

The legislation before us today formally authorizes the U.S. Global Development Lab within USAID and provides new legislative authorities to augment the Lab's current capabilities, allowing the initiative to achieve greater results and maximize its impact.

The bill allows the Lab to use a pay-for-success model and tap into good ideas, no matter their source; bring in term-limited technical experts in a more cost-effective manner; and gain the flexibility to use program income more effectively.

In conclusion, Congress can be proud of the work that the Lab is currently doing and will continue to pursue once we authorize it and provide proper oversight.

Mr. ROYCE. Mr. Speaker, I congratulate Mr. CASTRO and Mr. MCCAUL for their innovation.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time now to close.

Let me just say, in recent years, it has become very clear the way issues like global poverty fit into our broader national and international concerns. We see the links between poverty, health, stability, and security. So when we work to relieve this burden and lift up communities, we are also advancing a wide range of interests. As I like to say, it is the smart thing to do, and it is also the right thing to do.

The administration has already taken steps to incorporate poverty alleviation into our development efforts. This bill will help USAID do even more.

So, once again, I want to thank Mr. CASTRO for his hard work. I am glad to support this bill. I thank Chairman ROYCE for his help. I urge all of my colleagues to support this bill.

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

Mr. ROYCE. Mr. Speaker, I thank the gentleman from New York (Mr. ENGEL).

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3924, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### VOTING RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Alabama (Ms. SEWELL) is recognized for 60 minutes as the designee of the minority leader.

#### GENERAL LEAVE

Ms. SEWELL of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days

in which to revise and extend their remarks and include extraneous materials on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alabama?

There was no objection.

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to discuss the importance of voting rights for all Americans across this country.

With less than 50 days before Americans go to the polls to elect our next President and other elected officials, we are still faced with the harsh reality that this will be the first election in 50 years where Americans will not have the full protections of the Voting Rights Act of 1965.

Today's Special Order hour is on behalf of the House Democratic Outreach and Engagement Task Force. I want to thank Assistant Leader CLYBURN for his leadership on the task force and all of the members of the task force as we work together to make sure that we engage all Americans on the importance of voting. In fact, one of the first things the task force did was to host a series of voting rights forums across this Nation to put together a report that shows modern-day barriers to voting still exist.

The Voting Rights Act of 1965 was passed not only by legislation but, Mr. Speaker, the Voting Rights Act of 1965 was passed with the blood, sweat, and tears of so many Americans. In fact, all of us know of the courageous sacrifices of our very own JOHN LEWIS, but there were so many known and unknown foot soldiers that made it possible for America to live up to its ideals of democracy and justice for all.

As a daughter of Selma, Alabama, I am painfully aware that the injustices suffered on the Edmund Pettus Bridge 50 years ago have not been fully vindicated.

Although we no longer are required to count how many marbles are in a jar or recite how many counties there are in the State of Alabama, my proposition to you, Mr. Speaker, is that modern-day barriers to voting still exist. Those barriers may not be as overt as they were 50 years ago, but, Mr. Speaker, they are no less stained. They are no less important as those other barriers were.

I have seen example after example, as the Representative of Alabama's Seventh Congressional District, of the modern-day barriers that exist to voting.

Since the Supreme Court struck down critical parts of the Voting Rights Act of 1965 in the Shelby County v. Holder decision, so many Members have taken to the floor—mostly Democrats—day after day, week after week, month after month, year after year, urging our Republican colleagues to work with us to restore the essential protections of the Voting Rights Act of 1965.

Several of my Democratic colleagues, including myself, have hosted voting

rights forums across this country to highlight the continued need for restoring the Voting Rights Act. Members have also introduced legislation. I, for one, am quite proud of the Voting Rights Advancement Act, a bill that I sponsored, along with several other Members of the House, including Representative LINDA T. SÁNCHEZ and Representative JUDY CHU. Our bill, H.R. 2867, has over 187 cosponsors, Mr. Speaker.

□ 2045

It actually answers the Supreme Court's challenge to come up with a modern-day formula by which to have preclearance provisions in the Voting Rights Act.

I think it is so important, Mr. Speaker, and I know that so many will agree, that we make sure that we find these pernicious examples of restraining people's rights to vote on the front end because, after all, Mr. Speaker, once the elections have happened, you can't unring that bell.

So the beauty of the Voting Rights Act of 1965 was that it allowed preemptive efforts to stop discrimination in voting. Therefore, any changes in voting practices in the covered States had to be precleared by the Justice Department or by the D.C. Court of Appeals. This was quite important.

I have to tell you that what the Shelby decision did was it struck down that key provision, section 4, which gave the covered States and provided the formula by which we know which States would be covered. Therefore, in the Shelby decision, the Supreme Court really issued a challenge to Congress to come up with a modern-day formula.

It was the Supreme Court who said that we can't punish States like Alabama, the State from which I hail, and other southern States, for what happened 50 years ago. Congress must come up with a modern-day formula that talks about current efforts to restrict the right to vote.

Mr. Speaker, that is exactly what we have done in the Voting Rights Advancement Act of 2015. I want you to know that, of the 187 sponsors we currently have, not one Republican has signed on.

Mr. Speaker, this is a sad day in the House of Representatives when voting rights becomes a partisan issue. Voting rights is an American issue. It is neither red nor blue but, rather, it is what our founding fathers fought for, drafted, and ensured that all Americans have a right, a fundamental right, to exercise that right to vote. After all, the integrity of our democracy depends upon every eligible voter being able to vote.

Most recently, I was privileged to also join with my colleagues and my fellow House Members, Representative MARK VEASEY of Texas and Representative BOBBY SCOTT of Virginia, and other Members of Congress, to launch the Congressional Voting Rights Caucus. The Caucus is committed to restoring the Voting Rights Act of 1965 to

its original state and restoring the vote to all suppressed voices in this Nation.

I want to commend my fellow colleagues, Representatives VEASEY and SCOTT, for their visionary leadership in starting this Caucus. I am honored to be a co-chair of the Congressional Voting Rights Caucus, and we will take as our charge to make sure that we fully restore all of the protections of the 1965 Voting Rights Act.

In spite of these continued efforts, Mr. Speaker, it is disheartening to see that State after State, including my own State, after the Shelby decision, instituted photo ID laws, voter-restrictive photo ID laws.

So many of my colleagues, they say: Well, what is so restrictive about requiring a photo ID? After all, you need a photo ID in order to get on a plane or to get your passport.

But I say to all of my colleagues who question the restrictive nature of photo IDs that not all Americans fly, not all Americans have a passport, but all Americans who are eligible have the fundamental right to vote. And we, the elected Representatives on behalf of these Americans, must not impede that most fundamental right.

We should be looking at ways that we can encourage voting not discourage voting. After all, the fundamental foundation of our democracy is the right to vote.

So I submit to you, Mr. Speaker, that it is quite important that we, in this House, do what so many of our predecessors have done and restore full protections on the right to vote.

I wish I were alive when Lyndon Johnson signed the voting rights into law. But I can tell you that there were no more fundamental seminal pieces of legislation that passed this omniscient House than the right to vote. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 are still some of the most seminal pieces of legislation that this body has ever passed.

And I say to you, Mr. Speaker: How can we, today, 50 years since the passage—53 years, to be exact—how can we stand on the cusp of electing another President and, for the first time in those 50 years, not have the full protections of the Voting Rights Act?

It is, indeed, a sad day. But I know that this body will and should do the people's work. And the people's work is to allow all Americans who qualify, who have registered to vote, who turned 18—these Americans have the right to vote.

I would love it if this body would pass an automatic voter registration bill. I have signed on to such a bill. But those bills don't get a hearing in the Judiciary Committee, and I am not sure why, Mr. Speaker, because nothing is more fundamental than to have every American, when they reach that certain age of 18, and they go and get their driver's license, be automatically registered to vote.

We are not talking about protecting one class of voters against another

class of voters. We are talking about protecting that fundamental right to vote for all Americans. Nothing seems more American and democratic than that.

The sad reality is that old battles have become new again, and so many States have now really taken the Shelby decision and allowed themselves to put up restrictive laws. We are reminded that they are restrictive laws by the judicial system.

Most recently, the Fourth Circuit overturned the North Carolina photo ID law, in which they said, point blank, that they were targeting—that that voter ID law targeted and discriminated against African American voters. They said that it did so with precision, Mr. Speaker.

There is a fallacy that goes around that says that there is voter fraud rampant in America. Well, I want you to know, Mr. Speaker, that voter fraud does not exist in the volumes by which Americans think they do. A very recent poll by The Washington Post-ABC came out and said that over 50 percent of Americans believe that there is voter fraud.

Well, I will have you know, Mr. Speaker, that study after study, including that by the Brennan Center, have shown that there are very few cases of voter fraud. In fact, their study, between the years of 2000 and 2014, a 14-year period, only showed 31 cases of voter impersonation. And I want you to know that many of those were, in fact, errors, errors in folks' names, when the III or the Junior of a person's name was confused with the Senior of that same name.

