizens who may speak Spanish, Chinese, Japanese, Russian, German, Arabic, French, Lakota, and numerous other languages. By expanding the coverage of section 203 we will include even more of these special Americans.

I urge my colleagues to vote to support this bill and not allow its noble cause to be diluted by weakening amendments. Support every American's right to vote.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment, and each section is considered as read. No further amendment is in order unless printed in the CONGRESSIONAL RECORD prior to consideration of the bill. Debate on each amendment, including any amendments thereto, may not exceed 20 minutes, and the Chair will divide the time equally between the proponent and an opponent.

The Clerk will designate section 1.

The text of section 1 is as follows:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Voting Rights Language Assistance Act of 1992".

The CHAIRMAN. Are there any amendments to section 1?

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Madam Chairman, I offer an amendment in the nature of a substitute. It has been printed in the RECORD.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. MCCOLLUM: Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Voting Rights Language Assistance Act of 1992".

#### SEC. 2. FIVE YEAR EXTENSION.

Section 203(b) of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a(b)) is amended by striking "1992" and inserting "1997".

On or before February 1, 1997, the Census Bureau, jointly with the Attorney General, shall prepare and submit a report to the Congress. This report shall include the following information:

(1) Voting participation rates among each minority language group, as defined in the Voting Rights Act, and among other groups of persons who speak languages other than English in the home.

(2) Voting participation rates among all voters and English-speaking voters.

(3) Increases or decreases, if any, in voting participation among and between each of the groups referred to in paragraphs (1) and (2).

(4) Jurisdictions in which there are at least 10,000 persons who meet the criteria for coverage under section 203(b) of the Voting Rights Act of 1965.

(5) Jurisdictions in which there are at least 20,000 persons who meet the criteria for coverage under section 203(b) of the Voting Rights Act of 1965.

(6) Jurisdictions which meet the criteria under section 203(b) of the Voting Rights Act of 1965.

(7) For jurisdictions listed in paragraph (4), (5), or (6), whether, and if so, what type, of multilingual voting assistance is available in each jurisdiction and the number of persons,

in both absolute and as a percentage of general and language-minority populations, who utilize such assistance.

Mr. BROOKS (during the reading). Madam Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

Mr. MCCOLLUM. Madam Chairman, I object to that. This is a very short amendment. I would like to have it read.

Mr. BROOKS. The gentleman wants to read the whole amendment?

Mr. MCCOLLUM. Madam Chairman, it is a very short amendment. It will be done in less than a minute.

The CHAIRMAN. Objection is heard. The Clerk will complete the reading of the amendment.

(The Clerk concluded the reading of the Amendment in the nature of a substitute.)

The CHAIRMAN. The gentleman from Florida [Mr. MCCOLLUM] will be recognized for 10 minutes, and the gentleman from Texas [Mr. BROOKS] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

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

Madam Chairman, this amendment is a substitute for the bill. It is a very straightforward amendment. It is one that I strongly support. I can support the bill if this is adopted. The administration can support this bill if it is adopted.

It is a substitute amendment to the bill that would extend section 203 of the Voting Rights Act for 5 years rather than 15, and require a study of the effectiveness by the Bureau of Census and the Department of Justice.

The reason why I am offering this amendment is because there is no basic understanding of how effective this particular provision in the law is today.

We have heard a lot of people give personal testimony of their opinions as Members, and I am sure they are genuine and sincere about it. But we do not have any studies that have been done to demonstrate whether or not we really are doing anything that should be covered by Federal law.

We do not know whether there has been any discrimination in voting because of language barriers. We do not know if indeed there has been help really given to a lot of voters because there is a bilingual ballot. We just do not have any studies on it at all.

In addition to that fact, the bill itself today would change the provisions of law and require a far greater number of ballots to be printed in different languages than has been the case for the last 17 years.

The substitute I am offering today would stick at least for the next 5 years with the present requirements of law so we will not put this undue and additional burden on our supervisors of election around the country.

The present law has a requirement in it that for the minority language to be effected, you have to have 5 percent of the voting citizenry of that area be of the particular minority group that you are going to have to have a ballot printed for.

If you have 5 percent of that in any political subdivision, such as a county, then you have to have the ballot printed in that language. There are quite a number of localities around the country where bilingual ballots are today printed for Hispanics, and I am sure for Asians, for Indian Americans, native Americans, and for some of the Alaskans who are covered by this.

The bill, if this amendment of mine is not accepted or adopted, the bill would actually make the amount far less in numbers as a practical matter. Five percent sounds like it is low, but it is actually a sizable number of people in most jurisdictions, though I think there will be an amendment offered later on that will demonstrate how harsh that can be in really tiny jurisdictions where you have a very few voters altogether.

But the bill itself says 10,000 is all that is going to be required, or 5 percent, whichever one is lower in numbers. In most of the larger communities, of course, 10,000 could well be lower in numbers, and that would mean quite a number of other groups are going to be brought under this, quite a number of additional ballots in different languages would have to be printed, particularly in places like Los Angeles County in California, where I think there will be as many as five different languages that would have to be printed on ballots, as opposed to one under the 5 percent rule, which I believe is the Hispanic ballot.

Madam Chairman, I would like to call attention to the fact that within all but one jurisdiction in this country, it is required that a person be a citizen in which to vote in any election, and it is also a requirement under the law right now as it now reads under section 312 of the Immigration and Nationality Act that no person except as otherwise provided in this title shall be naturalized as a citizen of the United States who cannot demonstrate "an understanding of the English language, including an ability to read, write, and speak words in ordinary usage in the English language."

□ 1100

It seems to me that we are stretching things a long, long, long way in the bill that is before us today. We are making assumptions that various groups simply cannot participate in voting if they do not have ballots in a native language, if there are a certain number of them in a given community.

I would submit to my colleagues that the number is not very material. There are going to be some who cannot, obviously, and it might be a much smaller community than the numbers that we have got there. Why are we taking the

larger community? What evidence do we have that it requires 10,000, or whatever the number is, in order to need the bilingual ballots? States like New Mexico already have decided that in their States they want to require a bilingual ballot, that they need them. That is fine. Let the States do that.

I would submit that in most jurisdictions in this country where there is inequity like this, there already would be the provision under State law. That is the appropriate place for it to be. The States are the ones to provide the voting laws of this country, who determine eligibility to vote and so forth. We should not be unduly forcing the matter.

Especially, we should not do it unless we can show by some evidence or some study that there has been a problem.

That is what my substitute will do. It will do two things. One, it will not expand the Voting Rights provision with regard to bilingual ballots. It will not reduce the numbers so that it will create a greater number of ballots. It will keep the law as it is right now, and it will simply extend the law for 5 years and require a study to be done to find out what is indeed needed.

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

Mr. MCCOLLUM. I yield to the gentleman from Texas.

Mr. WASHINGTON. Madam Chairman, I follow the gentleman's logic, and it makes sense about the provision that the gentleman cited in the law for naturalization.

Of course, there are two things I want to call to his attention, which he, of course, already knows. One is, that does not cover the provision for persons born in this country. That is only for persons who are naturalized.

The other thing is, that means, it seems to me, that the process by which whomever is going the testing on whether there is English proficiency sufficient to meet that is not doing a good job.

But the bottom line question is, as the gentleman very well knows, there are many ballot propositions other than voting for or against candidates, such as bond elections and the like, that the gentleman and I both know sometimes the legislature puts lots of language and lots of verbiage in there.

Is the gentleman not concerned that people who otherwise have limited proficiency in English and could decide whether they want to vote for the gentleman from Florida, BILL MCCOLLUM or the gentleman from Texas, CRAIG WASHINGTON can do that based on limited English proficiency, but what about these ballot propositions on bond elections and all of those things that are hypertechical?

Mr. MCCOLLUM. Madam Chairman, of course I am concerned. That is why I have asked for the study. Let us find out if that is the case. But the law right now only applies to American-Hispanics, Asian-Americans, and American natives and a few Alaskans. What

about the Polish-Americans? What about certain African-American citizens who have come here, maybe not able to speak because they are recently naturalized? We do not know.

I am submitting we ought to leave the law as it is right now and just extend it for 5 years and do a study.

I am not opposing the idea of a concept. I am just suggesting, let us find out. Maybe this needs to be broader than it is. Maybe it needs to be narrower. We do not know. That is all I am proposing.

Madam Chairman, I reserve the balance of my time,

The CHAIRMAN. The gentleman from Texas [Mr. BROOKS] controls the time in opposition.

Mr. BROOKS. Madam Chairman, I yield myself 2 minutes.

Madam Chairman, I rise in opposition to this amendment. The amendment puts aside the history of the language assistance section of the Voting Rights Act by presuming that no factual basis exists for its existence. The language assistance provisions of the Voting Rights Act were enacted in 1975 after detailed congressional findings of dilatory practices which restricted the exercise of the franchise by language minority citizens. In 1982, the Congress reauthorized section 203 for another 10 years after making similar findings.

This year, the Judiciary Subcommittee on Civil and Constitutional Rights held 3 days of oversight hearings on the Voting Rights Act, and developed a record which adequately supports the reauthorization bill now before us.

There is no reason to require—as this amendment would do—Census Bureau and the Attorney General to file a report containing information which is, for the most part, not only currently available but which was used to consider the form and scope of H.R. 4312. Altering the extension period also is not advisable. The 15-year extension provided in the legislation is simply intended to bring the expiration of the language assistance provision in line with the other sections of the Voting Rights Act, and I oppose any effort to undermine that objective.

Mr. EDWARDS of California. Madam Chairman, will the gentleman yield?

Mr. BROOKS. I yield to my distinguished friend, the chairman of the subcommittee.

Mr. EDWARDS of California. Madam Chairman, I subscribe to the remarks illustrating the fallacies of this amendment and the fact that it would do great damage to the bill.

In the first place, it is really nonsense to have a 5-year extension. That is not enough time. And let me point out that the administration, the Department of Justice, suggests a 15-year extension, as is in the bill. So our friends on the other side of the aisle are going against their own administration. And I think everybody knows that this administration and this Department of Justice are not known as

champions for civil rights. But they have made it very clear that they feel a 15-year extension is essential.

Lastly, Madam Chairman, we had, in the hearings that my chairman mentioned, substantial evidence, over and over again, from credible witnesses that these language-assistance provisions are essential to increase voter participation and to make it possible for Americans to cast their vote.

Mr. MCCOLLUM. Madam Chairman, I yield 1 minute to the gentleman from Maryland [Mr. GILCREST].

Mr. GILCREST. Madam Chairman, I rise in support of the McCollum amendment. I think it offers us the most logical procedure and plan for fulfilling the Voting Rights Act in this particular category.

This Nation is filled with diversity, and diversity offers an opportunity for cooperation. That cooperation comes by holding on to traditions, holding on to cultures and even holding on to languages.

But the cooperation part of that diversity comes when we feel that we are united as Americans, united as people that live in a community. And we are united as people who can cooperate on a variety of issues.

I think we should push bilingual languages in the United States. But as was mentioned earlier, the glue that holds the fiber of this Nation together as a nation, where people feel that they are participating, is the language. We do not want to become like Canada or Eastern European nations where we have a sense of isolation, where we are divided.

One of the few things remaining that offers us a chance for cooperation and unity is our language, and I think the offer of the gentleman from Florida [Mr. MCCOLLUM] of a 5-year study is the best way to go on this particular plan.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the distinguished gentleman from New York [Mr. FISH].

Mr. FISH. Madam Chairman, I would like to say that reference has been made that the administration is opposed to this bill. I think I would know if there was any veto threat. As far as I know, there is none. They do not like every provision in the bill, but certainly the administration, as I understand, is supportive of extension of the voting rights language bill.

Also, I think we have the cart before the horse here, because the allegation is made that the 10,000 limited English-proficient benchmark will create five different ballots in the city of Los Angeles. Of course, it will. And perhaps in New York, too. That is the whole purpose of it. What we are addressing here is numerically large language minority communities in big cities where the cities are so large that these numerically large minority communities cannot reach the current 5 percent standard. So they are effectively left out of the coverage of the existing law.

So the 10,000 benchmark is the answer, and the very reason we are going to have more ballots is because we do want to enfranchise these people that are currently swallowed up in a much larger population. So at this point, I just want to make those two points, that I am not aware of administration opposition to this bill and, second, that I think this numerical benchmark is critically important to the extension. I urge the defeat of this amendment.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the distinguished gentleman from Arizona [Mr. PASTOR].

□ 1110

Mr. PASTOR. Madam Chairman, there seems to be a misconception that we are here asking to divide America, to separate the ethnic groups, to separate the races. What we are doing, the best we can, is to encourage the objectives of the Founders, that the Founders of this country had, to be inclusive and to make sure that the voters of this democracy are well-informed.

All we are saying is, the system has failed us in many cases. There are people who have limited proficiency in English, and all we want to do is to include these citizens to be able to vote in a well-informed manner. We are not asking for division, we are only asking to ensure that this democracy has the greatest number of voters and that they are well-informed.

Mr. BROOKS. Madam Chairman, I ask for a no vote and I yield back the balance of my time.

Mr. MCCOLLUM. Madam Chairman, I yield 1 minute to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Madam Chairman, I urge all Members to reject this amendment and all amendments which seek to cripple voter access for all Americans. The 15-year extension is needed to ensure and guarantee that persons with limited English proficiency are assured that they have access to ballot language, which is often confusing to the voter.

This amendment reduces the authorization period of the bilingual voting requirement. Please reject this. English is not the primary language for so many Americans, yet they are Americans. A naturalized American has the same rights under citizenship as a native-born American. For many of these Americans, especially the elderly and those who have not been naturalized for long, they still find complicated ballot language on referendum questions to be confusing. Yes, they are Americans, but they have limited English proficiency. Do not punish Americans for that, stimulate voter participation. Do not repress it.

Let us hang a welcome sign by the voting booth; "bienvenidos todos," welcome all.

The CHAIRMAN. The gentleman from Florida [Mr. MCCOLLUM] has 1 minute remaining.

Mr. MCCOLLUM. Madam Chairman, I yield the balance of my time to myself.

Madam Chairman, this amendment I am asking the Members to vote today is very simple. It is a substitute for the bill. It extends present law as it now exists for another 5 years, and asks for a study. That is all it does. I think that study is very important when we consider the fact that in Los Angeles County alone there are more than 60 languages that they have to teach in the public schools out there for 60 different sources or derivations of language in this country.

The law that we would put into place by this bill is only going to cover five of those languages. Who knows, maybe we need to cover a whole lot more. We have no idea. We need the study that I am asking for in this bill. We need to extend present law for another 5 years. We should not do another 15. We should not let it sit around on our hands. I think the 5-year extension is appropriate.

I am not changing the law at all, but I am extending it for 5 years, and I am asking for the Government of the United States to find out if we need more, if we need less, how is it working, what is happening, and then let us come back and revisit it after we have had that time for a study. That is all it does, a simple extension.

I urge an aye vote for the McCollum substitute amendment to extend for 5 years the present law.

Mrs. MINK. Madam Chairman, I rise today in strong opposition to the McCollum substitute.

The right to vote, to participate in our political process is the most precious right we have as citizens. And since 1975, section 203 of the Voting Rights Act has served to protect and preserve this right for citizens who have limited English proficiency.

This is not a service, something that is being provided to be charitable, it is a necessity required to fulfill the most basic tenet of our Constitution—the right to vote.

And it is the responsibility of this body to provide the greatest assurances possible that every citizen in this Nation, no matter what their native language, is given the opportunity to vote.

Our experience over the last 13 years has shown that what the gentleman is proposing, a 5-year reauthorization under the current benchmark to trigger the bilingual assistance requirement, is not sufficient.

In fact, this substitute ignores the very lessons we have learned over the years in working with States and local communities to assure that the election process is free from language discrimination.

It ignores the fact that language minorities continue to suffer from inequities in our educational system that prevent them from learning English.

It ignores the fact that Asians and Hispanics are the fastest growing ethnic groups in the country. And as their population continues to increase the need for language assistance will also increase.

It ignores the fact that native Americans have been denied language assistance under current law.

It ignores the fact that the current benchmark which triggers the bilingual assistance

has left large pockets of language minorities without assistance, without comprehensible information on the electoral process, and without a true opportunity to cast an informed and effective vote.

