The Board should be congratulated for taking a positive approach to the tasks of education and enforcement. A Government Accountability Office audit has confirmed that the Board, and the Office of Compliance, are operating efficiently and consistent with their statutory mandate.

However, the GAO audit also found that the efficiency of the Office would be greatly impaired by the loss of institutional memory and operational continuity. To remedy this situation, the GAO recommended that both the board, and the four statutory executive officers of the Office, each of whom is appointed by the Board, be eligible for an additional term of service. By allowing the Board an additional term, but denying the Board the opportunity to reappoint their executive staff, much of the efficiency and continuity recognized by the GAO may be lost.

It is my continued hope that a way can be found allow the Board to reappoint their management team to a second term of service. I do not know what concerns led the drafters of the Congressional Accountability Act to limit the Compliance Office's executives to a single 5 year term of service, but it now appears that dropping that limit will make for a better and more efficient Office. So I hope that we will consider implementing the GAO's full recommendation, and lift the term limit on the executive officers, as we are lifting the term limit on the Members of the Board.

Again, I want to recognize my chairman, and thank him for his cooperation in taking this first step to maintaining the efficiency and continuity of the Office of Compliance.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5122.

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

There was no objection.

RECOGNIZING AND SUPPORTING EFFORTS TO PROMOTE GREATER CIVIC AWARENESS AMONG PEOPLE OF UNITED STATES

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 796) recognizing and supporting all efforts to promote greater civic awareness among the people of the United States.

The Clerk read as follows:

H. RES. 796

Whereas the Constitution of the United States establishes a representative form of government in which the people of the United States elect Members of the House of Representatives and Senators of the Senate, and each of the States appoint electors who, based on the popular vote of the State, select the President and the Vice-President;

Whereas the 15th, 19th, 24th, and 26th amendments to the Constitution establish that the right of citizens of the United States to vote shall not be denied or abridged on account of race, color, or previous condition of servitude; on account of sex; by reason of failure to pay any poll tax or other tax; and on account of age for those 18 years of age and older;

Whereas the right of citizens of the United States to vote is fundamental to our representative form of government;

Whereas many eligible citizens do not exercise the right to vote;

Whereas numerous civic awareness organizations and advocacy groups at the Federal, State, and local level actively promote voter registration and voter participation; and

Whereas many communities and schools have instituted civic awareness programs: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and supports all efforts to promote greater civic awareness among the people of the United States, including civic awareness programs such as candidate forums and voter registration drives; and

(2) encourages local communities and elected officials at all levels of government to promote greater awareness among the electorate of civic responsibility and the importance of participating in these elections.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

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

Mr. Speaker, I want to thank again our ranking member, the gentleman from Connecticut, for this important measure.

Mr. Speaker, I rise today in support of House Resolution 796, which recognizes and supports all efforts to promote greater civic awareness among the people of the United States.

Mr. Speaker, today our soldiers are fighting in Afghanistan and Iraq to build and protect democracy. This Saturday, Afghanistan will hold a historic election. Reports indicate that more than 10 million Afghans have registered to vote and will participate in the election—despite threats and violence by the opponents of democracy. Iraq is scheduled to hold elections in January, an event that will forever alter the direction of that country and, hopefully, forever separate it from its despotic past.

While we fight abroad to build democracy, unfortunately, here at home, too many of our citizens take our rights for granted and fail to exercise them. Mr. Speaker, no matter what side of the aisle you sit on, we all agree that the election coming up on November 2 will be an extremely important one—one that all eligible citizens should participate in. This resolution encourages that participation because the right to elect our leaders should be exercised and never taken for granted.

When terrorists attacked us three years ago on September 11th, they were attacking not only innocent civilians, but also the very ideals and freedoms that we celebrate as fundamental human rights in this country. Those rights and freedoms are what the terrorists fear and hate most.

Now, more than ever before, it is imperative that every American participate by exercising the precious gift each citizen has been given, the freedom to choose our leaders.

Recently, the House of Representatives passed a resolution expressing the sense of Congress that the actions of terrorists will never cause the delay of any national election.

We need our citizens to mirror that same resolve and show terrorists that we cherish our democracy and will not be deterred from exercising the rights we have.

There have been a number of reports about how voter registrations have increased dramatically in the past year. State and local elections officials are working hard to process those registrations and make sure that all eligible voters are able to cast a vote on Election Day. I would encourage our citizens to do what they can to help this election run smoothly. Confirm that you are properly registered and find out where your polling place is. This can be done by contacting your local board of elections office, or, in many cases, just visiting their Web site. Doing these things in advance, instead of waiting until Election Day, can protect your right to vote and will make things go much smoother for everyone on Election Day.

While voters need to do their part, we should note that over a million, perhaps as many as 2 million, people will volunteer to serve as poll workers this year. Without them, we simply could not have elections in this country. We should recognize that our democracy survives only through the hard work and participation of millions of our citizens—both as voters and poll workers. I encourage others to volunteer to help at the polls as a poll worker or assistant.

I sincerely hope that every citizen of this great Nation will participate in the 2004 election, and will also do what they can to see that it goes smoothly. Whether it be through early voting, absentee ballots, or visiting the polls on election day, it is our great privilege to live in a country where we have the right to choose our leaders, and it is our responsibility to exercise this right. I thank the gentleman from Texas for introducing this resolution and encourage my colleagues to support it.

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

Mr. LARSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to concur with the chairman of our distinguished committee, and thank the gentleman from Arkansas (Mr. ROSS) and the gentleman from Texas (Mr. HALL) for bringing forth this most important piece of legislation, and from the bottom of my heart I want to thank especially those members who worked tirelessly for us in the Clerk's office and recognize Mr. Trandahl and Gigi Kelaher and the distinguished Mr. Paul Hayes and so many members who come here day in and day out and carry on these duties, considering the lateness of the hour.

Mr. Speaker, I rise today in support of a resolution that aims to support the very core of our democracy: voting. The resolution, H. Res. 796, recognizes efforts to promote greater civic awareness in this country.

With this in mind, it is important to reference the words that embody our democratic right that are written in the Constitution. This document establishes that "citizens of the United

States shall not be denied or abridged their right to vote on account of race, color, or previous condition of servitude; on account of sex; by reason of failure to pay any poll tax or other tax; and on account of age for those 18 years of age and older.''

This election is arguably one of the most important in our Nation's history. It is too important to sit on the sidelines. I call on all citizens to participate in our democracy by casting a ballot on November second. I would also urge citizens to think about other ways they can use their civic spirit to assist their communities. For example, maybe they could volunteer to drive other voters to the polls or donate their time to assist at local polling places. The friendly, dedicated individuals that help us as we head to the polling booth are often taken for granted. However, the pool of these volunteers has been severely reduced over the years. This year, millions of poll workers are needed on Election Day.