Mr. Speaker, the reality is that voter fraud is not rampant, so I am not really sure why States like Alabama have instituted these photo ID laws. My State not only instituted a photo ID law but, last summer, my State, due to "budgetary reasons," closed down more than 31 DMVs, mostly in areas that were disproportionately African American.

So I submit to you, Mr. Speaker, if photo IDs are required, and the most popular form of the photo ID is a driver's license, how can that very State also close down opportunities, foreclosing opportunities for those citizens of that State to get a photo ID?

My State also says that that photo ID is free. Well, I submit to you, Mr. Speaker, that they may say it is free and, in fact, it is free if you can come along on those rare days in which the mobile goes through your city.

But I want you to know that many of my constituents, many of whom were born in rural Alabama, many of whom were born over 80 years ago by midwife, those constituents don't have birth certificates. And those that do, well, in order to acquire a birth certificate, that costs money. You have to still be able to produce a birth certificate in order to get this "free" ID from the State of Alabama. So I submit to you that it is not free. I also submit to you

that it is unfair that we put up such barriers.

I am humbled every year by the pilgrimage that JOHN LEWIS takes with many of the Members of Congress in this body. Every year, for the past 18 years, he has taken a pilgrimage through my district. He goes back in time and allows those Members who travel with him to actually retrace his footsteps 50-plus years ago. We go to Birmingham, we go to Montgomery, and we end up, on that Sunday, reenacting Bloody Sunday, that moment in history, that seminal moment in history, in which he was bludgeoned on Edmund Pettus Bridge for the simple right to vote.

And I can tell you, Mr. Speaker, that it does not go unnoticed by me, as I drive across the Edmund Pettus Bridge each time I go home to Selma to visit my parents, the sacrifices that ordinary Americans did in order to achieve what ultimately was an extraordinary feat.

When you think of the fact that a young JOHN LEWIS, who was in college at the time, and so many who were out there marching for the right to vote were children, and when you think about the fact that ordinary Americans, collectively working together, achieved this extraordinary feat, it makes you realize how fragile the right to vote really is.

I don't know how any of us can join hands with JOHN LEWIS and walk across the Edmund Pettus Bridge and not understand how important it is to rededicate ourselves to the fight that he once led. We, as elected Representatives of this great Nation, owe it to our own constituents to make sure that every eligible American has the right to vote.

I have to tell you that one of the most moving opportunities for me, as a Member of Congress, was in 2015, when I got a chance to be in my hometown and to welcome over 100 Members of Congress, Republicans and Democrats, two Presidents, Barack Obama and George W. Bush, to my hometown. It was to celebrate America's promise, a promise that became reality through the sacrifice, blood, sweat, and tears of average Americans.

We all came on that beautiful day, March 7, 2015. It was glorious, but it was a kumbaya moment in time. We owe more to the sacrifices of those foot soldiers like JOHN LEWIS than a gold medal. Although, I was proud to put forth that bill, and even prouder to be able to bestow the gold medal to those foot soldiers that did march in the Selma-to-Montgomery March. It was a great day.

But, Mr. Speaker, we came back to this body, to this House of Representatives, and we did absolutely nothing to restore the Voting Rights Act of 1965. There have been several bills that have come forth. There has been the Voting Rights Amendment Act that had bipartisan support, both from Congressman CONYERS and from Congressman SEN-SENBRENNER of Wisconsin. That bill didn't get more than 30 cosponsors.

Then, of course, there is my bill, the Voting Rights Advancement Act of 2015, which has over 187 sponsors.

We have to meet in the middle, Mr. Speaker, because voting rights are so essential. And on this, less than 50 days before we have a Presidential election, it is simply unacceptable that we go without the full protections of the Voting Rights Act.

What do I mean by that? What is at stake really by not having those full protections?

Well, we witnessed, in the primary in Arizona in Maricopa County—this was a county that was covered by the Voting Rights Act of 1965, but, because of the Shelby decision, there was no more preclearance. And so, this county in Arizona went from a height of 400 polling stations down—that was in 2012—down to 60 polling stations in 2016.

There were long lines, Mr. Speaker, in Maricopa County. People had to wait hours for the right to vote.

I would venture to guess, had the Shelby decision not occurred, and we had the full protections of the Voting Rights Act of 1965, that there would be no way that Maricopa County, Arizona, would have been able to change those polling stations and reduce the number of the polling stations to 60 from 400 had there been preclearance.

□ 2100

So what is at stake really is the integrity of our democracy. What is at stake is the fact that we in America should not have to wait hours to vote. We in America should not have to produce documents that we do not have to vote. I think it is ironic that in many of these States you can present a gun permit license with a photo and be able to vote, but you can't produce a student ID from a State university and vote.

I believe that what is at stake right now is the integrity of our democracy, and that all of us should be outraged if even one person is denied the right to vote. This is a very important, very important issue that I, again, submit to you is neither Republican nor Democrat. It is truly bipartisan, and that is the right to vote.

Mr. Speaker, I yield to the gentleman from Texas (Mr. VEASEY), my colleague.

Mr. VEASEY. Mr. Speaker, I thank the gentlewoman, Congresswoman SEWELL, for organizing this very important Special Order hour today to talk about something that is really timely, especially with elections coming up. I want to be able to stand here today with my colleagues to bring awareness to the injustice—the injustices really—that are oppressing the most vulnerable members of our democracy.

I want to start with some history from the 1960s, and then some more recent history. As you know, in 1965, the Voting Rights Act sought to ensure that voters would never again face intimidation or unnecessary obstacles in exercising their right to vote as Amer-

ican citizens. But in 2013, *Shelby County v. Holder* gutted the 1965 Voting Rights Act and set in motion what many feared: the subjection of minorities, seniors, and low-income Americans to unfair, punitive barriers that make it hard for them to vote—make it hard for people to exercise their very basic right as an American citizen.

As a native of Texas representing the Dallas and Fort Worth area, I have seen firsthand the effects of these suppressive laws that have been put in place in 33 States since the Supreme Court issued in *Shelby County v. Holder*. Some of the tactics in Texas that were used—and you heard Representative SEWELL talk about it a little bit earlier. If you have a license—a school ID from Texas A&M University or the University of Texas or Prairie View A&M or Texas Southern University, any of our State universities, these are the same IDs that students can use. Let's say they are on campus and they are doing something they are not supposed to do, they can use those IDs to identify themselves to law enforcement authorities on the campuses there; but if they were to try to come home and use that ID, they would be denied the right to vote. But, again, if you are the owner of a handgun and you have a concealed handgun license, you can use that particular ID to vote. It is almost unfair. You can see how everything is stacked against the everyday voters.

With the requirement that a photo ID be used to vote, some individuals without an ID had to travel great distances to get them or struggled to pay for the supporting documents they needed in order to get the ID to vote. You heard Representative SEWELL talk about that a little bit earlier.

Let me give you an example of that. In Texas we have 254 counties. Everybody knows that Texas is a big State. Some of those counties don't even have driver's license centers or ID centers where people can get their voter ID cards or their driver's license or their State ID or the other documentation that is needed to be able to vote. So that is why I got involved as the lead plaintiff in *Veasey v. Abbott*, which was the voter ID case, to overturn the law.

Our case has been heard before three—literally three—Federal courts, including what is considered the most conservative appellate court in the entire country, which is the Fifth Circuit. In July 2016, the full Fifth Circuit ruled in favor of Texas voters. That ought to tell you something that the Fifth Circuit was even like, hey, this thing has some real, real problems.

That same month, the U.S. Court of Appeals for the Fourth Circuit struck down North Carolina's restrictive voting laws, and the U.S. District Court for the Western District of Wisconsin invalidated portions of their voting law there that was designed to prevent individuals from casting their right to vote.

The courts have found what we have always known to be true, and that is

that these restrictive voter ID laws intentionally discriminate against minority voters and disenfranchise eligible American voters.

These victories are a few of the major victories, but we have also had victories in non-Southern States. It is mentioned that it is the Southern States where a lot of these issues have historically been a problem, but we know that even outside of the South there have been issues—Ohio, Kansas, and Michigan—and so far the courts continue to rule in the favor of the voter. I hope they will continue to do so in the future.

But while we see these victories, we also continue to face challenges. Some of you recently have heard that Judge Ramos in the Texas case, who issued the interim voting rules in the Texas case, had to actually order the attorney general, the Governor, and the secretary of state to stop sending out misleading and confusing election materials to try to confuse people about the voter ID ruling.

That worries me a lot because what is that saying is going to happen to this upcoming election in November in 2016? Are we getting a sneak preview of some of the dirty tricks that may take place around the country?

The fact that a Federal judge issued these guidelines and State officials tried to send out misleading information from a Federal judge is scary. Those are dirty tricks that we have to watch out for in this November 2016 election.