The change in the benchmark is most central to this bill. Under current law a language minority must make up at least 5 percent of the total population of an entire county. This means that large counties with very concentrated areas of language minorities do not qualify. Los Angeles County, San Francisco County, and the city and county of Honolulu do not qualify under this formula even though they have sizable language minority communities.

Mr. Chairman we cannot continue to deny the language minorities in these areas the assistance needed to fulfill their duty as citizens of this Nation because of a statistical benchmark.

I urge my colleagues to vote down the McCollum substitute. It falls far short of the means necessary to protect the constitutional right of all citizens to vote.

Mr. RICHARDSON. Madam Chairman, this amendment would reauthorize the bilingual voting assistance provisions of the Voting Rights Act without the two alternative standards intended to improve the coverage.

This amendment ignores the proven need to better identify and provide assistance to significant concentrations of limited English-proficient communities.

AGAINST THE 5-YEAR REAUTHORIZATION

Many of the original beneficiaries of bilingual voting assistance in 1975 are still suffering from educational inequalities they faced then, and continue to need language assistance in voting.

Exit poll surveys have indicated that the use of bilingual voting materials correlates directly with age and inversely with wealth, education, and English language proficiency. It is unlikely that the educational needs of these older voters who need bilingual assistance will be met within the next 5 years.

Hispanic students enter school later, leave school earlier, and receive fewer high school and college diplomas than any other community. These educational disparities are unlikely to change in the next 5 years.

The reauthorization of section 203 of the Voting Rights Act should coincide with the 2007 expiration date of the remainder of the Voting Rights Act.

Because the number of those who need bilingual voting assistance is increasing rather than decreasing, it is likely to be needed and used until the year 2007.

AGAINST REQUIRING A JUSTICE DEPARTMENT REPORT ON VOTING PARTICIPATION RATES

There is ample evidence of the wide need and use of bilingual voting materials. Further reports are unnecessary and would be a waste of Federal funds.

Any type of screening of required identification at the voting booth could be intimidating to language minority voters.

This could likely have the effect of reducing voter participation.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Florida [Mr. McCOLLUM].

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. McCOLLUM. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 142, noes 233, not voting 59, as follows:

[Roll No. 314]

AYES—142

Allen	Gradison	Patterson
Archer	Hammerschmidt	Paxon
Armey	Hancock	Petri
Baker	Harris	Pickett
Ballenger	Hastert	Porter
Barrett	Henry	Pursell
Bateman	Herger	Ramstad
Bellenson	Hobson	Rhodes
Bentley	Holloway	Ridge
Bereuter	Hopkins	Rinaldo
Bevill	Houghton	Ritter
Bilirakis	Hunter	Roberts
Billey	Hutto	Rogers
Browder	Inhofe	Rohrabacher
Burton	James	Roth
Byron	Jenkins	Roukema
Camp	Johnson (SD)	Rowland
Campbell (CA)	Kanjorski	Santorum
Clement	Klug	Saxton
Clinger	Kyl	Schaefer
Coble	Lagomarsino	Schulze
Combest	Lancaster	Sensenbrenner
Cox (CA)	Lehman (CA)	Shays
Cramer	Lent	Shuster
Crane	Lewis (CA)	Sisisky
Cunningham	Lewis (FL)	Skeiton
Dannemeyer	Lightfoot	Smith (NJ)
Davis	Lipinski	Smith (OR)
DeLay	Livingston	Solomon
Derrick	Lowery (CA)	Spence
Dickinson	Marlenee	Spratt
Doolittle	McCandless	Stearns
Dorman (CA)	McCollum	Stenholm
Dreier	McCreery	Stump
Duncan	McEwen	Taylor (MS)
Emerson	McMillan (NC)	Taylor (NC)
Erdreich	Meyers	Thomas (CA)
Ewing	Michel	Vander Jagt
Fawell	Miller (OH)	Walsh
Fields	Montgomery	Weber
Franks (CT)	Moorhead	Weidon
Gallo	Murphy	Wolf
Gekas	Myers	Wylie
Gilchrest	Nichols	Young (AK)
Gillmor	Nussle	Zeliff
Gingrich	Oxley	Zimmer
Goodling	Packard	
Goss	Parker	

NOES—233

Abercrombie	de la Garza	Gunderson
Ackerman	DeLauro	Hall (OH)
Alexander	Dellums	Hall (TX)
Anderson	Dicks	Hamilton
Andrews (ME)	Dingell	Hayes (IL)
Andrews (NJ)	Dixon	Hayes (LA)
Annunzio	Donnelly	Hefner
Applegate	Dooley	Hertel
Aspin	Dorgan (ND)	Hoagland
AuCoin	Downey	Hochbrueckner
Bennett	Durbin	Horn
Berman	Eckart	Horton
Bilbray	Edwards (CA)	Hoyer
Blackwell	Edwards (TX)	Hubbard
Boehlert	Engel	Hughes
Bonior	English	Jacobs
Borski	Espy	Jefferson
Brewster	Evans	Johnson (CT)
Brooks	Fascell	Johnson (TX)
Brown	Fazio	Johnston
Bruce	Fish	Jones (GA)
Bryant	Flake	Jones (NC)
Bustamante	Foglietta	Jontz
Cardin	Ford (MI)	Kaptur
Carper	Frank (MA)	Kasich
Carr	Galleghy	Kennedy
Chapman	Gejdenson	Kennelly
Clay	Gephardt	Kildee
Coleman (TX)	Geren	Kleczka
Collins (IL)	Gibbons	Kolbe
Collins (MI)	Gillman	Kopetaki
Condit	Glickman	Kostmayer
Cooper	Gonzales	LaFalce
Costello	Gordon	Lantos
Cox (IL)	Grandy	LaRocco
Coyne	Green	Leach
Darden	Guarini	Lehman (FL)

Levin (MD)	Owens (UT)	Skaggs
Lewis (GA)	Fallone	Skeen
Long	Panetta	Slattery
Lowey (NY)	Pastor	Slaughter
Luken	Payne (NJ)	Smith (FL)
Machley	Payne (VA)	Smith (IA)
Manton	Pease	Snowe
Mavroules	Pelosi	Solarz
Mazzoli	Penny	Stallings
McCloskey	Perkins	Stark
McCurdy	Peterson (MN)	Stokes
McDade	Pickle	Studds
McDermott	Poshard	Sweet
McGrath	Price	Swift
McHugh	Quillen	Synar
McMillen (MD)	Raball	Tanner
McNulty	Rangel	Tauzin
Mfume	Ravenel	Thornton
Miller (CA)	Reed	Torres
Miller (WA)	Regula	Torricelli
Mineta	Richardson	Towns
Mink	Roe	Traxler
Moakley	Roemer	Uneseld
McInarn	Ros-Lehtinen	Upton
Melicham	Rose	Valentine
Moody	Rostenkowski	Vento
Moran	Royal	Viscolsky
Morella	Sabo	Volkmer
Murtha	Sanders	Vucanovich
Nagle	Sangmeister	Walker
Natcher	Sarpalius	Washington
Neal (MA)	Savage	Waxman
Nowak	Sawyer	Weise
Oakar	Scheuer	Wheat
Oberstar	Schiff	Williams
Obey	Schroeder	Wise
Olin	Schumer	Wolpe
Oliver	Serrano	Wyden
Ortiz	Sharp	Yates
Orton	Shaw	Young (FL)
Owens (NY)	Sikorski	

## NOT VOTING—59

Allard	Dymally	Matsui
Andrews (TX)	Early	Morrison
Anthony	Edwards (OK)	Mrazek
Atkins	Feighan	Neal (NC)
Bacchus	Ford (TN)	Peterson (FL)
Barnard	Frost	Ray
Barton	Gaydos	Riggs
Boehner	Hansen	Russo
Boucher	Hatcher	Smith (TX)
Boxer	Hefley	Staggers
Broomfield	Huckaby	Sundquist
Bunning	Hyde	Tallon
Callahan	Ireland	Thomas (GA)
Campbell (CO)	Kolter	Thomas (WY)
Chandler	Laughlin	Trafficant
Coleman (MO)	Levine (CA)	Waters
Conyers	Lloyd	Whitten
Coughlin	Markey	Wilson
DeFazio	Martin	Yatron
Dwyer	Martinez	

□ 1135

The Clerk announced the following pairs:

On this vote:

Mr. Riggs for, with Mr. Martinez against.

Mr. Thomas of Wyoming for, with Ms. Waters against.

Mr. GALLEGLY and Mr. KOLBE changed their vote from "aye" to "no."

Mrs. PATTERSON and Mr. LEHMAN of California changed their vote from "no" to "aye."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no additional amendments to section 1, the Clerk will designate section 2.

The text of section 2 is as follows:

**SEC. 2. EXTENSION OF LANGUAGE MINORITY PROVISIONS.**

Subsection (b) of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a(b)) is amended to read as follows:

"(b) BILINGUAL VOTING MATERIALS REQUIREMENT.—

"(1) GENERALLY.—Before August 6, 2007, no covered State or political subdivision shall

provide voting materials only in the English language.

"(2) COVERED STATES AND POLITICAL SUBDIVISIONS.—

"(A) GENERALLY.—A State or political subdivision is a covered State or political subdivision for the purposes of this subsection if the Director of the Census determines, based on census data, that—

"(1)(I) more than 5 percent of the citizens of voting age of such State or political subdivision are members of a single language minority and are limited-English proficient;

"(II) more than 10,000 of the citizens of voting age of such political subdivision are members of a single language minority and are limited-English proficient; or

"(III) in the case of a political subdivision that contains all or any part of an Indian reservation, more than 5 percent of the American Indian or Alaska Native citizens of voting age within the Indian reservation are members of a single language minority and are limited-English proficient; and

"(II) the illiteracy rate of the citizens in the language minority as a group is higher than the national illiteracy rate.

"(B) EXCEPTION.—The prohibitions of this subsection do not apply in any political subdivision that has less than 5 percent voting age limited-English proficient citizens of each language minority which comprises over 5 percent of the statewide limited-English proficient population of voting age citizens, unless the political subdivision is a covered political subdivision independently from its State.

"(3) DEFINITIONS.—As used in this section—

"(A) the term 'voting materials' means registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots;

"(B) the term 'limited-English proficient' means unable to speak or understand English adequately enough to participate in the electoral process;

"(C) the term 'Indian reservation' means any area that is an American Indian or Alaska Native area, as defined by the Census Bureau for the purposes of the 1990 decennial census;

"(D) the term 'citizens' means citizens of the United States; and

"(E) the term 'illiteracy' means the failure to complete the 5th primary grade.

"(4) SPECIAL RULE.—The determinations of the Director of the Census under this subsection shall be effective upon publication in the Federal Register and shall not be subject to review in any court."

AMENDMENT OFFERED BY MR. CONDIT

Mr. CONDIT. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CONDIT: Page 7, line 2, after "State," insert "The prohibitions of this subsection also do not apply with respect to any State or political subdivision that does not receive a Federal grant to cover all expenses resulting from compliance with this subsection. The Attorney General may make such grants."

The CHAIRMAN. The gentleman from California [Mr. CONDIT] will be recognized for 10 minutes, and the gentleman from Texas [Mr. BROOKS] will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. CONDIT].

Mr. CONDIT. Madam Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLARZ].

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

Mr. SOLARZ. Madam Chairman, I thank the gentleman for yielding. I rise in very strong support of this legislation.

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

Madam Chairman, first, let me say that I am in support of the bill.

My amendment to the bill, I believe, with all due respect to the committee, makes it a better bill. My amendment is real straightforward. It simply says that if you mandate this on the States and the counties that the Federal Government should come up with the funding source for local governments.

Given the circumstances that many States in this country, many counties, many cities face, I believe that it is incumbent upon the Federal Government, if we are going to mandate programs on them, that we come up with a reasonable funding source for them.

So I believe that this is about fairness, fairness to local governments, that we tell them that we are going to come up with a funding mechanism for them to implement this particular program.

Madam Chairman, I simply want to give you a couple of examples in a couple of counties that I represent. It has been told to me that it would double the cost in one county, Stanislaus County, that I represent, from \$100,000 to \$200,000, which may not sound like a lot of money to some of us, but for this county, which is already strapped, it is a lot of money. As to Merced County, they say it will cost them from \$10,000 to \$40,000 for each language that they are required to print. This may not sound like a lot of money to us, but to them it is a lot of money. They are already strapped. This morning I talked to representatives of Los Angeles County who say that it will cost them up to \$1 million per language for them to implement this program.

□ 1140

It is a good program, but we need to find a way to reimburse local governments for this mandate. That is simply what I am trying to do, trying to come up with a way to fund the program.

Madam Chairman, I submit a press release for the RECORD:

CONDIT INTRODUCES AMENDMENT TO FUND FEDERAL ELECTIONS MANDATE

Congressman Gary A. Condit (D-Ceres) today offered an amendment to H.R. 4312, the Voting Rights Language Assistance Act of 1992, which would require that the Federal government pay for the law's implementation.

H.R. 4312 would require State and local jurisdictions which have more than 5% or more than 10,000 of voting age citizens who are members of a single language minority and are limited-English proficient to print voting materials in the native language of that minority group. The Congressional Budget Office has estimated that this bill would cost States and localities between 5 million and 10 million dollars to implement.

"With State and local governments all across the country encountering difficulties in balancing budgets this year, the last thing they need is for the Federal government to mandate a new program for them to implement without providing funding to pay for it. While H.R. 4312 has admirable goals, the Federal government should pay for it," Condit stated.

Local election officials in Stanislaus County, CA estimate that the costs to run elections could double under the provisions of H.R. 4312; Merced County, CA election officials estimate that printing costs alone would increase the costs of elections from 10,000 dollars to 40,000 dollars for each additional language in which ballot material would be written. Merced County could be required to print ballot material in as many as four different languages.

"I intend to introduce amendments to legislation in the future to prevent the Federal government from mandating new programs on the states, cities and counties without paying for them. It is very easy for Washington to come up with new programs for states and localities to implement and force the states and localities to pay for them. We have to stop passing the buck," Condit continued.

The CHAIRMAN. The gentleman from Texas [Mr. Brooks] is recognized for 10 minutes in opposition to the amendment.

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

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

Mr. BROOKS. Madam Chairman, while this amendment has some initial appeal—seemingly requiring the Federal Government to pay for State and local compliance with the language assistance requirements—a close examination reveals that the amendment's effect would be to undermine every aspect of section 203 of the Voting Rights Act. The amendment requires jurisdictions to provide language assistance only if the Federal Government pays 100 percent of the costs. But the amendment does not require the Federal Government to do so. Instead, it leaves the decision to grant, or not grant, funds to the sole discretion of the Attorney General.

It makes no sense to limit funding of these provisions to the Federal Government; at a time of constrained fiscal resources, I cannot understand why such a limitation is necessary. Finally, the granting of funds should not be a discretionary act by the executive branch. If Congress intends these protective services to be offered, then they should be available whenever the test is met.

Mr. CONDIT. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Madam Chairman, what this bill is trying to do is mandate the actions of State, local, and county governments. What this amendment is trying to do is bring some sense of responsibility to this body and saying that we just cannot tell the State, county, and local governments around the United States of

America that they have got to spend millions and millions of their dollars and that we are going to be free of any responsibility for those actions.

This is the type of economic nonsense by this body mandating spending of other governmental bodies that is driving this country into bankruptcy.

This amendment should be applied not only to this act, but every act that takes place in this Government where we are mandating the actions of other governmental bodies in the United States.

What this bill will do to Orange County and Los Angeles County, the two counties I represent, if passed without this amendment, is to impose tens of millions of dollars of costs on governmental bodies that are already strained to the breaking point.

Now, we are prioritizing their spending. They have health care needs. They have educational needs, and we are just saying, "Hey, what we want counts. What you want in terms of the priority in spending does not count."

This amendment that is being offered by my colleague, the gentleman from California, is a step toward fiscal sanity and restoring fiscal integrity not only here in Washington, DC, but to our Federal, to our State, to our county and our local governments.

It is a responsible amendment and I support it fully, and I would hope that all of you do, too.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the distinguished gentleman from Arizona [Mr. PASTOR].

Mr. PASTOR. Madam Chairman, I know that my good friend, the gentleman from California, is well-intentioned. I know that he believes in extending civil rights to his constituents as well as to my constituents; but this argument that the Federal Government has a responsibility because it is trying to meet the objective that it have a well-informed electorate, this amendment will kill the extension of the Civil Rights Voting Act, this particular amendment for assistance in voting in the language that they need.

