

stay the course in Iraq with an open-ended commitment and no questions asked. This stay-the-course strategy has strained our military, compromised our readiness, cost nearly 2,700 American lives and almost \$400 billion, and diverted attention and resources away from the real war on terror.

Stay the course is not a strategy, and it is not working. Republicans refuse to face the fact that the reality on the ground is that we are not winning. We have no end game plan.

Today, we are bogged down in the middle of a civil war, one where 100 people are killed every day. From May 20 through August 11, the average number of attacks per week against Americans and Iraqis was 792, the highest number since the war began.

Meanwhile, the war in Iraq is distracting us from the overall global threat of terror. Over the past 3 years while we have been fighting in Iraq, the number of worldwide terrorist attacks have grown dramatically and the Taliban is growing in strength in Afghanistan.

The President has to stop looking and face the facts.

#### PRESIDENT BUSH AND GOP OUT OF TOUCH ON THE ECONOMIC CONCERNS OF AMERICANS

(Mrs. JONES of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, President Bush and the congressional Republicans refuse to face reality when it comes to the economic conditions the American middle class and working poor now face. Despite all the evidence to the contrary, President Bush continues to contend that things are good for American workers.

Just what numbers is he looking at? Surely, it cannot be the economic numbers that show average workers today are making \$3,000 less than they did 5 years ago, if you adjust for inflation.

The President must also be ignoring numbers showing that wages and salaries now make up the lowest proportion of the economy since the government began taking records back in 1947. While wages have been stagnant, corporate profits have climbed to their highest levels since the 1960s.

Mr. Speaker, that last fact must be the one that the President is referring to when he touts the economy. It may be working well for the President's wealthy special-interest friends who are forcing their workers to be more productive without allowing them to share in the profits. Is this really fair?

Democrats believe we need to take our economy in a new direction, one that looks out for all Americans, not just the privileged few.

#### AMERICANS KNOW WE CAN DO BETTER

(Mr. SNYDER asked and was given permission to address the House for 1 minute.)

Mr. SNYDER. Mr. Speaker, probably the most frequent fear facing a family each month is paying bills. Even families with income above minimum wage struggle. Nothing pays family bills but money. Nothing is better for bringing in money than a good job with a good wage.

For the last several years, our country has not been moving in the right direction: no change in the minimum wage; the numbers of uninsured substantially increased; tuition for technical schools going up; tuition for colleges substantially increased without an appreciable increase in Pell Grants and the GI bill.

We must do better. Americans know we can do better.

#### THIS ADMINISTRATION MUST CHANGE DIRECTION ON AVIATION SECURITY

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, 5 years and 9 days after 9/11 our system of aviation security is not yet done. In fact, today, a USA Today headline: "Crisis Seen in Luggage Screening." We still do not have inline, integrated state-of-the-art baggage screening in the largest majority of U.S. airports. People would be appalled if they saw what went on behind the scenes that is supposedly providing for security.

But the Bush administration has said consistently for 5 years, we cannot afford to make flying safe and to screen cargo and baggage; we cannot afford it.

If they just would forgo the tax cuts for 1 year for wealthy investors, exempting their dividend taxes from a normal rate of taxation, we could put this equipment in every airport in America. But guess what? Those rich people do not care. They are flying on the private jets and the Bush people are flying on their military flights, so they do not really care about the American public and their security.

But this is a crisis and we cannot afford to continue to ignore what we need to do, what we need to invest to make the American flying public safe.

This administration must change direction or we must change the leadership in Congress.

#### PROVIDING FOR CONSIDERATION OF H.R. 4844, FEDERAL ELECTION INTEGRITY ACT OF 2006

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1015 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1015

*Resolved*, That upon the adoption of this resolution it shall be in order without inter-

vention of any point of order to consider in the House the bill (H.R. 4844) to amend the National Voter Registration Act of 1993 to require any individual who desires to register or re-register to vote in an election for Federal office to provide the appropriate State election official with proof that the individual is a citizen of the United States to prevent fraud in Federal elections, and for other purposes. The amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration; and (2) one motion to recommit with or without instructions.

#### UNFUNDED MANDATE POINT OF ORDER

Mr. MCDERMOTT. Mr. Speaker, pursuant to section 426 of the Congressional Budget Act of 1974, I make a point of order against consideration of the rule, H. Res. 1015.

Section 425 of the same act states that a point of order lies against the legislation which, number one, imposes an unfunded mandate in excess of the annual amount specified in that section against State or local governments; or two, does not publish prior to floor consideration a CBO estimate of any unfunded mandates in excess of the amounts specified annually for State and local entities or in excess of the amount specified annually for the private sector.

Section 426 of the Budget Act specifically states that the Rules Committee may not waive this point of order.

On page 1, line 2, and on page 2, line 1, of H. Res. 1015, all points of order are waived against consideration of H.R. 4844, the Federal Election Integrity Act of 2006. Therefore, I make a point of order that this rule may not be considered pursuant to section 426.

The SPEAKER pro tempore (Mr. BOOZMAN). The gentleman from Washington (Mr. MCDERMOTT) makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

In accordance with section 426(b)(2) of the act, the gentleman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated.

Under section 426(b)(4) of the act, the gentleman from Washington (Mr. MCDERMOTT) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 10 minutes of debate on the question of consideration.

Pursuant to section 426(b)(3) of the act, after that debate the Chair will put the question of consideration, to wit: "Will the House now consider the resolution?"

The Chair recognizes the gentleman from Washington.

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

Republicans want to erect a fence around the right of the American people to vote. They have offered a bill

that will restrict voting rights for Americans. In effect, the Republicans are trying to dilute the fundamental rights guaranteed under the U.S. Constitution. It fits right in with the Republican effort to suspend those rights they find inconvenient.

□ 1045

The president of the League of Women Voters, don't take my word, Mary Wilson summed it up this way: "This is an attempt to politicize the voting process by erecting barriers to keep many eligible legal voters from participating. Congress should not be playing politics with our right to vote." Yet this is exactly what Republicans are doing, creating a nonexistent problem to appeal to their base. This is basically a PR opportunity just before the election.

Just yesterday, millions of Americans across the country voted, including those in my State, and today there is not a single story anywhere in this Nation about noncitizens voting illegally. In fact, last week, the circuit court in Missouri threw out the Harmful ID law, the real name of what Republicans are trying to give us. Republicans have the superrich, so they would like to disenfranchise everyone else, anybody who doesn't have a photo ID, Native Americans, the elderly, the disabled, people who don't have a birth certificate. They fear what happens when every eligible American gets to vote.

Democrats believe that the Constitution is worth protecting. We surely wish that the Republicans would start spreading democracy in all of America, not just those who have a photo ID.

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

Mrs. CAPITO. I would like to now recognize the chairman of the House Administration Committee, the gentleman from Michigan (Mr. EHLERS), for as much time as he may consume.

Mr. EHLERS. I thank the gentleman for yielding.

I am astonished at the comments made by the previous speaker. It is certainly not my intent and certainly not the intent of the Republicans to in any way restrict the ability to vote.

He mentioned the Constitution. The Constitution clearly specifies who are citizens of this Nation. Federal law clearly specifies that only citizens may vote.

We have had numerous instances of fraud, voter fraud, in the history of this Nation. Let me just mention Tammany Hall, the Pendergast machine, the Daley machine, and on and on. There is no question that fraud has existed. Based on my work on the Committee on House Administration and being involved in some of the difficult decisions we make there on voting reviews, I assure you there is no question that there continues to be fraud.

In recent hearings we had on the bill before us here, we had testimony in New Mexico that poll watchers, instead

of doing what they were supposed to do, namely, noting who was absent and hadn't voted, and then calling these absent individuals to remind them to come to vote, instead of doing that, the poll watchers were calling friends to come in and vote illegally in place of the missing people. They would vote the party line for the party that was arranging this procedure. Fraud does exist and still occurs in elections.

I think there is one very, very good way to solve this problem, and that is to make sure that every voter who votes proves that they are the person who has registered to vote. A good way to do that is photo ID.

Now, the other side of the aisle tends to see this as a terrible calamity. They believe this is horrible. How can we do this? But at the same time they have approved, I am sure, the use of photo ID for getting on an airplane. They have approved the use of photo ID for purchasing alcohol or cigarettes. They have approved the use of photo ID for cashing a check. And on and on. We use photo ID all the time. We use photo IDs to get on governmental property. This is not a new concept.

All we are simply saying in this bill is that by the year 2008 election, every Federal election will require a photo ID of every voter wishing to vote in that and succeeding Federal elections. It further goes on to say that in the year 2010, that photo ID must also indicate whether or not this person is a citizen. So it is two-pronged, and straightforward.

In the public hearings that we held, there was much made by, among others, the League of Women Voters and also by the other side of the aisle that this was going to deprive poorer people of the opportunity to vote because they can't afford to get a voter ID, or it's too difficult for them to get out of the house and do it, or they can't prove their citizenship because they were born at home, et cetera, et cetera. We took that to heart. So we modified the bill to say that the States will prepare these photo IDs that will vouch for the persons citizenship, and if there is any expense involved that cannot be reimbursed by the person receiving this information and getting the photo ID and the citizenship verification, and if they cannot pay for it because they are indigent and simply do not have the resources, or if they can't get out of the house, or whatever, the State is to pay for it, and we will reimburse the State.

This is not an unfunded mandate. We include the authorization in the bill, saying that when the States incur this expense, they submit their bills to the Federal Government. The Federal Government is authorized to repay them. The only glitch might come if the appropriators don't appropriate the money, but I can assure you the appropriators will be happy to appropriate the money for this purpose as long as we continue in the majority.

I think it is totally inappropriate to call this on a point of order. This is not

a mandate for the States to spend. They have enough credit in every case to pay the bill and have us reimburse them a month or so later. Surely they can carry that small burden. The total expense for the entire country is estimated to be less than \$77 million. That is the estimate from the CBO.

So I think the point of order is completely unfounded. I believe it is very important to continue with this bill. My goal in every case is to ensure that every citizen of the United States clearly has the right to vote, and that right will be facilitated by using the methods outlined in the bill, but also every citizen who votes has the right to believe that their vote will be counted accurately, and that no one else will dilute their vote by voting illegally and, therefore, undermining the process.

Mr. McDERMOTT. Mr. Speaker, could you tell us how much time has been used on both sides?

The SPEAKER pro tempore (Mr. BOOZMAN). The gentleman has 8 minutes.

Mr. McDERMOTT. I have 8 minutes. And my opponent?

The SPEAKER pro tempore. Five minutes.

Mr. McDERMOTT. I yield 1½ minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my colleague for yielding. I wish specifically to address the statement made by Chairman EHLERS, for whom I have the greatest respect. And he is my friend.

I disagree where you say, Mr. Chairman, that this is not an unfunded mandate. Although H.R. 4844 authorizes, as you correctly say and from the language of the bill, such sums as necessary to fund the program, it does not guarantee any funding to States to pay for the requirements of this bill.

The Help America Vote Act was authorized for \$3.9 billion, and to date only \$3.1 billion has been appropriated, leaving an \$800 million shortfall. The sponsors of H.R. 4844 simply cannot guarantee that States won't be stuck with the bill for the costs imposed by this legislation.

The unfunded mandates law was the very first bill considered on the House floor when the Republicans took control of the Congress in January of 1995. I was here when it passed. They were highly critical of previous mandates imposed by Democratic Congresses and adamant about not allowing legislation to impose unfunded mandates on State and local governments as well as the private sector. Yet here we are today ready to impose enormous costs on these entities and on private citizens as well.

I support the point of order and ask that it prevail.

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

Mr. McDERMOTT. Do we have the right to close?

The SPEAKER pro tempore. The gentlewoman from West Virginia has the right to close.

Mr. McDERMOTT. Mr. Speaker, I know the gentleman from Michigan, and he is an honorable man, but he is standing out here trying to sell snake oil to the U.S. Congress.

This speech just given by the gentleman from Florida about the Help America Vote Act is living proof of the fact that this place promises all kinds of stuff and then doesn't deliver to the local government. We could spend a long time talking about the Leave No Child Behind Act. Over and over, after all that showboating you did when you took over the Congress about we're not going to have any more of those unfunded mandates, and then you come out here again and again and again, and you stick the States and the local governments with the cost.

Now, if it doesn't make any difference to the Republicans that the State and local government are going to have a problem, it ought to worry them that 7 million people are affected. That is the estimate by the League of Women Voters about the people who will be affected by this bill. You don't worry about people who get on airplanes. All of us are rich. We've got money to fly on an airplane. There are 7 million people that don't go to the airport every week and have to show a photo ID. We get one given to us here in the Congress for free. None of us paid for that thing. And we show it.

Our driver's license. We don't pay for the photo ID. We pay for the right to use the roads of our State. The fact is that there are millions of people in this country who you are going to make a serious problem for, and the States are either going to have to say you can't vote because you don't have a photo ID, or they are going to have to pay for it. And to count on you, the Republican appropriators, when you are wasting \$400 billion in Iraq, to come up with even what is really a small amount of money, \$77 million or \$100 million or whatever the number is, it's not very much, is really betting on the tooth fairy.

Now, I believe that the constitutional right to vote is preeminent. Everybody should have a right to it. Every year in Seattle, we bring in about 500 new immigrants on election day, or on the Fourth of July, and we send them up to register with the League of Women Voters because we tell them the most important thing in this country is to vote, that that is how you exercise your American rights.

□ 1100

And now you want to erect a barrier. Thank God for the courts in Missouri who threw out the Missouri law; but that is not good enough for you guys. You say, oh, no, Missouri didn't write it right. We will write it so we will get them. We will get everybody in the country.

The elections in this country have hung on a very few number of votes, and to eliminate 7 million people from

the opportunity to vote because they don't have a photo ID and put it in the loving hands of State governments and county governments to make sure that they have what is necessary is to limit their right to vote.

You show me one bit of evidence that somebody has illegally voted, because you haven't shown that. I believe that in reality you are really only trying to protect your own grip on power in this House by making it harder for ordinary Americans to have a say in who leads this country.

In 2001, the National Commission on Federal Election Reform estimated that up to 10 percent of those eligible to vote do not have official State identification like a driver's license. Now these are people without cars, including the disadvantaged. Republicans are willing to leave those people behind. I am sorry if you can't drive a car and don't have a driver's license, your State is not going to have the money to pay for it. Where are they going to get it? They will take it out of the TANF program, or the schools, or somewhere. You can count on them to do that. That is what you are saying.

Instead of finding ways to ensure that every American has a right to vote, the Republicans want to build a fence so it is harder and harder to get to the polls. Republicans would like you to believe that illegal aliens are a danger to the American political process, that they are sneaking in through the borders and then they are sneaking up to the polls and they are casting their ballots and are electing—come on, that is the fear tactic again. It is the fear tactic that you use over and over on the American people, and that is all this bill is about: the fear tactic.

We are coming up to an election. The real danger is if the Republicans could put a fence around the Constitution, letting in their friends and keeping everybody else out. And it is not about protecting the right to vote, it is about subverting the right to vote for non-Republican Americans perhaps, people who they think won't vote for them.

Why would the poor people vote for the 1 percent party, the party of the rich? We know what this is all about. People just don't want to say it straight out, but it is really going after those people least able to defend themselves in our society casting their vote.

The vision of the Republicans is if you don't vote Republican, they want to make sure you don't vote at all. They don't want you to vote. Democrats will never stop fighting to protect the rights of people to vote, to run their government, even when they choose you.

A democracy requires allowing everybody to have a chance to vote, even when I might say they made a mistake here and there. But nevertheless, they have a right to vote.

This bill is a sham. It is a PR piece and it doesn't belong in a Nation governed by all of the people.

Mrs. CAPITO. Mr. Speaker, I yield myself such time as I may consume to

respond, and then I will yield to the chairman of the committee.

First of all, I think this is serious business. When you talk about one of the most precious rights we have as citizens, it is to vote. Obviously that is how we all arrived here. And I think we have, shamefully, a very low percentage of people who are voting, when we compare worldwide, in this country. So I think highlighting voting and voting patterns and the way to vote and the way to legally vote is an important issue.

But what I have heard just now is a very cynical and I think slightly mean-spirited attack on why we believe and why the committee has brought forward very thoughtful legislation on voting and voter identification.

If you want instances of voter fraud, come to the State of West Virginia. We just had five people indicted and sentenced in Federal court for this very thing.

If you want to talk about the Commission on Federal Election Reform, which was quoted just a minute ago, headed by former President Jimmy Carter and former Secretary of State James Baker, they recommended this very thing, that photo ID be used as an identifier to vote.

And I can quote as well, to go to the other point, the former mayor of the city of Atlanta, Andrew Young, who talks about the concept of a photo ID for voting. I think this is an interesting point he makes: At the end of the day, a photo ID is a true weapon against the bondages of poverty. Anyone driving through a low-income neighborhood sees the ubiquitous check-cashing storefronts which thrive because other establishments, such as supermarkets and banks, won't cash checks without a standard photo ID.

To go to the point of order that has been raised, this is an authorizing committee. The House Administration Committee is an authorizing committee. They have made provisions in the bill for appropriators to provide the appropriate funds of money that would be necessary to create the photo ID for the, and I will take the gentleman's figure, the 7 million people who are without.

I think it is important to note that the REAL ID Act which is going to be going into effect in the next several years is going to require federally issued photo ID as a means for identification and citizenship.

Mr. Speaker, I would now like to yield the balance of my time to the chairman of the committee, the gentleman from Michigan (Mr. EHLERS), who is very thoughtful, very well respected, and certainly is known for his intense study of a subject, and this one is no different.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Michigan is recognized for 2½ minutes.

Mr. EHLERS. Mr. Speaker, several points. First of all, I am surprised that anyone regards this bill as an attempt

to prevent people from voting. It is intended to aid them in voting. I am committed, as I said earlier, to allow every citizen the opportunity to vote, and make certain they can be assured that no one else is diluting that vote through illegal action.

Having said that, and recognizing that Andrew Young has also endorsed this, I don't understand the arguments of the Democrats on this. When the bill was first introduced and we had our first hearing, all of the complaints from the Democrats and the League of Women Voters was that we are disenfranchising the poor because they could not afford to get a photo ID and they could not afford to prove they were citizens.

So I said, fine, we will provide the money so that the poor can get a photo ID, and so that the poor can prove their citizenship. Then we are truly helping them, because not only can they vote, but as Andrew Young said, they can cash their check more readily. Also, if they want to apply for Social Security or Medicare benefits, they have proof of citizenship which speeds up the process tremendously; otherwise they have to go through the effort of proving citizenship at that time.

So this bill not only will help with voting, it will help the poor in many other ways because it provides payment for them to properly be able to identify themselves to get government services, to cash checks, et cetera, et cetera.

What we have done here is a good bill, and the point of order is simply invalid. If we are going to apply the point of order for this bill because the appropriators haven't yet acted, then every authorizing bill we pass that provides for funding through the States or localities is not going to pass the test either, because they won't have the appropriations in hand yet. I think it is a farce. I urge all Members to vote against this point of order, and I urge that we proceed on to the debate of the bill itself.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider House Resolution 1015?

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

Mr. McDERMOTT. 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 vote was taken by electronic device, and there were—yeas 213, nays 190, not voting 29, as follows:

[Roll No. 454]

YEAS—213

Aderholt	Bachus	Bartlett (MD)
Akin	Baker	Barton (TX)
Alexander	Barrett (SC)	Bass

Biggart	Graves	Nussle
Bilbray	Green (WI)	Osborne
Bilirakis	Gutknecht	Otter
Bishop (UT)	Hall	Paul
Blackburn	Hart	Pearce
Blunt	Hastings (WA)	Pence
Boehner	Hayes	Peterson (PA)
Bonilla	Hayworth	Petri
Bonner	Hefley	Pickering
Bono	Hensarling	Pitts
Boozman	Herger	Platts
Boustany	Hobson	Poe
Bradley (NH)	Hoekstra	Porter
Brown (SC)	Hostettler	Price (GA)
Brown-Waite,	Hulshof	Putnam
Ginny	Hunter	Ramstad
Burgess	Inglis (SC)	Regula
Burton (IN)	Issa	Rehberg
Buyer	Istook	Reichert
Calvert	Jenkins	Renzi
Camp (MI)	Jindal	Reynolds
Campbell (CA)	Johnson (CT)	Rogers (AL)
Cannon	Johnson (IL)	Rogers (KY)
Cantor	Johnson, Sam	Rogers (MI)
Capito	Jones (NC)	Rohrabacher
Carter	Kelly	Ros-Lehtinen
Castle	Kennedy (MN)	Royce
Chabot	King (IA)	Ryan (WI)
Chocola	King (NY)	Ryan (KS)
Coble	Kingston	Saxton
Cole (OK)	Kirk	Schmidt
Conaway	Kline	Schwarz (MI)
Crenshaw	Knollenberg	Sensenbrenner
Cubin	Kolbe	Sessions
Davis (KY)	Kuhl (NY)	Shadegg
Davis, Jo Ann	LaHood	Shaw
Davis, Tom	Latham	Sherwood
Deal (GA)	LaTourette	Shimkus
Dent	Leach	Shuster
Doolittle	Lewis (CA)	Simmons
Drake	Lewis (KY)	Simpson
Dreier	Linder	Smith (NJ)
Duncan	LoBiondo	Smith (TX)
Ehlers	Lucas	Sodrel
Emerson	Lungren, Daniel	Souder
E.		Stearns
Everett	Mack	Sullivan
Feeney	Manzullo	Sweeney
Ferguson	Marchant	Tancredo
Fitzpatrick (PA)	Marshall	Taylor (NC)
Flake	McCaul (TX)	Terry
Foley	McCotter	Thomas
Forbes	McCrery	Thornberry
Fortenberry	McHenry	Tiahrt
Fossella	McHugh	Tiberi
Fox	McKeon	Turner
Franks (AZ)	McMorris	Upton
Frelinghuysen	Rodgers	Walden (OR)
Galleghy	Mica	Walsh
Garrett (NJ)	Miller (FL)	Wamp
Gerlach	Miller (MI)	Weldon (FL)
Gibbons	Miller, Gary	Weldon (PA)
Gilchrest	Moran (KS)	Weller
Gillmor	Murphy	Whitfield
Gingrey	Musgrave	Wicker
Gohmert	Myrick	Wilson (NM)
Goode	Neugebauer	Wilson (SC)
Goodlatte	Northup	Young (AK)
Granger	Norwood	Young (FL)

NAYS—190

Abercrombie	Carson	Etheridge
Ackerman	Chandler	Farr
Allen	Clay	Filner
Andrews	Cleaver	Frank (MA)
Baca	Clyburn	Gonzalez
Baird	Conyers	Gordon
Baldwin	Costello	Green, Al
Barrow	Cramer	Green, Gene
Bean	Crowley	Grijalva
Becerra	Cuellar	Harman
Berkley	Cummings	Hastings (FL)
Berman	Davis (AL)	Herseth
Berry	Davis (CA)	Higgins
Bishop (GA)	Davis (FL)	Hinche
Bishop (NY)	Davis (IL)	Hinojosa
Blumenauer	Davis (TN)	Holden
Boren	DeFazio	Holt
Boswell	DeGette	Honda
Boucher	Delahunt	Hooley
Boyd	DeLauro	Hoyer
Brady (PA)	Dicks	Inslee
Brown (OH)	Dingell	Israel
Brown, Corrine	Doggett	Jackson (IL)
Butterfield	Doyle	Jackson-Lee
Capps	Edwards	(TX)
Capuano	Emanuel	Jefferson
Cardin	Engel	Johnson, E. B.
Carnahan	Eshoo	Jones (OH)

Kanjorski	Mollohan	Schwartz (PA)
Kaptur	Moore (WI)	Scott (GA)
Kildee	Moran (VA)	Scott (VA)
Kilpatrick (MI)	Murtha	Serrano
Kind	Nadler	Sherman
Kucinich	Napolitano	Skelton
Langevin	Neal (MA)	Slaughter
Lantos	Oberstar	Smith (WA)
Larsen (WA)	Obey	Snyder
Larsen (CT)	Olver	Solis
Lee	Ortiz	Spratt
Levin	Owens	Stark
Lewis (GA)	Pallone	Stupak
Lipinski	Pascrell	Tanner
Lofgren, Zoe	Pastor	Tauscher
Lowey	Payne	Taylor (MS)
Lynch	Pelosi	Thompson (CA)
Maloney	Peterson (MN)	Thompson (MS)
Markey	Pomeroy	Tierney
Matheson	Price (NC)	Towns
Matsui	Pryce (OH)	Udall (CO)
McCarthy	Rahall	Udall (NM)
McCollum (MN)	Rangel	Van Hollen
McDermott	Reyes	Velázquez
McGovern	Ross	Vislosky
McIntyre	Rothman	Wasserman
McKinney	Roybal-Allard	Schultz
McNulty	Ruppersberger	Waters
Meehan	Rush	Watson
Meek (FL)	Sabo	Watt
Meeks (NY)	Salazar	Waxman
Melancon	Sanchez, Linda	Weiner
T.		Wexler
Michaud	Sanchez, Loretta	Woolsey
Millender-	Sanders	Wu
McDonald	Schakowsky	Wynn
Miller (NC)	Schiff	
Miller, George		

NOT VOTING—29

Beauprez	Evans	Nunes
Boehler	Fattah	Oxley
Brady (TX)	Ford	Pommo
Cardoza	Gutierrez	Radanovich
Case	Harris	Ryan (OH)
Cooper	Hyde	Shays
Costa	Keller	Strickland
Culberson	Kennedy (RI)	Westmoreland
Diaz-Balart, L.	Moore (KS)	Wolf
Diaz-Balart, M.	Ney	

□ 1132

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

Messrs. JEFFERSON, HOLT and FRANK of Massachusetts changed their vote from "yea" to "nay."

Messrs. EHLERS, BONNER and HALL changed their vote from "nay" to "yea."

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HARRIS. Mr. Speaker, on rollcall No. 454, consideration of H. Res. 1015, I am not recorded due to travel delay. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The gentleman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume.

Mr. Speaker, last night the Committee on Rules granted a closed rule for consideration of H.R. 4844, the Federal Election Integrity Act. The rule provides for 1 hour of debate in the House equally divided and controlled by the chairman and ranking member of the Committee on House Administration.

The rule waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute as reported by the Committee on House Administration shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the right to vote is our most cherished freedom as American citizens. Over the years our Nation has evolved and progressed to include many more citizens in the voting process. Who could forget the wonderful accomplishments of Susan B. Anthony, Elizabeth Stanton, and Martin Luther King and countless others who fought to extend the right to populations that had previously been discriminated against?

Mr. Speaker, I am proud to say that today all American citizens, regardless of gender, race, creed or ideology, are free to vote for candidates from the Presidential election all of the way through to the school board.

But, sadly, there are those who have taken advantage of this cherished freedom by distorting our election system. We have all heard stories about the rolls of deceased voters mysteriously voting from the grave, sometimes even voting more than once.

Furthermore, with an increasing population of illegal immigrants populating our States, the possibility of noncitizens voting continues to grow. When voters go to the polls, they are electing representatives like us that will set policies for all citizens. Therefore, we should not allow these outcomes to be affected by individuals who have intentionally broken the law.

In my home State of West Virginia, I am not proud to say, five individuals were recently convicted of illegally influencing elections. Our State has long suffered from these illegal and unethical tactics used to stifle the voice of our voters. While many of these problems that have been plaguing our system cannot be fixed overnight, the underlying legislation is a step in the right direction.

The Federal Election Integrity Act simply requires that in order for a person to vote, they must be able to show proof of identification with a photo ID by 2007, and then 3 years later, in 2010, all voters will be required to provide a photo ID that could not have been obtained without proof of citizenship.

We all understand this is going to be a challenge for some of our rural, elderly and indigent populations, but the REAL ID Act already requires all people to have a compliant ID to prove their legal status by 2008.

Furthermore, this legislation authorizes funds to reimburse the States for providing IDs to the indigent at no cost. Seventeen States currently have similar requirements in their laws, most recently Arizona.

The Secretary of State for Arizona recently testified that voter registration has increased in Arizona by 15.4 percent since the implementation of

Proposition 200, a measure that requires all voters to present identification at the polls before casting a ballot, as well as provide a proof of citizenship before registering to vote. Recent reports show that the primary election held last week in Arizona, that there were no stumbling blocks to this new provision. Certainly this has been a success as more voters are registering, and they have peace of mind that their registration is protected by proof of their identify.

During a recent NBC-Wall Street Journal poll, 81 percent of those surveyed expressed support for requiring ID at the polls. Clearly the voting population is concerned with voter fraud and is yearning for action. Even former President Carter and former Secretary of State James Baker, a bipartisan duo, have endorsed this approach.

Mr. Speaker, integrity in our election system is a goal that is shared across party affiliation. We want everyone to participate, to vote, and to know that their vote counts. And it is my hope that we can all work together to improve our system for future generations.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentlewoman from West Virginia (Mrs. CAPITO), for the time, and I yield myself such time as I may consume.

Mr. Speaker, I am in opposition to this closed rule. This so-called Federal Election Integrity Act places an unconstitutional burden on the fundamental rights of eligible citizens to participate in our country's democratic process.

I agree with the words of President Lyndon Johnson when he said, "The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible wall which imprisons men and women because they are different from other men and women."

Today, before millions of Americans, the majority is trying to reconstruct the walls of injustice and imprison our poor, disabled, elderly and young by putting up barriers to the voting process. This majority Congress has decided to embarrass itself further by coming up with a solution in search of a problem instead of passing legislation that would rectify actual problems that plague our citizens.

Out of all of the issues that this Congress could be considering in the last 2 weeks before we adjourn, the majority has decided that the priorities of the American people include trying to make voting harder for segments of our population that already have it difficult.

In today's USA Today, it says, "Crisis Seen in Luggage Screening." And this is a report by TSA and airports highlighting the urgency of us needing to screen baggage that goes onto airplanes, and here we are screening voters who have done nothing wrong in the first place rather than dealing with urgent matters.

Although the majority of Americans have and use IDs as a routine matter, approximately 10 percent of the public, disproportionately people of color, elderly citizens, disabled citizens, and young people and low-income citizens, do not have government-issued photo IDs.

When I think about the latest schemes of the majority, I cannot help but think about who exactly this bill would affect. I call attention, for example, to elderly blacks born into segregation, as my mom and grandfather and grandmother were, and racism that existed in the pre-civil rights era in the South.

My mother was born in Florida in the early 20th century at a time when the birth of most blacks was not officially acknowledged by States or localities. This meant that my mom and thousands like her were not issued birth certificates. This practice continued in some areas of this country into the 1950s. Furthermore, many persons at this time do not drive, like my mom, so they never obtained licenses either.

Mr. Speaker, the claim that voter fraud is such a rampant problem is really beyond the pale. There is virtually no empirical evidence. I might add they held no hearings, did not take into consideration anything other than some nominal reports regarding this matter. There is virtually no empirical evidence that voter fraud with any frequency would warrant such a restrictive and potentially harmful legislation.

Furthermore, proponents of the voter ID requirements cannot even prove that existing safeguards do not adequately address the minimum problems of fraud. I heard all of the talk about something happened in Arizona and what the people did. All of that was prosecutable under the law as it exists. This legislation is nothing short of yet another political ploy at a political time when we are in high political dudgeon to bamboozle, disenfranchise American citizens.

The fact that this bill is being considered as a closed rule with no amendments and no debate confirms my suspicions that the majority is actively doing everything in its power to stifle democracy instead of letting it flourish.

Mr. Speaker, this country needs a new direction. This bill is nothing but a distraction to real issues that deserve real solution. Currently States have several alternative means to address potential problems associated with voter fraud. When those alternatives are executed correctly, which includes statewide voter registration databases, in-person affirmation and signature comparison, they pose less of a burden on eligible Americans than a mandatory ID. I also note that most of these alternatives have long been used successfully in States across the country.

If Republicans were serious about carrying out real election reform, they would not have voted against the two

amendments offered by my two good friends on the House Administration Committee, Ranking Member MILLENDER-MCDONALD and Representative LOFGREN, that sought to improve voter participation and access to polls.

□ 1145

As it stands, the current legislation before us today does absolutely nothing to alleviate the problems Florida had with recent elections on September 5, and would not address current problems that many States are still experiencing today.

Maryland, just last week, had all sorts of problems that this measure here would not have covered in their flawed election. I am not the only one who is concerned about the effectiveness of this bill. Our colleague, LINCOLN DIAZ-BALART, expressed extreme concern about there not being a paper trail in the voting process. I strongly agree with his concerns and those of ROBERT WEXLER, who has fought the paper trail problem in my district, and note that this bill provides nothing, nothing, for States to improve electronic vote.

Several States, including Florida, Missouri, where Mr. SKELTON is from and who will speak, has personal experience. Ohio, Michigan, Arizona, and the city of Albuquerque, New Mexico, have enacted voter ID requirements that have been challenged in court. Many have already been found unconstitutional and thrown out while others are still pending. Just yesterday, another judge, a superior court judge in Georgia, threw out that State's voter ID, which has been litigated ad nauseam.

For a party that doesn't like trial lawyers, the Republicans would almost guarantee big business with trial lawyers, with the increase of litigation that would immediately follow the passage of this litigation.

Mr. Speaker, we cannot bypass the opportunity to pursue real election reform. We cannot let the majority pass harmful and vague legislation that would only nullify the advances we have witnessed with such legislation like the Voting Rights Act.

Two years ago, in response to what I believe is going to be recited, that this is not an unfunded mandate, 2 years ago, the Democrats on the Appropriations Committee tried to provide funding under the Help America Vote Act, but the Republicans on that committee voted it down. So your argument that there would be funds for this falls on deaf ears. Once we pass a measure like this, the localities are going to have to bear the brunt, whether we fund it or not. Voting is for all of us, not just most of us. We can and must do better in the people's House.

For these reasons, I oppose this closed rule and the underlying legislation.

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

Mrs. CAPITO. Mr. Speaker, I think the perspective of a chief election offi-

cer of a State is one that can shed great wisdom and knowledge concerning this bill, so it is my honor to yield 4 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, certainly the fundamental building block of our democracy for the last 208 years has been a constitutionally guaranteed right to vote. Prior to my service in Congress here, I had the great honor and privilege to serve as my State of Michigan's chief election officer and the secretary of State.

In that role I viewed it as my duty to ensure the integrity of our elections process, to ensure that every eligible voter had an opportunity to vote, to ensure that every registered voter would turn out on election day, and to root out any fraud, any type of fraud in our elections process, and to ensure that every vote that was cast was properly counted.

I would like to think that I do have a deep understanding and certainly a respect for our Nation's electoral process, and not from a partisan tint. In fact, after the 2000 elections, the NAACP gave my administration the Nation's highest grade of any of the secretaries of State in the entire Nation for election reform.

Mr. Speaker, since the 2000 election, this Congress has also taken action to improve the process through the Help America Vote Act, that they authorized and appropriated millions and millions and millions of dollars for, which has improved the quality of our voting equipment and improved the registration voter list throughout the Nation.

Now, today, we have another positive electoral initiative that will help ensure the integrity of our process. H.R. 4844, the Federal Election Integrity Act, will require voters in Federal elections to show a photo ID to prove their identity and to be sure that their vote is counted.

I know that we are hearing concerns from the other side that for very partisan political reasons that this is going to disenfranchise voters, but nothing could be further from the truth. This important reform will ensure that every voter who presents himself at the poll, is who they say they are, and will limit diluting the votes of lawful voters by rooting out fraud.

Mr. Speaker, the call for photo identification at the polling places is not simply coming from Republicans. In fact, in my home State of Michigan, during the 2005 Detroit mayoral race, we heard calls there from both candidates, both camps about electoral improprieties that were happening in the city of Detroit. Both of the candidates engaged in that process and in that election were Democrats.

In fact, Freeman Hendrix, who lost that close race, actually came out after the election with a litany of things that we needed to do in the State of Michigan for election reform and para-

mount, a priority amongst them from him, was that we needed to have photo identification.

In addition, as has been mentioned on the floor already, the bipartisan Carter-Baker Commission, that is Jimmy Carter, former President Jimmy Carter, the Carter-Baker Commission on Electoral Reform recommended that we require photo ID at the polling places, again to ensure the integrity of our electoral process. I don't think there is anybody in the Nation that would accuse former President Jimmy Carter of being a Republican or a partisan Republican. We need to enact the photo identification requirement.

Another problem is that from some estimates, we have as many as 12 million illegal aliens in our Nation. Many of my constituents are concerned that votes of our citizens are being diluted by noncitizens illegally participating in the electoral process. This legislation actually builds on the REAL ID Act, which ensures that no States issue either driver's licenses or State identification cards to illegal aliens, and it assures the validity of the documents which establish the identity and the citizenship of the individuals.

This legislation will be yet another safeguard to ensure that those who are in our country illegally, or who are not citizens, do not participate in our electoral process. It also ensures that citizens who do not now have a government-issued photo ID, or cannot afford one, will have access to free, literally free, identification.

So there are a lot of reasons as to why people don't vote. Perhaps they think, they are very apathetic, they don't like the negative campaigning, or they don't like their choices of candidate, or they might think that there is too much fraud in the system and that their vote will not count, for whatever reason.

I truly believe that enhancing the integrity of the process will be an impetus to show people that their vote does count, that it is going to be counted, that it is going to be counted properly. In fact, this bill has the potential to actually increase voter participation.

Mr. Speaker, this is commonsense reform that will make our democracy stronger. I urge my colleagues to support the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I just wish to correct one thing with reference to President Carter. What he said was that there should be identification, not proof of citizenship, and that it should be free to everybody. I am sure he didn't allow for an unfunded mandate.

Mr. Speaker, I yield to the distinguished ranking member of the Armed Services Committee, a decorated veteran and hero that all of us respect. I would be interested, the kind of hero that IKE SKELTON is, that he tell his story; or hear his story about what happened to him.

Mr. Speaker, I yield 2½ minutes to my good friend, the distinguished gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, not long ago the Missouri legislature passed a law just like the one that we are considering today for the State of Missouri. Since I don't drive, I needed a nondriver's license identification card. I went in to the Lafayette County license bureau, waited like all the others for 45 minutes to see the very nice young lady, and I told her that I needed a government, State of Missouri-issued nondriver's license identification card.

She said, "I know you." Of course, she did. I produced the voting card identification card that I always carry with me. It has my picture, United States House of Representatives, the Honorable IKE SKELTON, Member of Congress, Missouri Fourth District, No. 190465, and has a facsimile of my signature, 109th Congress, January 2005-2007.

She said that ought to do it, but let me call the Jefferson City Department of Revenue and check. She did, and they said, no, that is not enough identification for me. I would have to go get either a passport or a birth certificate. As I was running out of time, I thanked her, and I would come back at a later moment. Thus, I was turned down trying to get a Department of Revenue nondriver's license voter identification card.

A month later, just a few days ago with my passport, which was up here in Washington in my safe, I waited in line and did get my voter nondriver's license identification card. So I am pleased to tell you that I can vote in November.

I also should tell you that in recent days the law that was passed by the Missouri legislature was held to be unconstitutional by the trial judge in Jefferson City, Missouri. This law, if allowed to stand in our State, or on a Federal level, will disenfranchise some very nice people, particularly senior citizens who walk in without a photo ID or driver's license. I just thought I would share my personal experience with my friends and colleagues here in the House.

Mrs. CAPITO. Mr. Speaker, I yield 3 minutes to the chairman of the House Administration Committee, the author of this bill, the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

Mr. Speaker, first, I would like to address the comments raised by the gentleman from Missouri, who is one of the most outstanding Members of Congress. I am sorry that his State has adopted a law such that you have to have a certain type of State ID. I am not at all sure why they did not recognize his congressional ID.

Under the bill that we have written, the bill that is on the floor today, a congressional ID would be recognized and would be appropriate for the process, simply because it is issued by the

Federal Government. It shows the picture of the person carrying it. It establishes, by virtue of the position, that this person has citizenship, and so the voter, the Member card, which I incidentally use for ID every time I board a plane, would apply equally well for voting. The event described is an isolated case, and he was affected by State law, not by the law that we are proposing here.

There has been so much said about how this is going to keep people from the polls, I don't see that at all. We have worked very hard on this bill. We have conducted three hearings. I understand that while I was out of the room, someone on the other side said we hadn't had any hearings. We had three hearings: one in Washington, DC, one in New Mexico, and one in Arizona.

I have also heard that this is going to keep people away from the polls. But in Arizona, when they passed their referendum requiring photo ID and citizenship proof, registration went up 15 percent. It did not go down, it went up. I think that is simply because the people could be assured that their vote would be entered properly, their vote would be legal, and that there would not be illegal votes nullifying what they had done.

Most of the argument that I have heard against this bill is simply not germane, or simply erroneous, because they simply haven't read the bill or understood it. We worked very hard to take into account the objections raised by the members of the committee, members of the public who had testified, and we thought we had taken care of all of those concerns.

Why is it unacceptable to help individuals prove their citizenship and obtain a photo ID and proof of citizenship free of charge. It is beyond me why that is unacceptable. Andrew Young says it is wonderful. Why don't the people in the House of Representatives think it is wonderful?

We are actually helping them to collect Social Security eventually, and collect Medicare benefits. We are paying the bill to allow them to do this, and I think this is a really good side benefit of a bill which not only will do that, but which will ensure that all votes cast in this Nation are valid votes, and that fraud will be minimized.

□ 1200

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Mr. EHLERS continues to use Arizona. In the first 6 months of 2005, as a result of Arizona's Proposition 200, more than 10,000 Arizona citizens had their voter registrations rejected as a result of failure to provide adequate proof of citizenship. I think that is horrible.

Mr. Speaker, someone else that knows about protecting us from fraud is the ranking member of the Homeland Security Committee, who I be-

lieve has had a substantial career dealing with the subject of voter problems.

Mr. Speaker, I yield 3 minutes to my good friend, the distinguished gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Speaker, integrity is having the wisdom to say what you believe and the courage to do what you say.

Here on the floor of this House, we talk about our beliefs in democracy, we talk about preserving and protecting the Constitution, we talk about the importance of voting. But talk is not enough. We must act. And if we enact this bill, we will fail the second test of integrity, to have your actions in line with your words.

In 2002, we passed the Help America Vote Act. HAVA set a baseline for voter identification requirements. Only three States in the Nation have interpreted HAVA to require photo identification at the ballot box. Each of these State laws is being challenged. Yesterday the Georgia court struck down the State's voter ID law. They said it violated the State constitution.

States that require photo ID at the ballot box provide a provisional ballot if a voter does not have an ID, but the bill before us today will go a giant step further. Without a valid ID, a voter can only get a provisional ballot if they can prove citizenship. So even if you voted for years, were born in this country and served in the military, you could be turned away.

Mr. Speaker, I am from Mississippi, and I know what voter suppression is when I see it. We stand here today ready to short-circuit the judicial process and impose a system that all 50 States have outright rejected.

My colleagues on the other side of this aisle have stated that this bill will help stamp out voter fraud, but look at the facts. The Department of Justice statistics show that over 196 million votes have been cast in Federal elections. Only 52 individuals have been convicted of voter fraud. In Ohio, 9 million votes were cast in the last two elections and only four cases of ineligible voters were found. In Wisconsin, the U.S. Attorney General conducted an investigation into alleged widespread voter fraud. He found 14 cases.

Today we are asked to mandate that State and local elections officials in every State train an army of volunteer poll workers to spot an acceptable photo ID, but we give them no money to do so.

Why the rush? This requirement will create massive confusion at the polling sites all over the country. People who have never had a photo ID will be required to produce it. Many people will have an ID. Some will go home and get their ID and come back. But others will not. Some of these people who are turned away may not have a driver's license or a passport at home. They will not come back. And they will wonder, as my fellow Mississippian Fannie Lou Hamer wondered, is this America?

I know it is hard for some folk to understand, but there are millions of people in this country that will not have an acceptable ID.

Mr. Speaker, I have found what WMD really stands for, weapons of mass disenfranchisement, and it is here in this bill. An election with integrity is one in which every eligible voter is encouraged to vote. I oppose this rule.

Mrs. CAPITO. Mr. Speaker, I would like to make a point of clarification. If this goes into effect, and somebody does arrive at the polling place without their photo ID, they would be given a provisional ballot and be permitted to vote with the caveat that they would return within 48 hours to show their photo ID. I just wanted to make that point of clarification.

Mr. Speaker, I yield 3 minutes to my colleague on the Rules Committee, my esteemed colleague the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as we continue debate over immigration and border security, it is important to remember the security of the ballot box. Most importantly, we need to uphold the concept of the citizen voter, which is the foundation, of course, of our democracy.

Voting in our democratic government needs to be preserved for United States citizens to protect the legitimacy of the voting process as well as the interests of the United States.

One of the first bills I introduced, Mr. Speaker, as a Member of Congress, was the Voter Verification Act to address concerns about noncitizens voting and reaffirm that only United States citizens have the right to vote.

The Voter Verification Act simply stated that before voting in a Federal election, a citizen has to provide proof of citizenship. Whether the proof of citizenship is a birth certificate, a passport or a driver's license from a State that limits driver's licenses to citizens, the important point is to make sure our election workers are checking credentials before allowing people to vote.

This bill is slightly different from the Voter Verification Act, but it is very similar, and I want to thank my colleague, Mr. HYDE of Illinois, for introducing H.R. 4844, the Federal Election Integrity Act of 2006, and, of course, as well as Chairman EHLERS.

In Georgia, Governor Perdue has twice signed legislation to address the issue of voter registration. Since Georgia requires proof of citizenship before any method of voter registration, the concern is matching a registration card to a legitimate photo identification card.

Combine the REAL ID Act, which passed earlier in this Congress to mandate secure and reliable State identification cards, with the Georgia ID law, starting this November the State I represent has a better system for knowing who is voting in our elections as well as a means for deterring illegal voters.

Mr. Speaker, in closing, I believe we need to preserve and limit the right to vote to citizens. The right to vote is a sacred right, and we need to preserve its integrity.

I ask my colleagues, support this rule and the underlying legislation. And, yes, I have finally found an issue on which I agree with former President Jimmy Carter.

Mr. HASTINGS of Florida. Jimmy Carter also said that States should make voter registration and IDs accessible to all eligible citizens by using mobile offices and other means to register more voters and issue photo ID cards, and he also called for comprehensive electoral reform, which you all are not willing to do.

Mr. Speaker, I yield 3 minutes to the distinguished minority whip, my good friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding, and I rise in opposition to this bill.

The gentleman who has just spoken represents Georgia. Georgia passed a bill. The superior court has now twice held that bill to be unconstitutional. It is unconstitutional because it undermines the ability of Americans to vote. It in effect imposes additional tests.

In my State, I have been active for 40 years, I will tell my friend, I don't remember a case, not one, where citizenship was raised in our State. I venture if I asked all of you to prove to me you were a U.S. citizen right now, nobody on this floor could do it. Not one of you. You might give me a license. You might say, well, I was born here, there or everywhere. But nobody could prove they were a U.S. citizen.

Ladies and gentlemen, this bill is tantamount to a 21st century poll tax. It will disenfranchise large numbers of legal voters and disproportionately affect elderly people with disabilities, rural voters, students, racial and ethnic minorities, and low-income voters. Indeed, that may be its purpose. Hear me. That may be its purpose. All of these folks are less likely to have the current valid photo identification required by this bill.

It is highly ironic, Mr. Speaker, that just a few short weeks ago, this Congress reauthorized key provisions of the Voting Rights Act of 1965 after defeating a number of crippling amendments offered by the other side of the aisle, that landmark law designed to make voting easier and more fair, to address centuries, centuries, of discrimination. People were told they couldn't vote because of the color of their skin. People were told they couldn't vote because of their gender. They were told you can go to war, but you can't vote. We have changed that. Let us not now retreat and say, yes, but we are going to make it more difficult.

Today, through this voter ID bill, the Republican majority would make voting more onerous and burdensome for many, many Americans. Show me the

cases. Show me the examples of the problem you are trying to solve.

Mr. Speaker, this legislation is nothing more than a partisan political stunt. All of us are united in seeking to eliminate voter fraud. I stand against voter fraud. I worked with the Help America Vote Act Coalition to pass the Help America Vote Act. We have staff on here who worked very hard on that bill. We debated this issue, and the Congress rejected it. But now, 7 days left in the session, let us appeal to the fear, and, yes, perhaps the prejudice of people.

I ask that this bill be defeated. It is a bad bill for America. It is a bad bill for democracy. It is a bad bill for the House of Representatives to pass.

Mrs. CAPITO. Mr. Speaker, the gentleman asked for examples? I have an example here of a study that was done by the Johns Hopkins University computer science students that found 1,500 dead people listed who had voted in past elections. Now, you want to talk about onerous voting. It is difficult to get out of a grave and vote.

Mr. HOYER. Mr. Speaker, will the gentlewoman yield?

Mrs. CAPITO. I yield to the gentleman from Maryland.

Mr. HOYER. They found 1,500. Can the gentlewoman cite me one instance of a criminal charge being proven that that is the case? I don't doubt that you can assert that some people said there is fraud. Yes. Can you cite me one conviction of anybody who facilitated one of those 1,500 dead people going in, saying, "I am Sam Brown," who is dead, "and I want to vote"? Can you cite me one example of one conviction where that was found to be the fact, as opposed to an assertion?

Mrs. CAPITO. Mr. Speaker, reclaiming my time, after the fact I cannot cite you one example, but I don't think the gentleman would deny that fraud occurred and has occurred under this.

Mr. HOYER. Can I respond that I do agree with the gentlewoman that fraud does occur, and when it occurs, we ought to prosecute it. When fraud occurs, we ought to put those people in jail, because they undermine the rest of us who are voting honestly and fairly.

What we ought not do is respond to that by making it more difficult for many Americans to cast the basic right that they have as American citizens, the vote.

Mrs. CAPITO. Mr. Speaker, I agree with the gentleman. We don't want to disenfranchise anybody from voting, because voting is something that we all cherish not only in this Hall, but in every household in America. I believe that asking somebody to show a photo ID, which we do for many things, to buy cigarettes, beer, get on an airplane, travel, and many other instances, cash a check, we are asked for photo ID in many instances, and I think we provide in this bill for those who might not have photo ID who need it.

Once they get it, I think it would be viewed as a positive thing for them, so they wouldn't be going, as they do in many cases to check-cashing facilities that don't require a photo ID, and they end up paying 30 and 40 percent surcharges for that.

I would like to say, in my State of West Virginia, we just had five Federal convictions for vote fraud, vote buying. So it exists. And it is a defeating thing that occurs from State to State, because it defeats those of us who get up on that election morning or have gotten up earlier to early vote or send in our absentee ballot. It feels like our vote is being disenfranchised.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I would like to clarify, as somebody who supervised one of the largest counties in the United States for 10 years in the voter registration system, that voter fraud is not something you can come back on after the fraud is committed. The person who voted for those dead people is long gone by the time it comes up on the record that somebody who has got a death certificate filed is also somebody who supposedly voted. Then to say why didn't we catch the person who was doing it, it is too late to stop voter fraud once the vote is done and they are out of the booth.

□ 1215

That is just a practical experience of actually administering the programs.

Mr. Speaker, last June, in the 50th District, my constituency was rocked by statements made by a candidate that you do not need papers for voting. Those words were rocked across this country as the scandal over the issue of whether a candidate was actually soliciting people who were not U.S. citizens to vote in a public meeting.

The fact is in the State of California there is no checking, no reviewing, and not even the ability for those of us who supervise the electoral process to be able to question those, when they register to vote, if they were qualified. It was strictly on an honor system, and the honor system did not even say I am a citizen. It just says I am qualified.

The integrity of our republican form of government, the electoral process that we like to call democracy, has two major threats. Yes, stopping those who can qualify to vote from being able to participate if they are franchised. But the other violation that we have not addressed enough of when it comes down to violating voters' rights is disqualifying a legitimate vote by allowing those who do not have the constitutional right to vote to cancel out those legitimate votes. That is the violation of the Voting Rights Act that we have not addressed in this body enough.

Mr. Speaker, I ask us to stand up for our process, for fairness, and with the American people, that we will do everything we can to protect our process.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2

minutes to the distinguished gentleman from California (Ms. SOLIS), my good friend. Ms. SOLIS is the first Hispanic woman to be elected to the California senate. She has had a lot of experience in this voter business.

Ms. SOLIS. Mr. Speaker, I thank the gentleman for offering me this moment to speak.

Mr. Speaker, I would like to raise my strong opposition to the closed rule and the underlying piece of legislation, H.R. 4844, which restricts the right of citizens to vote.

With the cast of one vote, this legislation would undo what women and communities of color have fought for decades: the sacred right to vote and have a voice in the electoral process.

The bill will suppress the vote of groups like the elderly, people of color, and low-income citizens who are less likely to possess documents or prove their citizenship. Elderly citizens especially, who were born at home and do not possess their birth certificates, would be denied their right to vote. Citizens who lost their possessions because of natural disasters like Hurricane Katrina would be denied the right to vote. Women change their last name when they marry. Will they have the right to vote or will that be restricted?

The bill might as well be a poll tax for low-income citizens who would be required to obtain and pay for a document like a passport, which would cost them \$97 just to acquire one. That is a big, big amount of money for many of our low-income seniors to meet.

It is already a felony, as we know, in this country to vote fraudulently. Law-abiding citizens should not be penalized.

The bill is a breach of the American citizens' right to vote and undermines everything that the Voting Rights Act stands for.

I strongly urge my colleagues to vote down this closed rule and the underlying legislation.

I just want to make a statement that there is no law that says that you cannot have people go out and help participate in campaigns and knock on doors and pass out literature. I believe the candidate in that San Diego race was asking for that support. So I would like to clarify the record on behalf of Ms. Francine Busby, because I know after meeting her that she was very excited about talking to students and engaging them in the art of voting and getting people out to understand the importance to take on your civic responsibility.

Mrs. CAPITO. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, all we are looking for is common sense here. You have to have a photo ID if you look like you are under 18 years of age and want to buy alcohol. You have to have

a photo ID if you are going to get on board an airplane. You have to have a photo ID if you are going to enter many office buildings here in the United States.

It seems to me that the notion of providing photo identification when you are getting ready to exercise that very important franchise to vote is something that we should have in place.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Speaker, it is only the things you cite, I just am curious. For beer or to cash a check or get on a plane or buy cigarettes or go into a building, do you need citizenship on that ID?

Mr. DREIER. The point I am making is, I am talking about a photo identification. In this bill it begins by simply photo identification. Then in 2010 it gets to this notion of citizenship, and the fact of the matter, it begins the implementation in 2008, simply requires photo identification. I am happy to have yielded to my dear friend.

I will say, as we look at this challenge that we have, Mr. Speaker, it is very important for us to realize the potential for fraud is there. We invite fraud and we know that there are potential problems on the horizon, and I know that my friend from California (Ms. MILLENDER-MCDONALD) yesterday said this is a solution looking for a problem. I think that as we look at past elections, there have been instances of fraud.

Common sense is what we are trying to apply here, and I believe that having photo identification when it comes to that extraordinarily important franchise is essential.

The chairman of the Administration Committee, Mr. EHLERS, pointed out in the Rules Committee yesterday that in the case of Arizona, when they put it into place, we hear this argument we are going to suppress the vote, we are going to discourage people from being able to vote. They actually had a 15 percent increase in the number of registered voters in the State of Arizona, as was testified by the Secretary of State.

Mr. Speaker, this is a good measure. It deserves our support, and I hope Republicans and Democrats will join us in doing it. I thank my friend for yielding.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the distinguished gentleman from California (Mr. BECERRA), my good friend and classmate.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we all agree that we have to remove any type of voter fraud that might exist in our electoral system, and we need to prosecute to the fullest extent of the law anyone who does violate that, and we have to make sure that we base our laws on the evidence and documented facts that are out there.

The reality is that while we know that there are isolated cases of voter abuse, it does not amount to what this majority is trying to make us believe, that we must now disenfranchise thousands, if not millions, of American citizens from the ability to vote, simply to tackle what we hear are anecdotal stories about people who may have abused the process.

Mr. Speaker, it may not be an intended consequence, but it certainly is an inescapable consequence that this bill will disenfranchise many Americans who are citizens and wish to vote. It will also amount to a poll tax, as we have heard.

Nearly 75 percent of Americans do not have a passport. It costs about \$100 to get one. In many parts of our country, especially in the South, we have many elderly African Americans and a number of Native Americans throughout our country, who were born at home or under the care of midwives, who never received a birth certificate. Approximately 6 to 10 percent of the American electorate does not have any form of State identification. African Americans are four to five times less likely than whites to have photo identification. And, finally, in Georgia, 36 percent of its voters over the age of 75 do not have government-issued photo IDs.

Isolated cases of abuse must be addressed, but this bill does not do that. It takes a meat axe to try to deal with the problem, and if you do not believe me, then talk to the folks who were victims of the Katrina hurricane, who lost everything, including any type of personal identification. How do they tackle the problem of trying to go vote and only being given 48 hours to show a photo ID that they no longer have?

We can resolve this in a bipartisan fashion, but this is not the direction to go. I urge Members to vote against this rule and against this bill.

Mrs. CAPITO. Mr. Speaker, it is now my honor and pleasure to yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in support of the rule and the bill which will restore integrity to our election system.

It is outrageous and inexcusable that voters do not have to show proof of citizenship in order to vote in an election. Illegal immigrants are populating this country in an unprecedented number, and it is unjust and unfair to citizens of this country that noncitizens have had a hand in electing Federal officials.

The right to vote is the cornerstone of our democracy. It baffles me that there are no laws in place to protect this sacred practice from noncitizens.

H.R. 4844 has proper timelines and implementation guidelines in place for the proof of citizenship requirements, and if there are added costs to local governments, there certainly are a few

appropriation years between now and 2008 for funding to be provided.

So listen up, America. Those who are in this country illegally want the same rights as United States citizens, without obeying the laws of our land. We should not let these criminals defraud our election system by allowing them to vote.

We have heard some pretty specious arguments here from the other side of the aisle on the impact of this bill. The Federal Election Integrity Act accomplishes a commonsense, much needed component in our election system. American citizens will proudly provide proof of citizenship, and illegals will realize the gig is up.

I urge my colleagues to vote for the rule and also for the underlying bill, H.R. 4844.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise my friend from Florida and colleague in the House of Representatives that the people that stole the election in 2000, in mine and your State, were not illegal immigrants.

Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from California (Ms. LEE), my good friend.

Ms. LEE. Mr. Speaker, let me thank the gentleman for yielding and for his leadership in the preservation of democracy and also in the promotion of justice.

Talk about a cynical and discriminatory election-year ploy. This is unbelievable. This bill, as well as this closed rule, should be defeated.

As the country with one of the lowest percentages of voter participation in the world, we should be doing everything we can to remove the barriers to voting. For example, we should have been debating legislation to fix the real problems with the 2002 and 2004 elections: long voting lines, voter intimidation, faulty machines, poor training for poll workers, discriminatory voter registration laws; or making, for example, election day a Federal holiday so everyone can exercise their right to vote.

But, instead, we are debating a bill that effectively suppresses voter turnout by imposing this new, unconstitutional poll tax on all Americans. Have we already forgotten why we just reauthorized the Voting Rights Act a few months ago? Now the Republican leadership is already working overtime to try and undermine it.

Yes, we must eliminate voter fraud, but that is certainly not what this bill does. There are real solutions that will enforce our constitutionally guaranteed right to vote, that will ensure that every vote is cast and counted. That is what we should be voting on.

As we supposedly promote democracy throughout the world, we are quickly, and I mean quickly, eroding it right here at home, and this bill is an example of another step in that direction.

Let us practice what we preach. Let us defeat this rule and this sham bill and do some things in this body this

session to make sure that every individual who has the right to vote is allowed that right and that voting becomes freer and fairer in our country.

Mrs. CAPITO. Mr. Speaker, could I inquire as to the time remaining?

The SPEAKER pro tempore (Mr. PRICE of Georgia). The gentlewoman from West Virginia (Mrs. CAPITO) has 7½ minutes remaining, and the gentleman from Florida (Mr. HASTINGS) has 6 minutes remaining.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend from Arizona (Mr. PASTOR). Arizona has been utilized an awful lot here. Perhaps we should hear from an Arizonan who was at Mr. EHLERS' hearing and could speak to this issue.

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

Mr. PASTOR. Mr. Speaker, at the hearing that we had in Phoenix, Arizona, I asked a question of the panel which included the election director from Maricopa County, the largest county; the election director from Apache County; the president from the Intertribal Council of Arizona; the Secretary of State, Jan Brewer, who was the Republican running for the election; the county attorney, Andrew Thomas, who ran on an anti-immigrant; and also the president of the League of Women Voters.

□ 1230

When the question was asked whether in the history of Arizona voting had there been one instance of voter fraud that was directly linked to an undocumented person, the response was zero. The question then was asked, since we have had the Proposition 200 which requires an ID when you register and now when you go to the polls where, as correctly has been stated, that thousands of people have now registered, the question was asked, what have you done to show that there has been voter fraud, attempted or perpetuated by an undocumented? And the answer again was zero. And possibly, the county attorney said that he might have a case where he may indict 10 people.

So if you look at the situation, you would find that the response of the people on the panel was that Proposition 200 came about because of a perceived problem of undocumented people being able to vote. So this is built on the conception that you may have fraud in the future.

The Intertribal Council President Rafael Bear said it would injure the voting and suppress voting among Native Americans. The League of Women Voters came out against the proposition because of the suppression of the vote. The election director of Maricopa County said it wasn't needed, that in the past they didn't have the fraud that everybody was perceiving. So as Chairman DREIER said, this is a solution that is looking for a problem.

Mrs. CAPITO. I would like to read from the committee record from the hearing on Arizona, if I might. And this is from the Honorable Andrew Thomas, the Maricopa County Attorney. He talks about instances of voter fraud, they were charged of filing false documents, a class 6 felony.

Maricopa County Recorder Helen Purcell referred these matters to the county attorney's office after her office received jury questionnaire forms from the county jury commissioner. These forms were filled out by potential jurors who claimed they were unable to serve on a jury because they were not citizens. The county recorder's Office found that they claimed to be citizens when they filled out the voter registration form. Four of these five defendants voted in at least one election. In addition to the 10 charged defendants, they were reviewing 149 other cases. The county recorder had received inquiries from people seeking to become U.S. citizens who had been told by Immigration and Customs Enforcement to obtain a letter from her office confirming they had neither registered to vote nor voted. And today, a review of these matters has turned up 37 noncitizens who have registered to vote.

So I think this is a good reason to get out of Washington, D.C., to have real-life testimony across the country, which I know we do quite often. And this comes from the State of Arizona.

I reserve the balance of my time.

Mr. HASTINGS of Florida. I am prepared to close at this time, and I yield myself the remainder of the time.

Mr. Speaker, I will submit for the RECORD the Carter-Baker Commission on Federal Election Reform Report that appeared in the American University. In addition thereto, I will submit for the RECORD an Atlanta Journal article referring to the Georgia Supreme Court's denial of this same measure.

Mr. Speaker, you know where some fraud is occurring, as much as this seems to be ringing alarm bells in the majority? There is a lot of fraud in Medicare in the United States of America, there is a lot of fraud in Medicaid. We could drive right across 14th Street Bridge and go over there and find all that fraud at the Pentagon if we wanted to hunt up some real fraud. And we could really go to Iraq and trace the money that has been wasted in Iraq's reconstruction if we want to find some fraud. I mean, those are some urgent things.

To buy beer, you don't need to be a citizen if you have photo ID. To cash a check, you don't have to be a citizen. To get on a plane, you don't have to be a citizen. To buy cigarettes, you don't have to be a citizen. And now you come up with the precursor to a national ID card. And that is really what this is, after we get past all the mumbling, fumbling, and words that we are saying.

Mr. Speaker, I will be asking Members to vote "no" on the previous question so I can amend this rule to allow

the House to consider the Millender-McDonald amendment that was offered in the Rules Committee late last night, but was rejected.

I ask unanimous consent to print the text of the amendment and extraneous materials immediately prior to vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, if the leadership is insistent on the moving forward with this divisive bill, which I might add ain't going to pass the Senate, let's at least allow the ranking member of the committee of jurisdiction to offer her amendment to try and address some of the more egregious provisions in the bill.

The Millender-McDonald amendment would establish uniform standards for the treatment of provisional balance and clarify criminal penalties for voter fraud under the Help America Vote Act. It would codify a Federal court decision that HAVA matching requirements are intended as an administrative safeguard, not as a restriction on voter eligibility. And it would recommend to the States additional fraud-prevention methods. Finally, it would exempt senior citizens, the disabled, and the military and their families from onerous photo ID requirements in the bill.

Mr. Speaker, nonparticipation in the election process is more of a problem in this country than noncitizens trying to vote. This bill will do more to keep eligible American citizens away from the polls than it will do to fix the non-existent problems of ineligible immigrants sneaking in to vote in our Federal elections.

If we must take up this problem in search of a solution, let's at least allow the Millender-McDonald amendment to be included. I ask that we vote "no" on the previous question so we can consider this important amendment.

[From AU News, Sept. 19, 2005]

CARTER-BAKER COMMISSION ON FEDERAL ELECTION REFORM STRESSES URGENCY OF REFORM

WASHINGTON, DC.—Former President Jimmy Carter and former Secretary of State James A. Baker, III will conduct meetings with President Bush and Congressional leaders today to discuss recommendations in the final report of the Commission on Federal Election Reform, which they co-chaired.

The 21-member Commission, which conducted public hearings in Washington and Houston, offers 87 recommendations to strengthen the country's electoral system and build confidence among voters in the political process. The Commissioners met with political leaders Monday in order to stress the need for change before the 2008 presidential election.

"Elections are the heart of our democracy," Carter said. "The Help America Vote Act of 2002 made an historic contribution, but one law is not enough. The American people are losing confidence in the system, and they want electoral reform. We have forged a comprehensive package of reforms that represent the best path toward modern-

izing our electoral system, and we hope that the President, the Congress, and the states will consider them seriously."

"We hope that this report will help transform the sterile debate between Democrats and Republicans on election reform issues and provide the impetus for our federal and state leaders to take action now, when we still have plenty of time before our next presidential election," Baker said.

The 21-member private commission is organized by American University. Comprised of former Members of Congress, scholars and nonpartisan leaders, the group identified "five pillars" of election reform—voter registration, voter identification, voting technology, increased access to voting and nonpartisan election administration—and recommended ways to strengthen them. Highlights include:

To address the most serious problem of inaccurate registration lists, the Commission recommends that states, not local jurisdictions, organize and update their lists, and that the U.S. Election Assistance Commission (EAC) take the lead in making the lists interoperable so as to eliminate duplicates when people move between states.

To enhance ballot integrity, states should require voters to present a REAL ID card at the polls and provide non-drivers with a free photo ID card for voting, but during a transition, citizens without a card should be permitted to vote with a provisional ballot.

States should make voter registration and IDs accessible to all eligible citizens by using mobile offices and other means to register more voters and issue photo ID cards.

Congress should pass a law to require voter-verifiable paper audit trails on all electronic voting machines, and the EAC needs to take additional steps to ensure those machines are secure and accessible for people with disabilities.

The U.S. Election Assistance Commission and state election management institutions should be strengthened and reconstituted on a nonpartisan basis.

The presidential primary schedule should be reorganized into four regional primaries.

The full report is available on the Commission Web site at <http://www.american.edu/Carter-Baker>.

The Commission's Co-Chairs will have a press conference on Capitol Hill at 1:30 pm in the Hall of Columns. President Carter will also be speaking at American University at 4 pm, and that will be open to the media.

American University's Center for Democracy and Election Management (CDEM) organized the work of the Commission in association with the James A. Baker III Institute for Public Policy at Rice University, The Carter Center and [electionline.org](http://electionline.org), sponsored by The Pew Charitable Trusts. General sponsors include Carnegie Corporation of New York, the Ford Foundation, the John S. and James L. Knight Foundation and Omidyar Network. CDEM Director Robert A. Pastor is executive director of the Commission and serves as a Commission member.

In addition to Carter, Baker and Pastor, Commission Members include:

Betty Castor, the 2004 Democratic candidate for U.S. Senate in Florida.

Tom Daschle, former U.S. Senate Minority Leader from South Dakota.

Rita DiMartino, former vice president of congressional relations for AT&T.

Lee Hamilton, president and director of the Woodrow Wilson International Center for Scholars and a former Member of Congress from Indiana.

Kay Coles James, former director of the U.S. Office of Personnel Management.

Benjamin Ladner, president and professor of philosophy and religion at American University.

David Leebron, president of Rice University in Houston, TX.

Nelson Lund, professor of constitutional law at George Mason University in Arlington, VA.

Shirley Malcom, head of the Directorate for Education and Human Resources Programs of the American Association for the Advancement of Science (AAAS).

Bob Michel, former U.S. House Whip and House Minority Leader from Illinois.

Susan Molinari, president and CEO of the Washington Group, a government relations and lobbying firm, and former Member of Congress from New York.

Robert Mosbacher, chairman of Mosbacher Energy Company and past chairman of the Republican National Committee.

Ralph Munro, former Washington secretary of state and board member for various voting and Internet technology comparues.

Jack Nelson, Pulitzer Prize-winning journalist and former Washington bureau chief for the Los Angeles Times.

Spencer Overton, professor specializing in voting rights and campaign finance law at The George Washington University Law School in Washington, DC.

Tom Phillips, former chief justice of the Supreme Court of Texas.

Sharon Priest, former Arkansas secretary of state and current chair of the Arkansas State Election Improvement Study Commission and the State Board of Election Commissioners.

Raul Yzaguirre, presidential professor of practice in community development and civil rights at Arizona State University and former president of the National Council of La Raza.

[From *ajc.com*, Sept. 19, 2006]

JUDGE VOIDS VOTER PHOTO ID LAW  
(The Associated Press)

A state judge has thrown out the latest version of Georgia's law requiring voters to show photo ID, ruling that it violates the constitutional rights of the state's voters.

Fulton County Superior Court Judge T. Jackson Bedford, Jr. issued the ruling Tuesday, nearly three weeks after lawyers argued both sides of the issue, which is likely headed for the Georgia Supreme Court before the Nov. 7 general elections.

Bedford said the photo ID requirement disenfranchises otherwise qualified voters and adds a new condition to voting that violates the state constitution.

In his 17-page ruling, Bedford took issue with the burden placed on voters to prove who they are using photo ID. Even if voters are allowed to cast ballots without the required identification, they must return within 48 hours with one of the six necessary photo IDs or their vote is forfeited.

"This cannot be," Bedford wrote, pointing out that photo ID are not even required to register to vote in Georgia.

"Any attempt by the Legislature to require more than what is required by the express language of our Constitution cannot withstand judicial scrutiny," Bedford wrote.

Supporters of the photo ID law say it is needed to protect against voter fraud. Opponents argue it disenfranchises poor, elderly and minority voters who are less likely to have a driver's license or other valid government-issued photo ID.

The new law took effect July 1, but was blocked by state and federal judges during the state's July primaries, August runoffs and some local special elections held Tuesday.

Last October, U.S. District Judge Harold Murphy struck down an earlier version of the law, saying it amounted to an unconstitutional poll tax. The Georgia Legislature

addressed his complaints in the latest version, but when Murphy issued an injunction before the July 18 primaries, he said the state had not taken enough time to educate voters.

Because the U.S. Department of Justice didn't approve the photo ID requirement until late June, the state's election board had only three weeks to educate voters before the primaries—a window that was too short, Murphy said then.

Elections supervisors across the state have trained poll workers on both the old law and the new one.

Last week, Murphy blocked the law from being enforced in more than 20 special elections Tuesday.

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

Mrs. CAPITO. Mr. Speaker, I would like to thank my colleague from Florida for presenting his viewpoints on this, and we obviously have great differences.

I think the underlying legislation is an important step towards improving the integrity of the election system. We have both talked about the lack of participation in our elections and how that is something that, really, as Americans we are not very proud of. But if we don't have a system that has integrity, our participation rates are going to go even lower, and that is a concern, I believe, for all of us.

We have made great strides towards extending the right to vote to all citizens, but there is still work to be done to improve the integrity of our system. This is something the American people have spoken loudly on, with 81 percent of the population favoring the measures taken in this underlying legislation.

I am pleased that my colleague inserted the report from former President Jimmy Carter and former Secretary of State James Baker. They wrote in the *New York Times* in September of 2005 concerning this report: "Our concern was that the differing requirements from State to State could be a source of discrimination, and so we recommended a standard for the entire country, the REAL ID card, the standardized driver's license mandated by Federal law, last May. With that law, a driver's license can double as a voting card. All but 3 of our 21 commission members accepted the proposal in part because the choice was no longer whether to have voter ID, but what kind of voter ID the voters should have."

So I ask my colleagues to support the rule and the underlying legislation

The material previously referred to by Mr. HASTINGS of Florida is as follows:

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the *Republican Leadership Manual on the Legislative Process in the United States House of Representatives*, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

PREVIOUS QUESTION FOR H. RES. 1015 H.R. 4844—FEDERAL ELECTION INTEGRITY ACT OF 2006

In the resolution strike "and (2)" and insert the following:

"(2) the amendment in the printed in Section 3 of this resolution if offered by Representative Millender-McDonald of California or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)"

At the end of the resolution add the following new section:

“Sec. 3. The amendment by Representative Millender-McDonald referred to in Section 1 is as follows:

AMENDMENT TO H.R. 4844, AS REPORTED OFFERED BY MS. MILLENDER-McDONALD OF CALIFORNIA

Add at the end of section 303(b)(1) of the Help America Vote Act of 2002, as proposed to be amended by section 2(a) of the bill, the following:

“(C) EXCEPTION FOR ELDERLY AND DISABLED VOTERS.—Subparagraph (A) does not apply with respect to any elderly or handicapped individual. In this subparagraph, the terms ‘elderly’ and ‘handicapped’ have the meanings given such terms in section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee–6).”

Amend section 303(b)(2)(B) of the Help America Vote Act of 2002, as proposed to be amended by section 2(a) of the bill, to read as follows:

“(B) EXCEPTION FOR ABSENT MILITARY VOTERS AND THEIR FAMILIES.—Subparagraph (A) does not apply with respect to a ballot provided by an absent uniformed services voter. In this subparagraph, the term ‘absent uniformed services voter’ has the meaning given such term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(1)).”

Add at the end of section 303(b)(2) of the Help America Vote Act of 2002, as proposed to be amended by section 2(a) of the bill, the following:

“(C) EXCEPTION FOR ELDERLY AND DISABLED VOTERS.—Subparagraph (A) does not apply with respect to a ballot provided by an elderly or handicapped individual. In this subparagraph, the terms ‘elderly’ and ‘handicapped’ have the meanings given such terms in section 8 of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee–6).”

Add at the end of section 2(d) the following:

(3) EXCEPTION.—Notwithstanding paragraph (1) or section 303(d)(2) of the Help America Vote Act of 2002 (as amended by paragraph (2)), this section and the amendments made by this section shall not apply with respect to any election which is held in a State during a fiscal year for which the amount provided to the State pursuant to the authorization under section 297A of such Act (as added by section 3(c)) is not sufficient to cover the costs incurred by the State in carrying out the amendments made by section 3.

Insert after section 3(a) the following new subsection (and redesignate accordingly):

(b) REPORT ON NUMBER OF INDIVIDUALS UNABLE TO CAST BALLOTS AS A RESULT OF PHOTO IDENTIFICATION REQUIREMENT.—Section 303(b) of such Act (42 U.S.C. 15483(b)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

“(7) REPORT ON NUMBER OF INDIVIDUALS UNABLE TO CAST BALLOTS AS A RESULT OF PHOTO IDENTIFICATION REQUIREMENT.—Not later than December 31 of each year during which a regularly scheduled general election for Federal office is held (beginning with 2008), each State shall submit a report to the Commission on the number of individuals in the State who were registered to vote with respect to the election but who were prohibited from casting a ballot in the election, or whose provisional ballots were not counted in the election, because they failed to meet the requirements of paragraph (1) or (2).”

Add at the end the following:

**SEC. 4. ELECTION INTEGRITY AND VOTER ENFRANCHISEMENT.**

(a) UNIFORM STANDARD FOR TREATMENT OF PROVISIONAL BALLOTS CAST AT INCORRECT POLLING PLACES.—Section 302(a)(4) of the

Help America Vote Act of 2002 (42 U.S.C. 15482(a)(4)) is amended to read as follows:

“(4)(A) An individual’s provisional ballot shall be counted as a vote in an election for Federal office if the appropriate State or local election official to whom the ballot or voter information is transmitted under paragraph (3) determines that the individual is eligible under State law to vote in that election—

“(i) at the polling place at which the individual cast the provisional ballot; or

“(ii) at any other polling place in the State at which votes are cast in the same election for the same Federal office.

“(B) In determining whether an individual is eligible to vote at a polling place for purposes of subparagraph (A), the appropriate State or local election official shall review the computerized statewide voter registration list established and maintained under section 303(a).”

(b) CRIMINAL PENALTIES FOR VOTER SUPPRESSION.—Section 905 of such Act (42 U.S.C. 15544) is amended by adding at the end the following new subsection:

“(c) VOTER SUPPRESSION.—

“(1) IN GENERAL.—It is unlawful for any person—

“(A) to assert to any State election official that an individual is not eligible to vote in an election for Federal office, unless the assertion is made in good faith on the basis of facts known to the person making the assertion; or

“(B) to knowingly provide any person with false information regarding an individual’s eligibility to vote in an election for Federal office or regarding the time, place, or manner of voting in such an election.

“(2) PENALTY.—A person who violates paragraph (1) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both, for each such violation.”

(c) CLARIFICATION OF USE OF INFORMATION PROVIDED IN VOTER REGISTRATION APPLICATIONS.—

(1) PROVISION OF DRIVER’S LICENSE OR LAST 4 DIGITS OF SOCIAL SECURITY NUMBER USED SOLELY FOR MANAGING OFFICIAL LIST OF REGISTERED VOTERS.—

(A) IN GENERAL.—Section 303(a)(5)(A) of such Act (42 U.S.C. 15483(a)(5)(A)) is amended—

(i) in clause (i), by striking “an application for voter registration” and all that follows through “includes—” and inserting the following: “an applicant for voter registration for an election for Federal office shall include in the application—”; and

(ii) by adding at the end the following new clause:

“(iv) PROVISION OF INFORMATION SOLELY FOR PURPOSES OF MANAGING OFFICIAL VOTER REGISTRATION LIST.—The requirement to provide or to assign information with respect to an applicant for voter registration under this subparagraph is solely for the purpose of establishing an administrative safeguard for storing and managing the computerized statewide voter registration list under paragraph (1), and the failure to provide such information by an applicant or the existence of an error in any of the information provided by an applicant may not serve as grounds for the rejection of an application or as grounds for prohibiting the applicant from voting in any election.”

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Help America Vote Act of 2002.

(2) PERMITTING AFFIDAVIT TO SERVE AS ATTESTATION OF CITIZENSHIP.—Section 303(b)(4) of such Act (42 U.S.C. 15483(b)(4)) is amended by adding at the end the following new subparagraph:

“(C) USE OF AFFIDAVIT.—

“(i) AFFIDAVIT INCLUDED.—In addition to the question required under subparagraph (A)(i), such mail voter registration form shall include an affidavit which may be signed by the registrant attesting to United States citizenship.

“(ii) SIGNED AFFIDAVIT ACCEPTABLE DECLARATION OF CITIZENSHIP.—Notwithstanding subparagraph (B), the application of an applicant who does not answer the question included on the registration form pursuant to subparagraph (A)(i) but who signs the affidavit described in clause (i) shall not be treated as incomplete.”

(d) FRAUD PREVENTION METHODS.—Section 303(b)(2) of such Act (42 U.S.C. 15483(b)(2)) is amended by adding at the end the following new subparagraph:

“(C) ALTERNATIVE FRAUD PREVENTION METHODS.—At the option of the State, an individual who does not meet the requirements of subparagraph (A) may meet the requirements of this paragraph by meeting such other requirements as the State may establish to prevent voter fraud, such as reasonable methods to identify voters who have already voted, including but not limited to the use of indelible ink.”

(e) EFFECTIVE DATE.—Except as otherwise provided, the amendments made by this section shall apply with respect to elections occurring after December 2006.

**SEC. 5. REQUIREMENTS PRIOR TO IMPLEMENTATION OF NEW VOTER IDENTIFICATION REQUIREMENTS.**

(a) AVAILABILITY OF FUNDING FOR STATES.—

(1) REQUIRING PAYMENT OF FUNDS FOR MEETING ELECTION ADMINISTRATION REQUIREMENTS.—The amendments made by this Act (other than section 4) shall not take effect unless—

(A) the amount provided to States pursuant to the authorization under section 297A of the Help America Vote Act of 2002 (as added by section 3(c)) is sufficient to cover the costs to the States of meeting the requirements of section 303(b)(4) of such Act (as added by section 3(a)); and

(B) the aggregate amount of funds appropriated for requirements payments to the States pursuant to the authorization under section 257(a) of such Act is equal to the aggregate amount authorized to be appropriated for such payments.

(2) CONFORMING AMENDMENT.—

(A) IN GENERAL.—Section 257(a) of the Help America Vote Act of 2002 (42 U.S.C. 15407(a)) is amended by striking “the following amounts:” and all that follows and inserting the following: “an aggregate amount of \$2,000,000,000”.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Help America Vote Act of 2002.

(b) REQUIRING ACCESS TO PHOTO IDENTIFICATIONS PRIOR TO IMPLEMENTATION OF NEW REQUIREMENTS.—The amendments made by this Act (other than section 4) shall not take effect unless the Election Assistance Commission reports to Congress that not less than 95 percent of the voting age population of the United States has obtained photo identification which meets the requirements of the Help America Vote Act of 2002 which are added by the amendments made by this Act, and that individuals who were not able to afford the fee imposed by a State for the identification were provided the identification free of charge by the State.

(c) REQUIRING CERTIFICATION BY ATTORNEY GENERAL, CHIEF STATE ELECTION OFFICIAL, AND GOVERNOR PRIOR TO IMPLEMENTATION OF NEW REQUIREMENTS IN STATE.—

(1) CERTIFICATION.—The amendments made by this Act (other than section 4) shall not apply with respect to elections held in a

State unless the chief executive of the State, the chief State election official of the State, and the Attorney General certify to Congress that, on the basis of clear and convincing evidence—

(A) voting by noncitizens in the State is a persistent and significant problem; and

(B) the remedies and prohibitions applicable under the laws in effect prior to the implementation of the amendments made by this Act are insufficient to prevent and deter this problem.

(2) DEFINITIONS.—In this subsection—

(A) the term “chief State election official” has the meaning given such term in section 253(e) of the Help America Vote Act of 2002 (42 U.S.C. 15403(e)); and

(B) the term “State” has the meaning given such term in section 901 of such Act (42 U.S.C. 15541).

Mrs. CAPITO. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. 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 (Mr. PRICE of Georgia). Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 1015, if ordered, and suspending the rules on H. Res. 942.

The vote was taken by electronic device, and there were—yeas 222, nays 194, not voting 16, as follows:

[Roll No. 455]

YEAS—222

Aderholt	Carter	Gerlach
Akin	Castle	Gibbons
Alexander	Chabot	Gilchrest
Bachus	Chocola	Gillmor
Baker	Coble	Gingrey
Barrett (SC)	Conaway	Gohmert
Bartlett (MD)	Crenshaw	Goode
Barton (TX)	Culberson	Goodlatte
Bass	Davis (KY)	Granger
Biggert	Davis, Jo Ann	Graves
Bilbray	Davis, Tom	Green (WI)
Bilirakis	Deal (GA)	Gutknecht
Bishop (UT)	Dent	Hall
Blackburn	Diaz-Balart, L.	Hart
Blunt	Diaz-Balart, M.	Hastings (WA)
Boehler	Doolittle	Hayes
Boehner	Drake	Hayworth
Bonilla	Dreier	Hefley
Bonner	Duncan	Hensarling
Bono	Ehlers	Herger
Boozman	Emerson	Hobson
Boustany	English (PA)	Hoekstra
Bradley (NH)	Everett	Hostettler
Brady (TX)	Feeney	Hulshof
Brown (SC)	Ferguson	Hunter
Brown-Waite,	Fitzpatrick (PA)	Hyde
Ginny	Flake	Inglis (SC)
Burgess	Foley	Issa
Burton (IN)	Forbes	Istook
Buyer	Fortenberry	Jenkins
Calvert	Fossella	Jindal
Camp (MI)	Fox	Johnson (CT)
Campbell (CA)	Franks (AZ)	Johnson (IL)
Cannon	Frelinghuysen	Johnson, Sam
Cantor	Gallely	Jones (NC)
Capito	Garrett (NJ)	Kelly

Kennedy (MN)	Neugebauer	Schwarz (MI)
King (IA)	Northup	Sensenbrenner
King (NY)	Norwood	Sessions
Kingston	Nunes	Shadegg
Kirk	Nussle	Shaw
Kline	Osborne	Sherwood
Knollenberg	Otter	Shimkus
Kolbe	Oxley	Shuster
Kuhl (NY)	Paul	Simmons
LaHood	Pearce	Simpson
Latham	Pence	Smith (NJ)
LaTourette	Peterson (PA)	Smith (TX)
Leach	Petri	Sodrel
Lewis (CA)	Pickering	Souder
Lewis (KY)	Pitts	Stearns
Linder	Platts	Sullivan
LoBiondo	Poe	Sweeney
Lucas	Pombo	Tancredo
Lungren, Daniel	Porter	Taylor (NC)
E.	Price (GA)	Terry
Mack	Pryce (OH)	Thomas
Manzullo	Putnam	Thornberry
Marchant	Radanovich	Tiahrt
McCaul (TX)	Ramstad	Tiberi
McCotter	Regula	Turner
McCrery	Rehberg	Upton
McHenry	Reichert	Walden (OR)
McHugh	Renzi	Walsh
McKeon	Reynolds	Wamp
McMorris	Rogers (AL)	Weldon (FL)
Rodgers	Rogers (KY)	Weller
Mica	Rogers (MI)	Westmoreland
Miller (FL)	Rohrabacher	Whitfield
Miller (MI)	Ros-Lehtinen	Wicker
Miller, Gary	Royce	Wilson (NM)
Moran (KS)	Ryan (WI)	Wilson (SC)
Murphy	Ryun (KS)	Wolf
Musgrave	Saxton	Young (AK)
Myrick	Schmidt	Young (FL)

NAYS—194

Abercrombie	Etheridge	McNulty
Ackerman	Farr	Meehan
Allen	Fattah	Meek (FL)
Andrews	Filner	Meeks (NY)
Baca	Ford	Melancon
Baird	Frank (MA)	Michaud
Baldwin	Gonzalez	Millender-
Barrow	Gordon	McDonald
Bean	Green, Al	Miller (NC)
Becerra	Green, Gene	Miller, George
Berkley	Grijalva	Mollohan
Berry	Gutierrez	Moore (WI)
Bishop (GA)	Harman	Moran (VA)
Bishop (NY)	Hastings (FL)	Murtha
Blumenauer	Hereth	Nadler
Boren	Higgins	Napolitano
Boswell	Hinchen	Neal (MA)
Boucher	Holden	Oberstar
Boyd	Holt	Obey
Brady (PA)	Honda	Olver
Brown (OH)	Hooley	Ortiz
Brown, Corrine	Hoyer	Owens
Butterfield	Inslie	Pallone
Capps	Israel	Pascrell
Capuano	Jacrael (IL)	Pastor
Cardin	Jackson-Lee	Payne
Cardoza	(TX)	Pelosi
Carnahan	Jefferson	Peterson (MN)
Carson	Johnson, E. B.	Pomeroy
Chandler	Jones (OH)	Price (NC)
Clay	Kanjorski	Rahall
Cleaver	Kaptur	Reyes
Clyburn	Kildee	Ross
Conyers	Kilpatrick (MI)	Rothman
Cooper	Kind	Roybal-Allard
Costa	Kucinich	Ruppersberger
Costello	Langevin	Rush
Cramer	Lantos	Ryan (OH)
Crowley	Larsen (WA)	Sabo
Cuellar	Larson (CT)	Salazar
Cummings	Lee	Sanchez, Linda
Davis (AL)	Levin	T.
Davis (CA)	Lewis (GA)	Sanchez, Loretta
Davis (FL)	Lipinski	Sanders
Davis (IL)	Lofgren, Zoe	Schakowsky
Davis (TN)	Lowey	Schiff
DeFazio	Lynch	Schwartz (PA)
DeGette	Maloney	Scott (GA)
DeLahunt	Markey	Scott (VA)
DeLauro	Marshall	Serrano
Dicks	Matheson	Sherman
Dingell	Matsui	Skelton
Doggett	McCarthy	Slaughter
Doyle	McCollum (MN)	Smith (WA)
Edwards	McDermott	Snyder
Emanuel	McGovern	Solis
Engel	McIntyre	Spratt
Eshoo	McKinney	Stark

Stupak	Udall (CO)	Watson
Tanner	Udall (NM)	Watt
Tauscher	Van Hollen	Waxman
Taylor (MS)	Velazquez	Weiner
Thompson (CA)	Visclosky	Wexler
Thompson (MS)	Wasserman	Woolsey
Tierney	Schultz	Wu
Towns	Waters	Wynn

NOT VOTING—16

Beauprez	Harris	Rangel
Berman	Hinojosa	Shays
Case	Keller	Strickland
Cole (OK)	Kennedy (RI)	Weldon (PA)
Cubin	Moore (KS)	
Evans	Ney	

□ 1302

Mr. LARSON of Connecticut, Mr. FARR, Ms. MCKINNEY, and Ms. HERSETH changed their vote from “yea” to “nay.”

Mr. BUYER changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 455, had I been present, I would have voted “nay.”

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 196, not voting 13, as follows:

[Roll No. 456]

AYES—223

Aderholt	Crenshaw	Hart
Akin	Davis (KY)	Hastings (WA)
Alexander	Davis, Jo Ann	Hayes
Bachus	Davis, Tom	Hayworth
Baker	Deal (GA)	Hefley
Barrett (SC)	Dent	Hensarling
Bartlett (MD)	Diaz-Balart, L.	Herger
Barton (TX)	Diaz-Balart, M.	Hobson
Bass	Doolittle	Hoekstra
Biggert	Drake	Hostettler
Bilbray	Dreier	Hulshof
Bilirakis	Duncan	Hunter
Bishop (UT)	Ehlers	Hyde
Blackburn	Emerson	Inglis (SC)
Blunt	English (PA)	Issa
Boehler	Everett	Istook
Boehner	Feeney	Jenkins
Bonilla	Ferguson	Jindal
Bonner	Fitzpatrick (PA)	Johnson (CT)
Bono	Flake	Johnson (IL)
Boozman	Foley	Johnson, Sam
Boustany	Forbes	Jones (NC)
Bradley (NH)	Fortenberry	Kelly
Brady (TX)	Fossella	Kennedy (MN)
Brown (SC)	Fox	King (IA)
Brown-Waite,	Franks (AZ)	King (NY)
Ginny	Frelinghuysen	Kingston
Burgess	Gallely	Kirk
Burton (IN)	Burton (IN)	Kline
Buyer	Gerlach	Knollenberg
Calvert	Gibbons	Kolbe
Camp (MI)	Camp (MI)	Gilchrest
Campbell (CA)	Campbell (CA)	Gillmor
Cannon	Cannon	Gingrey
Cantor	Cantor	Gohmert
Capito	Capito	Goode
Carter	Carter	Goodlatte
Castle	Castle	Granger
Chabot	Chabot	Graves
Chocola	Chocola	Green (WI)
Coble	Coble	Gutknecht
Conaway	Conaway	Hall

Lungren, Daniel	Pickering	Shuster	Wasserman	Watt	Woolsey	Fitzpatrick (PA)	Linder	Reynolds
E.	Pitts	Simmons	Schultz	Waxman	Wu	Flake	Lipinski	Rogers (AL)
Mack	Platts	Simpson	Waters	Weiner	Wynn	Foley	LoBiondo	Rogers (KY)
Manzullo	Poe	Smith (NJ)	Watson	Wexler		Forbes	Lofgren, Zoe	Rogers (MI)
Marchant	Pombo	Smith (TX)				Ford	Rohrabacher	Lowey
McCaul (TX)	Porter	Sodrel				Fortenberry	Lucas	Ros-Lehtinen
McCotter	Price (GA)	Souder	Beauprez	Evans	Ney	Fossella	Lungren, Daniel	Ross
McCrary	Pryce (OH)	Stearns	Case	Harris	Slaughter	Fox	E.	Rothman
McHenry	Putnam	Sullivan	Cole (OK)	Keller	Strickland	Franks (AZ)	Lynch	Roybal-Allard
McHugh	Radanovich	Sweeney	Cubin	Kennedy (RI)		Frelinghuysen	Mack	Royce
McKeon	Ramstad	Tancredo	Culberson	Moore (KS)		Gallely	Maloney	Ruppersberger
McMorris	Regula	Taylor (NC)				Garrett (NJ)	Manzullo	Rush
Rodgers	Rehberg	Terry				Gerlach	Marchant	Ryan (OH)
Mica	Reichert	Thomas				Gibbons	Markey	Ryan (WI)
Miller (FL)	Renzi	Thornberry				Gilchrest	Marshall	Ryun (KS)
Miller (MI)	Reynolds	Tiahrt				Gillmor	Matheson	Salazar
Miller, Gary	Rogers (AL)	Tiberi				Gingrey	Matsui	Sánchez, Linda
Moran (KS)	Rogers (KY)	Turner				Gohmert	McCarthy	T.
Murphy	Rogers (MI)	Upton				Gonzalez	McCaul (TX)	Sanchez, Loretta
Musgrave	Rohrabacher	Walden (OR)				Goode	McCollum (MN)	Saxton
Myrick	Ros-Lehtinen	Walsh				Goodlatte	McCotter	Schakowsky
Neugebauer	Royce	Wamp				Gordon	McCrary	Schiff
Northup	Ryan (WI)	Weldon (FL)				Granger	McDermott	Schmidt
Norwood	Ryun (KS)	Weldon (PA)				Graves	McGovern	Schwartz (PA)
Nunes	Saxton	Weller				Green (WI)	McHenry	Schwarz (MI)
Nussle	Schmidt	Westmoreland				Green, Al	McHugh	Scott (GA)
Osborne	Schwarz (MI)	Whitfield				Green, Gene	McIntyre	Scott (VA)
Otter	Sensenbrenner	Wicker				Grijalva	McKeon	Sensenbrenner
Oxley	Sessions	Wilson (NM)				Gutierrez	McKinney	Serrano
Paul	Shadegg	Wilson (SC)				Gutknecht	McMorris	Sessions
Pearce	Shaw	Wolf				Hall	Rodgers	Shadegg
Pence	Shays	Young (AK)				Harman	McNulty	Shaw
Peterson (PA)	Sherwood	Young (FL)				Hart	Meehan	Shays
Petri	Shimkus					Hastings (FL)	Meek (FL)	Sherman
						Hastings (WA)	Meeks (NY)	Sherwood
						Hayes	Melancon	Shimkus
						Hayworth	Mica	Shuster
						Hefley	Michaud	Simmons
						Hensarling	Millender-	Simpson
						Herger	McDonald	Skelton
						Higgins	Miller (FL)	Slaughter
						Hinche	Miller (MI)	Smith (NJ)
						Hinojosa	Miller (NC)	Smith (TX)
						Hobson	Miller, Gary	Smith (WA)
						Hoekstra	Miller, George	Snyder
						Holden	Mollohan	Sodrel
						Holt	Moore (WI)	Solis
						Honda	Moran (KS)	Souder
						Hooley	Moran (VA)	Spratt
						Hostettler	Murphy	Stark
						Hoyer	Murtha	Stearns
						Hulshof	Musgrave	Stupak
						Hunter	Myrick	Sullivan
						Hyde	Nadler	Sweeney
						Inglis (SC)	Napolitano	Tancredo
						Inlee	Neal (MA)	Tanner
						Israel	Neugebauer	Tauscher
						Issa	Northup	Taylor (MS)
						Istook	Norwood	Taylor (NC)
						Jackson (IL)	Nunes	Terry
						Jackson-Lee	Nussle	Thomas
						(TX)	Oberstar	Thompson (CA)
						Jefferson	Obey	Thompson (MS)
						Jenkins	Oliver	Thornberry
						Jindal	Ortiz	Tiahrt
						Johnson (CT)	Osborne	Tiberi
						Johnson (IL)	Otter	Tierney
						Johnson, E. B.	Owens	Towns
						Johnson, Sam	Oxley	Turner
						Jones (NC)	Pallone	Udall (CO)
						Jones (OH)	Pascrell	Udall (NM)
						Kanjorski	Pastor	Upton
						Kapoor	Payne	Van Hollen
						Kelly	Pearce	Velázquez
						Kennedy (MN)	Pelosi	Visclosky
						Kildee	Pence	Walden (OR)
						Kilpatrick (MI)	Peterson (MN)	Walsh
						Kind	Peterson (PA)	Wamp
						Petri		Wasserman
						Pickering		Schultz
						Pitts		Waters
						Platts		Watt
						Poe		Waxman
						Pombo		Weiner
						Pomeroy		Weldon (FL)
						Porter		Weldon (PA)
						Price (GA)		Weller
						Price (NC)		Westmoreland
						Pryce (OH)		Wexler
						Putnam		Whitfield
						Radanovich		Wicker
						Rahall		Wilson (NM)
						Ramstad		Wilson (SC)
						Rangel		Wolf
						Regula		Woolsey
						Rehberg		Wu
						Reichert		Wynn
						Renzi		Young (AK)
						Reyes		Young (FL)

NOT VOTING—13

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 456, I was not recorded. Had I been present, I would have voted "no."

### RECOGNIZING CENTENNIAL ANNIVERSARY OF IRANIAN CONSTITUTION OF 1906

The SPEAKER pro tempore (Mr. KIRK). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 942.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 942, 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 2, answered "present" 2, not voting 15, as follows:

[Roll No. 457]

YEAS—413

## NOES—196

Abercrombie	Ford	Miller (NC)						
Ackerman	Frank (MA)	Miller, George						
Allen	Gonzalez	Mollohan						
Andrews	Gordon	Moore (WI)						
Baca	Green, Al	Moran (VA)						
Baird	Green, Gene	Murtha						
Baldwin	Grijalva	Nadler						
Barrow	Gutierrez	Napolitano						
Bean	Harman	Neal (MA)						
Becerra	Hastings (FL)	Oberstar						
Berkley	Herseth	Obey						
Berman	Higgins	Oliver						
Berry	Hinche	Ortiz						
Bishop (GA)	Hinojosa	Owens						
Bishop (NY)	Holden	Pallone						
Blumenauer	Holt	Pascrell						
Boren	Honda	Pastor						
Boswell	Hookey	Payne						
Boucher	Hoyer	Pelosi						
Boyd	Insee	Peterson (MN)						
Brady (PA)	Israel	Pomeroy						
Brown (OH)	Jackson (IL)	Price (NC)						
Brown, Corrine	Jackson-Lee	Rahall						
Butterfield	(TX)	Rangel						
Capps	Jefferson	Reyes						
Capuano	Johnson, E. B.	Ross						
Cardin	Jones (OH)	Rothman						
Cardoza	Kanjorski	Roybal-Allard						
Carnahan	Kapoor	Ruppersberger						
Carson	Kildee	Rush						
Chandler	Kilpatrick (MI)	Ryan (OH)						
Clay	Kind	Sabo						
Cleaver	Kucinich	Salazar						
Clyburn	Langevin	Sánchez, Linda						
Conyers	Lantos	T.						
Cooper	Larsen (WA)	Sanchez, Loretta						
Costa	Larson (CT)	Sanders						
Costello	Lee	Schakowsky						
Cramer	Levin	Schiff						
Crowley	Lewis (GA)	Schwartz (PA)						
Cuellar	Lipinski	Scott (GA)						
Cummings	Lofgren, Zoe	Scott (VA)						
Davis (AL)	Lowey	Serrano						
Davis (CA)	Lynch	Sherman						
Davis (FL)	Maloney	Skelton						
Davis (IL)	Markey	Smith (WA)						
Davis (TN)	Marshall	Snyder						
DeFazio	Matheson	Solis						
DeGette	Matsui	Spratt						
Delahunt	McCarthy	Stark						
DeLauro	McCollum (MN)	Stupak						
Dicks	McDermott	Tanner						
Dingell	McGovern	Tauscher						
Doggett	McIntyre	Taylor (MS)						
Doyle	McKinney	Thompson (CA)						
Edwards	McNulty	Thompson (MS)						
Emanuel	Meehan	Tierney						
Engel	Meek (FL)	Towns						
Eshoo	Meeks (NY)	Udall (CO)						
Etheridge	Melancon	Udall (NM)						
Farr	Michaud	Van Hollen						
Fattah	Millender-	Velázquez						
Filner	McDonald	Visclosky						