We know that the attorney general, because he said so, is going to appeal this case to the Supreme Court. But until we see an end to barriers to voting and the distribution of misinformation to discourage eligible citizens from casting their ballots, we will not stop fighting. Every day, my colleagues and I, led by the Democratic Outreach and Engagement Task Force and the Congressional Voting Rights Caucus, will continue to fight to have these suppressive laws invalidated. Even in the face of lengthy court battles, we welcome the challenge because it means we have to protect the right to vote.

One of the things that I did to continue to shed light on this issue is I actually introduced a resolution last week to designate September as National Voting Rights Month. This year, Americans will cast their ballots in one of the most important general elections that this country has ever seen. The designation of September as National Voting Rights Month will serve to assist in spreading information and awareness about voter registration dates and voting dates, early voting, polling place locations, how to maintain voter rolls, and some of the suppressive tactics that are being used. We want to inform people about that as well because it would be an affront, Representative SEWELL, to our predecessors to allow suppressive tactics to deny Americans the right that many have fought and died for.

That is why Congress must continue to lead the charge in restoring the right for all Americans to vote by fixing the Voting Rights Act and by encouraging participation in, again, what is our most sacred right as Americans, and that is the right to vote.

Ms. SEWELL of Alabama. Mr. Speaker, I thank Representative VEASEY for his tireless effort not only as a plaintiff in the Texas case courageously fighting against the injustices against voters, but I want to also thank the gentleman for his leadership on the Congressional Voting Rights Caucus and for his participation in tonight's Special Order hour. We are all with the gentleman in his efforts to make sure that all Americans have the right to vote.

Mr. Speaker, I have said that I introduced a bill called the Voting Rights Advancement Act. I would like to talk a little bit about the Voting Rights Advancement Act of 2015 in an effort to really encourage the rest of my colleagues here in this august body to join with me in passing the Voting Rights Advancement Act.

What the Voting Rights Advancement Act does is it provides a modern-day formula, exactly what the Supreme Court asked of Congress. By striking down the old formula in the Shelby decision, the Supreme Court issued a challenge to Congress to come up with a modern-day formula. That is exactly what we do in this bill. This bill doesn't look back to 1940, 1950 or 1960. Oh, no. This bill looks at 1990 going forward. It is a 25-year lookback. If a State has had five or more statewide violations, then it will be a covered State. So it is a modern-day formula looking at any incidents of discriminatory practices since 1990 going forward.

Mr. Speaker, you should not be surprised that even in looking at modern-day barriers or instituting this modern-day formula that you would still have 13 States that have had five or more statewide violations in the last 26 years. Those States include Alabama, Georgia, Mississippi, Texas, Louisiana, Florida, South Carolina, North Carolina, Arizona, California, New York, and Virginia. Yes, Mr. Speaker, it includes Arizona, it includes California and New York, not just Deep South Southern States.

In the last 26 years, these States have had five or more statewide violations of voting rights. I have to tell you that this goes to show you that there is a need for us to have continued full protections of the Voting Rights Act. There is no way, Mr. Speaker, that we can only rely on those lawsuits on section 2 which occur after the election has occurred. We need the efforts to be able to stop the discriminatory practices before they have the discriminatory effect. That is exactly what the Voting Rights Act of 1965 does and what the Voting Rights Advancement Act, H.R. 2867, would do. It would put teeth back into the preclearance provision.

Now, we call it the Voting Rights Advancement Act because it also talks

about discriminatory effects and practices on tribal lands. Back in 1965, we didn't protect tribal lands and the right to vote of those Americans. It is critically important that we modernize the Voting Rights Act of 1965 and make sure that we cover all Americans, including those who live in tribal lands.

The Voting Rights Advancement Act of 2015 would allow Federal courts to immediately halt questionable voting practices until a final ruling is made. This provision would recognize that, when voting rights are at stake, prohibiting a discriminatory practice after the election has concluded is too late to truly protect voter rights.

This bill would also give the Attorney General authority to request that Federal observers be present anywhere in the country where discriminatory voting practices pose a serious threat. This bill would also increase transparency by requiring reasonable public notice for voting changes.

So, Mr. Speaker, if this bill had been in effect during the primary in Arizona, there would be no way that the election officials in Maricopa County, Arizona, would have been able to shrink the size of the number of polling stations—the populations stood the same or grew, and yet they shrunk the number of polling stations from 400 in 2012 to 60 in 2016, in 4 years. There is no way that that would have stood. You cannot tell me that that did not have a discriminatory impact on voters. Those lines being so long, I can't tell you—we will never know how many people got discouraged, how many working mothers or working family parents had to leave the line in order to go pick up their children or be able to provide for their family. We don't know how many people didn't get the chance to vote.

To me, Mr. Speaker, that is exactly the integrity of the democracy that is being questioned by not having the full protections of the Voting Rights Act.

So I ask my colleagues to join me and the 187 other cosponsors of the Voting Rights Advancement Act and let us put teeth back into the Voting Rights Act of 1965 by coming up and approving, passing, this modern-day formula. I believe that a lookback of 1990 going forward is ample evidence of voter discrimination and discriminatory practices and that States that have had five or more statewide violations should be a covered State.

□ 2115

This bill would allow them to be a covered State for 10 years. Now, obviously, during this 10-year period, if the State remedies itself, it can no longer be a covered State. There are ample provisions to allow for States to be opted in and opted out. I think that what, ultimately, we all want is that the full integrity of our democratic process be preserved, and that is exactly what would happen with this Voting Rights Advancement Act.

Mr. Speaker, I include in the RECORD witness testimony from the voting

rights townhall hosted by Representatives JEFFRIES, MENG, and VELÁZQUEZ in New York.

[From LatinoJustice]

TESTIMONY OF JUAN CARTAGENA PRESIDENT & GENERAL COUNSEL LATINOJUSTICE PRLDEF ON FRAGILE AT 50: THE URGENT NEED TO STRENGTHEN AND RESTORE THE VOTING RIGHTS ACT

Good morning Congresswoman Velázquez, Congressman Jeffries, and Congresswoman Meng. On behalf of LatinoJustice PRLDEF—formerly known as the Puerto Rican Legal Defense & Education Fund—I respectfully submit this testimony at the forum Fragile at 50: The Urgent Need to Strengthen and Restore the Voting Rights Act.

My testimony will center on the historical significance of Section 5 of the Voting Rights Act in the three formerly covered counties of Bronx, Kings and New York for both general compliance problems and bilingual assistance problems.

#### THE HISTORICAL CONTEXT

The historical foundations of Section 5 of the Voting Rights Act in New York City—a subject that has been a focus of my previous research and publications, I submit, provides the context for the Act's salience today.

Two important lessons emanate from this history. The first is that New York City was in effect, the laboratory of bilingual voting assistance for language minority citizens in the entire country—and it all started with Puerto Rican voters. The second is that Section 5 arguably had its most direct and prophylactic effects for minority voters as a tool against discriminatory voting schemes beyond redistricting plans. I now turn to those two historical episodes.

Section Five's application to three counties in New York stems directly from the previous application of Section 4(e) of the Voting Act which is colloquially known as the Puerto Rican section of the Act. While the VRA was historically and rightfully aimed at restoring the dignity of the African-American vote, it was never just black and white, not even in 1965. Section 4(e) was championed in a bipartisan manner by Senators Robert Kennedy and Jacob Javits. It drew support from Puerto Rican icons like Herman Badillo, Gilberto Gerena-Valentin and Irma Vidal Santaella who testified in Congress against the notion that one can only be a productive and effective voter in New York only if literate in English. Their testimony led to Section 4(e) which outlawed any English-only literacy test that would deny voter registration to any Puerto Rican who achieved at least a 6th grade education in Puerto Rico's schools. The remedy was bilingual voter registration and bilingual ballot access. The litigation spawned by this law—all of it filed by the Puerto Rican Legal Defense & Education Fund—set the stage for major court decisions declaring that English-only election systems deprived citizens of a meaningful right to vote and were discriminatory under the VRA. Those decisions, especially *Torres v. Sachs*, were used by the NAACP to argue that Section 5 coverage of New York City—previously certified but exempted by a separate court at the State's urging—should be reinstated. That argument prevailed and Section 5 became a reality directly because of the discrimination against Puerto Rican voters.

The impact of Section 4(e) did not stop there, however. During the 1975 congressional deliberations to create bilingual assistance provisions of the Act to cover all Spanish-language, Asian language and Native American language voters the House clearly recognized that bilingual voting structures were both viable and effective.

They cited New York City as the example that bilingual voting could not be deemed radical as it had been in place for a decade under Section 4(e). In sum, Puerto Rican voters challenged the discriminatory nature of English only systems and won, to their benefit and the benefit of all other language minority citizens nationwide.