So Madam Chairman, I would ask my colleagues to please vote against this amendment. It is well-intentioned, but it will do nothing but kill this bill.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Madam Chairman, I will not take that much time, but I thank the gentleman for yielding me time.

The gentleman from California, the author of this bill, and the gentleman from California [Mr. ROHRABACHER] very conveniently forget that the city and county of Los Angeles are very much for this provision and have written a letter supporting it. I am sure they have a copy of the letter.

Also, the city and county of Los Angeles have worked out, in accordance with this bill and in accordance with the Voting Rights Act, favorable procedures. The expense is very, very low,

compared to the great benefits that they receive from it.

The city of New York has also written us a letter asking that this bill be passed as it has been presented, without this amendment, which as my friend, the gentleman from Arizona [Mr. PASTOR] said would gut the bill. If they have to count on funding from outside, that means that local governments will not provide the assistance.

Mr. CONDIT. Madam Chairman, in closing, I would just say that this is an effort to let local governments know that we are not going to continually mandate things here without coming up with some funding mechanism.

Let me say how serious this is to the State of California. In the news this morning, the Bank of America has indicated they will not honor the IOU's from the State of California. The State of California has no money. They have no way to fund these kinds of programs.

We have got to stop in this place mandating things to local governments without some way to fund them, without some way of giving them the money to implement those programs.

We cannot continue to pass bill after bill mandating programs to local governments who are already strapped, without considering a way to give them the money. That is all I am trying to do in this amendment. I think it is fair, and I ask my colleagues to support it.

Mr. WASHINGTON. Madam Chairman, will the gentleman yield for a question?

Mr. CONDIT. Certainly, I yield to the gentleman from Texas.

Mr. WASHINGTON. Madam Chairman, I know the gentleman is well-intended.

I wanted to draw attention and try to focus on what I think is the major problem many of us have with the amendment.

While it is true that the Federal Government needs to come to grip with mandates they place on people, I hope the gentleman draws a distinction between a discretionary act, a thing that we may in our good graces decide ought to happen at the local level, and a constitutional act.

We are talking about the very fundamental *raison d'être*, if you will, of this country, that is the right to vote. If we do not do everything to protect that right, what the gentleman is saying is that freedom has a price.

Is there not a distinction between the 55-mile-an-hour mandate that we may put on a State, and mandating that they remove all the vestiges of discrimination so that people can fully participate and vote? Does the gentleman not see a difference between those?

Mr. CONDIT. I agree with the gentleman that this is a right that we ought to insure for everyone, but that does not mean that we cannot fund these programs at the local level.

It is a burden on them.

Mr. WASHINGTON. I agree.

Mr. CONDIT. If we see that it is necessary for us to mandate this, we ought to come up with a good way to let them know the money is coming.

Mr. WASHINGTON. Madam Chairman, just one other question, if the gentleman will yield further.

If the gentleman's amendment were adopted and we would not come up with the money, what would be the result?

Mr. CONDIT. We would have to come up with the money.

Mr. WASHINGTON. If we did not come up with the money, what would be the result? The result would be the people would not be allowed to vote.

Mr. CONDIT. That is not correct. We would come up with the money.

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

Mr. CONDIT. I yield to my colleague, the gentleman from California.

Mr. BERMAN. Madam Chairman, I respectfully suggest that the gentleman from Washington is correct. There would have been a way of writing this amendment which would have appropriated the funds as we had authorized them.

The problem is, the gentleman's amendment is generally a good amendment, but we are dealing here with a constitutional principle under the 14th and 15th amendments. If appropriations are not funded, the obligation will now disappear from the local governments to deal with language minorities. If we had written this in a fashion that automatically appropriated the funding through the authorization, as has been done in the past, then the mandate would work.

So I would suggest that in the future on this kind of an issue we try that approach, because I think the gentleman is right. When we decide to allow refugees into this country, we should fund them. When we make other kinds of obligations in a discretionary fashion, we should fund them; but this is a constitutional obligation. We should not let appropriations decide whether or not the rights that are amplified and specified in this bill, coming from the 14th and 15th amendments, whether those rights will actually obtain or not.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the gentleman from New York [Mr. FLAKE]

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

Mr. FLAKE. Madam Chairman, we come today to a moment where some of us from other cultural backgrounds, coming out of the era of poll taxes, realize that historically there have been various means that have been used to deny people the right to vote.

This morning we are not talking about refugees. We are talking about people who pay income taxes, people who pay property taxes, and we realize that this might be a burden on certain

municipalities. But who makes up the municipality?

□ 1150

It is made up by a group of multiethnic, multicultural people, those people who do not speak the language, who still pay taxes, who still pay taxes for schools, residential taxes, they pay income taxes, and therefore they should have the right to vote.

I would urge us then to consider this on the basis of the reality that we are talking about the civil rights of human beings who are part of the fabric of this society, and not mistreat them nor discriminate against them, but allow them the privilege to accept their God-given right, guaranteed to them by the Constitution of this Nation, and that is the right to vote.

Madam Chairman, that is all we are asking this morning. I stand opposed to the Condit amendment and in favor of this bill and urge my colleagues to support it.

Mr. CONDIT. Madam Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN.]

Mr. MORAN. Madam Chairman and colleagues, what this bill does is needs to be done, and I am very supportive of it. But it is wrong for us to be telling State and local government to pay for things that we are not willing to pay for. If this is the right thing to do, then we ought to pay for it.

Madam Chairman, in Alexandria we thought about doing this, but we cannot manufacture money. If we spend money, it has to come from a finite source. We decided that it was more important to hire bilingual police officers than to put our money into something that we did not think was as high a priority.

Now, if this is a high priority in our local jurisdictions, the local jurisdictions would have found a way to do it. If we think that they are not going to do it, that it needs to be done, we come up with the money to pay for it.

We have got to stop unfunded Federal mandates. It is not right, it is not fair.

Madam Chairman, I am not trying to appeal to anybody here; all I am trying to do is to let you know what it is like to be the mayor of a city that is having to cut virtually every single program that we have had in operation.

If we pay for something, it comes from something else. If we put more money into this, even if it is only a 7 percent increase, it is going to come out of somebody else's salary. It means we are not going to be able to provide an incentive to hire bilingual police officers, or we are going to have to fire that community outreach person who goes into the neighborhoods and tries to interpret the human service publications that we have.

If we believe in something, we ought to have the courage to find the money to pay for it.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the distinguished gentlewoman from Hawaii [Mrs. MINK].

And then I will ask the gentleman from New York [Mr. FISH], to close.

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

Mrs. MINK. I thank the chairman of the Committee on the Judiciary.

Madam Chairman, we spend a great deal of time trying to instill in our children that being an American citizen carries with it certain innate responsibilities, one of which is to vote.

Voting is an essential performance that we expect of all our citizens. Yet there are thousands in our country who are not able to.

How can we put money as a barrier in the fundamental exercise of this responsibility? And yet that is what this amendment would do. It would say, if the Federal Government did not provide the money, the basic constitutional responsibility of the local entities can be avoided. Then this legislation would mean nothing.

Madam Chairman, it seems to me what we have to do is to pass this bill and then, if there are those in the communities who feel that the exercise of this fundamental right and the assistance which we are trying to provide is too costly for the local governments to pay for themselves, then go through the appropriations process and get this Congress to pay for it.

But vote down this amendment; it would destroy the ability of this Congress to provide basic assistance to voters all across the country who need this kind of help.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. FISH].

Mr. FISH. I thank the gentleman for yielding.

Madam Chairman, I had not intended to speak on this amendment, but I do so because I think it is terribly important we understand what we are about to vote on.

The language of the amendment says that the prohibitions in the subsection would not apply to any State or political subdivision that does not receive a Federal grant to cover all expenses.

Now, I come from New York State, where we are particularly sensitive to unfunded mandates. If this amendment had been expressed as an appropriation, as my friend, the gentleman from California indicated was the case in the Immigration Act a few years ago where we did provide in the authorizing legislation billions of dollars to assist the States in the implementation of that legislation, I would support it.

If this were phrased as a sense of the Congress that we should appropriate where it is necessary to avoid a heavy burden on the States, I would support either of those efforts. But what we are faced with today is the possibility of allowing the States the option of not assuring voting rights if Federal money is not forthcoming. It would simply be defeating the very purpose not only of this legislation but a very basic constitutional right.

I understand the frustration of my colleagues over mandates, but I ask that, when we are considering voting by our fellow citizens, that we do not place our frustrations on the scales opposite justice and the Constitution.

Mr. BROOKS. Madam Chairman, I yield 30 seconds to the distinguished gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. I thank the gentleman for yielding.

Madam Speaker, this is 1992. I cannot believe some of the things that I am hearing. The right to vote is a precious right, and we should not place a price tag on the right to vote.

This amendment should be defeated. It is not good, it is a killer amendment. Madam Chairman, let us pass the bill.

The CHAIRMAN. The gentleman from California [Mr. CONDIT] has 30 seconds remaining.

Mr. CONDIT. Madam Chairman, I yield 30 seconds to my colleague, the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding.

Madam Chairman, the Condit amendment is right on. It answers the complaints that we have time and again from local governments, "You give us Federal mandates and no money to carry them out."

It will imbue this Congress with a new sense of thrift. It stands for accountability and we need to apply it across the board to programs that we mandate down to the local levels.

Mr. RICHARDSON. Madam Chairman, this amendment would condition the protection of the constitutional right to vote for language minority citizens on the provision of Federal funds. During periods of severe fiscal constraints, the practical effect of this amendment would be to deny language minority citizens the assistance they need to cast an informed and effective vote.

Providing assistance to language minorities in order to enable their constitutional right to vote should not be debated on the issue of cost.

Subjecting the voting rights of language minority citizens alone to cost considerations perpetuates the discriminatory treatment language minority citizens have historically suffered.

In implementing and assuring the guarantees of the Constitution, Federal laws have long imposed burdens upon States and localities without financial assistance.

Providing Federal funds to those jurisdictions with language minority communities which have historically suffered from discriminatory voting practices effectively rewards those communities that have practiced discrimination and/or failed to adequately educate language minorities.

However, one should note that the cost of providing bilingual voting assistance is minimal in relation to total election costs.

In 1982, the House Judiciary Committee concluded that where implemented in an effective manner, the cost of bilingual voting assistance accounts for only a small fraction of total election expenses.

A 1986 GAO report similarly noted that the total additional cost for written language assistance averaged only 7.6 percent of total election costs. Furthermore, the report noted that these costs declined over time.

For oral assistance, provided for native Americans, the costs were even less.

Needless to say, such minimal costs should be of little concern when viewed in the context of protecting the fundamental right to vote.

Mr. BROOKS. Madam Chairman, I yield back the balance of my time and ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. CONDIT].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. CONDIT. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered. The vote was taken by electronic device, and there were—ayes 184, noes 186, not voting 64, as follows:

[Roll No. 315]

AYES—184

- |               |               |               |
|---------------|---------------|---------------|
| Allen         | Hayes (LA)    | Peterson (MN) |
| Applegate     | Hefner        | Petri         |
| Archer        | Henry         | Pickett       |
| Armey         | Hergert       | Porter        |
| Baker         | Hobson        | Poshard       |
| Ballenger     | Hochbrueckner | Price         |
| Barrett       | Hopkins       | Pursell       |
| Bateman       | Hubbard       | Ramstad       |
| Bentley       | Hunter        | Ravenel       |
| Bevill        | Hutto         | Regula        |
| Bilirakis     | Inhofe        | Rhodes        |
| Billey        | James         | Ridge         |
| Boehner       | Jenkins       | Rinaldo       |
| Brewster      | Johnson (CT)  | Ritter        |
| Browder       | Johnson (SD)  | Roberts       |
| Burton        | Johnson (TX)  | Roemer        |
| Byron         | Kanjorski     | Rogers        |
| Camp          | Kasich        | Rohrabacher   |
| Campbell (CA) | Klug          | Rostenkowski  |
| Chapman       | Kolbe         | Roth          |
| Clement       | Kyl           | Roukema       |
| Clinger       | Lagomarsino   | Rowland       |
| Coble         | Lancaster     | Sahmmeister   |
| Condit        | Lehman (CA)   | Santorum      |
| Costello      | Lent          | Saxton        |
| Cox (CA)      | Lewis (CA)    | Schaefer      |
| Cox (IL)      | Lewis (FL)    | Schulze       |
| Cramer        | Lightfoot     | Sensenbrenner |
| Crane         | Lipinski      | Shaw          |
| Dannemeyer    | Lowery (CA)   | Shays         |
| Darden        | Luken         | Shuster       |
| Davis         | Marlenee      | Sisisky       |
| DeLay         | Mavroules     | Skeen         |
| Dickinson     | McCandless    | Smith (NJ)    |
| Donnelly      | McCollum      | Smith (OR)    |
| Doollittle    | McCrery       | Snowe         |
| Dorman (CA)   | McCurdy       | Solomon       |
| Dreier        | McDade        | Spence        |
| Duncan        | McEwen        | Stearns       |
| Durbin        | McGrath       | Stenholm      |
| Eckart        | McMillan (NC) | Stump         |
| Emerson       | McMillen (MD) | Sweet         |
| English       | Meyers        | Tanner        |
| Erdreich      | Michel        | Tausin        |
| Fawell        | Miller (OH)   | Taylor (MS)   |
| Fields        | Miller (WA)   | Taylor (NC)   |
| Franks (CT)   | Montgomery    | Thomas (CA)   |
| Galleghy      | Moorhead      | Upton         |
| Gallo         | Moran         | Valentine     |
| Gekas         | Murphy        | Vander Jagt   |
| Geren         | Myers         | Vucanovich    |
| Gilchrest     | Neal (MA)     | Walker        |
| Gillmor       | Nichols       | Walsh         |
| Gingrich      | Nussle        | Weldon        |
| Goodling      | Orton         | Wolf          |
| Goss          | Oxley         | Wylie         |
| Gradison      | Packard       | Young (AK)    |
| Gunderson     | Parker        | Young (FL)    |
| Hall (TX)     | Patterson     | Zeliff        |
| Hancock       | Paxon         | Zimmer        |
| Harris        | Payne (VA)    |               |
| Hastert       | Penny         |               |

NOES—186

- |              |             |              |
|--------------|-------------|--------------|
| Abercrombie  | Green       | Owens (NY)   |
| Ackerman     | Guarini     | Owens (UT)   |
| Alexander    | Hall (OH)   | Pallone      |
| Anderson     | Hamilton    | Panetta      |
| Andrews (ME) | Hayes (IL)  | Pastor       |
| Andrews (NJ) | Hertel      | Payne (NJ)   |
| Annunzio     | Hoagland    | Pease        |
| Aspin        | Horn        | Pelosi       |
| AuCoin       | Horton      | Perkins      |
| Bellenson    | Houghton    | Pickle       |
| Bennett      | Hoyer       | Quillen      |
| Bereuter     | Hughes      | Rahall       |
| Berman       | Jacobs      | Rangel       |
| Bilbray      | Jefferson   | Reed         |
| Blackwell    | Johnston    | Richardson   |
| Boehliert    | Jones (GA)  | Roe          |
| Bonior       | Jones (NC)  | Roe-Lehtinen |
| Borski       | Jontz       | Ross         |
| Brooks       | Kaptur      | Roybal       |
| Bruce        | Kennedy     | Sabo         |
| Bustamante   | Kennelly    | Sanders      |
| Cardin       | Kildee      | Sarpalius    |
| Carper       | Kieccka     | Sawyer       |
| Carr         | Kopetski    | Scheuer      |
| Clay         | Kostmayer   | Schiff       |
| Coleman (TX) | LaFalce     | Schroeder    |
| Collins (IL) | Lantos      | Schumer      |
| Collins (MI) | LaRocco     | Serrano      |
| Combest      | Leach       | Sikorski     |
| Cooper       | Lehman (FL) | Skaggs       |
| Coyne        | Levin (MI)  | Skelton      |
| Cunningham   | Lewis (GA)  | Slattery     |
| de la Garza  | Long        | Slaughter    |
| DeLauro      | Lowey (NY)  | Smith (FL)   |
| Dellums      | Machtley    | Smith (IA)   |
| Derrick      | Manton      | Solarz       |
| Dingell      | Markay      | Spratt       |
| Dixon        | Mazzoil     | Stallings    |
| Dooley       | McCloskey   | Stark        |
| Dorgan (ND)  | McDermott   | Stokes       |
| Downey       | McHugh      | Studds       |
| Edwards (CA) | McNulty     | Swift        |
| Edwards (TX) | Mfume       | Synar        |
| Engel        | Miller (CA) | Thornton     |
| Espy         | Mineta      | Torres       |
| Evans        | Mink        | Torricelli   |
| Ewing        | Mosakley    | Towns        |
| Fascell      | Molinaro    | Unsoeld      |
| Fazio        | Mollohan    | Vento        |
| Fish         | Moody       | Visclosky    |
| Flake        | Morella     | Volkmer      |
| Foglietta    | Mrazek      | Washington   |
| Ford (MI)    | Murtha      | Waters       |
| Frank (MA)   | Nagle       | Waxman       |
| Geldenson    | Natcher     | Weber        |
| Gephardt     | Neal (NC)   | Weiss        |
| Gibbons      | Nowak       | Wheat        |
| Gilman       | Oakar       | Williams     |
| Glickman     | Oberstar    | Wise         |
| Gonzales     | Olin        | Wolpe        |
| Gordon       | Oliver      | Wyden        |
| Grandy       | Ortiz       | Yates        |

