ice with hockey players and saying, All is fair; compete.

The problem is not mixing minorities and whites so all are fairly represented, but rather the continuing problem of minorities being lesser qualified. They are being inadequately educated in kindergarten through 12th grade and the government doesn't step in until after graduation. It is not making amends for the injustices of slavery or separate equality but what it is doing is converting, covering up problems with the current system, problems of funding for proper books and classrooms in public schools. Public schools, that means it is the government's problem with money, not entirely of race.

As of 1995, the University of California was accepting only about half of their students based on grades and test scores. The rest were a complex equation that awarded points to minorities and women, and while 565 black students applied to Northwestern in 1996, only 120 were among the entering class of 1,850. In 1993, out of approximately 400,000 black high school seniors nationwide, only 1,644 had combined scores of 1,200 and better on SATs.

Finally, in 1995, Pete Wilson, Governor of California as President of the University of California's Board of Regents voted to end affirmative action programs that considered race, gender or ethnic origin on admissions. At the same time polsters of two-thirds of California's voting population and a growing majority of men opposed quotas. We need to stop compensating for the lack of early education and start teaching.

Ms. NEWMAN. Although the United States has made progress toward protecting its people from discrimination, our nation hasn't come far enough. If our goal is to create a society of equal opportunity, there are a lot of things that we as a country need to do to make that happen.

Since the late 1960s our nation has instituted an affirmative action program. The purpose of affirmative action was originally to end discrimination in the workplace. It has been a futile attempt, however, to make up for years of neglect by our society and its government to do something about racism.

One example of the inadequacy of affirmative action can be found in Texas. In 1994, the University of Texas law school was sued because it had to set up separate admissions standards for white and black students. In a mirror image of the 1950s, the different standards were not to keep out qualified blacks but qualified whites. The reason for this which the lawsuit revealed was looking at the LSAT results in 1992, only 88 blacks in the country had scores higher than the median for white students at the highly selective law school. On scores alone, the school would have admitted nine black applicants to its engineering class of 500 students. Yet affirmative action called for a certain proportion of African Americans to graduate from Texas colleges.

This huge discrepancy between black and white scores has to do with problems that our government is neglecting to solve within minority groups. Ignoring the fact that the black scores weren't sufficient enough for admission will not solve our problems nor will the other laws that require businesses to accept a certain number of people from a certain minority. They only worsen them. They produce the feeling of inferiority among minorities and create negative stereotypes in the minds of the majority. White, educated, upper-middle-class residents are getting angry because they are losing their privileges. They feel that they are now the discriminated segment of our population.

We have given affirmative action a chance to lessen tensions among the people who make up our society, yet it hasn't been enough. There needs to be a different approach to this program and it needs to be stronger than simply handing out privileges. Our government needs to focus on resolving issues of poverty, of unemployment, of public education and the collapse of family structures that face minority groups in America.

If people start feeling good about themselves, if they start feeling like they have a chance to be just like anybody else without unfair advantages from the government, only then will they feel that they are an equal citizen of the United States. Only then will there be space provided for individuals of any color and any religion, any background in either gender to achieve the success that has to be won, not provided for.

Mr. GEORGE. What they are doing now is unnecessary—they do not always accept people or advance people based on—they are doing it too much on the color or by their gender.

Ms. NEWMAN. I think it is definitely appropriate for the government to recognize that there aren't as many of the kind of person, a race in something like a police department or whatever, I think it is appropriate for the government to say maybe there is a problem, maybe there is discrimination, but for the government to make laws that say that maybe a certain number of white students cannot be accepted into a college because there has to be a certain number of black students, that is not appropriate.

Mr. GEORGE. There are blacks that have achieved and there are Jackie Robinsons, there are Jesse Jacksons, I mean there are blacks that can succeed and if you teach kids in school that they can achieve just as much as a white student can, then they think it is a lot more possible.

Ms. NEWMAN. I do not think you can say ''tough luck'' but you cannot wait until people are—how do I say this? If you want to promote the feeling that I can be this kind of person, I am a women and even though I never see any women carpenters I can be that person if I want to, but that has to be promoted before. People have to work at that when people are young, when people—like using the black example again, if a black person says I cannot be this kind of person because I am black and because there is discrimination, that problem has to be solved not by giving that person an advantage which would be an unfair advantage, they have to solve that problem by fixing the situation.

CONGRATULATIONS TO ALTUS HIGH SCHOOL

HON. J.C. WATTS, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 1997

Mr. WATTS of Oklahoma. Mr. Speaker, recently, more than 1,200 students from 50 States and the District of Columbia were in Washington, DC, to compete in the national finals of the We the People . . . The Citizen and the Constitution program. I am proud to announce that the class from Altus High School was the State Champions from Oklahoma and represented our State in the finals.

The distinguished members of the team that represented Oklahoma are: Ramon Carlisle, Darin Copeland, Alison Clason, Houston Green, Colin Holman, Stephen Iken, James Lambert, Stacy Lewis, Juanita Martinez, Steffani O'Brien, David Sutherland, Shannon Taylor, and Bridget Winter.