The second major lesson of Section 5 coverage in New York City stems from its powerful effect of stemming discriminatory practices beyond redistricting plans. Redistricting, continued to be at the heart of the importance of the VRA in New York. In 1981 the councilmanic redistricting plan was passed but never precleared as required by law. This led to multiple suits by black and Latino voters that resulted in suspending the entire citywide primary elections just two days before the September election day. This victory put teeth into Section 5 and forced the City to justify the fact that they refused to create additional black and Latino council districts despite major demographic change. Weeks later the Department of Justice interposed an objection under Section 5 and the map was redrawn clearing the way for the eventual majority of black, Asian American and Latino council men and women in this decade. From 1982 through 2006—the year Section 5 was reauthorized by an overwhelming bipartisan vote in Congress—additional objections were interposed by the Department of Justice to discriminatory redistricting plans including a 1991 objection to the NYC City Council plan and a 1992 objection to the NYS Assembly plan.

Section 5 objections also addressed other practices beyond redistricting including switching the form of voting of community school board members in 1999; replacing elected school board members with appointed trustees in 1996; the creation of additional judgeships for state courts in 1994; failure to accurately translate names and instructions in the Chinese language in 1994; and failure to provide appropriate language assistance to Chinese voters in 1993.

VRA compliance activity was not limited to Section 5 actual objections in the decades in which the City was covered. The Department of Justice continuously deployed Federal Observers to monitor the City for language assistance compliance for both Spanish and Asian languages. Indeed, from 1985 to 2004 alone 881 Federal Observers were dispatched to ensure compliance with the VRA. Moreover, Section 5 had a strong prophylactic effect in the City as measured by the impact of More Information Request letters issued by the Department of Justice to the City. These letters often stemmed discriminatory practices when the City withdrew its request for preclearance upon receiving the More Information Request letter—a regular occurrence throughout other Section 5 covered jurisdictions. One study by Luis Fraga and Maria Ocampo found that in the City alone from 1990 to 2005 113 letters were issued and 53 resulted in the equivalent of interposing an objection.

#### THE EFFECTS OF A RENEWED VRA TODAY

It is clear that the recent episodes of purging voters in Brooklyn and mis-deployment of Spanish language interpreters in the Congressional Democratic primaries in Congressman RANGEL's district in Washington Heights would have been ameliorated if not completely avoided had Section Five been in effect after the Shelby County decision. The historical context described above demonstrates that these episodes of potentially discriminatory practices would have been addressed by the power of Section Five. Accordingly, its absence is sorely felt in the City.

I end, however, with an example of the power of Section 5 in New York City in 2014

just months after the Supreme Court's decision in *Shelby County v. Holder* earlier that year in June. The scene is a press conference in September 2014 on the steps of City Hall after the New York City Council voted to pass the Community Safety Act after then Mayor Bloomberg had vetoed the measure weeks before. Speaker Quinn was not in favor of the bill and noted her reservations. After considerable pressure from the minority members of the Council she allowed the bill to come to a vote. The legislation was intended to address some of the worst features of the notorious Stop & Frisk practices of the New York Police Department that by the end of the Bloomberg administration skyrocketed to over 4 million stops, predominantly directed at black and Latino residents of the City with such a level of ineffectiveness that minimally 86% of those stopped were never charged with a crime or violation. The Mayor and Police Commissioner Raymond Kelley insisted on preserving the practice going so far as painting a doomsday scenario or rampant violent crime if the practice were curbed. References to retrogressing to the Dinkins' administration—another example of Dog Whistle Politics—were all over the tabloids. The black and Latino members of the Council knew better. They listened to the voices of the victims of this abuse, they spearheaded hearings on the matter, they debated the efficacy and unjustness of the practice in the tabloids. In short they were being responsive to the needs of black, Latino and Asian-American voters.

The Council voted that day to overcome the mayor's veto and enact that portion of the Community Safety Act. It was the first time in New York City history that the Council overcame a mayoral veto! The historical significance of the vote was not lost on me as I commented to the press how critical that vote became on a quintessential minority issue because it was directly attributed to the strength of Section 5 of the Voting Rights Act. It was Section 5 that permitted council districts to be drawn to fully reflect black, Latino and Asian American voting strength going back to the 1980s when Section 5 was used to stop a discriminatory councilmanic redistricting plan. And it was Section 5 that preserved that minority voting strength in all subsequent decennial redistricting plans. *Shelby County v. Holder* may have taken that tool away but its importance was nonetheless evident months later.

I respectfully submit, that this is why Congress must restore this aspect of the Voting Rights Act.

Ms. SEWELL of Alabama. Mr. Speaker, as I close out this Special Order on voting rights, I would be remiss if I didn't say that, as a daughter of Selma, I can think of no more noble thing for me to fight for than voting rights and the full restoration of those voting rights. After all, it was because of the blood, sweat, and tears in my district and in my hometown that we have so many elected officials that are of color.

It is no small wonder why we are seeing such efforts to go out and make sure that people don't have a right to vote when elected officials say in their remarks as they are introducing legislation for restrictive voting photo IDs, make comments like, "Well, the people that we are restricting will only be Democratic voters." That just suggests to me that the reason why these restrictive voting photo ID laws were being promulgated was to do exactly

that—suppress certain groups of voters. That is absolutely unacceptable and un-American.

I could also tell you that one of the greatest moments for me on this House floor was when I had an opportunity to escort, as my State of the Union guest in 2015, Miss Amelia Boynton Robinson, who was 104 when she came to the State of the Union in 2015.

You see, Miss Amelia Boynton Robinson, on Bloody Sunday in 1965, was bludgeoned on the Edmund Pettus Bridge, along with Congressman JOHN LEWIS. But at 104 years old, she was so excited to come to this august body and to hear President Barack Obama's State of the Union Address. She was excited not because she would get an opportunity to meet the first African American President, but she was excited because she got a chance to see this elected body at work.

She told me that one of her proudest moments was not only casting a ballot, but she told me that one of her proudest moments was to be the first African American woman to be on the ballot in the State of Alabama running for Congress. She ran, Mr. Speaker, for this seat, the Seventh Congressional seat that I am so fortunate to have. She ran for that seat in 1964.

So when I think about Miss Amelia Boynton, I not only think about Bloody Sunday and her sacrifice on that bridge, but I also think about her courage, the courage of this African American woman to have the audacity to think that she could be a Member of Congress from the great State of Alabama in 1964.

I know I get to walk these hallowed Halls and I get to stand here today and speak with you, Mr. Speaker, because of her courage and her sacrifice. It is not lost on me that she is looking down now wondering what that sacrifice truly meant to America, that we could 50 years later have a Court case that totally dismantled the full protections of the Voting Rights Act of 1965.

Now, when Miss Amelia Boynton Robinson came to the State of the Union, we had an opportunity to meet and talk with President Barack Obama before his speech. I will never forget being in the holding room, if you will, behind this Chamber. As many of the members of his Cabinet would come into the room, they would say the same thing: "Miss Boynton, we stand on your shoulders." "Miss Boynton, we are so glad that you made those sacrifices on that bridge because we get to do what we do now because you made those sacrifices. We stand on your shoulders."

I can tell you that person after person—Secretary of State, Secretary of Transportation, Secretary of HUD—they were all saying the same thing. By the time the Attorney General came up to her and said, "Miss Boynton, I stand on your shoulders," she looked up at him and said, "Get off my shoulders. Do your own work." Yes, Mr. Speaker, at 104 years old, she had

the temerity to say, “Do your own work.”

It is not enough that we stand on the shoulders of giants like Amelia Boynton Robinson and JOHN LEWIS; we have to do our own work. And so I say to this body that we can do our own work by protecting that sacred right to work, and that we should do our own work, as we dedicate ourselves to the proposition that these average, ordinary Americans had the nerve, the audacity to fight for. If they could fight for it over 50 years ago, we can fight for it today.

I am grateful to have the opportunity to lead the Special Order hour on voting rights not only as a native of Selma, Alabama, but as a very proud, proud beneficiary of the strength and power of the right to vote and of their sacrifices.

I say in closing, I hope that my fellow colleagues will join us by signing on to H.R. 2867, the Voting Rights Advancement Act. I urge all of my colleagues to do so. It is in some way, some small way, with a huge impact potentially, that we can ensure that this great democracy lives on. After all, if one American is denied access to the ballot box, it does, in fact, go to the integrity of all of the election process.

So much is at stake not only in this Presidential election, but in every election, because in every election, Americans use their vote as their voice. So when you don't have a vote, you don't have a voice in this great democracy. No vote, no voice; we should remember that as elected officials.

As we grapple with the opportunity that we have to come up with a modern-day formula, I would be willing to sit with any of my Republican colleagues to come up with a modern-day formula that would work in both Houses and by both parties. I think it is critically important that we do this work. I think that there is no greater work that we could be doing than to restore the full protections of the Voting Rights Act of 1965.

I am also reminded of what Mrs. Boynton said when she finally did meet the President. It was quite a moment for all of us who were present when she finally walked into that small holding room, and he knelt beside her and he took her hand and he said, “Mrs. Boynton, I don't know how to say thank you enough. I get to give a speech as a President of the United States in a few minutes, and it is because of your sacrifice.” And Mrs. Boynton, at 104, without missing a beat, looked up at our President and said, “Make it a good one.” Yes, she said, “Make this speech a good one.” Why? Because of the sacrifices that she and so many brave Americans had on that bridge.

We, as Americans, who are beneficiaries of that amazing legacy, owe it to them to make every day a good one, to make everything we do good because people sacrificed for us to have the rights that we have. So I remember

“Make it a good one,” and I say to my colleagues, let us make it a good one right here in this august body by passing the Voting Rights Advancement Act of 2015 and fully restoring the voting rights protections of all Americans.

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

Ms. ROYBAL-ALLARD. Mr. Speaker, this November, voters across our country are faced with the likely prospect of heading to the polls without the full protections of the Voting Rights Act.

Signed into law in 1965 by President Lyndon Johnson, the Voting Rights Act broke down state and local laws that kept minorities from exercising their constitutional right to vote.

That fundamental right of our democracy was severely undermined by the 2013 Supreme Court decision in *Shelby County vs. Holder*.

That misguided decision gutted Section 5, the heart of the Voting Rights Act, which barred states and localities with a history of discriminatory policies from implementing new voting changes without the approval of the Department of Justice.

Based on the Supreme Court ruling, states are now free to pass and enforce laws that create obstacles to voting.

That is exactly what many states are doing: in fact in the 2014 mid-term election and in this year's presidential primaries numerous voters were denied the ability to participate in our democratic process.

A report from the NALEO Educational Fund, estimates these restrictive voting changes, could result in more than 875,000 eligible Latinos finding it more difficult to vote this year than in 2012.

In other words, without the protections of The Voting Rights Act this presidential election will be the first in over 50 years in which American voters of color will be faced with new and renewed obstacles to voting. According to the Brennan Center for Justice, 14 states will have new voting restrictions in place for this year's presidential election. These new laws include strict photo ID requirements, cutbacks to early voting, and new registration restrictions.

To help our constituents gain a better understanding of the negative impact of the Supreme Court decision, this past May, like many of my colleagues, I hosted a forum titled “Protect Your Future: Restore the Vote.” My co-chairs were Representative LINDA SANCHEZ, Chair of the Congressional Hispanic Caucus; Representative JUDY CHU, Chair of the Asian Pacific American Caucus; and special guest, Representative KAREN BASS.

Members from our communities heard expert testimony from the NAACP, the Mexican American Legal Defense Fund, Asian Americans Advancing Justice and NALEO.

Panelists gave examples of the concerted assault on minorities at the ballot box and testified to the undeniable value of Congress restoring the pre-clearance provisions of Section 5 by passing H.R. 2867, the Voting Rights Advancement Act.

I thank our panelists for sharing their expertise and will submit their testimony into the CONGRESSIONAL RECORD today.

On a positive note, as we rapidly approach the 2016 presidential election, critical victories are being won as courts continue to strike down racist and discriminatory voting laws.

In July of this year, the Texas U.S. Court of Appeals for the 5th Circuit, found that the state's voter ID law discriminated against African-American and Latino voters. Days later, judges of the 4th U.S. Circuit Court of Appeals in North Carolina found that North Carolina state law targeted black voters, and I quote, “with almost surgical precision.”

While these are important victories it is nevertheless a tragedy to our Democracy that so much time and money has been spent for American voters to win back a right already granted to them under the Constitution of the United States.

The ability to vote is not a Democratic or Republican right. It is an American right and the cornerstone of our democracy.

Today, I join my colleagues in urging the Republican leadership to join Democrats to live up to their Constitutional responsibility to protect every American's right to vote by passing H.R. 2867, the Voting Rights Advancement Act.

The ability to vote is one of the most fundamental rights. That right is not a Democratic or Republican right. It is an American right and the cornerstone of our democracy.

I include in the RECORD the following testimony:

TESTIMONY OF STEWART KWOH, EXECUTIVE DIRECTOR AND PRESIDENT, ASIAN AMERICANS ADVANCING JUSTICE-LOS ANGELES, MAY 20, 2016

HON. CONGRESSMEMBERS: Thank you for inviting me to this critical subject of voting rights.

My name is Stewart Kwoh, and I am the Executive Director and President of Asian Americans Advancing Justice-Los Angeles. We are the largest civil rights organization in the nation dedicated to issues affecting the Asian American, Native Hawaiian, and Pacific Islander (AANHPI) communities. As a civil rights organization, we have a voting rights project working to ensure that systems and policies do not dilute the AANHPI votes and that language assistance is provided under federal and state laws. We are part of a national affiliation with offices in Los Angeles, San Francisco, Chicago, Atlanta, and Washington D.C.

On July 18, 2013, our entire affiliation filed a joint statement with Asian Americans Legal Defense and Education Fund before the Subcommittee on the Constitution and Civil Justice Committee on the Judiciary United States House of Representatives at the hearing on “The Voting Rights Act after the Supreme Court's Decision in *Shelby County*.” My plan today is not to repeat our joint statement. Instead, I will first provide a brief overview of what the *Shelby County v. Holder* decision means for Asian Americans nationally. I will then briefly outline issues faced by Asian American voters in California and close with the importance of the Voting Rights Advancement Act.

IMPACT OF SHELBY COUNTY V. HOLDER DECISION

Immediately prior to *Shelby*, there were 15 states that were covered in whole or in part under Section 5 (not including states in which the state or localities terminated coverage through bailout). Over half of these states are among the top 20 states having the largest Asian American populations in the country.

Former Section 5 jurisdictions are also home to the most rapidly growing Asian American populations. From 2000 to 2010, the country's Asian American population grew by 46%, making Asian Americans the fastest-growing racial group in the nation. Notably, in over two-thirds of former Section 5 states,



the Asian American population grew at a more rapid rate than this.

The following list illustrates this point:

California (partial coverage for Kings, Monterey and Yuba Counties)—5.6 million Asian Americans, largest Asian American population by state, 34% growth since 2000

New York (partial coverage for Bronx, Kings and New York Counties)—1.6 million Asian Americans, second-largest Asian American population by state, 35% growth since 2000

Texas (statewide coverage)—1.1 million Asian Americans, third-largest Asian American population by state, 72% growth since 2000

Florida (partial coverage for Collier, Hardee, Hendry, Hillsborough and Monroe Counties)—over 570,000 Asian Americans, eighth-largest Asian American population by state, 72% growth since 2000

Virginia (statewide coverage)—over 520,000 Asian Americans, ninth-largest Asian American population by state, 71% growth since 2000

Georgia (statewide coverage)—over 360,000 Asian Americans, 13th-largest Asian American population by state, 83% growth since 2000

North Carolina (partial coverage for 40 counties)—over 250,000 Asian Americans, 15th-largest Asian American population by state, 85% growth since 2000

Arizona (statewide coverage)—over 230,000 Asian Americans, 19th-largest Asian American population by state, 95% growth since 2000

The termination of Section 5 coverage for these states comes at a pivotal moment for Asian American communities, which in recent years have begun to emerge politically in these states as they increase in size. As our nation has historically witnessed, when groups of racial minorities move into an area, or outpace the general population growth in an area, the result is often racial tension and sometimes racial discrimination, including voting discrimination.

#### CONTINUING BARRIERS TO VOTING

Asian Americans in California continue to face barriers in the electoral process. While a number of jurisdictions meet their obligations to provide language assistance under Section 203 of the Voting Rights Act in commendable fashion, enforcement actions to bring jurisdictions into compliance have been necessary in some instances. In the past decade, the U.S. Department of Justice brought Section 203 enforcement actions against San Diego County (2004), the City of Rosemead (2005), the City of Walnut (2007), and Alameda County (2011), for non-compliance with respect to Asian language requirements.

In 2013, the Asian Americans Advancing Justice affiliation released a report that examined Asian language assistance in Section 203-covered jurisdictions across the country, including the eight counties in California covered for Asian American populations. Drawing upon poll monitoring carried out at nearly 900 election precincts during the November 2012 election, the report shows that some jurisdictions are making use of good practices to provide written and oral assistance. At the same time, the report found low visibility or no display of translated materials at 45% of poll sites monitored and a lack of bilingual poll workers at nearly a quarter of poll sites monitored.

In the vote dilution context, Asian Americans are confronted with racially polarized voting that impairs their ability to elect candidates of choice, perhaps not in every area of the state where Asian Americans are concentrated, but at least in certain areas of the state. Leading up to the post-2010 Census

redistricting, Asian Americans Advancing Justice-Los Angeles worked with a political scientist to assess the existence of racially polarized voting against Asian Americans in the San Gabriel Valley and South Bay regions of Los Angeles County. In his analysis of 13 elections, the political scientist found that in all elections Asian American voters demonstrated cohesive voting patterns in favor of Asian American candidates. Non-Asian Americans tended to vote against the candidates preferred by Asian American voters; in ten of the elections, non-Asian Americans gave less than 50% of their vote to candidates preferred by Asian Americans.

#### IMPORTANCE OF THE VOTING RIGHTS ADVANCEMENT ACT

On June 24, 2015, the Voting Rights Advancement Act (Advancement Act) was introduced in the Senate (S. 1659) and the House (H.R. 2867). The Advancement Act has received broad and vocal support from the civil rights community because it responds to the unique, modern-day challenges of voting discrimination that have evolved in the 50 years since the Voting Rights Act first passed. The Advancement Act recognizes that changing demographics require tools that protect voters nationwide—especially voters of color, voters who rely on languages other than English, and voters with disabilities. It also requires that jurisdictions make voting changes public and transparent. The Advancement Act would modernize the preclearance formula to cover states with a pattern of discrimination that puts voters at risk, ensure that last-minute voting changes will not adversely affect voters, protect voters from the types of voting changes most likely to discriminate against people of color and language minorities, enhance the ability to apply preclearance review when needed, and expand the effective Federal Observer program and improve voting rights protections for Native Americans and Alaska Natives.

Since the Shelby decision, 17 states have implemented or adopted new voting restriction laws which are in place for the first time for the 2016 presidential election. Many of these restrictions, such as ID requirements, proof of citizenship, and limitations to early voting, are practices that would require preclearance by the Department of Justice under the Advancement Act. These are known practices which often result in the disenfranchisement of voters, particularly voters of color and low-income voters.

Some of the known practices disproportionately affect naturalized citizens, and in the United States, 63% of Asian Americans who are U.S. citizens and 18 or older are naturalized citizens. Proof of citizenship, in particular, has a disparate impact on naturalized citizens. Unlike birth certificates, naturalization certificates cannot be copied without lawful authority. When Arizona implemented its proof of citizenship requirement (which was later found to violate the National Voter Registration Act), some counties accepted copies of the naturalization certificate, others did not. In the counties that did not, a naturalized citizen without a passport would have to register in person at the election official's office during normal business hours. Moreover, duplicate or replacement copies of the certificate can take over a year and costs \$345 to obtain a copy. For those without the funds to obtain a duplicate copy, the proof of citizenship requirement is a denial of the right to vote. Even for those who are able to afford the fee, many elections can occur during the time it takes to obtain a duplicate. It is, therefore, crucial for the Department of Justice to have the authority to critically review proof of citizenship requirements linked to voting.

Earlier this year, we saw the implementation of North Carolina's new photo ID law. As noted above, North Carolina has the 15th largest Asian American community by state. Rudy Ravindra, a resident of North Carolina, wrote an op-ed for Raleigh's *The News & Observer* recounting his March 2016 early voting experience. According to Mr. Ravindra, after giving his driver's license to the poll worker, the poll worker required Mr. Ravindra to spell his name as he (the poll worker) typed it into the system. Mr. Ravindra reported that his wife had the same experience on election day. In both situations, poll workers simply looked at the white voters' identification cards and did not ask them to spell their names. While the Advancement Act focuses on policies before implementation, the Department of Justice might have blocked North Carolina's ID law in the first place.

Another known practice that would be subject to preclearance by the Advancement Act is changes that reduce, consolidate, or relocate voting locations. In Arizona's March primary, the election official in Maricopa County consolidated precincts into large vote centers but failed to provide enough staff support. Each vote center was assigned 21,000 voters. News coverage reported voters having to wait 4 to 5 hours to vote. As noted above, Arizona saw 95% growth in the Asian American population since 2000, and Maricopa County is home to 82,000 Asian American eligible voters. Oversight by the Department of Justice could have stopped the closure of neighborhood precincts and prevented the disenfranchisement of the voters who could not stand in line for hours.

In the three years since the Shelby decision, Congress has failed to restore the Voting Rights Act, and voters have been disenfranchised due to new laws and practices implemented post-Shelby. While the three Congressmembers holding this roundtable have been champions in advocating for the Voting Rights Advancement Act, the time is now for the full Congress to take up and debate the bill. Congress must come together, as it has each time the Voting Rights Act has been before it, to restore the protections found in the Voting Rights Act to ensure a stronger democracy.

Thank you again for the invitation to testify before you today.

Ms. VELAZQUEZ. Mr. Speaker, it's ironic that, as a country, we consistently advocate for other countries to support democratic traditions and institutions—and empower their citizens.

Sadly, because of the Shelby decision, we are not living up to our own standards.

But, we cannot lay all the blame on the Supreme Court. The Court was clear in their ruling. While they invalidated the mechanism used to determine what jurisdictions required preclearance—they also suggested that Congress could come up with a standard that passes constitutional muster.

Sadly, thanks to Republican inaction, we have failed in that task.

Now, we are about to have the first Presidential election—in five decades—without the very basic protections that were enshrined in the Voting Rights Act.

What does this mean? It means that some of our most vulnerable populations—communities of color, young people, students and women—are more likely to encounter obstacles to exercising their most basic right.

And, let's be absolutely clear—there remain serious challenges and problems when it comes to protecting voters. By no means are the protections in the VRA out-of-date or no longer necessary.

We saw a stark example of this earlier this year—in Brooklyn. In April, some 120,000 voters from the rolls in Kings County—the largest county in the state—were improperly purged from the voter rolls.

And, an analysis by local media outlets found those affected were disproportionately Latino voters—mostly in working class neighborhoods like Sunset Park, East New York, and parts of Bushwick and Williamsburg.

Now, let's recall that Kings County was previously covered by Section 5 of the Voting Rights Act. Would these voters have been removed if the VRA were still intact? The fact is we do not know.

But we do know this—our democracy and our system of voting is not perfect—and to argue that voters are no longer disenfranchised is simply false. We've seen that clearly in Brooklyn.

And, let me make one other observation—those who argue that we need more stringent voter ID laws to prevent “voter fraud” are making a dishonest argument. Every credible expert who has examined the data has concluded this—voter fraud is exceedingly rare, if not completely nonexistent.

Voting rights should not be a Republican issue or a Democratic issue. We should all be passionate about defending and upholding this most basic right—for all Americans.

Yet, this Congress—thanks to the Republican Leadership—has failed to do the necessary work to restore the protections in the Voting Rights Act.

Earlier this year, my colleagues HAKEEM JEFFRIES, GRACE MENG and I hosted a forum on the Voting Rights Act. We heard from local experts about the need to restore these protections.

Let me conclude simply by saying this—it is shameful this Congress has not addressed this issue. But it is also not surprising. As this House has not acted on gun violence and has not yet allocated appropriate funding to address Zika, or dealt with the Flint water crisis—this is yet one more example of how House Republicans are simply not doing their job.

So, I call on my colleagues—do your job. Let's do the hard work of reinstating these democratic protections so voters are not disenfranchised.

Ms. MENG. Mr. Speaker, I rise in support of the Voting Rights Advancement Act, H.R. 2867, introduced by my friends and colleagues Representatives TERRI SEWELL, LINDA SÁNCHEZ, and JUDY CHU. It is long past time that we take up their bipartisan bill, which would restore the protections of the Voting Rights Act.

Mr. Speaker, I think it surprises few of us that following the Supreme Court's misguided decision in *Shelby County v. Holder*, the right to vote has been increasingly attacked in states across the country. The court's decision invalidated the coverage formula in the Voting Rights Act by which certain states and jurisdictions with a history of discrimination were required to preclear election changes with the U.S. Department of Justice. The results have been grave. Since 2010, twenty-two states have implemented new voting restrictions that make it more difficult for students, seniors, those with disabilities, and minorities to vote. This past summer alone, federal courts struck down new prohibitive voting laws in five different states. Federal protections, such as

preclearance, prevent these pernicious laws from being passed in the first place, and this recent surge of court cases only underscores the importance of restoring the Voting Rights Act. Disenfranchisement and voter discrimination are realities that Americans face across the country, including in my district in New York City.

To further investigate the effects of voter discrimination, I hosted a Voting Rights Forum this past May through the leadership of the Democratic Outreach and Engagement Task Force with my colleagues Representatives VELÁZQUEZ and JEFFRIES. We were fortunate to host voting rights experts to talk about the effects of the Shelby County decision on our constituents.

I invited Jerry Vattamala from the Asian American Legal Defense and Education Fund to talk about the particular barriers that the Asian-American community faces to participating in the electoral process, and why Congress needs to restore the Voting Rights Act. I include in the RECORD his testimony from the event:

STATEMENT OF THE ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND JERRY VATTAMALA, ESQ. DIRECTOR, DEMOCRACY PROGRAM HEARING

“FRAGILE AT FIFTY: THE URGENT NEED TO STRENGTHEN AND RESTORE THE VOTING RIGHTS ACT” BEFORE HON. NYDIA VELAZQUEZ, HON. GRACE MENG AND HON. HAKEEM JEFFRIES, NEW YORK CITY

MAY 20, 2016

The Asian American Legal Defense and Education Fund (AALDEF) is a 42-year-old national civil rights organization based in New York City that promotes and protects the civil rights of Asian Americans through litigation, legal advocacy, and community education.

Enforcement of the Voting Rights Act of 1965 (VRA) has been critical in preventing actual and threatened discrimination aimed at Asian Americans in national and local elections. As a result of the Supreme Court's decision in *Shelby County v. Holder*, Asian American voters have suffered a serious rollback in their right to vote. AALDEF submits this testimony to elucidate the precarious landscape of Asian American voting rights in wake of the decision in *Shelby County v. Holder*.

AALDEF has monitored elections and conducted annual multilingual exit polls since 1988. Consequently, AALDEF has collected valuable data that documents the continued need for the VRA's protections. In 2012, AALDEF dispatched over 800 attorneys, law students, and community volunteers to 127 poll sites in 14 states to document voter problems on Election Day. The survey polled 9,298 Asian American voters. In 2014, AALDEF surveyed 4,102 Asian American voters at 64 poll sites in 37 cities in 11 states.

Many voting problems that we observed in 2012 have persisted through 2014 and beyond. Operating without the preclearance provisions, the most effective tool of the VRA, the Department of Justice has lost its ability to block voting changes before they occur. As a result, AALDEF and other organizations and individuals have had to engage in more affirmative litigation to protect the fundamental right to vote.

AALDEF has previously submitted testimony to Congress, filed amicus briefs in the Supreme Court of the United States, and released detailed reports regarding Asian American voting problems and the continued need for the full protections of the VRA, including Section 5 preclearance.

Asian Americans continue to face pervasive and current discrimination in voting, particularly in jurisdictions that were previously covered for Section 5 preclearance. For example, in the 2004 primary elections in Bayou La Batre, Alabama, supporters of a white incumbent running against Phuong Tan Huynh, a Vietnamese American candidate, made a concerted effort to intimidate Asian American voters. They challenged Asian Americans at the polls, falsely accusing them of not being U.S. citizens or city residents, or of having felony convictions. The challenged voters were forced to complete a paper ballot and have that ballot vouched for by a registered voter. In explaining his and his supporters' actions, the losing incumbent stated, “We figured if they couldn't speak good English, they possibly weren't American citizens.” The Department of Justice (DOJ) investigated the allegations and found them to be racially motivated. As a result, the challengers were prohibited from interfering in the general election, and Bayou La Batre, for the first time, elected an Asian American to the City Council.

Also in 2004, New York poll workers required Asian American voters to provide naturalization certificates before they could vote. At another poll site, a police officer demanded that all Asian American voters show photo identification, even though photo ID is not required to vote in New York elections. If voters could not produce such identification, the officer turned them away and told them to go home.

Overt racism and discrimination against Asian Americans at the polls persists to the present day and will worsen without Section 5 to combat such behavior. Prior to the Supreme Court's decision, voting rights advocates used Section 5 to protect Asian American voters in redistricting, changes to voting systems, and changes to polling sites. The following are recent examples of harmful actions against Asian American voters that were stopped by Section 5. Now that the coverage formula has been struck, and many jurisdictions are no longer covered by Section 5, Asian Americans are once again vulnerable to nefarious discriminatory actions such as these that will weaken their voting rights and power.

For example, redistricting plans continue to be drafted with discriminatory intent in states with large Asian American communities. As shown in *Perry v. Perez*, 132 S. Ct. 934 (2012), the Texas Legislature drafted a redistricting plan, Plan H283, that would have had significant negative effects on the ability of minorities, and Asian Americans in particular, to exercise their right to vote.

Since 2004, the Asian American community in Texas State House District 149 has voted as a bloc with Hispanic and African American voters to elect Hubert Vo, a Vietnamese American, as their state representative. District 149 has a combined minority citizen voting-age population of 62 percent. Texas is home to the third-largest Asian American community in the United States, growing 72 percent between 2000 and 2010.

In 2011, the Texas Legislature sought to eliminate Vo's State House seat and redistribute the coalition of minority voters to the surrounding three districts with larger non-minority populations. Plan H283 would have thus abridged the Asian American community's right to vote in Texas by diluting the large Asian American populations across the state.

In addition to discrimination in redistricting, Asian American voters have also endured voting system changes that impair their ability to elect candidates of choice. For example, before 2001 in New York City, the only electoral success for Asian Americans was on local community school boards.



In each election—in 1993, 1996, and 1999—Asian American candidates ran for the school board and won. These victories were due, in part, to the alternative voting system known as “single transferable voting” or “preference voting.” Instead of selecting one representative from single-member districts, voters ranked candidates in order of preference, from “1” to “9.” In 1998, New York attempted to switch from a “preference voting” system, where voters ranked their choices, to a “limited voting” system, where voters could select only four candidates for the nine-member board, and the nine candidates with the highest number of votes were elected. This change would have put Asian American voters in a worse position to elect candidates of their choice.

Furthermore, the ability of Asian Americans to vote is also frustrated by sudden changes to poll sites without informing voters. For example, there have been numerous instances of sudden poll site closures in Asian American neighborhoods in New York City, where the Board of Elections failed to take reasonable steps to ensure that Asian American voters are informed of their correct poll sites. Voters have been misinformed about their poll sites before the elections or have been misdirected by poll workers on Election Day, thus creating confusion for Asian American voters and disrupting their ability to vote.

In 2001, primary elections in New York City were rescheduled due to the attacks on the World Trade Center. The week before the rescheduled primaries, AALDEF discovered that a certain poll site, I.S. 131, a school located in the heart of Chinatown and within the restricted zone in lower Manhattan, was being used by the Federal Emergency Management Agency for services related to the World Trade Center attacks. The Board chose to close down the poll site and no notice was given to voters. The Board provided no media release to the Asian-language newspapers, made no attempts to send out a mailing to voters, and failed to arrange for the placement of signs or poll workers at the site to redirect voters to other sites. In fact, no consideration at all was made for the fact that the majority of voters at this site were limited English proficient, and that the site had been targeted for Asian language assistance under Section 203. With Section 5 no longer applicable in most jurisdictions, disruptive changes to polling sites, voting systems, and redistricting plans can now occur unfettered, wreaking havoc on Asian American voters' ability to cast an effective ballot.

American citizens of Asian ancestry have long been targeted as foreigners and unwanted immigrants, and racism and discrimination against Asian Americans persist to this day. These negative perceptions have real consequences for the ability of Asian Americans to fully participate in the electoral and political process. Section 5 of the VRA was an effective tool in protecting Asian American voters against a host of actions that threaten to curtail their voting rights. However, the Supreme Court's recent decision dismantling the coverage formula has left a large gap in protections for Asian American voters that requires Congressional action. We look to Congress to work in a bipartisan fashion to respond to the Court's ruling and strengthen the VRA, as it did during the 2006 reauthorizations and each previous reauthorization. We respectfully offer our assistance in such a process.

Mr. CLYBURN. Mr. Speaker, in just three days, the National Museum of African American History & Culture will officially open its doors to the public. One hundred years in the making, the museum explores the richness

and diversity of the African American experience.

As a former public school history teacher in Charleston, South Carolina and a lifelong student of history, I have always worked to improve our understanding of the past. History frames our views on current events and has been called the study of human nature by using examples.

The struggle for the right to vote is an important part of that history. It's a history that I know quite well—having lived through some of it. I met my wife while in jail for helping to organize one of the biggest student demonstrations in the South. More than one thousand students from South Carolina State and Claflin University assembled to march to downtown Orangeburg in March 1960. 388 of us were arrested.

A few months later, in October 1960, I met John Lewis and Dr. King on the campus of Morehouse College in Atlanta, Georgia. We were seeking the right to vote.

When the Voting Rights Act was signed into law in August 1965, it restored the promise of the 19th amendment. It prohibited racial discrimination in voting and has been called the most successful piece of civil rights legislation in American history.

It was reauthorized by Congress on a strong bipartisan basis in 1970, 1975, 1982, 1992 and, most recently, in 2006.

I testified before the House Judiciary Subcommittee on Civil and Constitutional Rights in support of extending Section 5, with its strong preclearance requirements, in 1981. I was South Carolina's Human Affairs Commissioner at the time. At the time, the preclearance requirements were necessary to prevent states with a history of discrimination from engaging in further discriminatory practices. They were necessary again in 1992, in 2006, and they still are necessary today.

With no coverage formula in place for the last three years, states have been free to engage in nefarious schemes to suppress minority turnout, dilute the voting strength of communities of color, erect new barriers to the ballot box and make it harder for millions of Americans to exercise their constitutional right to vote.

And they have.

When Americans go to the ballot box in less than fifty days they'll find new voting restrictions in place in 17 states for the first time in a presidential election.

Nearly 8 million Latino voters living in previously covered jurisdictions will be vulnerable to voting discrimination and changes in election administration.

Five federal lawsuits involving Native American voting rights in ND, UT, SD, AZ and AK have been filed since *Shelby County v. Holder*.

North Carolina's legislature got to work within hours of the *Shelby County* decision on its “monster” voting law which imposed strict photo ID requirements and cut back early voting. The state has spent more than \$5 million defending the law—which the 4th Circuit said, “target[ed] African Americans with almost surgical precision” and “impose[d] cures for problems that did not exist.”

Six former preclearance states have closed voter registration offices and moved or closed polling places. And six local jurisdictions have redrawn districts or changed the rules to dilute minority votes.

In Georgia alone, 372,000 voters have been purged or removed from the voter rolls in the last two years with little or no awareness. And in Hancock County, one in twenty voters—virtually all African-Americans—were removed from the voting rolls and sheriff's deputies began showing up at their homes commanding they defend themselves at board meetings as a so-called “courtesy.”

Texas has spent more than \$3.5 million defending its discriminatory photo ID law and just yesterday, was ordered by a federal court to stop purposefully misleading voters about the requirements to vote.

A recent study from 2006–2014 found that the racial turnout gap doubles or triples in states with strict voter ID requirements. They concluded that “strict voter identification laws substantially alter the makeup of who votes and ultimately skew democracy in favor of whites and those on the political right.”

I'm not reading from a history book. This is happening right now—in the United States of America in 2016.

This Congress—Republicans in this Congress—have done little more than pay lip service to voting rights for the last three years. As we approach the upcoming election, I cannot help but feel as if the lessons of history are creeping up on us. Let us not be doomed to repeat it.

Congress must restore the Voting Rights Act. We can do it immediately and we should.

Mr. CONYERS. Mr. Speaker, in the fifty plus years since the Rev. Dr. Martin Luther King, Jr., articulated the dream of a generation, this nation has seen inspiring progress toward the ideal of equality under the law. Nowhere has this progress been more dramatic than in the arena of voting rights. The passage of the Voting Rights Act of 1965 heralded a new era of political opportunity for African-Americans not seen since Reconstruction.

At the state and local level, Section 5 of the Act—which required jurisdictions with a history of voting discrimination to obtain advanced approval for voting changes—was especially important in leveling the playing field by shifting notice requirements and the burden of proof to jurisdictions with a history of discrimination, rather than relying on traditional litigation which would have taken years and countless costs to root out patterns of discrimination in voting. More than any other provision of the Act, Section 5 can be credited with the sustained progress to voting equality.

The Supreme Court, in its 5–4 *Shelby County v. Holder* decision from 2013, has suspended implementation of the Section 5 preclearance program by invalidating the formula used to designate covered jurisdictions. This decision has seriously undermined the nation's progress toward equal voting rights by allowing discriminatory voting measures to evade streamlined review and requiring minority voters to engage in costly protracted litigation.

In the wake of a divided Supreme Court, many former Section 5 covered states have enacted harsh “second generation” obstacles to voting rights, such as restrictive voter ID laws, limits on early voting and voter registration, and bans on ex-offenders from being able to regain their voting rights. Most of these voter suppression measures have a disproportionate impact on minorities, seniors, young people, and other historically-disadvantaged individuals. Not surprisingly, an ever increasing number of voters on election day are

plagued by long lines at the polls, confusing voter rules, and restrictions intended to deter them from voting.

Literally days after Supreme Court issued the Shelby County ruling, formerly covered jurisdictions enacted discriminatory voting practices that would have been blocked by Section 5 or not even attempted passage of legislation. Texas implemented its restrictive photo ID law, which had been previously blocked by Section 5. The North Carolina state legislature passed a law that imposed a strict photo ID requirement, significantly cut back on early voting, and reduced the window for voter registration. Alabama moved ahead with its law requiring strict photo ID to vote. And Mississippi officials moved to enforce its photo ID law, which the state submitted for preclearance but was never allowed to implement.

In 2013 and 2014, at least 10 of the 15 states that had been covered in whole or in part by Section 5 introduced new restrictive legislation that would make it harder for minority voters to cast a ballot. These have passed in two states: Virginia (stricter photo ID requirement and increased restrictions on third-party voter registration) and North Carolina (the above-discussed omnibus bill, which included the ID requirement, early voting cutbacks, and the elimination of same-day voter registration).

Further, seven other formerly covered states also passed restrictive legislation in 2011 and 2012, prior to the Shelby County decision in anticipation of victory.

Section 5's loss perhaps has been felt most acutely at the local level. The great majority of voting law changes that were blocked as discriminatory under the Voting Rights Act were enacted at the local level: counties, municipalities, and other state sub-jurisdictions. We have witnessed local jurisdictions step into the void left by Section 5 to pass all manner of discriminatory voting procedures: discriminatory local redistricting plans; closing polling places and DMV's in minority communities and changing election dates, just to name a few.

Though Section 2 of the Voting Rights Act is still available to challenge these discriminatory practices, the time and expense of litigation leaves these practices in place to do years of damage and places a substantial burden on the rights of minority voters. It took years of litigation to roll back the challenged practices mentioned earlier in Texas and North Carolina.

We will enter a Presidential election without Section 5 protection for the first time in 50 years. The danger to our democratic process cannot be overstated. Already, we have heard political candidates discussing voting intimidation tactics and we must focus on the status of federal observers under the law.

As a staunch proponent, and a remaining member of Congress who voted for the Act in 1965, I joined Representative SENSENBRENNER to introduce H.R. 885, the Voting Rights Amendment Act, which is designed to restore the vitality and effectiveness of Section 5 of the Voting Rights Act.

Though we have made progress in the courts over the past several weeks in overturning some of these voter suppression measures, the states and some localities have been quick to re-enact substitute measures. This tactic was the very reason for the enact-

ment of Section 5 in the first place and evidence of the need for reauthorizing legislation.

In addressing these calculated voter suppression tactics, we cannot forget those who have lost their voting rights and have no voice in government. Currently, nearly 4 million of disqualified voters are not in prison, but on probation or parole. Nearly 3 million of the disenfranchised have completed their entire sentence, including probation and parole. I believe that such prohibitions on voting undermine the fundamental rights of people with felony convictions.

To correct this injustice, I have introduced H.R. 1459, the Democracy Restoration Act which declares the right of a U.S. citizen to vote in any election for federal office shall not be denied because that individual has been convicted of a criminal offense.

Just as the Brennan Center has observed in their report on voting rights post-Shelby County, "For all the real progress Section 5 facilitated, the nation and its voters now lack a critical tool to protect those earned advances. Bad laws with lasting, harmful consequences now lack a review mechanism, the method of fighting these laws is now limited to costly and time-intensive litigation, and the public has lost the one centralized means to track the thousands of changes annually that affect Americans' right to vote."

Just as Congress ignored political headwinds and set partisan differences aside five decades ago to prohibit discriminatory voting practices, this Congress must again muster the political courage to enact legislation to protect the voting rights of all Americans.

#### SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3076. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes; to the committee on Veterans' Affairs.

#### ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5936. An act to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.

H.R. 5985. An act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

#### ADJOURNMENT

Ms. SEWELL of Alabama. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 24 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 22, 2016, at 10 a.m. for morning-hour debate.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 5995. A bill to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code (Rept. 114-779). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 2315. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States (Rept. 114-780). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 879. Resolution providing for consideration of the bill (H.R. 5931) to provide for the prohibition on cash payments to the Government of Iran, and for other purposes, and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 114-781). Referred to the House Calendar.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 5982. A bill to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for "midnight rules", and for other purposes (Rept. 114-782, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 5982 referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. VARGAS (for himself, Mr. SERRANO, Mr. VELA, Mr. GRIJALVA, Mrs. NAPOLITANO, Mrs. DAVIS of California, Mr. MCGOVERN, and Mr. VEASEY):

H.R. 6091. A bill to require the Secretary of Homeland Security to identify aliens who have served, or are serving, in the Armed Forces of the United States when those aliens apply for an immigration benefit or are placed in an immigration enforcement proceeding, and for other purposes; to the Committee on the Judiciary.

By Mr. VARGAS (for himself, Mr. SERRANO, Mr. VELA, Mrs. DAVIS of California, and Mrs. NAPOLITANO):

H.R. 6092. A bill to amend section 212(d)(5) of the Immigration and Nationality Act to allow certain alien veterans to be paroled into the United States to receive health care furnished by the Secretary of Veterans Affairs; to the Committee on the Judiciary.

By Mr. VARGAS (for himself, Mr. SERRANO, Mr. VELA, Mr. GRIJALVA, Mrs. NAPOLITANO, and Mr. MCGOVERN):