NOT VOTING—64

- |               |               |               |
|---------------|---------------|---------------|
| Allard        | Dymally       | Matsui        |
| Andrews (TX)  | Early         | Morrison      |
| Anthony       | Edwards (OK)  | Obey          |
| Atkins        | Feighan       | Peterson (FL) |
| Bacchus       | Ford (TN)     | Ray           |
| Barnard       | Frost         | Riggs         |
| Barton        | Gaydos        | Russo         |
| Boucher       | Hammerschmidt | Savage        |
| Boxer         | Hansen        | Sharp         |
| Broomfield    | Hatcher       | Smith (TX)    |
| Brown         | Hefley        | Staggers      |
| Bryant        | Holloway      | Sundquist     |
| Bunning       | Huckaby       | Tallon        |
| Callahan      | Hyde          | Thomas (GA)   |
| Campbell (CO) | Ireland       | Thomas (WY)   |
| Chandler      | Kolter        | Tranfone      |
| Coleman (MO)  | Laughlin      | Traxler       |
| Conyers       | Levine (CA)   | Whitton       |
| Coughlin      | Livingston    | Wilson        |
| DeFazio       | Lloyd         | Yatron        |
| Dicks         | Martin        |               |
| Dwyer         | Martinez      |               |

□ 1219

The Clerk announced the following pairs:

On this vote:

Mr. Martinez for, with Mrs. Boxer against. Mr. Riggs for, with Mr. Andrews of Texas against.

Mr. GORDON and Mr. RAHALL changed their vote from "aye" to "no." Messrs. HANCOCK, APPLGATE, HASTERT, CLINGER, and SHAYS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. VANDER JAGT

Mr. VANDER JAGT. Madam Chairman, I offer an amendment that has been printed in the RECORD pursuant to the rule.

The Clerk read as follows:

Amendment offered by Mr. VANDER JAGT: Page 5, line 24, insert "(but not less than 100 citizens of voting age)" after "voting age".

□ 1220

The CHAIRMAN. The gentleman from Michigan [Mr. VANDER JAGT] will be recognized for 10 minutes, and the gentleman from Texas [Mr. BROOKS] will be recognized for 10 minutes.

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

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

Mr. VANDER JAGT. Madam Chairman, this amendment would exempt voting units from the requirement of providing bilingual ballots where the number of voters affected is fewer than 100.

The amendment arises out of a situation in Clyde Township in Allegan County in my district where there are 83 Hispanics of voting age.

They are not migrant workers. They are assimilated into the community. Their kids go to school, play on the sports teams, sing in the choir, attend the churches.

And over the past elections, Spanish ballots have been provided. And not once, not once has anybody ever requested a bilingual ballot.

Under Michigan law, it is the township that has the responsibility of conducting the election. It costs this little township \$1,000 to print the ballots in the primary, \$1,000 to print the ballots in the general. The total budget of the whole township for everything is \$250,000.

So though \$1,000 sounds tiny to us, it is an enormous financial burden to them. When the township clerk first discovered she had to do this a number of elections ago, the county clerk took mercy on this poor little township clerk and did the ballots for her with paste and Scotch tape, perforated the ballot on her sewing machine at night. They now go to a professional printer, and that is the \$1,000 subsequent cost and no one has ever requested a Spanish ballot.

They feel that to the extent that they can facilitate voting, it would be far more effective to provide Spanish-speaking interpreters and interpreters who teach Spanish at a nearby college have volunteered to do this.

So it seemed to me, Madam Chairman, that this House should make it

clear that we do not just want to impose burdens, even where they are unnecessary and where there is a more low cost efficient helpful way, helpful not just to the township but also helpful to the recipients.

I again repeat that in no election has anyone ever requested one of these ballots, and they feel very strongly, in this harmonious community, that it would be far more helpful to provide an interpreter rather than to go through the cost of printing the ballots that no one uses.

I would like to ask either the chairman of the community or of the subcommittee, what is the intent behind this law?

Mr. EDWARDS of California. Madam Chairman, will the gentleman yield?

Mr. VANDER JAGT. I yield to the gentleman from California.

Mr. EDWARDS of California. Madam Chairman, I compliment the gentleman from Michigan on his attention to this matter because it is of grave importance to him. And we have had considerable discussions on the subcommittee as well as lawyers on both sides.

The gentleman understands now, and his staff understands now, that the law itself and the regulations are not insensitive to this problem. And the law and the regulations will not require ballots necessarily at all in the little township that the gentleman describes.

Alternative methods that still offer and satisfy the requirements of the law, that a person not be discriminated against and is able to vote with the language requirements somehow met with an interpreter or some other way, are perfectly in accordance with the law. I trust that this explanation satisfies the gentleman that there are alternative methods whereby this township can handle this situation.

Section 203 and H.R. 4312 do not demand the unreasonable from jurisdictions. Rather, the act and the regulations take into consideration the concerns of local jurisdictions and are flexible enough to address them. For example, the regulations state that it is the responsibility of the jurisdiction to determine what actions by it are required for compliance with the requirements of section 203. According to the regulations, jurisdictions with small language minority communities may not need to implement language assistance measures identical to those provided in larger jurisdictions. In planning compliance with section 203, a jurisdiction may, where alternative methods of compliance are available, use less costly methods if they are equivalent in their effectiveness to more costly methods.

Mr. VANDER JAGT. Madam Chairman, I thank the gentleman for his explanation. It does totally satisfy this gentleman.

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

Mr. VANDER JAGT. I yield to the gentleman from Texas.

Mr. BROOKS. Madam Chairman, we will consider the substance of the amendment in the future.

Mr. VANDER JAGT. Madam Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCCOLLUM: At the end of the bill, add the following:  
SEC. . CITIZENSHIP REQUIREMENT FOR ASSISTANCE

Section 203(c) of the Voting Rights Act (42 U.S.C. 1973aa-1a(c)) is amended by inserting "to citizens on request" after "them".

Mr. MCCOLLUM (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. MCCOLLUM] will be recognized for 10 minutes, and the gentleman from Texas [Mr. BROOKS] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

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

This is a very simple amendment. It simply adds the word "to citizens on request" to the existing statutory language to make it absolutely clear to everybody that the only people who are going to get this bilingual voting material are those who are citizens of the United States, and they are normally the only ones eligible to vote. And they are only going to get it if they request it. That is actually the procedure that is currently used. That is the way the current Voting Rights Act guidelines issued by the Department of Justice operate. That is the way I understand most of the supervisors of elections around the country operate. They only give this material out when there is a request.

We ought to put that in statute. It seems to me that that is very important now, especially in light of the fact that at least we have one jurisdiction already in this country, one municipality that is allowing noncitizens to vote. It is my understanding that the city of Washington, DC is considering allowing noncitizens to vote.

I, frankly, do not think we should encourage noncitizen voting. We should discourage it. That is one of the hallmarks of this Nation.

In fact, that is why a lot of people become a citizen, to have the right to vote. It is a very, very precious thing.

It occurs to me that by adopting this amendment in the Voting Rights Act extension regarding these bilingual ballots, we will make that very clear. We will make a statement by adopting

this amendment that we only want citizens to be the ones voting in this country. And this material only should go to citizens. And clearly, that it should only be by request.

There is an interesting study that was found by the U.S. attorney in 1980 who investigated voter registration drives that were allegedly registering noncitizens out in San Francisco. He found that at least 27 percent and possibly as many as two-thirds of the registrants investigated were noncitizens. Investigation revealed that registration of noncitizens stemmed from a translation error in the multilingual registration materials. It did not make it clear to them that only citizens could register to vote, that noncitizens could not.

It would make sense, then, it seems to me to make clear to the registrars, to everyone else that this multilingual material is only to be for citizens because only citizens normally have the right to vote. And again, we do not encourage otherwise; in fact, discourage it, and that again only by request.

It would also save the waste of a lot of cost in some instances, if this is clarified by statute.

I would like to also address one objection that has been made to this already with me. Somebody has said that the amendment will create a separate hurdle that will discourage the use of multilingual voting material, because voters will have to prove they are citizens when they go to vote. That is not true. People who want to register to vote already have to prove they are citizens. You would not have to go through another hurdle to prove you were a citizen when you went to vote.

□ 1230

A person would already have had to prove that in order to be registered to vote, and would not be voting if they were not registered. So I do not think there is any new hurdle created by this amendment. It is simply a clarification, that for the multilingual materials, a person has to be a citizen to get them, and that would be virtually everybody, anyway, who is supposed to be able to vote, with the exception of a couple of cities in the country where that is not true.

Second, it would have to be by request, and that is the standard operating procedure currently. We would not get into one of these situations where somebody could change that down the road.

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

Mr. MCCOLLUM. I yield to the gentleman from New York.

Mr. FISH. Madam Chairman, I never thought anybody but an American citizen did vote or was entitled to vote.

I do not understand the "on request." I would ask the gentleman from Florida [Mr. MCCOLLUM] if he could clarify what those two words mean.

Mr. MCCOLLUM. "On request" means a person would not get the bilin-

gual material unless the would-be voter, who is already there, registered to vote, asks for the material that is there and available. They would not get it automatically given.

In other words, a supervisor of elections would not be required or could not be required down the road somewhere under this act to distribute this bilingual material to all his Spanish-speaking or all Asian, potential Asian-speaking Americans who are citizens who are registered to vote under some formula that is figured out. They would have to actually make the request for the material. They would have to come forward and say, "I would like that material." It would be available, but it would not be distributed or mailed out to everybody that is listed as Hispanic or Asian or native American or whatever.

By the way, that is the way it works today. The only way it works today, as I understand it, is by request, anyway. Those are the guidelines that the Justice Department puts out under the law currently as far as how the process works.

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

Mr. MCCOLLUM. I am glad to yield to the gentleman from Arizona.

Mr. PASTOR. Madam Chairman, what happens in this situation, at least in Arizona, where the county recorders, in trying to ensure that the electorate is well-informed, they will mail out sample ballots which not only have the names of the candidates but also information on the different initiatives or referendums. People do not request it, it is mailed to them.

At least in the State of Arizona, knowing that we have native Americans, Mexican-Americans, Hispanics who the recorders want to make sure are well-informed, that information is mailed to them. If they could only get it when they request it, many of the people would not be able to be well-informed voters.

Mr. MCCOLLUM. If I can reclaim my time, if a person votes by absentee ballot, they have to request the absentee ballot. They could request the voting material in the bilingual language at the time, just as they would if they were going to the voting booth.

Mr. PASTOR. If the gentleman will continue to yield, the question is not to their ballot or the question is not to the absentee, the question is to the material that is mailed to all the electorate.

Mr. MCCOLLUM. If I can reclaim my time, the States can still do that. They can still publish it. There is no prohibition on that whatsoever.

I think that the law that we are passing today would require that material necessarily be mailed out that way, anyway. I think what we are dealing with is the material that normally goes out officially, in anything that would go out officially and would be going out under request if it is an absentee request. We do not send that out

automatically now to somebody until they go to vote or until they request an absentee ballot, so my proposal would not change that at all.

Madam Chairman, I reserve the balance of my time.

Mr. BROOKS. Madam Chairman, I yield myself 3 minutes.

Madam Chairman, I rise in opposition to this amendment. The current regulations provide more than adequate flexibility to State and local jurisdiction to target language assistance. In some circumstances providing assistance on request may be sufficient to comply with the act, and in others it might not. The language minority citizens obviously will not request information if they do not know anything about it. It is pretty hard to ask for something a person doesn't know exists. What are they going to ask for? Probably the gentleman's address in Florida.

English language mailings sent to registered voters will obviously not assist language minority voters unless, at a minimum, the mail includes information in that minority language regarding how to request help. It is difficult enough to understand elections, ballots, and the language involving them and explaining them for us who are raised in this country and speak some kind of English all our lives. It is still difficult.

Imagine how complex it must be to understand the nuances of election requirements and provisions and bond issues and authority for the various State agencies when it is written out this long, this thick, one big fat paragraph on the ballot in a foreign language. It is difficult. I think it is unconscionable.

The amendment cannot result in the administrative savings for jurisdictions who will need to have materials in minority language on hand, at any rate. This is a bad amendment. Let us kill it and quite worrying about it.

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

Mr. BROOKS. I yield to my friend, the gentleman from Ohio.

Mr. PEASE. Madam Chairman, I think the chairman raises an excellent point. Perhaps the gentleman from Florida [Mr. MCCOLLUM] could enlighten us. What happens if a Spanish-speaking person, for example, goes into a voting place, a person goes into the voting place which has ballots in the foreign language. Are the people behind the desk at the voting place allowed to say, "Would you like a ballot in this foreign language," or can they not do that, because under the terms of your amendment the person has to ask for it?

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

Mr. BROOKS. I will yield to the gentleman from Florida.

Mr. MCCOLLUM. Madam Chairman, the gentleman has asked a good question. The answer is, of course they can say, "Would you like the ballot?" I

cannot imagine they would not do that. There is nothing in here to prohibit a State from going forward, in my opinion, from going forward and doing things exactly the way they are doing them now.

The intention is simply to codify the presently existing practices and make it very clear that the Federal Government cannot go out and mandate the kind of detailed changes that otherwise would cause additional burdens on the States and local governments. We are simply codifying the present practices.

Mr. PEASE. Madam Chairman, I thank the gentleman for his response.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. PICKLE].

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

Mr. PICKLE. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, I rise for purposes not directly connected with the pending amendment, but as we discuss this voting rights bill, which I certainly endorse, I want to call the Members' attention to an insert put in the CONGRESSIONAL RECORD on Tuesday of this week on page E2194. It is titled "The Civil Rights Fight Continues." Let me read two or three sentences, because it pertains to a speech by former President Lyndon Johnson.

Madam Chairman, the article reads:

"The Great Society is back in the news," said the Washington Post recently. The occasion, of course, was the contention of some national officials that the social programs of the 1960s were in some way responsible for the Los Angeles riots. "As a reminder of what the Great Society was about and of how another President approached the issues that recurred \*\*\* in Los Angeles," the Post printed excerpts from a speech President Johnson delivered at Howard University in June 1965.

Madam Chairman, I commend this article to the Members' attention. This was the last speech that LBJ gave before he was called away a month later. It is good reading. It is compassionate, it is soulful, it is prophetic and very moving. I hope the Members have occasion to read the article.

Mr. MCCOLLUM. Madam Chairman, I yield 1 minute to the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. Madam Chairman, I thank the gentleman for yielding time to me.

Madam Chairman, my understanding is this amendment does two things. One, it says that a person has to be a citizen before they can vote. Then if the material is bilingual, they can get it on request. It does not define, I understand, the mechanism of request.

The State could include a bilingual postcard in the mailing of information. The gentleman from Arizona [Mr. PASTOR] was concerned about how people were going to get it. If in fact there is material put out to every person in the State, there are any number of ways that the contact could be made

through a bilingual document which would allow a person to get that information.

The difficulty comes in terms of enormous amounts of money that are expended in areas in which there is no need or use for the bilingual material but for which they are produced anyway. We lost a vote in terms of getting mandates funded by two votes just a minute ago. This is a way in which we could save an enormous amount of money while putting no burden on anyone who wants material in a language that they feel more comfortable in.

I do hope that no one will vote against this because of the provision that says you have to be a citizen to vote.

