European leaders, including EU representatives, have dismissed the severity of the problem, blaming the Middle East conflict and Muslim demographics instead of the Arab and European media outlets that have fed their fervor by demonizing Jews and justifying suicide murders by Palestinian terrorists.

The European Convention for the Protection of Human Rights and Fundamental Freedoms espouses the basic rights of all Europeans to liberty, security, freedom of religion, and freedom from discrimination. Yet, no EU institution has made any effort to uphold these rights for Jewish minorities.

It is time for the European nations to take a bold unified stance condemning the re-emergence of anti-Semitism in Europe.

It is time for the United Nations to take action and reverse the virulent wave of anti-Semitic attacks unleashed last year at the U.N. Conference on Racism, where delegates sought to equate Zionism and racism and insisted that the Holocaust be written with a lower case ''h'' to lessen the magnitude of the tragedy.

Hasn't the horror of World War II taught us the danger of anti-Semitism, which seeks to dehumanize Jews and make them legitimate targets for violence? Hasn't the abomination of suicide murder shown us what happens when hatred devalues human life to create targets for terrorism?

The United States and all civilized nations just not be silent in the face of these threats. We must lead the fight to condemn anti-Semitism in Europe, the former Soviet Union, and everyplace it emerges.

I urge all of my colleagues to support H. Res. 393.

Mr. FERGUSON. Mr. Speaker, I am proud to join over 70 of my House colleagues in cosponsoring H. Res. 393, a resolution condemning the rise of anti-Semitism in Europe. The disturbing trend of hatred, intolerance and cruelty on the continent of Europe demands our immediate attention and action.

We are all aware of the horrors faced by Jewish people in Europe a little more than a half century ago. For this reason, we must keep Europe's troubled history in mind and scrutinize the numerous anti-Semitic attacks on Jews in Europe over the last 18 months before these sentiments are allowed to escalate to more disturbing levels. It is wise not to ignore history for fear of being doomed to repeat it.

Of the many despicable attacks that have occurred over the past 18 months, I would like to single out the brutal beating in Berlin, Germany of two Yeshiva students from my home state of New Jersey. These students traveled to Germany in the youthful pursuit of an education and the desire to exchange ideas with another culture. They did not envision being singled out for their religion and brutally beaten by bigoted thugs. We must not ignore this event and the many that have signaled a rise in anti-Semitism across the European continent.

We are at the birth of a new and uncertain century. Unfortunately, we have already seen a rise in narrow-mined hatred, evidenced by the horrific terror attacks on our Nation on September 11th. As a freethinking and compassionate people, we must insist that our allies follow the American ideals of tolerance and understanding. At the very least, we must speak out to protect the basic human rights of people who face persecution based on their religion. Therefore, I urge our European allies to draw their attention to the rise in anti-Semitism on their continent and take whatever steps necessary to curb this disturbing trend.

Mr. ACKERMAN. Mr. Speaker, I rise in strong support of H. Res. 393, and would like first of all to thank my colleague from New York, Mr. CROWLEY for his initiative in bringing this important resolution to the attention of the House. I also want to thank Chairman HYDE and Ranking Member LANTOS for their support of Mr. CROWLEY's resolution.

Mr. Speaker, every year the House considers a great number of resolutions on a vast array of topics. I'd like to suggest that the resolution under consideration right now is the perfect example of what a House resolution ought to be.

H. Res. 393 is concise, timely, and most of all, important. The topic under debate today is the resurgence of a form of hatefulness that we all hoped would never again emerge in Europe. Anti-Semitism has a long and unfortunate history in Europe and its re-emergence in the past few months should serve not only as a warning that hatred and bigotry are always lurking in the margins of society, but also as a call to arms.

Mr. Speaker, on September 11, 2001, our Nation and my city of New York especially, were attacked by the forces of ignorance and intolerance, the forces of hatred and exclusion, the forces of irrationality and brutality. The spirit which animated the men who attacked our Nation is the same as that which motivates the anti-Semitism of the past, the present and, we may expect, of the future as well.