These volunteers are the backbone of the election process, sometimes working up to 16-hour days with little, if any pay. In most cases, volunteers are needed for such long hours simply because there are not enough of them. In addition, the majority of those who do volunteer to be poll workers continue to be older citizens. We need to inspire a younger generation of poll workers to continue to carry the torch of democracy.

I call on colleges and universities to offer college credit to students who serve as poll workers, and corporations to offer paid leave to employees who volunteer as poll workers. Voters should go to the Election Assistance Commission's Web site at *www.eac.gov,* to learn how they can become poll workers in their state.

Yesterday, I sent a letter to 43 presidents of public and private higher education institutions in my home state of Connecticut. I reminded these academic leaders that the Higher Education Act Amendments of 1998 require that they make a good-faith effort to distribute voter-registration materials to their students prior to elections. I urged them to review their compliance with this federal law.

For many students, the first time they have the opportunity to vote is during their college career. Therefore, it is imperative that institutions of higher learning do all they can to help young people get into the habit of voting while they are young.

States can do their part by offering better training to poll workers. Many of the problems associated with this year's primaries have been attributed to poor poll worker training. I hope we do not see a repeat of these mistakes during the general election.

Several newspapers have reported that there are a record number of new voters registered for this coming election. I urge election officials to be mindful of these first-time voters so they will have the opportunity to participate in the election process without a repeat of past frustrations, or misinterpretation of voting laws, including the Help America Vote Act.

I am extremely concerned about voter intimidation, and I ask all citizens to be mindful of voters who may be denied their right to vote at the polls. Should an eligible voter be afraid to cast a ballot, I urge them to call the Department of Justice's Civil Rights Division or civil rights groups to ensure these circumstances are documented.

These concerns are not unwarranted. In South Dakota's June 2004 special election, Native American voters were prevented from voting after they were challenged to provide photo IDs, which they were not required to present under State or Federal law. In 2003 in Philadelphia, voters in African-American areas were systematically challenged by men carrying clipboards, driving a fleet of some 300 sedans with magnetic signs designed to look like law enforcement insignia. These are just two examples in a report by the NAACP and the People for the American Way Foundation.

Our Nation has certainly tried to respect the democratic wishes of the framers of our Constitution through ongoing efforts to ensure that all citizens are inspired to vote. Voting is a powerful act. The simple act of pulling a lever, or checking a box or touching a screen indicates to policy makers that the voices of those they represent must not be ignored. It also gives citizens an instant sense of community, and that alone is certainly worth recognizing and supporting.

I urge my colleagues to support this resolution and to continue to expand voter participation.

[From the San Jose Mercury News, Oct. 5, 2004]

POLL WATCHERS TO ENSURE EVERY VOTE COUNTS

(By L.A. Chung)

Nancy Frishberg remembers helping her father register people to vote when Adlai Stevenson mounted his second doomed campaign against Dwight D. Eisenhower. She was ''clean for Gene'' in 1968, before Hubert Humphrey beat Eugene McCarthy for the Democratic nomination.

In other words, the Redwood City woman is familiar with being on the losing side of presidential campaigns. Even so, her belief in the democratic process was undiminished until she heard the infamous reports about voter disenfranchisement in 2000 and problems during the primaries this year.

So Frishberg, 55, has decided to become a poll monitor Nov. 2. She and about 19,000 others have signed up with the Election Protection Coalition, a nonpartisan group, to fan out across the country to watch for problems at the polls.

''I'm trained as a scientist and in observational research,'' said Frishberg, a linguist and contributor to Stanford's Human-Computer Interface program. ''The difference here is I'm willing to intervene.'' That means alerting the coalition's network of lawyers, who will file injunctions if there are violations. She's spending her own money to fly to Phoenix, one of the cities where past problems at the polls have been identified. Her commitment comes, she says, from her intensely non-partisan desire that every vote counts.

Bigger than expected ''We've been stunned by the amount of energy we're seeing,'' said Michael Kieschnick, president of Working Assets, a socially progressive company that is recruiting volunteers for the coalition. The country may be highly polarized, but the coalition has been attracting people who are primarily concerned about the integrity of the election.

''It's not who won or lost in Florida,'' Kieschnick said, referring to the state that has come to symbolize problems at the polls. Rather, ''for the first time, people realized not all the votes get counted—and which ones get counted sometimes depends on elected officials. People looked in the mirror of Florida and didn't seem to like that.''

Working Assets, a long-distance and credit card services company, has worked hard to promote voter registration, Kieschnick said. But more new voters means more potential problems—from learning where to vote to figuring out how to work the various voting machines. Plus, there were troubling reports of election officials who seemed ready to make it harder for new voters.

The secretary of state in Ohio, for example, just retreated from his directive last month that voter registration forms must be printed on 80-pound paper stock, potentially disenfranchising those who had filled out forms on lighter paper. He also faces a lawsuit challenging state guidelines that would prevent voters from casting provisional ballots if they mistakenly went to the wrong polling places.

Keeping the trust in fact, election experts predict a huge number of provisional ballots, which could determine a close race.

We're not at the point where we want overseas election monitors to come. That's something Jimmy Carter and Sen. RICHARD LUGAR have done from the Phillipines to South Africa.

Still, the outpouring of volunteers for the Election Protection Coalition is important and useful. At least 35 cities in nine states —Arizona, Colorado, Florida, Illinois, Michigan, New Mexico, Ohio, Pennsylvania and Wisconsin—will be monitored. In each place there was some kind of trigger—past voting rights violations, accusations of voter intimidation or problems with people going to the polls and finding their names don't appear.

''In no case are we predicting there will be a problem,'' Kieschnick said. ''In all these cases there is some reason to believe the odds are higher that there could be problems.''

I'm just hoping that Frishberg and other volunteers are surprised at what they find in the field. Pleasantly surprised.

That would be the bigger victory for democracy in these times.

[From the Washington Post, Oct, 1, 2004]

ENSURING THAT VOTING'S SANCTITY WINS OUT

(By Donna Britt)

Cuddling her fluffy white Maltese dog in her Silver Spring living room, Joan Biren explains why on Election Day, she and five friends will be in Philadelphia doing something that most Americans believe happens only in corrupt foreign governments:

Watching a polling place to ensure that registered voters are allowed to cast their ballots for the candidates of their choice.

It isn't just that Biren sees the bitterly contested presidential election of 2000 as an event ''as threatening to our democracy as anything that has happened in my lifetime,'' or even that ''suppression and intimidation of voters, particularly minorities, has a very long history in this country,'' she says.