I also would like to recognize their coaches, Rebekkah and Johnny Morrow, who deserve much of the credit for the success of the team. The district coordinator, Diane Morgan, and the State coordinator, Rita Geiger also contributed a significant amount of time and effort to help the team reach the national finals.

The We the People . . . The Citizen and the Constitution program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The 3-day national competition simulates a congressional hearing in which students' oral presentations are judged on the basis of their knowledge of constitutional principles and their ability to apply them to historical and contemporary issues.

Administered by the Center for Civic Education, the We the People . . . program now in its 10th academic year, has reached more than 75,000 teachers, and 24 million students nationwide at the upper elementary, middle, and high school levels. Members of Congress and their staff enhance the program by discussing current constitutional issues with students and teachers.

The We the People . . . program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history and our lives. These students have honored Oklahoma in their participation in the national finals and I wish them every success in the years ahead.

INTRODUCTION OF THE DISADVANTAGED MINORITY HEALTH IMPROVEMENT AMENDMENTS ACT OF 1997

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 1997

Mr. STOKES. Mr. Speaker, I rise to introduce the Disadvantaged Minority Health Improvement Amendments Act of 1997. This Important legislation reauthorizes the programs authorized by the enacted Disadvantaged Minority Health Improvement Act of 1990. This measure is as relevant today as it was in 1990—when I originally introduced it in the House, and Senator KENNEDY, of Massachusetts, in the Senate.

The measure that I am introducing today reauthorizes the health professions loans; scholarships; and fellowships for disadvantaged students; the Department of Health and Human Services' Office of Minority Health; the National Institutes of Health Office of Research on Minority Health; and the Minority Centers of Excellence programs.

Mr. Speaker, I am sure you know the critical nature of this legislation. While every racial and ethnic group experiences some health disparity, minorities and other disadvantaged Americans continue to suffer disproportionately higher rates of death and disease. For example: 29 percent of all AIDS cases in the United States occur in African-Americans and 16 percent in Hispanic-Americans; and every year the African-American community experiences 70,000 excess deaths. These are

deaths among people who would not die if their life expectancy and death rates were the same as whites.

This crisis in health care is compounded by the fact that there is a severe underrepresentation of minorities in the health professions. In fact, African-Americans and Hispanic-Americans represent only 3.2 and 4.4 percent of our Nation's practicing physicians, respectively. There has also been very little growth in the number of minority medical school matriculants.

It is important for Congress to realize that—in spite of this Nation's biomedical research advances and increasing ability to treat many chronic diseases, the disparity in the health status of minorities in the United States is continuing to deteriorate.

My colleagues, it is against this backdrop of continued human pain and suffering that I introduce, and I ask that you lend your support to ensure—the enactment of the Disadvantaged Minority Health Improvement Authorization Extension Act of 1997.

Mr. Speaker, the Disadvantaged Minority Health Improvement Act of 1990 gave us the initial tools that are essential for ensuring an improved health status for all Americans. As the disparity in minority health continues to grow and as this disparity cannot be alleviated overnight, the rationale for the Disadvantaged Minority Health Improvement Act is as current and as essential today as it was 8 years ago. It is vitally important that these programs continue.

Mr. Speaker, since the original enactment of this legislation, it has been tinkered with and changed statutorily four times. It is my preference to simply reauthorize these programs and allow them to continue their important work.

Mr. Speaker, the Disadvantaged Minority Health Improvement Authorization Extension Act of 1997 is designed to ensure an improved health status for all Americans. The urgency of the enactment of this legislation is extremely pressing. This national health problem affects each of us and our communities, individually and collectively. Therefore, our joint commitment is required in order to alleviate it. I also strongly urge immediate action on this legislation, and I ask my colleagues to lend their strong support to the enactment of the Disadvantaged Minority Health Improvement Amendments Act of 1997.

INTRODUCTION OF THE SAMUEL MUDD RELIEF ACT OF 1997

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 12, 1997

Mr. HOYER. Mr. Speaker, I rise today to introduce legislation which seeks to clear the name of Dr. Samuel A. Mudd and set aside his conviction for harboring John Wilkes Booth, the assassin of President Abraham Lincoln. Due to the tremendous amount of controversy over Dr. Mudd's conviction, his case was reviewed by five high-ranking civilian employees of the Department of the Army in January, 1992. After all the testimony and evidence was presented, the civilian panel unanimously declared Dr. Mudd innocent of the charges. However, without commenting on the facts in this case, the Acting Assistant Secretary of the Army declined to accept this decision based on jurisdictional grounds. I believe that Dr. Mudd deserves an official exoneration, and that the Department of the Army should follow the recommendations of its own civilian panel, and that of two former Presidents.

On April 14, 1865 President Lincoln was assassinated at Ford's Theater by the actor, John Wilkes Booth. Following the extensive manhunt for Booth that ensued, on April 21, 1865, Dr. Samuel Mudd, a gentleman farmer and physician, living in Southern Maryland, was arrested for ''aiding and comforting'' Booth. Specifically, he was accused of setting Booth's leg which was broken when he jumped off the balcony onto the stage at Ford's Theater.