Pathological intolerance is nothing new, but it has, unfortunately, through technology, acquired new tools capable of wreaking massive violence and havoc. In the 1940s, the resources of an entire nation were put to the task of annihilating Europe's Jews. Today, unfortunately we see their spiritual descendants using different tools: car bombs, gas cylinders, light boats and even airplanes. But the mission of hate is the same and the results just as ghastly.

Today, Europe is again facing a tide of hatred against Jews. Again we see Europe's synagogues being defiled, burned and vandalized, again we see Europe's Jews being attacked in the streets, and most disconcerting of all, again we see Europe's governments telling us not to worry, that everything will be all right, that this is a passing phase, that this is the work of a disaffected few.

Mr. Speaker, I don't buy that. And more importantly, today, in passing this vital resolution, the entire Congress is refusing to accept Europe's invitation to acquiesence and passivity.

Historically in Europe, Mr. Speaker, Jews have been the proverbial ''canary in the coal mine,'' the group whose welfare, acceptance and safety can be seen as a gauge for the security of all religious and ethnic minorities. And today, Europe's Jews are again in jeopardy. How we confront this awful reality is the test of the pledge our Nation made upon discovery of Hitler's extermination camps in 1945: Never again.

Today, with the adoption of this critical resolution demanding that European nations live up to their responsibilities for the protection of all their citizens, I am proud to say we are living up to that great historical commitment. Again, I want to commend Mr. CROWLEY for authoring this resolution, and strongly urge its passage by the House.

Mrs. MALONEY of New York. Mr. Speaker, I rise in strong support of this resolution.

The statue of Alfred Dreyfus that stands in Paris had the words ''dirty Jew'' painted on it earlier this year.

Dreyfus was a Jewish Captain in the French army before he was sent to jail on trumped-up charges and fabricated evidence. He served eleven years and survived several attempted cover-ups by the French military before his innocence was universally recognized. He was finally released in 1906.

To many people, including the father of Modern Zionism Theodore Herzl, Dreyfus is the symbol of the persecuted Jew and anti-Semitism.

For all those who remember history, the fact that this statue was the target of anti-Semitism in today's France is horribly disturbing. Unfortunately, France is not alone. Belgium, Britain, Italy, Germany, Slovakia, Ukraine, and Greece have all experienced anti-Semitic incidents since the upswing in anti-Semitism began.

In Germany, police have warned Jews that wearing yarmulkas, the traditional Jewish head coverings, could cause them to be targets of attacks.

Last April, the Simon Wiesenthal Center released its first ever travel advisory, urging Jews to exercise caution when traveling to France or Belgium.

It has been only sixty years since the defeat of Hitler and now swastikas have reappeared in Europe. They can be found sprayed on Jewish schools, drawn on gravestones in a desecrated Jewish cemetery, painted on the wall of a synagogue, stitched on the flags of anti-Israel demonstrators, and in the hearts and minds of the people who attack rabbinical students and Jewish athletes.

The governments of Europe must protect their citizens. They must work actively to stop the increase in anti-Semitic incidents, and denounce anti-Semitic remarks thinly veiled as anti-Israel. Only then can progress be made toward the true goal: an atmosphere of cooperation and reconciliation among the Jewish and non-Jewish citizens of Europe.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, H. Res. 393, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MOTION TO INSTRUCT CONFEREES ON H.R. 3295, HELP AMERICA VOTE ACT OF 2001

Mr. LANGEVIN. Mr. Speaker, I offer a motion to instruct conferees on H.R. 3295.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. LANGEVIN moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 3295 be instructed to recede from disagreement with the provisions contained in subparagraphs (A) and (B) of section 101(a)(3) of the Senate amendment to the House bill (relating to the accessibility of voting systems for individuals with disabilities).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Ohio (Mr. NEY) will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. Speaker, today I offer this motion to instruct on H.R. 3295, the Help America Vote Act of 2001, in order to raise awareness of a significant shortcoming in our Nation's elections: the disenfranchisement of disabled voters due to inaccessible voting equipment.