As with others who've volunteered to be poll-watchers through the nonpartisan Election Protection coalition—which tomorrow will sponsor orientation-trainings in the District—Biren knows of several recent disturbing incidents:

Last year in Philadelphia, voters in black neighborhoods were challenged by unauthorized men carrying clipboards and driving sedans with magnetic signs designed to look like law enforcement insignia, according to a recent report by the NAACP and People for the American Way, ''The Long Shadow of Jim Crow: Voter Intimidation and Suppression in America.''

In South Dakota's primary in June, some Native American voters complained that they were prevented from casting ballots when they couldn't provide photo IDs and weren't informed that they could have signed personal affidavits instead.

In Michigan, state Rep. John Pappapgeorge (R) actually was quoted in July in the Detroit Free Press as saying, ''If we do not suppress the Detroit vote, we're going to have a tough time in this election.''

More than 80 percent of Detroit's population is black.

It's no wonder that on Nov. 2, hundreds of volunteers, ''including many people like me—white, middle-class,'' Biren says, ''are feeling moved to go into areas that are principally black and Latino to ensure that . . . people who are registered to vote and who want to vote are not disenfranchised.

''It's not about Bush or Kerry or about Democrats or Republicans,'' Biren insists. ''I'm working for democracy.''

Working for democracy—for the grand, noble notion of free and fair elections—is just one reason why Americans from every political party are casting their votes by absentee ballots and traveling to sometimes-distant locations to act as poll monitors. Another pressing reason is expressed by Washington attorney J.E. McNeil:

''Every time I hear either [presidential] candidate's voice on the radio, I turn it off, count to 20, then turn it back on—I'm stressed,'' says McNeil, 53, who will monitor polls in Philadelphia. Sitting in front of a TV, following election returns, would make her ''flip out,'' she says. ''. . . I'd rather be doing something helpful and concrete.

''Something that keeps me from having to watch it.''

Of course, watching it, in the most up-close-and-personal way, is exactly what 10,735 volunteers—one-quarter of whom already have trained and received their Election Day assignments—plan to do. Volunteers include ''people who are not activists in daily life . . . who really want to make sure this is a fair election,'' says Becky Bond of Working Assets, the long-distance provider that's helping the Election Protection coalition of civil rights groups organize the effort.

(Saturday's three two-hour orientation trainings are at 9 a.m., noon and 3 p.m. at National City Christian Church in Northwest Washington. For more info, log on to *electionprotection.org*).

Election Protection hopes to monitor ''every precinct where there's a danger of voter suppression or where it's already happened,'' says Bond, 34, places where voters ''have been asked for unnecessary ID or to sign affidavits, or where they've needed language assistance and couldn't get it.'' She cites the Latino mother with four children in Florida who was told by a poll worker, ''You can't bring those kids in here.''

''In fact,'' Bond says, ''she could.''

Volunteers choose among 38 sites where monitors have been deemed necessary. They receive initial training either in person or by conference call from representatives of civil rights organizations and learn about their duties as poll monitors and the voting laws in various jurisdictions. On election eve, they'll receive more detailed information and copies of their designated state's Voters' Bill of Rights so ''if there's a dispute, they can go in and say, 'I've got the Voters' Bill of Rights right here,' which can quickly resolve the problem,'' Bond says.

They'll also have all cell phones to connect them to a lawyer hotline for instant advice or, if necessary, ''to tell a lawyer to 'Get over here right now,' '' Bond says.

''In the past . . . so many problems at the poll were documented after an election—when it's too late. If people don't have their vote counted again . . .''

Bond's voice trails off at the prospect. Finally, she continues. ''There's so much at stake. People's faith in elections is on the line.''

Former middle school teacher Noel Tieszen says that when the last presidential election ''made it clear that the electoral system doesn't work for everyone,'' she decided that such a ''debacle'' shouldn't be repeated. She and her boyfriend, a lawyer, will monitor polls in Allentown, PA.

''More important than who we vote for is that we have a right to be involved in the process,'' says Tieszen, 29, of the District. When that right is denied ''through incompetence or discrimination in a government that's supposedly of the people, by the people and for the people, it's the responsibility of the people to do something.

''I'd rather the wrong guy win than the right guy win through an unfair electoral process,'' she says.

Denyse Brown of Richmond is a self-employed nurse-practitioner who insists that it's worth ''giving up five days of pay'' to travel to Raleigh, NC, to monitor polls there. Election Protection's mission reminded her of Jewish women in Israel who daily monitored and documented the abuse of Palestinian women by Israeli border guards. Because the women were watching, abuses were reduced.

''I've never been involved in politics in a big way,'' Brown, 58, says. ''But it's my philosophy that everything happens for a reason. . . . Thanks to the 2000 election, lots of people who'd never been involved are jumping up saying, 'Enough is enough.' ''

In her high-backed chair, Biren is stroking her Maltese and explaining something she has learned in her 61 years: In tumultuous times, ''you have to do some kind of action to keep from falling into despair,'' she says. Taking action, ''helps more than sitting around and worrying, even if what you're doing is a small thing.''

She pauses.

''Making every vote count is not a small thing.''

[From the New Yorker, Spet. 20, 2004]

POLL POSITION

(By Jeffrey Toobin)

On March 7, 1965, John Lewis, the twenty-five-year-old chairman of the Student Nonviolent Coordinating Committee, let about six hundred marchers across the Edmund Pettus Bridge, in Selma, Alabama. When they reached the crest of the bridge, the protesters were set upon by helmeted Alabama state troopers and local sheriff's posses, who were swinging clubs and firing tear gas. One of the first troopers on the bridge slammed his nightstick into the left side of Lewis's head, fracturing his skull. ''I remember how strangely calm I felt as I thought, 'This is it,' '' Lewis wrote years later in his autobiography. '' 'People are going to die here. I'm going to die here.' '' As it turned out, more than fifty marchers were treated for injuries, but no one died.

The attack on the unarmed protesters shocked the country, and President Johnson used the events of what became known as Bloody Sunday to advance an essential part of his civil-rights program. On March 15th, Johnson addressed a Joint Session of Congress to demand that legislators pass, at long last, the Voting Rights Act. Adopting the great anthem of the civil-rights movement, the President concluded his speech with the words ''. . . and we shall overcome.'' Five months later, on August 6th, Johnson signed the bill into law, and invited Lewis to the Oval Office to celebrate the occasion. Toward the end of their meeting, as Lewis recalled, Johnson told him, ''Now, John, you've got to go back and get all those folks registered. You've got to go back and get those boys by the balls. Just like a bull gets on top of a cow. You've got to get 'em by the balls and you've got to squeeze, squeeze 'em till they hurt.''