□ 1240

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from California [Ms. PELOSI].

Ms. PELOSI. Madam Chairman, I thank the gentleman for yielding me the time.

Madam Chairman, because each and every one of us in this body has a responsibility to the Constitution to remove obstacles of participation to the voting process in this country, I rise in opposition to the McCollum amendment that would require limited-English citizens to affirmatively request bilingual ballot materials. I do this for two reasons, Madam Chairman.

First, as our distinguished chairman pointed out earlier, such a requirement would set up a separate but equal catch-22. How do you know to ask for these materials, how do you know of their existence, and how are you notified of them, perhaps by an English mailing.

Second, and even more important from my perspective, it has a chilling effect not altogether different from a poll tax or a literacy test.

I would like to share with my colleagues our experience in San Francisco on this subject. In the late seventies San Francisco required voters to request language assistance in order to receive it. After complaints from voters, the Justice Department sent out Federal workers to observe the process. These Federal observers found that because of this procedure, limited-English voters were confronted with hostile poll workers. They were not made aware of the existence of the language assistance materials, and were intimidated and made to feel embarrassed about their language abilities. As a result, many citizens opted not to vote rather than face these daunting obstacles.

Our chairman referred to the targeting that we are required to do. Once the registrar determines what precincts have significant numbers of limited-English voters, then bilingual poll workers can be put in these places at no additional cost to facilitate the use of language assistance materials.

There should not be an undue burden on limited English-speaking voters for appropriate materials. Rather the burden should be on the election officials to encourage and facilitate voting by all citizens.

I strongly urge my colleagues to vote against the McCollum amendment.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the gentleman from New York [Mr. WEISS].

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

Mr. WEISS. Madam Chairman, I want to thank the distinguished chairman of the committee for yielding time to me. And I want to speak very briefly now in two capacities, one as an American voter and two, I want to relate the immigrant experience.

I know that Members have probably all had the same experience I have had. You walk into a voting booth sometimes and it just overwhelms you, knowing the language fully. Can you imagine what it is to someone who has limited knowledge of the language, and he finds out or she finds out for the first time when she walks into that booth or he walks into that booth, what you are really doing, and then the word gets out and it is very confusing and hard to tell, and people are discouraged from voting. We should not want to do that. So from that practical sense it really does not make any sense to do it only on request. By that time it is too late.

As an immigrant myself, I know that most immigrants to the United States want to become fully Americanized as quickly as they can. But sometimes circumstances of community and locality and geography work against them. And why should we not encourage the people who want to participate, but who are not fully capable of doing it in English from doing so?

I do not understand the hurdles that are attempted to be put into place. We all brag about how we are a fully participatory democracy and we want everybody to take part. Well darn it, if we want everybody to take part, let us make it easy for people to take part.

Mr. MCCOLLUM. Madam Chairman, I yield myself such time as I have remaining.

Madam Chairman, I think that this amendment is probably being mischaracterized or misunderstood perhaps by some who are arguing against it. It is not in any way intended to put another hurdle in the way of those who cannot speak English to vote. It is in no way intended to be discriminatory or to discourage. It is rather to simply clarify the existing practices as are understood today and make sure we do not see an abuse of those practices that costs the local governments a whole lot more money.

We just had an amendment out here a few moments ago that lost by two votes that would have required us in the Federal Government to pay the expenses of these multilingual voting

materials instead of the local communities having to pay for them, thereby costing them more money for these unfunded types of propositions that we so often mandate. It lost by two votes, so local communities are going to have to pay for this material.

And if they have to submit this material, or somebody up here in the Federal Government comes down by regulation under this act and says, "Ah ha, you have to prepare all of this multilingual voting material and provide it out there, and mail it to everybody who registers to vote or who has registered who is a Hispanic American, or an Asian-American, or a Native American, or an Alaskan Aleut, or whoever," then we are going to cause a tremendous cost to the local taxpayer and the local government. It is a ridiculous thing to do.

Instead, my amendment simply says that the material is only going to have to be provided to citizens, and that is the only people I think it should be provided to, upon request, and if that request is made, of course, it will be provided. And the materials can be provided by the supervisor, or certainly they can be by cards and materials that have clearly printed on them that they will be given multilingual ballots and so forth if they request them. In other words, there can be notice of this very easily, and that is what the assumption would be, that the regulations would say that you would have to give notice that the bilingual material was available.

And do not forget, anybody who is a citizen anyway, under the statutes, has to be able to read and write and have a minimum proficiency, so surely they would have enough proficiency and understanding to make the request. That is the way it is done today, and that is the common practice.

I am not suggesting that we change current law. I am not doing that in this amendment. I am simply codifying the fact that only citizens would get the material so that we do not encourage the proliferation of noncitizen voting districts like is happening here now, and that those who do and who are citizens are only going to get it by request so that we do not waste a lot of money or have some regulations promulgated down the road somewhere that will waste a lot of money of the local communities. Since this burden is now on the local communities and they have to pay, we do not want that to happen. We want to keep it here in the simplest form possible, and we want to provide the access to this material to those who really need it. But we want to keep it in a narrow focus, and not waste a lot of money.

So again, my amendment does two things. It provides the requirement that you have to be a citizen in order to get the material. Second, you are required to request that material. And I urge an aye vote on this amendment, because if Members do not vote aye they are going to not be voting the way

I think they would want to vote to encourage citizens only voting and request only that saves the local governments some money.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. MINETA], a former mayor and distinguished administrator.

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

Mr. MINETA. Madam Chairman, I appreciate the gentleman yielding me the time.

I rise today in strong opposition to the amendment.

The amendment before us would require that counties provide bilingual assistance or bilingual ballots only when citizens request it. On the surface, that seems reasonable.

But in fact, this amendment would make implementation of the bill more complex.

And more importantly, it would write a mandate into Federal law that some voters be singled out for official harassment and intimidation.

When I first saw the gentleman's amendment, I focused on the cost issues involved. Under the bill as reported, counties covered by the bill are allowed to selectively target their assistance to those precincts where it is needed the most.

But by basing the requirement on voter requests, a county would have to be prepared to offer bilingual assistance whenever it is requested: in any covered language at any polling place in the county.

I didn't initially focus on the word "citizen" in the gentleman's amendment. After all, who else but citizens will be registered to vote?

But now I find that the gentleman's amendment is designed to require verification at the polls that bilingual voters are, in fact, citizens.

Madam Chairman, what do we think the registrars of voters in this country are doing?

The implication of this amendment is that, if you can't speak English well, then we will operate on the assumption that you lied when you registered to vote.

Madam Chairman, I have seen nothing, absolutely nothing, to tell me that we've got a problem with fraudulent registration by immigrants in this country.

If we do, then why focus only on people who aren't English proficient? It would be just as likely that hordes of Canadians, Irish, and Australians are sneaking into this country and attempting to manipulate our elections.

Madam Chairman, I reject the implication that simply because someone can't speak English they are worthy of our distrust.

When they come into a polling place, we cannot mandate the blatant intimidation of pulling them aside to be grilled about their citizenship.

Citizenship should be verified when people register to vote. Singling out one group of voters for interrogation at the polls is blatantly discriminatory.

It will achieve absolutely nothing except the intimidation of American citizens exercising the franchise guaranteed them by the Constitution.

I ask my colleagues to join me in defeating the amendment.

Mr. RICHARDSON. Madam Chairman, the voting process should be open to all those eligible, not just those who request the assistance to exercise a constitutional right.

Providing bilingual voting assistance should not place burdens on the recipients of the materials.

Language minority voters, particularly first time voters, are often hesitant to request help from election authorities.

Requiring an explicit request by a minority voter would likely seriously discourage participation, causing many to forgo bilingual assistance or to forgo voting.

Voters have already been screened before they enter the poll: only voters identified through community groups are targeted with bilingual voting materials. Because of this type of targeting, it should not be necessary for bilingual voters to request such materials.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. MCCOLLUM].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MCCOLLUM. Madam Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 230, not voting 63, as follows:

[Roll No. 316]  
AYES—141

Allen	Gekas	McEwen
Archer	Gilchrest	McGrath
Army	Gillmor	McMillan (NC)
Ballenger	Gingrich	Meyers
Barrett	Goodling	Michel
Bateman	Goss	Miller (OH)
Bennett	Gradison	Montgomery
Bentley	Hancock	Moorhead
Bereuter	Hastert	Myers
Billrakis	Henry	Nichols
Bliley	Hegger	Nussle
Boehner	Hobson	Orton
Burton	Holloway	Oxley
Byron	Hopkins	Packard
Camp	Houghton	Parker
Clement	Hunter	Paxon
Clinger	Hutto	Penny
Coble	Inhofe	Petri
Combest	James	Pickett
Cox (CA)	Johnson (SD)	Porter
Crane	Johnson (TX)	Pursell
Cunningham	Kanjorski	Ramstad
Dannemeyer	Klug	Ravenel
DeLay	Kolbe	Regula
Derrick	Kyl	Rhodes
Dickinson	Lagomarsino	Ridge
Dingell	Lancaster	Rinaldo
Doolittle	Lent	Roberts
Dorman (CA)	Lewis (FL)	Rogers
Dreier	Lightfoot	Rohrabacher
Duncan	Lipinski	Roth
Emerson	Lowery (CA)	Roukema
Ewing	Machtley	Rowland
Fawell	Marlenee	Santorum
Fields	McCandless	Saxton
Franks (OT)	McCollum	Schaefer
Galleghy	McCrery	Schiff
Gallo	McDade	Schulze

Sensenbrenner  
Shaw  
Shuster  
Skeen  
Smith (NJ)  
Smith (OR)  
Solomon  
Spence  
Stearns

Stenholm  
Stump  
Tanner  
Tauxin  
Taylor (MS)  
Taylor (NC)  
Thomas (CA)  
Upton  
Valentine

Vander Jagt  
Walker  
Weber  
Wolf  
Wylie  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

Gephardt  
Hammerschmidt  
Hansen  
Hatcher  
Hayes (LA)  
Hefley  
Hubbard  
Huckaby  
Hyde  
Ireland  
Kolter

Laughlin  
Levine (CA)  
Livingston  
Lloyd  
Martin  
Martinez  
Matsui  
Morrison  
Mrasek  
Peterson (FL)  
Ray

Riggs  
Smith (TX)  
Sundquist  
Tallon  
Thomas (GA)  
Thomas (WY)  
Towns  
Traficant  
Traxler  
Wilson  
Yatron

Federal mandates on our State and local governments, then vote for my amendment.

□ 1310

Madam Chairman, I reserve the balance of my time.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to a distinguished Member, the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Madam Chairman, I thank the chairman, JACK BROOKS, for his time and his leadership on this issue.

Madam Chairman, I rise in opposition to the Rohrabacher amendment.

We can make all sorts of excuses, slice it this way, cut it that way, et cetera; whatever we think on general language issues—and all of us hope and pray and want to work toward the fact that everyone will become integrated into America, the melting-pot society—that the most precious right is that to vote. People understand this Constitution was written with the belief that everybody ought to have that right to vote no matter who they are, no matter what language they speak. You take away people's effective right to vote, you are taking away the thing that our forefathers died for.

So I say to my colleagues this is special, and that, yes, States and counties and localities should go out of their way to assure that people are enfranchised.

There are no ifs about this, this is not something where you can cut the line here or cut the line there. If people cannot vote, for whatever reason, and you can say, "Well, they haven't made the effort to learn English, they haven't done this, they haven't done that," they are disenfranchised.

One thing history teaches us, when a sizable segment of the population anywhere in the world, certainly in this country, is disenfranchised, the country loses.

Madam Chairman, we are in a new world. We need every citizen of America to be part of our team, part of our Army to keep America No. 1.

Madam Chairman, this is a way to do that. This bill is a way to do that. This amendment is a way to stop that from happening.

I hope we will oppose the Rohrabacher amendment, support the bill and move this into law.

Mr. ROHRABACHER. Madam Chairman, I yield 2 minutes to my colleague, the gentleman from California [Mr. HERGER].

Mr. HERGER. Madam Chairman, I rise in support of the Rohrabacher amendment, which would eliminate some of the confusion that this legislation will certainly cause. Without this amendment, we will continue another unnecessary congressional mandate on State and local governments. There is no proven need for federally mandated bilingual ballots, nor is there evidence that providing ballots and election information in numerous languages actu-

NOES—230

Abercrombie  
Ackerman  
Alexander  
Anderson  
Andrews (ME)  
Andrews (NJ)  
Annunzio  
Applegate  
Aspin  
AuCoin  
Baker  
Bellenson  
Berman  
Bevill  
Bilbray  
Blackwell  
Boehert  
Bonior  
Borski  
Brewster  
Brooks  
Browder  
Bruce  
Bustamante  
Campbell (CA)  
Cardin  
Carper  
Carr  
Chapman  
Clay  
Coleman (TX)  
Collins (IL)  
Collins (MI)  
Condit  
Cooper  
Costello  
Cox (LL)  
Coyne  
Cramer  
Darden  
Davis  
de la Garza  
DeLauro  
Dellums  
Dixon  
Donnelly  
Dooley  
Dorgan (ND)  
Downey  
Durbin  
Eckart  
Edwards (TX)  
Engel  
English  
Erdreich  
Espy  
Evans  
Fascell  
Fazio  
Fish  
Flake  
Foglietta  
Ford (MI)  
Frank (MA)  
Gedjenson  
Geren  
Gibbons  
Gillman  
Glickman  
Gonzalez  
Gordon  
Grandy  
Green  
Guarini  
Gunderson  
Hall (OH)  
Hall (TX)

Hamilton  
Harris  
Hayes (IL)  
Hefner  
Hertel  
Hoagland  
Hochbrueckner  
Horn  
Horton  
Hoyer  
Hughes  
Jacobe  
Jefferson  
Jenkins  
Johnson (CT)  
Johnston  
Jones (GA)  
Jones (NC)  
Jontz  
Kaptur  
Kasich  
Kennedy  
Kennelly  
Kildee  
Klecza  
Kopetski  
Kostmayer  
LaFalco  
Lantos  
LaRocco  
Leach  
Lehman (CA)  
Lehman (FL)  
Levin (MI)  
Lewis (CA)  
Lewis (GA)  
Long  
Lowe (NY)  
Luken  
Manton  
Markey  
Mavroules  
Mazooli  
McCloskey  
McCurdy  
McDermott  
McHugh  
McMillen (MD)  
McNulty  
Mfume  
Miller (CA)  
Miller (WA)  
Mineta  
Mink  
Moakley  
Molinari  
Mollohan  
Moody  
Moran  
Morella  
Murphy  
Murtha  
Nagle  
Natcher  
Neal (MA)  
Neal (NC)  
Nowak  
Oakar  
Oberstar  
Obey  
Olin  
Olver  
Ortiz  
Owens (NY)  
Owens (UT)  
Pallone  
Panetta

Pastor  
Patterson  
Payne (NJ)  
Payne (VA)  
Pease  
Pelosi  
Perkins  
Peterson (MN)  
Pickle  
Poshard  
Price  
Quillen  
Rahall  
Rangel  
Reed  
Richardson  
Ritter  
Roe  
Roemer  
Ros-Lehtinen  
Rose  
Rostenkowski  
Roybal  
Russo  
Sabo  
Sanders  
Sangmeister  
Sarpalius  
Savage  
Sawyer  
Scheuer  
Schroeder  
Schumer  
Serrano  
Sharp  
Shays  
Sikorski  
Siskiy  
Skaggs  
Skelton  
Slattery  
Slaughter  
Smith (FL)  
Smith (IA)  
Snowe  
Solars  
Spratt  
Staggers  
Stallings  
Stark  
Stokes  
Studds  
Swett  
Swift  
Synar  
Thornton  
Torres  
Tortorelli  
Unsoeld  
Vento  
Viscosky  
Volker  
Vucanovich  
Walsh  
Washington  
Waters  
Waxman  
Weise  
Weldon  
Wheat  
Whitten  
Williams  
Wise  
Wolpe  
Wyden  
Yates

□ 1308

The Clerk announced the following pairs:

On this vote:

Mr. Riggs for, with Mr. Martinez against.  
Mr. Thomas of Wyoming for, with Mr. Andrews of Texas against.

Mrs. VUCANOVICH and Mr. NAGLE changed their vote from "aye" to "no." So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROHRABACHER.  
Mr. ROHRABACHER. Madam Chairman, I offer an amendment.