I wish to first dedicate this motion to the memory of my good friend, Justin Dart, Jr., one of the strongest voices for the disabled community, who died June 22 at the age of 71. Justin, often called the Father of the Americans with Disabilities Act, leaves a great legacy of activism and inspires us all with his vision of an America in which every person can reach his or her full potential and actively contribute to society. Millions of people's lives have been improved by his good deeds, and it is in his honor that I offer this motion today.

I first want to thank my good friend, the gentleman from Ohio (Mr. NEY), for his inclusive and bipartisan efforts to improve our Nation's elections, and for being so receptive to the needs of disabled voters. We owe him a debt of gratitude.

I also owe a great deal of gratitude to the gentleman from Maryland (Mr. HOYER) and the gentleman from Michigan (Mr. CONYERS) for their support of this motion and for their lifelong commitment to civil rights. We would not be where we are today without them.

Finally, I thank my friend and colleague, the gentleman from Minnesota (Mr. RAMSTAD), for his advocacy of the rights of the disabled and for joining us today in this effort to ensure that people with disabilities have full access to voting.

Mr. Speaker, the low voting participation rate among the disabled is a pervasive and well-documented problem. Yet the Nation has made little progress in addressing its causes. The inaccessibility of polling places and election equipment is one of the major factors in this unfortunate phenomenon. Shockingly, the General Accounting Office found that 84 percent of our Nation's polling places were inaccessible to the physically disabled in 2000. Blind voters often cannot cast a vote without assistance, the visually impaired may not be able to decipher small print or confusing ballots, and people in wheelchairs may have difficulty maneuvering in older voting booths.

Just as a personal story to lend passion to this argument, it was only just a few short years ago that I myself never knew the privilege of voting independently, in privacy, in a voting booth. Rhode Island had the oldest voting machines in the country, lever machines, in which I would have to go in and could not possibly reach the levers myself; I would always have to take someone in. Though I was grateful for the assistance, it certainly deprived me of the right to a secret and independent vote. Many others know the same story.

As a result of these problems, only 41 percent of people with disabilities voted in November of 2000, in the November of 2000 elections, far below the national average. With nearly one in five Americans having some level of disability, and approximately 35 million Americans over the age of 65, we must act now to ensure that our voting system is accessible to all Americans.

Improving access to voting has been an overarching goal of my work in public service. As Secretary of State of Rhode Island, I was the chief architect of a plan to upgrade the State's voting system and equipment. The replacement of outdated lever machines with electronic equipment and Braille and tactile ballots helped increase voter turnout and significantly reduced chances of error.

The entire upgrade was statewide and cost effective, and Rhode Island is now widely recognized as having one of the most modern and accessible voting systems in the United States.

In Congress, I have continued to emphasize the importance of voting access. In March 2001, I joined former Secretaries of State in Congress in hosting a voting technology demonstration in which we highlighted accessible election equipment. Not only did this event illustrate the many types of affordable and accessible equipment, it also offered several people with disabilities the opportunity to use a voting machine for the very first time in their lives. The technology exists to address the disenfranchisement of disabled voters, and Congress must encourage its use.

For this reason, I am pleased to offer this motion to instruct in support of the Senate's accessible voting equipment provisions. The Senate's version of H.R. 3295 requires voting systems used in Federal elections to be accessible for individuals with disabilities, including the blind and visually impaired, in a manner that provides privacy and independence.

The Senate's language also requires that each polling place have at least one voting system equipped for individuals with disabilities. Guaranteeing voting equipment in all polling places is one of the disability community's top priorities in election reform, and I am pleased to announce that this motion to instruct has been endorsed by 26 disability advocacy groups.

One major component of election reform must be to provide the greatest possible access to voting for all eligible citizens, and the Senate's accessibility language is a major step toward this noble goal.

I urge my colleagues to support this motion to instruct so that all Americans can exercise their fundamental right to participate in our democracy by guaranteeing them the right to vote.