Thirty-seven years later, in 2002, Lewis was called on by a federal court to answer a charge that he had violated the Voting Rights Act by discriminating against African-Americans. Lewis was an eight-term member of Congress by then, and a pillar of the Georgia Democratic Party. In the nearly four decades since the act's passage, it had revolutionized the franchise in the South. The literacy tests that were still in effect throughout the region were immediately suspended. Federal registrars replaced local officials who refused to register blacks. And the Attorney General was authorized to eliminate poll taxes wherever they remained. Amended and expanded in 1970, 1975, and 1982, the act also prohibited the kind of racial gerrymandering that allowed white state legislators to draw district lines that prevented African-Americans from winning elective office. It was this provision which Lewis was charged with violating.

During most of that time, the Justice Department's Voting Section, which consists of three dozen or so lawyers who are responsible for enforcing the Voting Rights Act, had insisted that states in the South draw some legislative districts with heavy minority populations, so that African-Americans could be assured of representation. But in the redistricting that followed the 2000 census Lewis and the Democrats, who then controlled Georgia's General Assembly, decided that this process had become counter-productive to black interests and they spread the largely Democratic African-American vote around to more districts. ''My congressional district was probably sixty or sixty-five per cent black,'' Lewis told me recently. ''Now it's barely fifty-two per cent. That's fine, I can win, and I'm running unopposed this year.'' As Lewis testified in the voting-rights trial, Georgia is ''not the same state that it was . . . in 1965 or in 1975 or even in 1980 or 1990. We've changed. We have come a great distance. It's not just in Georgia but in the American South. I think people are preparing to lay down the burden of race.''

The Justice Department argued that the Georgia plan violated the rights of African-Americans in several of the redrawn districts, a contention that outraged Lewis. ''For them to suggest that someone who almost lost his life to get the Voting Rights Act passed wanted to violate it, that was just unbelievable,'' he told me.

But the government's position wasn't frivolous. The Georgia plan did make it somewhat less certain that blacks would win in several legislative districts. That could be seen as a ''retrogression'' of African-American rights, which is prohibited by the Voting Rights Act. The fight went all the way to the United States Supreme Court, which last year upheld Georgia's redistricting plan by a margin of just five to four. As it turned out, the five more conservative justices supported the Georgia plan, while the more liberal justices dissented, saying, in effect, that the Voting Rights Act had been designed to help black voters—not to serve the shifting agendas of incumbent politicians, Africa-American or otherwise. ''If one appreciates irony, it is a wonderful case,'' Daniel Lowenstein, a professor of law at U.C.L.A., says. ''Here you have the standard five so-called conservatives on the Court deciding in favor of John Lewis and the Democratic Party of Georgia, and the so-called liberals in favor of the Republicans in Georgia.''

The Georgia controversy also raised a question that once seemed unthinkable: Is the Voting Rights Act obsolete? The question has special salience because key provisions of the law expire in 2007, and it's not clear how, or whether, Congress will reauthorize them. ''The Voting Rights Act was a transformation statute,'' Samuel Issacharoff, a professor at Columbia Law School, says. ''It's hard to think of any civil-rights law in any walk of life that has been

as dramatically effective.'' In more recent years, the law has gone far beyond such basic issues as eliminating the poll tax; it has, for instance, stopped cities from annexing suburbs to dilute the importance of the minority vote, and the law has made sure that city councils are elected by neighborhood, rather than in at-large citywide races, which had been another way to limit the number of minority candidates who would win seats. As a result of all its changes, according to Issacharoff, ''The act created a black political class that is now deeply embedded and politically savvy.'' The civil-rights establishment—which includes interlocking networks of public-interest organizations, legal academics, and social scientists—is now conducting a sober and uncertain appraisal of the law, but doing so with little momentum and unclear goals.

It is a vacuum that the Justice Department, under John Ashcroft, has moved quickly to fill. As 2007 approaches and liberal activists cautiously explore their options, conservative—including those in the Justice Department—are using the traditional language of voting rights to recast the issues, invariably in ways that help Republican candidates. The results of this quiet rightward revolution within the Justice Department may be apparent as soon as the November election.

On October 8, 2002, Attorney General Ashcroft stood before an invited audience in the Great Hall of the Justice Department to outline his vision of voting rights, in words that owed much to the rhetoric used by L.B.J. and Lincoln. ''The right of citizens to vote and have their vote count is the cornerstone of our democracy—the necessary precondition of government of the people, by the people, and for the people,'' Ashcroft told the group, which included several veteran civil-rights lawyers.

The Attorney General had come forward to launch the Voting Access and Integrity Initiative, whose name refers to the two main traditions in voting-rights law. Voter-access efforts, which has long been associated with Democrats, seek to remove barriers that discourage poor and minority voters; the Voting Rights Act itself is the paradigmatic voter-access policy. The voting-integrity movement, which has traditionally been favored by Republicans, targets fraud in the voting process, from voter registration to voting and ballot counting. Despite the title, Ashcroft's proposal favored the ''integrity'' side of the ledger, mainly by assigning a federal prosecutor to watch for election crimes in each judicial district. These lawyers, Ashcroft said, would ''deter and detect discrimination, prevent electoral corruption, and bring violators to justice.''

Federal law gives the Justice Department the flexibility to focus on either voter access or voting integrity under the broad heading of voting rights, but such shifts of emphasis may have a profound impact on how votes are cast and counted. In the abstract, no one questions the goal of eliminating voting fraud, but the idea of involving federal prosecutors in election supervision troubles many civil-rights advocates, because few assistant United States attorneys have much familiarity with the laws protecting voter access. That has traditionally been the province of the lawyers in the Voting Section of the Civil Rights Division, whose role is defined by the Voting Rights Act. In a subtle way, the Ashcroft initiative nudged some of these career civil-rights lawyers toward the sidelines.

Addressing the real but uncertain dimensions of voter fraud means risking potentially greater harm to legitimate voters. ''There is no doubt that there has been fraud over the years—people voting twice, immigrants voting, unregistered people voting—but no one knows how bad the problem is,'' Lowestein says. ''It is a very hard subject for an academic or anyone else to study, because by definition it takes place under the table.'' And, despite its neutral-sounding name, ''voting-integrity'' has had an incendiary history. ''It's one of those great euphemisms,'' Pamela S. Karlan, a professor at Stanford Law School, says. ''By and large, it's been targeted at minority voters.'' During the Senate hearings on William Rehnquist's nomination as Chief justice, in 1986, a number of witnesses testified that in the early nineteen-sixties Rehnquist, then a lawyer in private practice and a Republican political activist, had harassed black and Latino voters at Arizona polling places, demanding to know if they were ''qualified to vote.'' (Rehnquist denied doing so.) In the 1981 governor's race in New Jersey, the Republican Party hired armed off-duty police officers to work in a self-described National Ballot Security Task Force, which posted signs at polling places in minority neighborhoods reading, ''Warning, This Area Is Being Patrolled by the National Ballot Security Task Force. It Is a Crime to Falsify a Ballot or to Violate Election Laws.''