The Clerk read as follows:  
Amendment offered by Mr. ROHRABACHER: Page 5, strike "(I)".

Page 6, line 2, insert "and" after the semicolon.

Page 6, strike line 3 and all that follows through line 14.

The CHAIRMAN. The gentleman from California [Mr. ROHRABACHER] will be recognized for 10 minutes, and the gentleman from Texas [Mr. BROOKS] will be recognized for 10 minutes.

The Chair recognizes the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Madam Chairman, I yield myself 2 minutes.

Madam Chairman, my amendment is simple and easy to understand. It would simply eliminate the huge expansions of bilingual ballot mandates included in H.R. 4312, leaving only the 15-year extension of the current authorization, which is consistent with the administration position on this bill.

One provision eliminated by my amendment would require Los Angeles County, for example, to print all election materials in at least five additional languages.

The other provision eliminated by my amendment requires counties to provide election materials in an Indian language, even if it contains only a portion of an Indian reservation—as long as 5 percent of the Indians on the reservation speak another language—even if few or none of those Indians actually live within the county affected.

My amendment removes the most absurd aspects of this bill. If you think it's a good idea to require large counties like mine to print their ballots and other election materials in several languages, vote against my amendment. If you think it's a good idea to make small counties print their materials in Indian languages that may not even be spoken in their county, vote against my amendment.

But if you think it is time to stop imposing more ridiculous unfunded

NOT VOTING—63

Allard  
Andrews (TX)  
Anthony  
Atkins  
Baechus  
Earnard  
Barton  
Boucher  
Boxer  
Broomfield

Brown  
Bryant  
Bunning  
Callahan  
Campbell (CO)  
Chandler  
Coleman (MO)  
Conyers  
Coughlin  
DeFazio

Dicks  
Dwyer  
Dymally  
Early  
Edwards (CA)  
Edwards (OK)  
Feighan  
Ford (TN)  
Frost  
Gaydos

ally increases political participation by minorities.

The public strongly opposes the direction of this bill. In my State of California, 70 percent of the voters approved an initiative to eliminate foreign language ballots. In 1986, California's voters passed an English Language amendment by 72 percent of the vote.

These decisions, contrary to the claims of some, are not the result of racism, but common sense. In fact, minorities strongly support official status for English. In a poll by the San Francisco Chronicle, overwhelming numbers, including 78 percent of Hispanics, supported official English.

Foreign language ballots are just another step in the efforts of some to divide Americans by race, class, language, and religion. It is ironic that the party which only a week ago was attacking the President for supposedly dividing Americans between us and them is happy to divide people at the ballot box.

We should instead be working to unite this country, and a common language is the most effective tool for that. I am reminded of my father, who like so many others did not speak any English at all until he started school, but learned it because it was required and because it was needed to be successful in this country.

Bilingual education and foreign language ballots are crutches, which keep people from learning our national language rapidly and effectively. I urge adoption of the Rohrabacher amendment.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. FOGLIETTA].

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

Mr. FOGLIETTA. Madam Chairman, I rise in opposition to the Rohrabacher amendment.

Madam Chairman, today, we are attempting to pass another piece of legislation to empower the American people. This time, it is legislation to help language minorities at the polling place.

A few weeks ago we passed a bill to increase voter registration with the so-called motor voter bill. Unfortunately, the President vetoed it—as the American people tried to celebrate the Fourth of July.

Is there any mystery why the American people have turned off to politics? With that veto, the President said: We don't care about your vote.

Despite that very cynical act by our President, we have to send another message today to the American people, all American people: We want you to care about the political process, we want you to get involved, we want you to vote.

I urge my colleagues to vote "no" on the Rohrabacher amendment. "Yes" on

the Voting Rights Language Assistance Act.

Mr. ROHRABACHER. Madam Chairman, I yield myself 2½ minutes.

Madam Chairman, there are a lot of Americans who are listening to this debate today, and they are Americans of goodwill, because all Americans come here from somewhere else. All of us have our ancestors coming from some other land. Most of us, most of those relatives came speaking another language. But today we are talking about something that does go to the heart and soul of America, it goes to our unity as a people, it goes to the opportunities available to the individual.

With the best of intentions, this bilingual nonsense is leading to linguistic segregation of the new immigrants of America. It is a bad idea for America. It is a bad idea for the individual citizens who are frozen out of America's opportunities, for lack of proficiency in the English language.

People all over the world are struggling to learn English. They make great sacrifices so their children can learn English, knowing that such knowledge will open up new opportunities for self-betterment.

How tragic it is that the bilingual balance and bilingual education that we are encouraging large numbers of our own people to freeze themselves out of the social and economic mainstream and to limit their own abilities to improve their lot in life.

With the best of intentions, this policy of bilingual balance and bilingual education is linguistically segregating America. It hurts each and every one of our citizens who does not then become proficient in English language.

I do not doubt the goodwill on that side of the aisle, those people who are advocating this type of bilingual policy for America; I would suggest that it is having the opposite impact and in the long run it is going to harm the very people that they seek to help.

Madam Chairman, I reserve the balance of my time.

□ 1320

Mr. BROOKS. Madam Chairman, I yield such time as he may consume to the gentleman from California [Mr. TORRES].

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

Mr. TORRES. Madam Chairman, this Congress has had the honor to enact some very important civil rights laws, the American with Disabilities Act and the Civil Rights Act of 1991. I ask you, how can we make laws that prevent gender, skin color, and physical disability discrimination for jobs and housing, yet continue to alienate and discriminate against half the citizens of this country by depriving them of one of the most fundamental rights of democracy, the right to vote? We have a chance today to correct some horrendous mistakes made to our voting rights laws, to guarantee that all of our citizens are able to exercise their right to vote.

In 1975, section 203, together with two other language assistance provisions was added to the Voting Rights Act. Section 203 was added to increase the participation of American citizens who have problems voting in English. Section 203 was based upon the congressional finding that the unequal educational opportunities commonly suffered by limited English citizens often prevent these citizens from exercising their right to vote.

The intent of section 203 was to stop a discriminatory voting practice which violates the equal protection clause of the 14th amendment and the 15th amendment's guarantee to all eligible citizens of their right to vote. The practice in question is the failure of a jurisdiction to print ballots in a language other than English when another language is more fully understood by a significant number of voting age citizens. It is unrealistic and illogical to assume that people, regardless of color, have automatically learned English in school, when 1 in 5 adults in the United States are illiterate. In the late seventies Los Angeles County was required to print ballots in Spanish, but that requirement was lifted during the Reagan administration.

Section 203 was amended in 1982 to provide new guidelines for language assistance, this was suppose to ensure that those really needing language assistance received it. Unfortunately, the formula now used to decide who meets the language assistance criteria is seriously flawed. Now bilingual assistance is determined by an ill-conceived census question.

A county only has to provide bilingual help if the census shows that 5 percent of the limited English citizenry does not speak English well enough to make an informed vote. As a result, some highly populated areas are no longer covered because the total population overshadows the minority communities. For example, my own county of Los Angeles is no longer covered.

Even though Los Angeles County has approximately 8 million people which includes over 3 million Hispanics, Los Angeles is not covered by section 203. According to the census, the 200,000 voting age Hispanics who speak English poorly comprise less than 5 percent of the Los Angeles County's total population.

Ballots in Los Angeles County used to also be printed in Spanish, now ballots in the Los Angeles area are printed only in English. And, for the 200,000 Hispanic voters who are U.S. citizens, the Los Angeles County ballots are unintelligible—200,000 people, that's four packed RFK Stadiums; or 4,445 busloads of people; it's also half the population of Wyoming.

All U.S. citizens have a right to be equally informed, and if need be, ballots need to be translated in order for them to cast a proper vote, that is just common sense. Consequently, the right to vote has effectively been denied to a large portion of limited and non-English speaking U.S. citizens.

The Voting Rights Improvement Act of 1992 would reauthorize and expand the bilingual provisions of the Voting Rights Act, section 203, to require jurisdictions with large language minority populations to provide both bilingual assistance and material to voters. Section 203 is due to expire on August 6, 1992, at which time 68 counties that are currently covered only by section 203—3 of which pro-

vide assistance in two languages other than English—will no longer be required to provide bilingual voting assistance. The Voting Rights Improvement Act of 1992 will give all citizens, including non-English speaking citizens, the right to cast an independent, informed vote. The amendment would also recognize native American reservation boundaries when determining bilingual voting assistance.

Non-English speaking voters need to be guaranteed the same assistance and explanatory materials as English-speaking voters.

The Voting Rights Improvement Act is not about immigration or patriotism. The bill is about the right of every citizen to be able to participate fully in their rights of citizenship.

Don't you think that we have a fundamental responsibility to ensure that all citizens have the opportunity to be part of the voting process and cast an informed vote? We, as legislators, should do everything in our power to ensure that all citizens of this country will be guaranteed their right to be part of the electoral process regardless of nationality or race.

Mr. BROOKS. Madam Chairman, I yield such time as he may consume to the gentleman from California [Mr. MINETA].

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

Mr. MINETA. Madam Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. ROHRBACHER].

Like many of us in the House, I am the son of immigrants. My father came to this country in 1902, and my mother in the twenties.

It was not until 1953, 51 years after he arrived in this country, that my father was allowed to become a citizen. Until that time, it was against the law in this Nation for any Asian immigrant to be naturalized.

Mr. Chairman, just as surely as those racial exclusion laws excluded my parents from citizenship, the Rohrabacher amendment would exclude the voices of today's newest Americans from our political life.

There are some in this country who argue that bilingual ballots will convince immigrants that learning English is not necessary. They believe that bilingual ballots are some kind of handout to lazy immigrants who can't be bothered to learn English.

Well, Madam Chairman, I have seen the community organizations and the schools straining to meet the demand for English classes.

I've spoken with the people we are discussing today: Good, honorable and loyal Americans who struggle every day to build a better life for their families.

They stand in line for English classes, and all too often end up on waiting lists or in overcrowded classrooms.

Should their voices be given any less weight because they are not yet English voices? Are their children less important to our country's future? Are they any less a part of America? Of course not.

They do not need politicians to tell them the importance of learning English. Cold hard reality is a much more effective, and much less patronizing teacher.

Bilingual ballots will not remove the barriers to getting a good job or going to college. They will not make it easier to report a crime to a policeman or tell a doctor that your child is sick.

But bilingual ballots can remove one roadblock to their full participation in our society by making something available to them that is the right of every American: The franchise.

The numerical threshold is crucial to that goal. This bill recognizes that. The Justice Department recognizes it, and the White House recognizes it.

I ask my colleagues to join me in opposing the amendment.

Mr. BROOKS. Madam Chairman, I yield such time as she may consume to the gentlewoman from Hawaii [Mrs. MINK].

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

Mrs. MINK. Madam Chairman, I rise today in strong opposition to the Rohrabacher amendment, which strikes the very heart of this bill—the new benchmark which will trigger the requirement for language assistance.

Through the implementation of section 203 of the Voting Rights Act over the last 13 years we have found an enormous loophole, which has left thousands of individuals in our Nation without the necessary assistance to exercise the most fundamental right to vote.

And what the gentleman is asking us to do today, is to ignore the fact that this loophole exists; to return to current law; and to knowingly deny citizens of this Nation protection against language discrimination at the polls.

Under current law, language assistance is required only if the eligible voting population of the language minority with limited English proficiency totals 5-percent of the population of the entire country. This 5-percent requirement has excluded certain communities which have a high number of language minorities yet when counted along with the entire county do not meet the 5-percent benchmark.

Opponents to the new benchmark say that it will be too onerous and costly on local government. Madam Chairman, it will take money and effort to accomplish this. However, we are not talking about a frivolous program of numerous benefits and services. We are talking about protecting the most fundamental right in the Nation, the right to vote. And we cannot knowingly deny people of that right.

The bill sets forth a fair and sound benchmark of 10,000 limited English proficient individuals within a county.

The new benchmark is vital to the Asian-American community and their participation in our electoral process. Under the 5-percent trigger only three counties in the entire Nation were required to provide language assistance in one Asian language, Japanese. Those three counties happen to be in my district.

With the new benchmark the Census Bureau tells us that according to the 1990 census data 10 counties across the Nation will be required to provide Asian language assistance, which include four different Asian languages.

It is important to remember that while Asian-American as a collective group make up the fastest growing minority in the Nation it has been difficult for them to qualify for language assistance because each separate Asian language must meet the 5-percent trigger.

Even States like California, New York, Texas, and Illinois, which comprise 57 percent of the total mainland Asian-American population, cannot meet the 5-percent benchmark for any Asian language assistance.

The 10,000 person benchmark is essential to providing Asian Americans with the assistance needed to become full-fledged participants in our democracy.

Madam Chairman, I urge my colleagues to protect and preserve the constitutional rights of all citizens and vote against the Rohrabacher amendment.

Mr. BROOKS. Madam Chairman, I yield such time as he may consume to the gentleman from Arizona [Mr. PASTOR].

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

Mr. PASTOR. Madam Chairman, I rise in strong opposition to this amendment and urge my colleagues to join me in supporting H.R. 4312, the Voting Rights Improvement Act of 1992. This bill reauthorizes the bilingual provisions of the Voting Rights Act, section 203, and amends that section to better identify Hispanic, Asian and native American citizens who need language assistance in order to cast meaningful votes during an election.

The Second Congressional District of Arizona, of which I am privileged to represent, consists of large numbers of Hispanic-Americans and native Americans. About half of my constituents belong to these minority groups. Many of my native American and Hispanic constituents do not understand English well enough to use voting materials written in English.

In many other communities in the country—such as the Hispanic community in Los Angeles County or the Asian-American community in San Francisco—minority language citizens need bilingual voting assistance. Without proper translations, these citizens cannot exercise their fundamental voting right and as a result cannot take part in our representative Government. The language assistance provided by section 203 enables them to make their voices heard at the polls.

H.R. 4312 has special significance for native Americans because it improves section 203's coverage of native Americans living on Indian reservations who have limited English language skills. The current standard in section 203 excludes many reservations with significant populations of limited English proficient native Americans. Elsewhere, only parts of reservations are covered. This occurs because the current coverage standard does not consider the unique history and demography of native Americans. Native Americans living on reservations and other Indian lands comprise less than one-third of 1 percent of the total United States population. These relatively small populations are split by State and county lines, which were often drawn without regard for reservation boundaries when States entered the Union. As a result, most limited English proficient native Americans do not exceed 5 percent of a county's voting age population.

The legislation before us today, H.R. 4312, provides an alternative coverage standard for native Americans which more accurately identifies those needing language assistance: Where you have more than 5 percent of the native Americans voting age population of a reservation you will have to provide it under section 203. This alternative standard is necessary in order for section 203 to have real meaning for native Americans. Without it, only 4 of the more than 500 native American na-

tions in the United States would receive assistance under section 203 alone.

I can offer a good example from my own district in Arizona. The Tohono O'odham Nation is the fifth largest native American nation in the United States. Its reservation spans three counties in southern Arizona. According to the Census Bureau, several thousand voting age Tohono O'odham members cannot speak English well enough to be well-informed in the electoral process. Nevertheless, none of the three counties on the Tohono O'odham Reservation provide language assistance under section 203. The reason is that most Tohono O'odham members live in the same county as the large, off-reservation city of Tucson, which has more than half a million residents. Even though the Tohono O'odham members number in the thousands, they do not comprise more than 5 percent of the county's total voting population. Under H.R. 4312, the Tohono O'odham nation would receive language assistance under section 203, according to preliminary Census Bureau predictions.

Some counties covered under H.R. 4312's proposed standard will have few native Americans who need assistance, simply because the incidence of native Americans in the population overall is low compared to other language minority groups by section 203. I do not believe this will present a hardship to covered counties because only oral assistance is required where languages have no common written form, as is true of most native American languages. The cost of oral assistance is minimal, according to a 1986 GAO report. Also, the Department of Justice regulations, which implement section 203, permit counties to target assistance only to those who need it. For example, if all the native language speakers live on the reservation portion of a covered county, that county can provide assistance only in the reservation precincts.

Native Americans have the right to use their languages in public proceedings, according to the Native American Languages Act of 1990. H.R. 4312 makes this right a reality by providing the language assistance which many native Americans—and other language minority groups—need to fully participate in the electoral process. We need to encourage more participation in our elections and not provide obstacles to participation.

I strongly urge my colleagues to join me in supporting H.R. 4312 in order to improve our civic responsibility to participate in the political process.

Mr. BROOKS. Madam Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SERRANO].

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

Mr. SERRANO. Madam Chairman, I rise in opposition to this horrible amendment.

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

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

Mr. ORTIZ. Madam Chairman, I ask my colleagues to defeat this amendment and pass the bill.

Mr. BROOKS. Madam Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. WASHINGTON], and then we will have our final speaker, the gentleman from New Mexico [Mr. RICHARDSON], and Chief RICHARDSON will wrap up for us.

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

Mr. WASHINGTON. Madam Chairman, I thank the gentleman from Texas [Mr. BROOKS] for yielding this time to me, and I wish, I say to my good friend from California, that linguistic segregation was the only problem that we had left in our country, and, if it were, I think that we would be a lot closer to realizing the dream which the gentleman and I would like to have fulfilled. I will vote for bilingual Head Start next Congress. I will vote for bilingual education for elementary school children, secondary school children. I will vote for bilingual adult education. The bottom line of this amendment has nothing to do with that. I think the gentleman and I are going to get to the answers to the problem.

I say to the gentleman, "You and I want one society, and we move closer to that society when all people feel able to participate. But when we let the door down on one group, it's suspicious to them, and it's suspicious to others who have been similarly situated in the past."

Our average congressional district is about 500,000 people. Ten thousand people will be 2 percent. There are no Members of Congress in this room who would delude themselves, or the rest of us, by telling us if they had 10,000 voters out there who did not speak English that they would not find a way to communicate with them if my colleagues thought that they would vote for them. I say to my colleagues, "You wouldn't. You know you wouldn't."

So, Madam Chairman, the gentleman wants to take out the amendment to make it 10 percent of the people, and 5 percent of the people is 25,000 voters. He wants to raise the threshold to 25,000 voters, and he is saying that if there were 24,000 people, or 23,000, or 22,000, or 21,000, he would not want them to be able to vote for him. He would not want to communicate with them in Spanish, or Vietnamese, or whatever language.

I say to my colleagues, "You know that's not true. Let's kill that amendment."

Mr. BROOKS. Madam Chairman, I yield 2 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 Chairman, I cannot think of a more un-American amendment than this amendment. What this amendment would do is, the first Americans in this country, the native Americans, would be totally disenfranchised. No Indian reservation would be covered if this amendment is adopted because, by changing the jurisdiction by county, instead of reservation, one is disenfranchising the native American peoples of this country that are our first Americans. Nine percent of them vote right now because they are upset. They are forgotten, and they do not want to participate. I say to my colleagues, "If you want to take them out completely and also recognize that they are being disenfranchised, this amendment will eliminate all reservations in this country from participating in the electoral process."

I also want to emphasize the practical effect of this amendment in Orange County. It eliminates Vietnamese. It eliminates Chinese. Under the 5-percent trigger, several of the largest communities of Hispanic and Asian minority voters are not covered simply because these communities reside in very large metropolitan areas: only Los Angeles, New York, San Francisco, and Chicago.

We have had a long struggle, whether we are Hispanic, native American, Asian, to fully participate in this country. In one fell swoop the electoral process, by adopting this amendment, that disenfranchisement will take place.

Vote "no" on the Rohrabacher amendment.

Mr. BROOKS. Madam Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. FISH], the ranking Republican on the Committee on the Judiciary.

Mr. FISH. Madam Chairman, we know that this amendment is a straight reauthorization. Therefore it knocks out the purpose of our being here. We have come to the realization that there are these large minority groups in large cities that simply do not count, are not counted under the threshold. I think everybody is aware of that, and that is the problem with this amendment.

There are some underlying currents here I would like to address for a minute. There is concern that by providing language assistance to limited English proficient citizens we may be fostering separatism by discouraging people from learning English. I think it is stretching things to say that facilitating a few moments at the polling place once a year is going to have a major effect on discouraging people from learning English. Separatism has not been the history of this country

with large foreign language populations. It has been quite the reverse, an eventual total assimilation.

The second thing I would like to emphasize is that we are trying to allow more people into the system by this legislation, and the amendment before us would freeze them. We live in a time of diminishing participation in the electoral process and greater voter apathy. Faced with this situation, I think we should do everything within our power to encourage citizens to vote. It seems to me that by enabling language minority citizens to vote in an effective and informed manner, we are giving them a stake in our society. This assistance provides true access to government that, I trust, will lead to more, not less, integration and inclusion of these citizens in our mainstream.

Madam Chairman, I think those are the two points I would like to leave my colleagues with as we approach the end of the consideration of this legislation. I think it is critically important we defeat this amendment and go on and pass the bill.

Mr. BROOKS. Madam Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. MAZZOLI], a graduate of Notre Dame and a distinguished lawyer.

Mr. MAZZOLI. Madam Chairman, I thank the gentleman from Texas [Mr. BROOKS] for that endorsement. I appreciate it.

Madam Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. ROHRABACHER], and I salute the gentleman from New York [Mr. FISH], my friend, on his statement to commend my chairman, the gentleman from Texas, for having brought the bill up and the gentleman from California [Mr. EDWARDS] who has shepherded it to this point.

Let me just broaden the situation. I think we should not change the bill as the gentleman from California [Mr. ROHRABACHER] would wish, but beyond that we need to talk about encouraging people to vote.

Unfortunately, as I said earlier today, the President vetoed the motor-voter bill. The President vetoed the campaign finance reform bill. It is almost as if, whether it is his own desire or he is getting terrible information and advice, it is almost as if the President does not want people to vote. They are afraid of the people.

So, Madam Chairman, I encourage defeat of the Rohrabacher amendment. Support the gentleman from Texas' bill. Let us show the American people that we are not afraid if they are going to the polls. In fact, Madam Chairman, let us show them that we want them to come to the polls to vote.

Mr. BROOKS. Madam Chairman, I reserve the balance of my time, but I am ready to vote.

Mr. ROHRABACHER. Madam Chairman, I yield myself the balance of my time.

Madam Chairman, let us get some facts straight. Madam Chairman, we have heard a lot of inflated rhetoric on this floor. Some of the rhetoric we just heard is so detached from reality.

Let me note that 176 jurisdictions, if my amendment passes, will still be covered by this requirement in the Voting Rights Act, and let me note that my amendment does not change the status quo of the Voting Rights Act. It keeps it the same in terms of the bilingual requirements.

□ 1330

Everyone is talking about these massive numbers of people who will be disenfranchised. Those people are totally disenfranchised now. This is rhetoric that is way beyond reality.

Madam Chairman, let me note in terms of the discussions we have had about the effect on Indian reservations, under the 5-percent threshold, 18 jurisdictions are required to provide language assistance to 14,000 Indian voters. The new formula as presently drafted, that is, what we have today, and that will not change, 18 jurisdictions with 14,000 Indian voters. Under the new formula as presented in the draft, it will add 59 jurisdictions, but will only cover 4,900 voters. That is what we are talking about.

Over half of those jurisdictions, I might add, have fewer than 50 voters who will need assistance. Several of them have no native Americans who will need voting assistance at all, but they will still be covered under the Act.

I think that we have got to look at this whole issue of bilingual ballots and bilingual education and bilingualism in America.

Let me just note this: I would hope and I would pray that people in this body accept that people of good will can differ on this fundamental issue. I certainly have no problem at all in accepting that the people on that side of the aisle have the very best of intentions in mind. I happen to believe that this whole idea of separating America into separate linguistic groups is going to destroy the America I love and destroy the opportunity of those individuals who are involved. I am concerned, and I love those people we are talking about.

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

Mr. ROHRABACHER. I would really like a chance to finish this because I have been under attack here, but I will yield quickly.

Mr. WASHINGTON. Madam Chairman, does the gentleman from California [Mr. ROHRABACHER] send out any campaign material or will he send out any in any other language other than English?

Mr. ROHRABACHER. Madam Chairman, I would send out campaign material in languages other than English, but this bill simply eliminates the requirement for the local governments to do so. They can still do it if the local

community feels it is necessary. They can still send out bilingual information. But should the Federal Government mandate this?

Let me note, the American dream is that we have an experiment here where people have come from all over the world, of every background, of every race, of every religion, to pray and worship God as they see fit, to improve their lot, to live in freedom.

The one thing that kept us together and kept that dream alive was a love of liberty, and another thing was the English language. If you dilute either the love of liberty or the English language, you are diluting the American dream for the people you are trying to help.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ROHRABACHER].

The question was taken; and the Chairman announced that the yeas appeared to have it.

#### RECORDED VOTE

Mr. ROHRABACHER. Madam Chairman, I demand a recorded vote.

A recovered vote was ordered.

The vote was taken by electronic device, and there were—ayes 115, yeas 253, not voting 66, as follows:

[Roll No. 317]

AYES—115

Allen	Hancock	Petri
Archer	Hastert	Porter
Army	Henry	Pursell
Balenger	Heger	Ramstad
Barrett	Holloway	Regula
Bateman	Hopkins	Rhodes
Beilenson	Houghton	Ridge
Bentley	Inhofe	Rinaldo
Billakis	James	Roberts
Bliley	Johnson (SD)	Rogers
Boehner	Johnson (TX)	Rohrabacher
Burton	Kanjorski	Roth
Chinger	Klug	Roukema
Coble	Kolbe	Santorum
Combest	Kyl	Saxton
Cox (GA)	Lagomarsino	Schaefer
Crane	Lent	Schulze
Cunningham	Lewis (CA)	Sensenbrenner
Dannemeyer	Lewis (FL)	Shaw
Davis	Lightfoot	Shuster
DeLay	Lipinski	Smith (NJ)
Derrick	Lowery (CA)	Smith (OR)
Dickinson	Marlenee	Solomon
Doolittle	McCandless	Spence
Dornan (CA)	McCollum	Stearns
Dreier	McCrary	Stamp
Duncan	McEwen	Taylor (MS)
Emerson	McMillian (NC)	Taylor (NC)
Ewing	Meyers	Thomas (CA)
Fawell	Michel	Vander Jagt
Fields	Miller (OH)	Walsh
Franks (CT)	Moorhead	Wolf
Galleghy	Myers	Wyllie
Gallo	Nichols	Young (AK)
Gekas	Nussle	Young (FL)
Gillmor	Oxley	Zeliff
Goodling	Packard	Zimmer
Goss	Patterson	
Gradison	Paxon	

NOES—253

Abercrombie	Bereuter	Bruce
Ackerman	Berman	Bustamante
Alexander	Bevill	Byron
Anderson	Billbray	Camp
Andrews (ME)	Blackwell	Campbell (CA)
Andrews (NJ)	Boehlert	Cardin
Annunzio	Bonior	Carper
Applegate	Borski	Carr
Aspin	Brewster	Chapman
AuCoin	Brooks	Clay
Bennett	Browder	Coleman (TX)

Collins (IL)  
Condit  
Costello  
Cox (IL)  
Coyne  
Cramer  
Darden  
de la Garza  
DeLauro  
Dellums  
Dingell  
Dixon  
Donnelly  
Dooley  
Dorgan (ND)  
Downey  
Durbin  
Eckart  
Edwards (CA)  
Edwards (TX)  
Engel  
English  
Erdreich  
Espy  
Evans  
Fasell  
Fazio  
Flake  
Foglietta  
Ford (MI)  
Frank (MA)  
Gedensson  
Geren  
Gibbons  
Gilchrest  
Gilman  
Gingrich  
Glickman  
Gonzales  
Gordon  
Grandy  
Green  
Guarini  
Gunderson  
Hall (OH)  
Hall (TX)  
Hamilton  
Harris  
Hayes (IL)  
Hefner  
Hertel  
Hoagland  
Hobson  
Hochbrueckner  
Horn  
Horton  
Hoyer  
Hubbard  
Hughes  
Hutto  
Jacobs  
Jefferson  
Jenkins  
Johnson (CT)  
Johnston  
Jones (GA)  
Jones (NC)  
Jontz  
Kaptur  
Kasich  
Kennedy  
Kennelly  
Kildee  
Kleczka

Kopetski  
Kostmayer  
LaFalce  
Lancaster  
Lantos  
LaRocco  
Leach  
Lehman (CA)  
Lehman (FL)  
Levin (MI)  
Lewis (GA)  
Long  
Lowey (NY)  
Luken  
Machtley  
Manton  
Markey  
Mavroules  
Mazzei  
McCloskey  
McCurdy  
McDade  
McDermott  
McGrath  
McHugh  
McMillen (MD)  
McNulty  
McFurne  
Miller (CA)  
Miller (WA)  
Mineta  
Mink  
Moakley  
Mollinari  
Mollohan  
Montgomery  
Moody  
Moran  
Morella  
Murphy  
Murtha  
Nagle  
Natcher  
Neal (MA)  
Neal (NC)  
Nowak  
Oaker  
Oberstar  
Obey  
Olin  
Oliver  
Ortiz  
Orton  
Owens (NY)  
Owens (UT)  
Pallone  
Panetta  
Parker  
Pastor  
Payne (NJ)  
Payne (VA)  
Pease  
Pelosi  
Penny  
Perkins  
Peterson (MN)  
Pickett  
Pickle  
Poshard  
Price  
Quillen  
Rahall  
Rangel  
Ravenel

Reed  
Richardson  
Ritter  
Roe  
Roemer  
Ros-Lehtinen  
Rose  
Rostenkowski  
Rowland  
Roybal  
Russo  
Sabo  
Sanders  
Sangmeister  
Sarpalius  
Savage  
Sawyer  
Scheuer  
Schiff  
Schroeder  
Schumer  
Serrano  
Sharp  
Shays  
Sikorski  
Siskisky  
Skaggs  
Skeon  
Skelton  
Slatery  
Slaughter  
Smith (FL)  
Smith (IA)  
Snowe  
Solarez  
Spratt  
Staggers  
Stallings  
Stark  
Stenholm  
Stokes  
Studds  
Sweet  
Swift  
Synar  
Tanner  
Tauzin  
Thornton  
Torres  
Torrice  
Towns  
Unsoeld  
Upton  
Valentine  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walker  
Washington  
Waters  
Waxman  
Weber  
Weiss  
Weldon  
Wheat  
Whitten  
Williams  
Wise  
Wolpe  
Wyden  
Yates

Allard  
Andrews (TX)  
Anthony  
Atkins  
Bacchus  
Baker  
Barnard  
Barton  
Boucher  
Boxer  
Broomfield  
Brown  
Bryant  
Bunning  
Callahan  
Campbell (CO)  
Chandler  
Clement  
Coleman (MO)  
Collins (MI)  
Conyers  
Cooper

NOT VOTING—66

Coughlin  
DeFazio  
Dicks  
Dwyer  
Dymally  
Early  
Edwards (OK)  
Feighan  
Fish  
Ford (TN)  
Frost  
Gaydos  
Gephardt  
Hammerschmidt  
Hansen  
Hatcher  
Hayes (LA)  
Hefley  
Huckaby  
Hunter  
Hyde  
Ireland

□ 1353

Mrs. VUCANOVICH changed her vote from "aye" to "no."

Mr. GEKAS changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

□ 1355

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. HOYER] 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, pursuant to House Resolution 522, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

MOTION TO RECOMMIT OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCCOLLUM. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MCCOLLUM of Florida moves to recommit the bill, H.R. 4312 to the Committee on Judiciary with instructions to report the same back forthwith with the following amendment:

On page 7, line 2, after "State," insert "The prohibitions of this subsection also do not apply with respect to any State or political subdivision that does not receive a Federal grant to cover all expenses resulting from compliance with this subsection. The Attorney General may make such grants."

The SPEAKER pro tempore. The gentleman from Florida [Mr. MCCOLLUM] will be recognized for 5 minutes in support of his motion to recommit, and the gentleman from Texas [Mr. BROOKS] will be recognized for 5 minutes in opposition.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, the motion to recommit with instructions I have just offered is very simple. It is

a revote of the Condit amendment that was defeated a few minutes ago by a vote of 184 to 186. It is a straight revote of that particular provision. It seems to me that the Members ought to have an opportunity to reconsider that.

If the Members will recall, the Condit amendment very straightforwardly simply ends the unfunded aspects of this bill as far as States and local governments are concerned, and says the Federal Government must pay for the cost of these bilingual ballots. We must pay for them. If we do not pay for them, then they do not have to abide by the restrictions we put out there.