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

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

Mr. Speaker, I just wanted to say today that I agree with the gentleman from Rhode Island (Mr. LANGEVIN) that we need to take steps to improve access for the disabled to our Nation's election systems. The gentleman from Maryland (Mr. HOYER), our ranking member and a partner on this bill, and I worked closely with our colleague, the gentleman from Rhode Island, during the drafting of this bill, the Help America Vote Act.

I am grateful for his input and support during that process, so I want to thank the gentleman from Rhode Island (Mr. LANGEVIN) for all his hard work and efforts on this piece of legislation before us.

The bill we passed in the House by an overwhelming margin last December included a number of provisions to improve access for persons who have a form of disability and authorize funds to help make those improvements happen. I was pleased to receive the endorsement of the National Federation of the Blind for our bill, the bill that the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Maryland (Mr. HOYER) and many other Members on both sides of the aisle, the gentleman from Missouri (Mr. BLUNT) and others, supported; and we had that endorsement for the bill, and we were very, very appreciative of that.

Just yesterday I was honored to address the National Federation of the Blind's convention in Louisville on precisely this topic. There is no question that no matter what the form of disability, in this case it was a convention of the National Federation of the Blind, people have a right to vote in secrecy and in privacy. In this case, secrecy is not a bad word; secrecy is something people have a right to do with their ballots, and should have the right to do.

As the work on this bill continues in the conference committee, Mr. Speaker, I am confident we are going to produce a final product. It will be a

final product that makes great strides in improving access to the voting process for the citizens in this country.

While I will support the gentleman's motion, and I do fully support it, and I appreciate the gentleman's work on this, I want to make just a couple of points.

First, I do say that it is my belief that this Congress should provide funding that will enable States to meet the requirements it imposes. That is not only for this issue. It is for other issues, provisional voting, central database, all the other good provisions that are contained within this bill and many good provisions, frankly, that are also in the Senate bill.

But I always like to mention the monetary side to this, too, because far too often we here in Congress like to enact requirements and pat ourselves on the back for all the good we have done while sending the bill to someone else. Now, I say that because I am a creature of the Ohio legislature and the Ohio House and Senate, so it used to be my course of business to complain about Washington, D.C. sending down mandates or something of that nature and then not providing the money.

Now, the bill we crafted together has minimum requirements; but they are requirements enforced by Justice, and good requirements are going to ensure that an illegal vote does not cancel out a true vote. People have the right to vote, and we back all of those provisions.

I want to make sure that we always stress that if we are going to impose any requirements on the States, we should provide funds to make it possible for those requirements to be met. My support for this motion and all the language, frankly, contained in the House bill and in the Senate bill dealing with any provision, as I mentioned before, provisional voting, central database, is always going to be conditioned on the fact that we have to have the money.

I know that my colleague, the gentleman from Maryland (Mr. HOYER), agrees with that. We have to continue through this whole process. As we get the language that makes this bill a great bill to send to the President, we have to continue to push also for the money so locals have some help in implementing. Otherwise, it is not going to be implemented in the way that we need it done.

□ 1515

Second, in keeping with the requirements of the Americans with Disabilities Act, I think we should be requiring States to make also reasonable accommodations. One thing we need to talk about down the road here too in the next couple of weeks are certain rural areas where we want to make sure that if provisions are adopted that we in fact do not shut people out of voting. Because sometimes the rural areas, and we have used this in the Committee on Energy and Commerce many times as we have talked, in rural areas there are places where people vote, for example, and if you try to move them to another area you would have to involve buses to take people to other places to vote. In my district, for example, we have very few taxis or public bus systems. So looking at the rural area, still protecting people's rights is going to be something I know that we can talk definitely about.

Again, let me make it clear that I expect when this conference is completed, and I expect this conference to be completed hopefully very soon, the changes that will ensue will improve access for the disabled community and ensure, I will use the word ''ensure,'' that blind voters are able to vote privately and independently.

One other point I want to add about the technology, too. I know there are certain companies that have actually publicly stated that they can equip every machine, and I hope that as this bill progresses and people are buying machines across this country to update and put integrity into the voting process, that the machines are equipped; the hope is the technology comes through and that en masse machines are equipped.