As recently as last year's gubernatorial election in Kentucky, Republicans placed ''challengers'' who may query a voter's eligibility, in poling places in Louisville's predominantly black neighborhoods, an act that many Democrats regarded as an attempt at racial intimidation. An emphasis on voting integrity, whatever the motivations behind it, often helps Republicans at the polls.

The person in over-all charge of the Administration's voting-rights portfolio is R. Alexander Acosta, the Assistant Attorney General for the Civil Rights Division. On May 4th, Acosta invited representatives of many leading traditional civil-rights organization, such as the N.A.A.C.P. Legal Defense and Educational Fund and the Leadership Conference on Civil Rights, to the seventh-floor conference room in the Justice Department Building to talk about his plans for the upcoming election. Acosta, who is a thirty-five-year-old Cuban-American from Miami, served first as a top political appointee in the Civil Rights Division, where he was known for his close attention to the rights of Spanish-speaking minorities. After the 2000 census, Acosta asked the Census Bureau to make data available before the 2002 elections, hoping to locate Spanish-speaking communities and provide bilingual ballots. ''Alex was very helpful in making sure that the bureau got the data on a timely basis, so jurisdictions could make all aspects of voting accessible,'' says Marisa Demeo, who was then a lawyer with the Mexican-American Legal Defense and Education Fund, which gave Acosta its 2003 Excellence in Government Service Award.

The May 4th meeting addressed issues that related more to the traditional voting-rights concerns of African-Americans than to those of Latinos. Acosta opened the session with an unusual request: that no one takes notes on what he had to say. The meeting was a courtesy, he said, but he didn't want to have his exact words thrown back at him later. (Acosta has declined repeated requests to be interviewed.) According to several people present at the meeting, Acosta described how Voting Section lawyers will monitor ballot access at the polls while federal prosecutors will be on call to respond to allegations of fraud. He informed the group that ninety-three federal prosecutors would travel to Washington in July for a two-day training session, and that they would all be on duty on Election Day. Acosta said that the changes were being made in good faith and asked those assembled to keep an open mind.

The idea of placing prosecutors on call on Election Day created misgivings both inside and outside the Voting Section. ''A lot of assistant U.S. attorneys are going to be more interested in voting integrity than in voter protection,'' Jon Greenbaum, a lawyer who recently left the Voting Section, after nearly seven years, to join the progressive Lawyers' Committee for Civil Rights Under Law, told me. ''How many people are scared off from voting because you ask them a question at a polling place? There is no way to know.'' As another civil-rights lawyer puts it, ''Voting is kind of an irrational act anyway. It's easy to discourage people from doing it.'' Justice officials insist that they don't want to keep anyone from legitimately voting. ''I understand that, historically, intimidation is something that could be used as a method to get people not to vote,'' Luis Reyes, who is counsellor to Acosta, says. ''But intimidation is antithetical to our mission with this initiative.''

By most accounts, Ashcroft's Access and Integrity Initiative came too late to make much difference in the 2002 elections, which followed his announcement by about a month. Civil-rights advocates note, however, that the only major fraud investigation that came out of that election concerned Native Americans in South Dakota, who generally vote overwhelmingly for Democrats.

The spectre of the vote-counting controversy in Florida after the 2000 election still haunts most discussions of voting-rights law, and gives everything about voting rights a partisan slant. This is especially true of the government's most direct response to the 2000 election—the legislation that became known as the Help America Vote Act, or HAVA, which Congress passed in 2002 and which is only now having widespread practical effect. Though HAVA is often described as Congress's answer to the Florida imbroglio, some of its original inspiration, according to Kit Bond, a Missouri Republican who was one of its principal sponsors in the Senate, was a voting controversy in Missouri that same year. ''I don't believe we had anywhere near an honest election in St. Louis in 2000,'' Bond told me. ''They kept the polls open late and let all kinds of people vote who shouldn't have—people who registered from vacant lots, dead people on the rolls, even a springer spaniel. After what I saw, I said we are going to make it easier to vote but harder to cheat.'' (On November 7, 2000, Democrats in St. Louis persuaded a local judge to extend voting hours, arguing that high voter turnout had caused lines to back up at polling places; Republicans charged that the maneuver was an illegal attempt to gain partisan advantage.)

At the time HAVA was passed, it was generally portrayed as a compromise between voter access and voting integrity: Democrats got more money for the states to invest in modern voting technology, and Republicans won new and tighter restrictions on fraud. So far, though, implementation of the law seems to have favored Republicans. HAVA authorized the government to spend up to $3.9 billion over three years on new registration systems and voting machines, but states have received less than half of the original amount. The law requires each state to create a computerized list of all registered voters, but forty states have been granted waivers of this obligation until 2006. The anti-fraud provisions, however, are expected to take effect in time for the November elections. This is what Bond intended. ''There is nothing like the fear of jail time to get people to stop messing with elections,'' he told me. HAVA also requires states to allow people who claim they are wrongly denied the right to vote at the polls the chance to cast ''provisional'' ballots. The recent history of

provisional ballots is not promising, though. For example, in Chicago during this year's primary, 5,498 of 5,914 provisional ballots were ultimately disqualified. The question of how and whether provisional votes will be counted in 2004 is unsettled in many states and could delay the posting of results on Election Night.

One of the more controversial parts of the new law requires, in most circumstances, voters who have registered by mail to provide their driver's license or Social Security numbers, and to produce an official photo I.D. at the polls, or a utility bill. Hans A. von Spakovsky, a counsel to Acosta and the main Justice Department interpreter of HAVA, wrote to Judith A. Arnold, an assistant attorney general in Maryland, that the Justice Department believed states must ''verify'' the Social Security numbers that people submit on their registration forms. For most states, this requirement won't apply until 2006, but it may be a major hurdle for both the states and newly registered voters. ''What D.O.J. is saying is clearly contrary to the statute in our view,'' Armold says.

Von Spakovsky, a longtime activist in the voting-integrity cause, has emerged as the Administration's chief operative on voting rights. Before going to Washington, he was a lawyer in private practice and a Republican appointee to the Fulton County Registration and Election Board, which runs elections in Atlanta. He belonged to the Federalist Society, a prominent organization of conservative lawyers, and had also joined the board of advisers of a lesser-known group called the Voting Integrity Project.