This is the first of what we all hope will be a series of these types of votes we will take in the future that will end once and for all the kind of unfunded mandates that the Federal Government has been so prone to put down on the local governments. I would submit to my colleagues, for those of them who may not have understood it before, they should have no question about this. This amendment is not devious. It does not do anything else. It is very straightforward. It is simply an effort to end unfunded mandates to the State and local governments as far as this bill is concerned, and hopefully a precedent for other bills.

The gentleman from California [Mr. CONDIT] I think offered a very good amendment in the committee earlier, and now we will have a chance to revote this amendment. That is all this does. It would provide that Federal funds must be used in order to implement the law that we are passing today, in order to have the ballots printed and distributed, so the local communities will not have to bear that cost. Again, that is all that is involved, is a revote of the Condit amendment.

I would urge an "aye" vote on the motion to recommit with instructions to do this, and we can all get out of here and feel better about this bill.

Mr. BROOKS. Mr. Speaker, I oppose the motion to recommit. We just voted down this amendment about an hour ago. It is a killer amendment designed to deny States and other groups, counties, et cetera, an opportunity to pay for these ballots and just try to set another hurdle, a more difficult way for people to vote.

I hope that we can get this bill on the way and vote this motion to recommit down.

Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Texas [Mr. WASHINGTON].

□ 1400

Mr. WASHINGTON. Mr. Speaker, this amendment reminds me of the old shell game that people used to play where they would take one little eraser off a pencil and three little walnut shells and put them down, and then the object of the game was to figure out which one of the shells contained the little eraser, except the person with an adroit two fingers could remove them while they were switching them

around, so whichever one you guessed, it was not going to be under any one of them. So the object of the game was for you to lose, regardless.

What this amendment says is we delegate the responsibility to the Attorney General of the United States to decide when, and under what circumstances, and where the Voting Rights Act will be enforced, because if the Congress does not fund it, and the Attorney General does not provide the money, then the Voting Rights Act does not mean anything. It is a wrong for which there is no remedy if the Attorney General does not enforce it. And the same people who want this would not vote to appropriate the money.

We understand the game. The game is to vote no, and let us get out of here, but feel good about ourselves by doing what is right, and the way we do that is to defeat the motion to recommit.

Mr. BROOKS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore [Mr. HOYER]. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. McCOLLUM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of the passage of the bill.

This will be a 15-minute vote followed by a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 172, nays 195, not voting 67, as follows:

[Roll No. 318]

YEAS—172

- Allen
Applegate
Archer
Army
Ballenger
Barrett
Bateman
Bentley
Bevill
Billrakis
Bliley
Boehner
Brewster
Browder
Burton
Byron
Camp
Campbell (CA)
Clinger
Coble
Combest
Condit
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
DeLay
Derrick
Dickinson
Donnelly
Doohittle
Dornan (CA)
Dreier
Duncan
Emerson
Evdill
English
Erdreich
Ewing
Fawell
Fields
Franke (CT)
Gallegly
Gallo
Gekas
Geren
Glickman
Gillchrist
Gillmor
Gingrich
Goodling
Goss
Gradison
Gunderson
Hall (TX)
Hancock
Harris
Hastert
Henry
Heryer
Hobson
Holloway
Hopkins
Hubbard
Hunter
Hutto
Inhofe
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Kanjorski
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lowery (CA)
Lukens
Machtley
Marianne
McCandless

- McCollum
McCrary
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McMillen (MD)
Meyers
Michel
Miller (OH)
Miller (WA)
Montgomery
Moorhead
Moran
Myers
Nichols
Nussie
Orton
Oxley
Packard
Parker
Patterson
Paxon
Payne (VA)
Petri
Pickett
Porter
Purrell
Ramstad
Ravenel
Regula
Rhodes
Ridge
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Roth
Roukema
Rowland
Sangmeister
Santorum
Saxton
Schaefer
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (OR)
Snowe
Solomon
Spence
Staggers
Stearns
Stenholm
Stump
Sweet
Tanner
Taylor (MS)
Taylor (NC)
Thomas (CA)
Upton
Valentine
Vander Jagt
Vucanovich
Walker
Walsh
Weidon
Wolf
Wyllie
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—195

- Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Aspin
AuCoin
Bellenson
Bennett
Bereuter
Berman
Bilbray
Blackwell
Boehliert
Bonior
Borski
Brooks
Bruce
Bustamante
Cardin
Carper
Carr
Chapman
Clay
Coleman (TX)
Collins (IL)
Cooper
Costello
Cox (IL)
Coyne
de la Garza
DeLauro
Dellums
Dingell
Dixon
Dooley
Dorgan (ND)
Downey
Durbin
Eckart
Edwards (CA)
Edwards (TX)
Engel
Espy
Evans
Fascell
Fazio
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Frank (MA)
Gejdenson
Gibbons
Gillman
Glickman
Gonzales
Gordon
Gradison
Grandy
Green
Guarini
Hall (OH)
Hamilton
Hayes (IL)
Abercrombie
Alford
Andrews (TX)
Hefner
Hertel
Hoagland
Hoochbrueckner
Horn
Horton
Houghton
Hoyer
Hughes
Jacobs
Jefferson
Johnston
Jones (GA)
Jones (NC)
Jontz
Kaptur
Kasich
Kennedy
Kenny
Kildee
Kiecza
Kopetski
Kostmayer
LaFalce
Lantos
LaRocco
Leach
Lehman (FL)
Levin (MI)
Lewis (GA)
Long
Lowey (NY)
Manton
Markey
Mavroules
Mazzoli
McCloskey
McDermott
McHugh
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Molinar
Mollohan
Moody
Morella
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NO)
Nowak
Oskar
Oberstar
Obey
Olin
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Pastor
Payne (NJ)
Pease
Pelosi
Penny
Perkins
Peterson (MN)
Poehard
Price
Quillen
Rahall
Rangel
Reed
Richardson
Roe
Roe-Lehtinen
Rose
Rostenkowski
Roybal
Russo
Sabo
Sanders
Serpellus
Savage
Sawyer
Scheuer
Schiff
Schroeder
Schumer
Serrano
Sharp
Sikorski
Skaggs
Slattery
Slaughter
Smith (FL)
Smith (LA)
Solarz
Spratt
Stallings
Stark
Stokes
Studds
Swift
Synar
Thornton
Torres
Torrice
Townes
Unsoeld
Vento
Visclosky
Volkmer
Washington
Walters
Waxman
Weber
Weiss
Wheat
Whitten
Williams
Wise
Wolpe
Yates
Baker
Barnard
Barton

NOT VOTING—67

- Boucher
Boxer
Broomfield
Brown
Bryant
Bunning
Callahan
Campbell (CO)
Chandler
Clement
Coleman (MO)
Collins (MI)
Conyers
Coughlin
DeFazio
Dicks
Dwyer
Dymally
Early
Edwards (OK)
Feighan
Ford (TN)
Frost
Gaydos
Gephardt
Hammerschmidt
Hansen
Hatcher
Hayes (LA)
Hefley
Huckaby
Hyde
Ireland
Kotler
Laughlin
Levine (CA)
Livingston
Lloyd
Martin
Martinez
Matsui
Morrison
Mrasek
Peterson (FL)
Pickle
Ray
Riggs
Smith (TX)
Sundquist
Tallon
Tausin
Thomas (GA)
Thomas (WY)
Traffant
Traxler
Wilson
Wyden
Yatron

□ 1419

Mr. McGRATH and Mr. VALENTINE changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

□ 1420

The SPEAKER pro tempore (Mr. HOYER). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. McCOLLUM. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The Speaker pro tempore. The Chair would remind Members that this is a 5-minute vote on final passage.

The vote was taken by electronic device, and there were—yeas 237, nays 125, not voting 72, as follows:

[Roll No. 319]

YEAS—237

- Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Applegate
Aspin
AuCoin
Bennett
Berman
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Gallegly
Gejdenson
Geren
Gibbons
Glickman
Gillmor
Gillman
Glickman
Gonzales
Gordon
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Markey
Manton
Markey
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McEwen
McGrath
Montgomery
Moorhead
Morrison
Mrasek
Peterson (FL)
Pickle
Ray
Riggs
Smith (TX)
Sundquist
Tallon
Tausin
Thomas (GA)
Thomas (WY)
Traffant
Traxler
Wilson
Wyden
Yatron
Downey
Durbin
Eckart
Edwards (CA)
Edwards (TX)
Engel
Espy
Evans
Fascell
Fazio
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Gallegly
Gejdenson
Geren
Gibbons
Glickman
Gillchrist
Gillmor
Gingrich
Goodling
Goss
Gradison
Gunderson
Hall (TX)
Hancock
Harris
Hastert
Henry
Heryer
Hobson
Holloway
Hopkins
Hubbard
Hunter
Hutto
Inhofe
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Kanjorski
Klug
Kolbe
Kyl
Lagomarsino
Lancaster
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Lowery (CA)
Lukens
Machtley
Marianne
McCandless

Mfume	Rahall	Solarz
Miller (CA)	Rangel	Spratt
Miller (WA)	Reed	Staggers
Mineta	Richardson	Stallings
Mink	Rinaldo	Stark
Moakley	Ritter	Stokes
Molinari	Roe	Studds
Mollohan	Roemer	Sweet
Moody	Roe-Lehtinen	Swift
Moran	Rose	Synar
Morella	Rostenkowski	Tanner
Murtha	Roybal	Thornton
Nagle	Russo	Torres
Natcher	Sabo	Torricelli
Neal (MA)	Sanders	Towns
Nowak	Sangmeister	Unsoeld
Oakar	Sarpalius	Upton
Oberstar	Savage	Valentine
Obey	Sawyer	Vento
Olin	Scheuer	Visclosky
Oliver	Schiff	Volkmer
Ortiz	Schulze	Vucanovitch
Owens (NY)	Schumer	Walker
Pallone	Serrano	Washington
Panetta	Sharp	Waters
Pastor	Shaw	Waxman
Payne (NJ)	Shays	Weber
Payne (VA)	Sikorski	Weiss
Pease	Sisisky	Weidon
Pelosi	Skeen	Wheat
Penny	Slattery	Williams
Perkins	Slaughter	Wise
Peterson (MN)	Smith (FL)	Wolf
Poshard	Smith (IA)	Wolpe
Price	Smith (NJ)	Yates
Quillen	Snowe	Young (FL)

Peterson (FL)  
Pickle  
Ray  
Riggs  
Schaefer  
Schroeder

Skaggs  
Smith (TX)  
Sundquist  
Talion  
Tausin  
Thomas (GA)

Thomas (WY)  
Traffoant  
Traxler  
Wilson  
Wyden  
Yatron

□ 1431

The Clerk announced the following pairs:

On this vote:  
Mr. McNulty for, with Mr. Huckaby against.  
Mr. Thomas of Wyoming for, with Mr. Ireland against.  
Mr. Pickle for, with Mr. Livingston against.  
Mr. Wyden for, with Mr. Riggs against.  
Messrs. HARRIS, CRAMER and BEVILL changed their vote from "yea" to "nay."  
So the bill was passed.  
The result of the vote was announced as above recorded.  
A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. HOYER). Is there objection to the request of the gentleman from Texas?  
There was no objection.

THE JOURNAL

The SPEAKER pro tempore. The pending business is the question of the Chair's approval of the Journal.  
The question is on the Chair's approval of the Journal.  
The Journal was approved.

COMMUNICATION FROM THE SERGEANT AT ARMS OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

HOUSE OF REPRESENTATIVES

Washington, DC, July 24, 1992.

Hon. THOMAS S. FOLEY,  
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to inform you pursuant to Rule L (50) of the Rules of the House that five current or former employees of the Office of the Sergeant at Arms have been served with subpoenas issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the Clerk of the House, it has been determined that compliance with these subpoenas would not be inconsistent with the privileges and precedents of the House.

Sincerely,

WERNER W. BRANDT,  
Sergeant at Arms.

BUFFALO SOLDIERS DAY

Mr. SAWYER. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration

of the Senate joint resolution (S.J. Res. 92) to designate July 28, 1992, as "Buffalo Soldiers Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

Mrs. MORELLA. Mr. Speaker, reserving the right to object, I have no objection, but would like to yield for an explanation of this very important piece of legislation to the gentleman from Kansas [Mr. SLATTERY].

Mr. SLATTERY. I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, I am pleased and honored to sponsor Senate Joint Resolution 92, which will designate July 28, 1992, as "Buffalo Soldiers Day." I am proud to share sponsorship of this resolution with my good friend, the gentleman from Michigan, Mr. JOHN CONYERS.

In 1866, Congress created six regular Army regiments composed entirely of African-American soldiers. These regiments served with distinction and valor as Americans moved to settle the West.

Although history has often ignored or forgotten the contributions of these brave African-Americans, today we recognize the tremendous sacrifices made by the more than 180,000 Buffalo Soldiers and honor their memory as some of America's greatest soldiers.

Dubbed Buffalo Soldiers by native American tribes who respected the buffalo for its courage, these African-Americans were subjected to discrimination and received the lowest quality equipment, food, and housing.

Despite these bleak conditions, the Buffalo Soldiers had the lowest desertion rates in the Army and members of these units received 19 individual Congressional Medals of Honor.

More than 100 years after these brave African-Americans volunteered to serve their country, I am pleased that we will finally recognize the contributions of the Buffalo Soldiers with the dedication of a monument in Fort Leavenworth, KS.

This monument, which is located at the site of Buffalo Soldier camps during the late 19th and early 20th centuries, will serve as a lasting reminder of the sacrifices made by dedicated and patriotic African-Americans.

Mr. Speaker, I again thank the gentleman for yielding.

Mrs. MORELLA. Further reserving the right to object, Mr. Speaker, I want to thank the gentleman from Kansas [Mr. SLATTERY] for his sponsorship. This is a very important resolution for the Buffalo Soldiers.

Mr. Speaker, I yield to the chairman of the Subcommittee on Census and Population of the Committee on Post Office and Civil Service, the gentleman from Ohio [Mr. SAWYER].

NAYS—125

Allen	Goss	Oxley
Archer	Hancock	Packard
Armey	Harris	Parker
Balenger	Hastert	Patterson
Barrett	Henry	Paxon
Bateman	Herger	Petri
Beilenson	Holloway	Pickett
Bentley	Hopkins	Porter
Bereuter	Hunter	Pursell
Bevill	Hutto	Ramstad
Bilirakis	Inhofe	Ravenel
Bliley	James	Regula
Boehner	Jenkins	Rhodes
Brewster	Johnson (SD)	Ridge
Browder	Johnson (TX)	Roberts
Burton	Kanjorski	Roberts
Byron	Klug	Rohrabacher
Clinger	Kostmayer	Roth
Coble	Lagomarsino	Roukema
Combust	Lancaster	Rowland
Cox (CA)	Lent	Santorum
Cramer	Lewis (CA)	Saxton
Crane	Lewis (FL)	Sensenbrenner
Cunningham	Lightfoot	Shuster
Dannemeyer	Lipinski	Skelton
Davis	Lowery (CA)	Smith (OR)
DeLay	Marlenee	Solomon
Derrick	McCandless	Spence
Dickinson	McCollum	Stearns
Doolittle	McCreery	Stenholm
Dornan (CA)	McMillan (NC)	Stump
Dreier	Meyers	Taylor (MS)
Duncan	Michel	Taylor (NC)
Emerson	Miller (OH)	Thomas (CA)
Erdreich	Montgomery	Vander Jagt
Ewing	Moorhead	Walsh
Fawell	Murphy	Whitten
Fields	Myers	Wylie
Franks (CT)	Neal (NC)	Young (AK)
Gallo	Nichols	Zeliff
Gekas	Nussle	Zimmer
Goodling	Orton	

NOT VOTING—72

Allard	Coleman (MO)	Hatcher
Andrews (TX)	Collins (MI)	Hayes (LA)
Anthony	Conyers	Hefley
Atkins	Coughlin	Huckaby
Bacchus	DeFazio	Hyde
Baker	Dicks	Ireland
Barnard	Dwyer	Kolter
Barton	Dymally	Laughlin
Boucher	Early	Levine (CA)
Boxer	Edwards (OK)	Livingston
Broomfield	Feighan	Lloyd
Brown	Ford (TN)	Martin
Bryant	Frost	Martinez
Bunning	Gaydos	Mataui
Callahan	Gephardt	McNulty
Campbell (CO)	Gingrich	Morrison
Chandler	Hammerschmidt	Mrazek
Clement	Hansen	Owens (UT)