I look forward to working with the gentleman from Rhode Island (Mr. LANGEVIN) and my friend from Maryland (Mr. HOYER), who I mentioned earlier, to secure the adequate funding but also to enact a conference report that absolutely improves access for the disabled community across the United States.

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

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

Mr. Speaker, again, I thank the chairman for his help and support on this issue. We would not be here on the election reform without his diligent leadership, and I thank the gentleman.

Earlier in my statement, Mr. Speaker, I acknowledged and expressed my gratitude to the gentleman from Maryland (Mr. HOYER), my distinguished colleague, who is, as many know, the author of the Americans with Disabilities Act and who has been a great champion of people with disabilities and their rights.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman from Rhode Island (Mr. LANGEVIN), and I thank him for his leadership on this issue and so many others. He has been extraordinarily helpful in getting the election reform legislation to the place it is now. I think this motion he now makes, and it is supported by both the gentleman from Ohio (Mr. NEY) and myself, is an important one; and I want to thank him for that.

Mr. Speaker, in the 20 months since our last national election, the American people have seen the very best and very worst that democracy has to offer. The disenfranchisement of millions of Americans who fell prey to unreliable, outdated voting machines as well as the wide bipartisan support in the Congress for the Federal election reform will hopefully change that.

Members on both sides of the aisle have spoken eloquently and sincerely about safeguarding our most cherished democratic right: the right to vote and to have one's vote counted.

Yet our work is not done, for who among us would accept election reform that fails to ensure the privacy and independence of millions of eligible voters at the ballot box? None of us, I would argue, because the right to exercise the franchise under conditions that afford privacy and independence is intimately American and bound up in what it means to be a free and equal citizen in a democratic society. Yet in thousands of polling places across the country, voters who are physically, visually, or mentally challenged enjoy less privacy and independence when they exercise their sacred right to vote than do other voters.

That is why I urge all Members to support this important motion to instruct offered by our colleague, the gentleman from Rhode Island (Mr. LANGEVIN). It is fair and it makes sense. It recognizes, as most of us do, that the election reform conference report should combine the best of the House-passed Help America Vote Act with the Senate-passed bill. To that end, the gentleman from Rhode Island's motion instructs the House conferees to agree to section 101(A)(3) of the Senate amendment to the House bill.

This section states that by January 2007 voting systems shall be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters.

Make no mistake about it, I am proud of the Help America Vote Act. I am proud of the work that the gentleman from Ohio (Mr. NEY) and I and so many others, including the gentleman from Rhode Island (Mr. LANGEVIN) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and others, helped us achieve. But we have not finished the job yet, Mr. Speaker; and we need to do that.

We need to pass this motion and then hopefully the conference will become even more energized than it has been. We are late, not too late, but we are late in passing a conference report that incorporates, as I said, the best of the House bill and the best of the Senate bill. We need to pass election reform. We need to pass it in the next 3 weeks if at all possible. We need to tell the States the resources they will have available to make their machines not only accessible but accurate as they count every American's vote.

Mr. Speaker, I urge all of my colleagues to support this very, very important motion to instruct.

Mr. NEY. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I just rise in very strong support of the motion offered by our colleague from Rhode Island, who is one of four co-chairs with me on the Disabilities Caucus. And it is so important that we do instruct the conferees to accept the Senate version, which would require that we have one voting machine in every polling place, at least, that is accessible to people with disabilities.

As a matter of fact, on July 26 of this year, we will celebrate the 12th anniversary of the Americans with Disabilities Act. I was one of the co-sponsors of that act, as were many of Members who are here serving in this 107th Congress. Certainly, the concept of Americans with Disabilities is one where we would allow them indeed the most precious privilege that we have as Americans, the right to vote and to make it accessible. So I thank the gentleman from Rhode Island (Mr. LANGEVIN).

I know this body will assuredly unanimously support this motion to instruct the conferees on this election reform bill.