The V.I.P. was founded by Deborah Phillips, a former county official of the Virginia Republican Party, as an organization devoted principally to fighting voting fraud and promoting voter education. In 1997, von Spakovsky wrote an article for the Georgia Public Policy Foundation, a conservative research group, that called for an aggressive campaign to ''purge'' the election rolls of felons. Within months of that article's publication, the V.I.P. helped put von Spakovsky's idea into action. Phillips met with the company that designed the process for the removal of alleged felons from the voting rolls in Florida, a process that led, notoriously, to the mistaken disenfranchisement of thousands of voters, most of them Democratic, before the 2000 election. (This year, Florida again tried to purge its voting rolls of felons, but the method was found to be so riddled with errors that it had to be abandoned.) During the thirty-six-day recount in Florida, von Spakovsky worked there as a volunteer for the Bush campaign. After the Inauguration, he was hired as an attorney in the Voting Section and was soon promoted to be counsel to the Assistant Attorney General, in what is known as the ''front office'' of the Civil Rights Division. In that position, von Spakovsky, who is forty-five years old, has become an important voice in the Voting Section. (Von Spakovsky, citing Justice Department policy, has also declined repeated requests to be interviewed.)

In a recent speech at Georgetown University, von Spakovsky suggested that voting integrity will remain a focus for the Justice Department, and that voter access might best be left to volunteers. ''Frankly, the best thing that can happen is when both parties and candidates have observers in every single polling place, wherever the votes are collected and tabulated, because that helps make sure that nothing happens that shouldn't happen, that the votes are counted properly, and that there is transparency to maintain public confidence in elections,'' he said. ''Not enough people volunteer to be poll-watchers. They ought to do that so that there are poll-watchers everywhere in the country throughout the whole election process.'' The Bush-Cheney campaign has announced plans to place lawyers on call for as many as thirty thousand precincts on Election Day, to monitor for vote fraud. Democratic lawyers also plan to be out in force.

Since Ashcroft took office, traditional enforcement of the Voting Rights Act has declined. The Voting Section has all but stopped filing lawsuits against communities alleged to have engaged in discrimination against minority voters. ''D.O.J. is a very bureaucratic institution,'' Jon Greenbaum, the former Voting Section lawyer, said, ''and it's hard to get cases filed under any Administration, but we were filing cases in the Clinton years.'' As even civil-rights advocates acknowledge, there are fewer vote-discrimination cases to bring than there have been in the past. The Justice Department's Web site says that ''several lawsuits of this nature are filed every year,'' but since Bush was sworn in the Voting Section has filed just one contested radical vote-discrimination case, in rural Colorado, which it lost. Justice Department sources say the Voting Section is also considering whether to sue a Mississippi locality that has an African-American majority. Such a lawsuit would be the first use of a key section of the Voting Rights Act to protect the rights of white voters.

The main business of the Voting Section is still passing judgment on legislative redistricting in areas that have a history of discrimination. Under Ashcroft, its actions have consistently favored Republicans—for instance, in Georgia, where the department challenged the Democrats' gerrymander, and in Mississippi, where the Voting Section stalled the redistricting process for so long that a pro-Republican redistricting plan went into effect by default. The Voting Section's role in the controversial redistricting of Texas was more direct and, ultimately, more significant. After the 2000 census, Texas, like most states, put through a new redistricting plan. Then, after the midterm elections, Tom DeLay, the House Majority Leader, who is from Houston, engineered passage of a revised congressional redistricting plan through the state legislature, which may mean a shift of as many as seven seats from the Democrats to the Republicans. It was unprecedented for a state to make a second redistricting plan after a post-census plan had been adopted. When the DeLay plan was submitted to the Justice Department for approval, career officials in the Voting Section producted an internal legal opinion of seventy-three pages, with seventeen hundred and fifty pages of supporting documents, arguing that the plan should be rejected as a retrogression of minority rights. However, according to people familiar with the deliberations, the political staff of the Voting Section exercised its right to overrule that decision and approved the DeLay plan, which is now in effect for the 2004 elections.

Far from Washington, and even farther from the reigning ideology there, some civil-rights advocates have begun to sketch the beginnings of an alternative scenario for voting rights. At a conference at Harvard Law School on May 10th, under the direction of Christopher Edley, who is also a member of the United States Commission on Civil Rights, about forty litigators, law professors, and social scientists started debating key moves for the reauthorization of the Voting Rights Act in 2007.

''Mostly, we concentrated on trying to identify the right questions,'' Edley, who recently became the dean of Boalt Hall, the law school of the University of California at Berkeley, said. ''You can't be utopian. This was not an exercise in how to reinvent democracy. But we were trying to figure out what could one plausibly argue for.'' Decades removed from the struggles of the nineteen-sixties, Edley and his colleagues faced a complex set of issues. How should the government draw multiethnic districts, where Hispanics or Asians lay claim to seats held by whites or even by African-Americans? ''Who speaks for the African-American community?'' Edley asked. ''Is it the African-American incumbents, or do we discount their testimony, because of their self-interest?''

For Edley and his colleagues, the lessons of the Florida recount suggest possible reforms of the Voting Rights Act. Some of the more lurid allegations of racial discrimination in Florida during the 2000 election, like racial profiling at roadblocks near polling places in black neighborhoods, were never proved, but there is little doubt that African-Americans faced disproportionate difficulties at the polls. In Jacksonville, for example, apparently because of a confusing ballot design, more than twenty-five thousand votes—nine per cent of all ballots cast—were rendered invalid. Nearly nine thousand of these invalid votes were concentrated in African-American precincts. Gadsden County had the highest percentage of black voters in the state and the highest rate of disqualified ballots, with one in eight votes not counted. In its current form, the Voting Rights Act offers no specific redress for these problems. Perhaps, Edley suggested, the law should be expanded to include such things as the quality of voting machines. ''In Florida, we saw tremendous geographic disparities in spoilage rates for ballots,'' Edley said. ''We don't accept those kinds of disparities when it comes to the standards for drinking water. Why do we accept them when it comes to the quality of the voting process?'' Still, Edley recognizes that control of the Justice Department may matter as much as the precise words of the laws on the books. ''Obviously, the effectiveness of it is going to be greatly diminished if enforcement takes on a pronounced ideological tilt,'' he says.

Under Ashcroft, the Justice Department has also changed its method of hiring lawyers, who are supposed to be apolitical, and often go on to spend their careers working for the government. The department, which employs close to four thousand attorneys, hires junior-level lawyers through a program known as the Attorney General's Honors Program, which brings in about a hundred and fifty new lawyers each year. In the past,

the program was run by mid-level career officials, who were known for their political independence. Since 2002, the Honors Program has been run by political appointees. ''It's called the Attorney General's Honors Program, and when Attorney General Ashcroft signed the first batch of appointments he said, 'I'm the Attorney General. How come I don't know anything about this?' '' Mark Corallo, Ashcroft's spokesman, says. ''He said he wanted the top people in the department getting involved. He said he wanted greater outreach, different law schools approached, reaching out not just for racial minorities but for economic minorities as well.'' Corallo dismisses complaints about the changes as coming from malcontents. ''A bunch of mid-level people here had their boondoggle taken away from them, going on these recruiting trips for weeks at a time, wining and dining at great hotels on the government's dime,'' he said.