Dr. Mudd was represented by General Thomas Ewing, Jr., who served in the U.S. House of Representatives in the 1870's, representing Lancaster, OH. Because President Lincoln was also Commander in Chief, Dr. Mudd was tried before a military commission, known as the Hunter Commission. Although he was found guilty, Dr. Mudd was imprisoned, not hung as were four of Booth's alleged co-conspirators. After being imprisoned in the Dry Tortugas for 4 years, President Andrew Jackson pardoned him because of his devoted medical care of prisoners and guards in a yellow fever epidemic.

For more than 75 years now, Dr. Richard Mudd, the grandson of Dr. Samuel Mudd, has been working to have his grandfather's conviction set aside. He is now 96 years old and has devoted his entire adult life to this very important and worthy cause. His efforts to have the Department of the Army set aside the conviction have been, and continue to be, grounded in fact and have substantial support among historians throughout the Nation. Moreover, former Presidents Carter and Reagan have both written letters proclaiming their belief that Dr. Mudd was innocent.

In July, 1990, at the urging of Senator BIDEN, the Judge Advocate General of the U.S. Army determined that the U.S. Army Board of Correction of Military Records [ABCMR] had the jurisdiction to review such a case and to determine the feasibility of setting aside the conviction. For 2 years, the Mudd family collected historical information and prepared their case, which was presented to the Army in January, 1992. Their argument that Dr. Mudd's conviction should be set aside was based on the premise that the Army did not have jurisdiction over a civilian, who had a constitutional right to be tried by a jury of his peers in civil court. Moreover, his due process rights, they argued, had been violated because insufficient evidence of his guilt had been presented to the military commission.

Mr. Speaker, the five member board unanimously found that Dr. Mudd's conviction should be set aside and recommended such action to the Secretary of the Army. They had determined that the Hunter Commission of 1865 did not have the jurisdictional authority to try Dr. Samuel Mudd and that he had suffered a ''gross infringement of his constitutional rights.'' These jurisdictional arguments were bolstered by a Supreme Court decision in 1886 that a citizen of the United States, who was not a member of the armed forces, could not be tried by the military when the civil courts are open and functioning. However, in a surprise decision in July, 1992, Acting Assistant Secretary William D. Clark declined to adopt the Board's recommendation. While this decision was appealed in August, 1992, no further action was taken until March, 1996.

In March, 1996, as over 130 years had passed since the assassination of President Lincoln, Assistant Secretary Sara Lister declined to adopt the board's recommendation to set aside Dr. Mudd's conviction, adding that her decision did not ''involve the substantive aspects of whether Dr. Mudd was actually guilty or innocent.'' Rather, Assistant Secretary Lister found that it was improper to attempt to retry this case or determine the feasibility and appropriateness of a decision made over 100 years earlier. She thus found that she did not have the appropriate jurisdiction to set aside Dr. Mudd's conviction. She determined that ''It would be inappropriate for the Army to administratively correct the record of conviction or attempt to alter legal history by non-judicial means.''

However, Mr. Speaker, for those of us who believe that there is significant evidence and information proving Dr. Mudd's innocence, therefore agreeing with the ABCMR's 1992 decision, we cannot stand idly by and allow this conviction to stand. If the facts are clear and conclusive, as the ABCMR found in 1992 and as former Presidents Carter and Reagan have determined, then the Congress must act to set aside the conviction of an innocent man.

Despite the Army's claim that the appropriate time to appeal this decision was 130 years ago, we must understand the hysteria and upheaval that ensued immediately following President Lincoln's tragic assassination. It is clear that the pressure to round up and arrest all of those involved in the assassination led to a conviction that fell far short of meeting the prosecution's burden of proof requirement. Moreover, the process by which Dr. Mudd was found guilty clearly violated his constitutional right to a ''trial by jury.''

Governor Engler and state legislators from Michigan, including Senator William Van Regenmorter, and the Charles County Board of Commissioners in Maryland support efforts to have this conviction overturned. Moreover, there are hundreds of people throughout the Nation who are dedicated to seeing justice served and history recorded accurately in this case. I am introducing this legislation today with my colleague from Illinois, Representative THOMAS EWING, who himself is collaterally related to Samuel Mudd's lawyer. It directs the Secretary of the Army to set aside the conviction and specifically cites the denial of due process of law and insufficient evidence. Because Dr. Mudd was found guilty by a military court, his record can only be cleared by the U.S. Army.

Mr. Speaker, while it is clear that Dr. Mudd did set John Wilkes Booth's broken leg, there is absolutely no evidence to suggest that he was either a co-conspirator in the assassination of President Lincoln or even aware of the events which had occurred earlier that evening on Friday, April 14, 1865.

I urge my colleagues to join me in ensuring that history is recorded accurately and that our Nation's most basic individual rights, embodied in the Constitution, are not violated at any time. Dr. Samuel Mudd's name and honor and that of his family, many of whom live in my district, hangs in the balance. We ought to allow the findings and decision of the Army Board of Correction of Military Records, the