Mr. Speaker, I want to thank the gentleman from Ohio (Mr. NEY) for the leadership he has shown in bringing us together in terms of true election reforms and the ranking member of his committee, too.

Mr. LANGEVIN. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank the leadership of this committee, the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER). I know how diligent they have been in working on this, and most especially to the gentleman from Rhode Island (Mr. LANGEVIN) for offering the motion to instruct the conferees.

Mr. Speaker, whether the policy issue is prescription drug coverage, education, or any other matters within the jurisdiction of the Congress, the most fundamental issue facing all of us is restoring the public's faith in democracy. Congress must make electoral reform a top priority, and we hope to see the conclusion of this bill in conference soon.

Constitutionally mandated equal protection of the laws and the Voting Rights Act require an electoral system in which all Americans are able to register as voters, remain on the rolls once registered, and vote free from harassment. Ballots must not be misleading, and every vote must count and be counted.

In the 2000 election, Florida was not the only State where American citizens were denied the full exercise of their fundamental rights and their constitutional franchise. It happened across this Nation. Moreover, most of those excluded from democracy were Americans of color. As such, election reform is the number one legislative priority for the Congressional Black Caucus, and I sincerely hope that it is a top priority for every Member of the 107th Congress. We cannot be silenced until Congress answers the call for electoral reform. This is not a black, white or brown issue. It is an American issue. It is a red, white and blue issue.

It should be of great concern to each of us that if any one of us is improperly denied access to the ballot box or if every ballot cast is not counted, the survival of our democracy depends on the accuracy and integrity of our election system. It is important that conferees make an effective date for election reform in time for the next Presidential election in 2004. Actually, it should have been in time for our congressional elections; but we will go forward, unfortunately with the same system that caused us as much headache as it did in November 2000.

For the second instruction, it is important that the government has the ability as soon as it is feasible to legally check to see if States are, in fact, making the necessary changes that the final election reform bill stimulates. I hope each of my colleagues will do his and her part by voting in favor of this sensible motion to instruct.

Mr. LANGEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of the motion to instruct conferees on the election reform bill, H.R. 3295, which has been submitted by my colleague from Rhode Island (Mr. LANGEVIN). The motion asks the conferees to agree to the Senate provisions relating to the accessibility of voting systems for individuals with disabilities.

It is essential that at least one voting machine in each polling place be accessible to people with disabilities. This can be done in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters.

The language referred to in the gentleman from Rhode Island's motion has been endorsed by a coalition of 17 national organizations representing people with disabilities; and I believe this is the best approach for increasing the participation of all citizens in the electoral process, especially at a time when voter participation has been decreasing.

With the electronic voting technology that exists today, it is possible to enable many individuals with disabilities to record their votes directly and in privacy. This is a fundamental right that all Americans should have. The cost to do this is minimal, and I urge conferees to adopt the language as outlined in the gentleman from Rhode Island's motion.

I also commend the gentleman from Ohio (Mr. NEY) and the gentleman from Maryland (Mr. HOYER) for their leadership on this issue and commend the gentleman from Rhode Island (Mr. LANGEVIN) for this amendment.

Mr. LANGEVIN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of this motion to instruct conferees on election reform offered by the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. Speaker, this motion to instruct does a very simple, but important, thing. It asks conferees to adopt the language in the Senate bill with respect to voting equipment with persons with disabilities. The Senate language says that there must be at least one accessible voting machine in each polling place, a voting machine that would allow voters with disabilities to vote privately and independently just like everybody else.

Let me share with you the manner in which most blind voters currently cast their ballots at an election. First, they have to bring someone along with them to help them cast their ballot, or they can have a poll worker assist them. Then they have to let the other person read the ballot to them out loud. This is usually done in a voting booth that is adjacent to other voting booths; and in order to vote, the voter with the disability has to announce his or her choice to the person helping him. All of this is likely to be within listening range of other voters at the polling place. Persons with other disabilities also suffer a compromise of their right to cast a secret ballot.

I cannot imagine that this is a manner in which most Americans would be comfortable in voting. Most of us value our privacy and independence in a voting place.