Lawyers inside and outside the department say that the change in the Honors Program has already had an effect, especially in politically sensitive places like the Voting Section. ''The front office disbanded the hiring committee and took over all hiring,'' one lawyer who recently left the Voting Section told me. ''That was a huge deal. Under previous Republican Administrations, that hadn't happened. They even took it over for summer volunteer clerks.'' Thanks to these changes, some in the department believe, it's only a matter of time before tensions in the Voting Section disappear. As a current employee puts it, ''Soon, there won't be any difference between the career people and the political people. The front office is replicating itself. Everyone here will be on the same page.''

[From the Washington Post, October 6, 2004]

INDIAN HEALTH AGENCY BARRED NEW-VOTER DRIVE

(By Jo Becker)

Officials at a federal program that runs hospitals and clinics serving Native Americans this summer prohibited employees from using those facilities to sign up new voters, saying that even nonpartisan voter registration was prohibited on federal property.

Staff members at several Indian Health Service hospitals and clinics in New Mexico, a presidential battleground state where about one-tenth of the population is Native American, were trying to register employees, patients and family members who use the facilities.

In a July e-mail, Ronald C. Wood, executive officer of the program's regional Navajo office, told his hospital and clinic directors that ''we are in a very sensitive political season'' and outlined a policy that he said came from Indian Health Service headquarters.

''There have been recent questions about whether we can do non-partisan voter registration drives in our IHS facilities during non-duty hours,'' Wood wrote. ''The guidance from HQs staff is that we should not allow voter registration in our facilities or on federal property.''

Several of those involved in the registration effort questioned what they saw as a double standard, given that the federal government encourages registration on military bases, where voters traditionally have favored Republicans.

Democrats and civil rights groups yesterday said they had been unaware of the directive and were concerned that the motive was partisan. Native Americans have become an important constituency for Democrats.

''Why should it be permissible to conduct voter registration on one type of federal facility—military bases—but not on another? asked Elliott Mincberg, legal director at the People for the American Way Foundation.

The Indian Health Service, a program under the Department of Health and Human Services, said in a statement yesterday that outside groups are not prohibited to register voters at IHS facilities. As to Wood's instruction to the program's employees, the statement said: ''No IHS employee will be registering voters as part of his or her official duties.''

Wood did not return phone calls, but in his e-mail he referred employees' questions to Jeanelle Raybon, director of the IHS office on integrity and ethics. Raybon declines to clarify the agency's statement or answer questions about whether Wood's instructions reflected IHS policy.

She would say only that employees are expected to follow the Hatch Act. That law restricts partisan activity by federal workers but does not speak to nonpartisan registration drives. A 1992 memo by the General Services Administration, which controls federal buildings, authorizes voter registration on federal property.

Defense Department spokesman Glenn Flood said that service members must comply with the Hatch Act but that the military encourages them to take part in registering others ''on or off-base,'' so long as the activity is nonpartisan and does not interfere with official duties.

Joseph E. Sandler, general counsel for the Democratic National Committee, said that the Hatch Act does not apply in this case and that he plans to investigate the matter.

Also yesterday, the DNC outlined an aggressive legal strategy it says is needed to protect minority voters from intimidation at the polls.

It unveiled an ad to air on African American radio stations implying that President Bush cares only about getting white voters to the polls. Lt. Gov. Michael S. Steele, the first black Republican elected statewide in Maryland, rebutted that charge. Both the GOP and the administration want to get out the vote, he said, ''black or white.''

Several Bush administration agencies have been criticized after taking steps to block or question other registration efforts.

The Homeland Security Department sought to block a nonpartisan group from registering new citizens outside a Miami naturalization ceremony in August.

The Justice Department has launched inquiries into new registrations submitted by Democratic leaning groups in several key states. Democrats say the probes are politically motivated.

[From the Washington Post, October 6, 2004]

ELECTION DAY ANTI-TERRORISM PLANS DRAW CRITICISM

(By Spencer S. Hsu and Jo Becker)

A push by the 50 states to coordinate anti-terrorism activities before Election Day is drawing warnings from Democrats, civil rights groups and election officials, who say excessive measures could suppress turnout among urban and minority voters.

They contend that an elevated national threat warning—and any actions in response—could scare away voters, intentionally or not, especially in cities, which tend to vote Democratic. Voting rights advocates worry that fear of terrorism could lead to federal agents and local police being posted at polling places, a tactic that has historically been used in some places to intimidate minority citizens.

Such generalized threats ''could have the consequence of discouraging people that may otherwise be motivated to vote,'' said Jeff Fischer, senior adviser to IFES, a Washington-based organization that promotes democratic elections.

''There is a fine line that public officials must walk,'' weighing the specifics of the threat, communicating openly with voters and reacting judiciously, he said.

Citing the March 11 bombings in Madrid before elections in Spain, Department of Homeland Security officials have warned that terrorists might try a similar assault here before the Nov. 2 elections. In recent weeks there has been a focus on Election Day, although the government has said it has no intelligence about the timing, status or target of a possible attack.

State and federal officials issued a security planning bulletin last week urging governors, state homeland security advisers and election officials to coordinate preparations and contingency plans. The document advised officials to think through how they would handle threat information, secure or change polling places and ballot-counting centers, guard members of the electoral college, and communicate to the public.

In interviews, the bulletin's authors said they were aware of the political minefield surrounding the issue. But they said that if there were an attack and elections and homeland security officials were unprepared, the consequences could be more disruptive.

''There is no doubt that the threat that is posed nationwide prior to the election here in this country is very real,'' said Bryan Sierra, spokesman for the Justice Department. ''We have an absolute responsibility to provide that information to state and local governments, who are charged with protecting their citizens.''

Sensitivity over the political fallout of the warnings is especially high because of the narrow partisan divide in the country and bitter memories of the 2000 presidential race, which turned on tiny vote margins in some states and partly on decisions made by Florida election officials.

Analysts say that regardless of intent, terrorism warnings have shaped voter attitudes, an influence that could grow if the warnings are extended to polling sites. Kathleen Hall Jamieson, director of the Annenberg Public Policy Center at the University of Pennsylvania, said people who oppose President Bush ''see a clear pattern to scare the electorate,'' while his supporters see ''an administration vigilantly protecting the country.'' As for undecided or swing voters, ''raising the public's anxiety level helps the candidacy of George Bush, because at the moment the polls suggest the public feels it's safer to have George Bush as president,'' she said.

Critics of the warnings point to Minnesota Secretary of State Mary Kiffmeyer's effort to raise terrorism awareness as an example of how election security measures could chill turnout. Kiffmeyer (R) gave local election officials fliers that warned voters to watch for unattended packages, vehicles ''riding low on springs'' and ''homicide bombers.''

Bombers may have a ''shaved head or short hair,'' ''smell of unusual herbal/flower water or perfume,'' wear baggy clothes or appear to be whispering to themselves, the flier warned.

Several local election officials were outraged over what they saw as an attempt to discourage voting with excessively dire warnings and stereotyping descriptions that could single out voters from specific religious, racial or ethnic groups for harassment. They refused to distribute the fliers.

Kiffmeyer said the language of the bulletin was taken from Minnesota's homeland security agency, which developed it with federal guidance. ''What if something happens? I don't want to say, 'I didn't want to scare people, so I didn't pass out this information,' '' Kiffmeyer said. ''And do people really think this isn't on the minds of the public when they saw what happened in Madrid and in Russia?''

But Oregon Deputy Secretary of State Paddy J. McGuire (D) said he believes the intent of such a message is not to protect the homeland but to ''scare people away from the polls.''

Some Democrats are suspicious of the timing of the announcements, noting that warnings about an election-season threat came on April 19, when Bush was close to his low in the polls; on Aug. 1, right after the Democratic National Convention; and last week, as the president's post-National Republican Convention bounce ebbed.

In a statement last week, Sen. Edward M. Kennedy (Mass.), the ranking Democrat on the Senate Judiciary Committee, warned that it is possible for terrorism response plans created in the name of election security to discourage voting and ''become a thinly veiled partisan tactic to tilt the elections.''

Spokesmen for Ashcroft and Ridge emphasized that the effort to secure the election was initiated and led by the states, which administer elections. Federal law normally prohibits the presence of armed federal agents near polling sites. They also noted that the effort is supported by the National Governors Association, chaired by Virginia Gov. Mark R. Warner (D), whose aides have said it is vital to address the issue of election security in a post-Sept. 11, 2001, era.

''We do not do politics at Homeland Security,'' Ridge spokesman Brian Roehrkasse said.

Nevertheless, partisan tensions were apparent as officials of the NGA and the National Association of Secretaries of State and homeland security experts sparred last week over the timing and content of a public announcement.

Rebecca Vigil-Giron (D), New Mexico secretary of state and president of the secretaries of state association, said the directive sent out by her organization to the states to step up preparations to safeguard national balloting has been ''blown way out of proportion.'' She said election officials must plan a coordinated response to an election disrupted by a terrorist attack, but she said, ''I want to make very sure that these plans don't look anything like voter suppression.''

Still, civil rights organizations are worried. People for the American Way Foundation issued a report concluding that various efforts in the name of combating voter fraud have replaced Jim Crow-era laws restricting ballot access as a way to hold down minority voting.

Elliott Mincberg, the foundation's legal director, said he suspected that efforts to protect against terrorism, could have the same effect. ''The devil is in the details,'' he said, ''and I want to be sure that this is not done in a way that scares people away from the polls.''

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of this resolution to promote greater civic awareness among all people of the United States. This issue is particularly important at a time when voter participation has been decreasing. The Census Bureau found that only 46% of eligible voters participated in the 2002 elections.

This is not acceptable. Full participation in the electoral process by all Americans is truly a bipartisan concern. We are a society that values democracy. One of the most basic of all rights in a free and democratic society is the right to participate. Exercising the right to vote makes us productive members of society and contributes to the substance of our laws and character. The fact of the matter is clear; the right to vote is the most basic constitutional act of citizenship.

As a society, we must take steps to raise civic awareness and to develop strategies to promote civic responsibility. Too many people have shed blood and died for us to have this right. While promoting civic awareness, we must also ensure that there are no barriers to the process. In 2000, a number of people went to the polls, but their votes were not counted due to faulty equipment and human error. This must never happen in the world's greatest democracy.

Again, I rise in support of this legislation because it represents progress in addressing voter complacency.

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

Mr. NEY. Mr. Speaker, I just want to again thank the gentleman from Texas (Mr. HALL) and the gentleman from Arkansas (Mr. ROSS) for their introduction and support of this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 796.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 796.

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

There was no objection.

LAKE PONTCHARTRAIN RESTORATION PROGRAM AUTHORIZATION

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4470) to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010, as amended.

The Clerk read as follows:

H.R. 4470

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAKE PONTCHARTRAIN RESTORATION PROGRAM.

(a) STAKEHOLDERS CONFERENCE.—For purposes of carrying out section 121 of the Federal Water Pollution Control Act (33 U.S.C. 1273), the Lake Pontchartrain, Louisiana, basin stakeholders conference convened on February 25, 2002, shall be treated as being a management conference convened under section 320 of such Act (33 U.S.C. 1330).

(b) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 121(f)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1273(f)(1)) is amended by inserting before the period at the end the following: '', $19,000,000 for fiscal year 2006, and $20,000,000 for each of fiscal years 2007 through 2010''.

SEC. 2. TECHNICAL CORRECTION.

The second section 121 of the Federal Water Pollution Control Act (33 U.S.C. 1274; relating to wet weather watershed projects) is redesignated as section 122.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, I rise in strong support of H.R. 4470, to reauthorize the Lake Pontchartrain Basin Program. Working with the gentleman from Louisiana (Mr. JEFFERSON), the gentleman from Louisiana (Mr. BAKER) and other Members, the gentleman from Louisiana (Mr. VITTER) developed legislation during his very first year in the Congress to authorize EPA to help people in Louisiana and Mississippi address pollution problems affecting Lake Pontchartrain.

Their legislation, the Lake Pontchartrain Basin Restoration Act, was enacted into law as title V of the Estuaries and Clean Water Act of 2000. Now, 4 years later, it is now time to reauthorize Lake Pontchartrain Basin Program.

H.R. 4470, introduced by the gentleman from Louisiana (Mr. VITTER), the gentleman from Louisiana (Mr. JEFFERSON) the gentleman from Louisiana (Mr. BAKER) and the gentleman from Louisiana (Mr. TAUZIN), would reauthorize the Lake Pontchartrain Basin Restoration Program for an addition will 5 years.

I want to commend all of the sponsors for their efforts to restore the ecological health of Lake Pontchartrain, and I urge all Members to support this legislation.

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

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

Mr. Speaker, I rise in support of H.R. 4470, a bill that would reauthorize appropriations for the Environmental Protection Agency Lake Pontchartrain Basin Restoration Program.

Since its authorization in 2000, this program has been helpful in coordinating restoration work for Lake Pontchartrain, located in Southeastern Louisiana. This legislation would extend the authorization of $20 million annually through 2010 for restoration projects and studies recommended by the Lake Pontchartrain Management Conference, as well as public education projects to inform the local community of public health concerns and