□ 1530

Many of us choose not to reveal our voting choices to others. We view it as our right to keep our choices private, but many voters with disabilities do not currently have this option. Their ballot choices are shared with at least one other person and often more.

This harsh reality was revealed in a recent GAO report. During the 2000 presidential election, the GAO surveyed hundreds of polling places throughout the country to measure access for voters with disabilities. The GAO found that none, not one, of the hundreds of polling places surveyed allowed voters with disabilities to vote privately and independently. Every polling place required voters with disabilities to vote in the somewhat public manner I referred to.

This motion to instruct seeks to remedy this problem by requiring that one voting machine per polling place incorporate assistive technology that allows

any voter, including voters with disabilities, to vote privately and independently. Potentially, it could impact millions of voters with disabilities, by allowing them full and equal access to the voting process, and that is the least that they deserve, for that is what most of us expect for ourselves and our constituents when we go to the polling place. It is also likely that for these accessible voting machines to be there, the cost will be borne at least in part by the Federal Government.

I commend the gentleman from Rhode Island for his leadership on this issue. I urge my colleagues to support the motion to instruct.

Mr. NEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, let me first thank the gentleman from Rhode Island (Mr. LANGEVIN) for this excellent legislative initiative, and I want to also thank the gentleman from Ohio (Mr. NEY), the chairman of the committee, because this is vitally important to our Nation, to our democracy, to the comfort our voters feel when they leave the polls, that the vote is counted, but in this particular instance, we need to ensure that every American is allowed and able to vote. It is not as easy said as done.

We have barriers and we do have roadblocks for people to achieve a normal living in this country. This will go a long way to ensure that those who are disabled are able to make it to the voting polls and cast their ballot for the candidates that they feel are most appropriate for this Nation.

We in Florida, of course, had an interesting election. The gentleman from Ohio's bill speaks to all of the concerns that many Floridians had during that contentious debate. I do want to commend him and the gentleman from Maryland (Mr. HOYER) for working so cooperatively on an issue that for a while divided the Nation, but hopefully when this final product makes it to the President's desk, it will unite us as Americans, knowing that when we do, in fact, cast those ballots, those critical ballots, whether it is for city commissioner, county commissioner or President of the United States, they are done accurately, they are done effectively, and they are done without any degree of uncertainty.

The gentleman from Rhode Island (Mr. LANGEVIN) has been the leader on this and a number of other issues, and I commend him and encourage and urge my colleagues to be fully supportive of this motion to instruct. It will not only improve the bill substantially but will improve the lives of millions of Americans who up until now may have found themselves disenfranchised by polling places that were not familiar, not comfortable, not accessible.

So I think this is something overdue, quite frankly, long overdue in the annals of our electoral system, and I commend the gentleman for his great efforts in bringing this to our attention and urge everybody to universally support this motion to instruct.

Mr. LANGEVIN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding me the time.

Mr. Speaker, I rise to express strong support for the Langevin-Hoyer-Conyers motion to instruct conferees on the election reform bill. Election reform is one of the most important issues that we will face in the 107th Congress.

Last year, we cast historic bipartisan election reform language and legislation that will significantly improve our election system. More importantly, this legislation will protect one of our most cherished democratic rights, the right to vote.

In passing the Help America Vote Act, we understood that this legislation was not perfect. One area that needs to be improved on is the language concerning the right of voters with disabilities and their access to polling places, and I thank my colleague, the gentleman from Rhode Island (Mr. LANGEVIN), for his leadership on this issue.

One of the greatest challenges voters face are inaccessible buildings and voting machines. According to the GAO, 84 percent of polling places examined in the last election were found to have one or more physical impediments which would limit people's access, people with disabilities. This is appalling. In my view, we need to make polling places and voting machines fully accessible to elderly, to frail, to those with disabilities.

Affording all people the opportunity to cast a secret ballot is of critical importance to our election system. Therefore, I urge my colleagues to support the Senate language to require States to maintain voting systems that are accessible to disabled and elderly voters.

Finally, I am hopeful that as we move forward on this issue Congress will enact a Federal election reform bill that ensures every single vote is counted and that no American is ever disenfranchised again. We must regain the trust and full participation of voters across this country.

This is a great first step and I commend my colleagues who are leaders in this area, and I urge all of us in this House to support the motion that is before us this afternoon.

Mr. NEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. RAMSTAD).

Mr. RAMSTAD. Mr. Speaker, I thank the distinguished chairman for yielding me the time.

Today, Mr. Speaker, I rise in strong support of this important motion which I offered with my good friend, the gentleman from Rhode Island (Mr. LANGEVIN), the cochair of the House Disabilities Caucus, and I want to thank him for his leadership on these issues, as well as the gentleman from Ohio (Mr. NEY).

The right to vote, Mr. Speaker, is the most basic and fundamental right we have as Americans, and despite the importance of this constitutionally important and constitutionally protected right, every election there are millions of citizens with disabilities who find it difficult, if not impossible, to cast their ballot.

Across the country, thousands of visually impaired people, voters, are unable to cast a secret vote, a right afforded to every other American, because of their inability to read the ballot visually.

This motion to instruct asks the conferees to include language passed by the Senate that requires every polling place to offer at least one voting machine equipped for individuals with disabilities. That is the least we can do, Mr. Speaker, to provide access to voting for every American, every citizen.

This motion is about fairness, and people with disabilities deserve equal access to voting. Over the years, Congress has worked hard to ensure that every person's voice is heard regardless of race, religion or ethnic background. It is long past time that we provide the same opportunity to individuals with disabilities.

This motion is very timely. We have just returned from celebrating the 4th of July, the birth of our great Nation. We have the opportunity today, Mr. Speaker, to ensure that the vision of our Founding Fathers is realized, that every American has an equal opportunity to vote.

I urge Members to vote yes for this important motion, and again, I thank the gentleman from Rhode Island (Mr. LANGEVIN) for his leadership on this important issue.

Mr. LANGEVIN. Mr. Speaker, I again want to thank the gentleman from Minnesota (Mr. RAMSTAD) for his support of this issue. Mr. Speaker, I reserve the balance of my time.

Mr. NEY. Mr. Speaker, again, I support this motion, and I yield back the balance of my time.

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

In closing, I just want to reiterate my appreciation to the gentleman from Ohio (Mr. NEY) for his leadership both on election reform and on disabilities issues and agreeing to support this motion to instruct. We would not be where we are on election reform without his support and I thank him.

Mr. Speaker, as I previously mentioned, I offered this motion in honor of Justin Dart, the father of the Americans with Disabilities Act and an ardent supporter of greater access to voting. Last year during the ADA anniversary celebration Justin said, Let us rise above politics as usual. Let us join together, Republican, Democrats, Independents, Americans. Let us embrace each other in love for individual human life. Let us unite in action to keep the

sacred pledge, life, liberty and justice for all.

I ask my colleagues to help empower all Americans by voting for this motion to instruct.

GENERAL LEAVE

Mr. LANGEVIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to instruct.

The SPEAKER pro tempore (Mr. PENCE). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. LANGEVIN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. 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. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The Chair announces that this vote will be followed by two 5-minute votes on motions to suspend the rules considered earlier today.

The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 22, as follows:

[Roll No. 285]

YEAS—410

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—22

Ackerman
Barrett
Blagojevich
Bonior
Boucher
Cummings
Delahunt
Dreier
Goode
Hastings (FL)
Holt
Hulshof
Meeks (NY)
Olver
Pelosi
Riley
Roukema
Schaffer
Souder
Spratt
Traficant
Walsh

□ 1604

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PENCE). Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 5063, by the yeas and nays; and

H. Res. 393, by the yeas and nays.

ARMED FORCES TAX FAIRNESS ACT OF 2002

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5063.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. HOUGHTON) that the House suspend the rules and pass the bill, H.R. 5063, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 21, as follows:

[Roll No. 286]

YEAS—413

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann