

blacks live. Skin color has made it difficult to gain full acceptance in society. This can lead to lower self-esteem, as well as a denial of certain aspects of one's African heritage. Despite the fact that the region surrounding Corralero has a long Afro-Mexican history, stretching back into the 1600s, when I asked people how blacks first entered their area, I almost always received the same answer: "Blacks arrived to our coast in the 1940s when a Russian ship sank off shore. There was a black crew working on the ship, and they came to our area and began to populate it." Another version of the story involves a Japanese plane that crashed near the shore, also with a black crew. While there is some evidence of wreckage, these stories deny an entire history involving slavery and the slave trade. Perhaps this is the intention. By not being associated with Africa and slavery, Afro-Mexicans can elevate themselves. Instead of being associated with Africa's negative stereotypes, such as a lack of education, barbaric behavior, and poverty, Afro-Mexicans become associated with the rich Japanese and the powerful Russians. These are better images. It is also possible that the people of Corralero and its neighboring towns knew little of a deep Afro-Mexican past because they have not had access to information about their African history and heritage.

Hispanic Heritage month and El Dia de la Raza are times when we can remedy situations like these. Hispanics and Latin Americans do not need to apologize for, or hide their African heritage. It is part of a great cultural strength, which contributes to the richness and diversity of the region. In the same manner that we recall the early events that led to the development of the Americas, let's not forget that in each of our countries, Africa had an important role too. And whether through subtle mestizaje or more overt influences, an African heritage continues to shape who the Latin American people truly are.

#### INTRODUCTION OF THE ARMED SERVICES VOTE RESERVE ACT

**HON. MATT SALMON**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 6, 2000*

Mr. SALMON. Mr. Speaker, I thought I would be at home with my family at this time, preparing for the holidays, but we are here, and we have work to do. One of the areas that we should address before we adjourn is the disgraceful treatment of our overseas military personnel by partisan political operatives.

At the behest of political operatives, lawyers spread out across Florida with a specific goal in mind—to disenfranchise the men and women of our Armed Forces who are living abroad. So they distributed a 5-page primer on how to kill these votes, and they challenged every absentee ballot they could from our servicemen and servicewomen, managing to block more than 1,400 votes from being counted.

They didn't block these votes from being counted a second, third, or fourth time—they blocked them from being counted even once. These votes now sit in the trash, and barring congressional action this year, those votes will never be counted.

Along with my friend CURT WELDON, I am today introducing the Armed Services Vote Rescue Act, which will count those ballots cast

by our military personnel stationed overseas. And it will not just make sure they are counted in future elections, it will make sure that they are counted in Florida this year. Legal scholars assure us the bill is entirely constitutional.

The bill essentially adopts the standard articulated by Senator ZELL MILLER in the Washington Post of November 20th:

Any ballot from a man or women in the military who is serving this country should be counted—period. I don't care when it's dated, whether it's witnessed or anything else. If it is from someone serving this country and they made the effort to vote, count it and salute them when you do it.

I was in Kosovo earlier this year and let me tell you—obtaining a postmark is not the first thing on our soldiers' minds, nor should it be. Or imagine those on aircraft carriers—they don't wait around to find a postmark—they get the mail off the carrier the first chance they get.

Those who defend our Nation should not be mistreated the way they have been wronged this year in Florida, and no man who would be Commander-in-Chief should seek to exclude the votes of the men and women he would command.

You know, at the same time Florida officials were dismissing valid military ballots, these same Florida counties, according to the Miami Herald, accepted the illegal votes of as many as 5,000 felons, including at least 45 killers and 16 rapists. So rapists' votes were counted, but soldiers' votes were trashed. The Congress cannot let that stand.

We have more than 30 original cosponsors on the bill and endorsements from a growing list of veterans groups. So before we adjourn, let's give each and every Member the opportunity to cast a simply vote, so there can be no mistake: Do we stand without military men and women, or do we stand with partisan lawyers out to obstruct their votes?

Let's pass the Armed Services Vote Rescue Act and do right by our military personnel.

I submitted into the CONGRESSIONAL RECORD the following letters from various veterans groups who have endorsed this legislation as well as a copy of the memo that was used to exclude these military ballots.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,

*Alexandria, VA, December 1, 2000.*

Hon. MATT SALMON,

*U.S. House of Representatives, Cannon House Office Building, Washington, DC.*

DEAR MR. SALMON: The Non Commissioned Officers Association of the USA (NCOA) is writing to state our strong, unequivocal support for the Armed Services Vote Rescue Act.

The sacred oath of all military personnel, officers and enlisted alike, is to support and defend the Constitution of the United States. Incredibly, military personnel sworn to preserve the Constitution, at great personal risk, were in more than 40% of the cases in Florida denied their most basic right to have their vote counted in the November 2000 general election. The outright rejection of armed services absentee ballots, as appears to be the case, because of some discriminatory pre-conceived notion that military votes might favor one side versus the other, is unacceptable and should not be allowed to stand.

Military members give up many rights while serving in the Armed Forces. Restrictions are placed on their political activities

and Armed Forces members understand and abide by those limits. The right to vote is the only form of political speech that a military member can exercise freely and without restriction. Denying the vote of military personnel and their eligible family members, who have complied with all applicable registration and voting requirements, is unconscionable. The very thought of it should chill the spine of all freedom loving people.

NCOA salutes your effort to reverse this recent travesty and thereby re-enfranchise Florida's military absentee voters. The fact that any individual, group, political party or candidate for national office would systematically seek to marginalize military absentee ballots is appalling. The call to arms has been issued. Fix bayonets. Count on NCOA'S full support for swift consideration and enactment of the Armed Services Vote Rescue Act.

Sincerely,

DAVID W. SOMMERS,  
*President/CEO.*

LARRY D. RHEA,  
*Director of Legislative Affairs.*

THE RETIRED ENLISTED ASSOCIATION,  
*Alexandria, VA, December 5, 2000.*

Hon. MATT SALMON,  
*Cannon House Office Building, Washington, DC.*

DEAR REPRESENTATIVE SALMON: On behalf of the over 100,000 members of The Retired Enlisted Association and Auxiliary, we applaud you for introducing The Armed Services Vote Rescue Act.

We have received numerous phone calls, letters and emails from thousands of military retirees and survivors concerning the current problems with the counting of absentee ballots from military personnel deployed in distant locations.

We join you in the effort to insure that soldiers, sailors, airmen, marines and coastguardsmen have the same opportunity to vote as the American people who are provided the defense of our nation.

Sincerely,

MARK H. OLANOFF,  
*National Legislative Director.*

AIR FORCE SERGEANTS ASSOCIATION,  
*Temple Hills, MD, December 1, 2000.*

Hon. MATT SALMON,  
*Cannon House Office Building, Washington, DC.*

DEAR REPRESENTATIVE SALMON: On behalf of the 150,000 members of this association, I applaud you for taking the initiative to introduce legislation that would require all overseas absentee ballots from military members to be counted.

Our association has received numerous telephone calls and email messages expressing the outrage of our active duty and retired military members. It is a sad day for America when the votes of our men and women, who on a daily basis make sacrifices and dedicate their lives to ensuring our freedom, are denied the right to vote for their next commander in chief.

The "Armed Services Vote Rescue Act," if enacted would help "re-enfranchise" military voters not only in Florida, but across the country and around the world. Again, thank you for sponsoring this much needed legislation.

Sincerely,

JAMES D. STATON,  
*Executive Director.*

AMERICAN DEFENDERS OF BATAAN &  
CORREGIDOR, INC.,  
San Antonio, TX, December 2, 2000.

Hon. MATT SALMON,  
House of Representatives, Cannon House Office  
Building, Washington, DC.

DEAR REPRESENTATIVE SALMON: As commander of the American Defenders of Bataan and Corregidor, I take this opportunity to commend you in your effort in introducing legislation to protect the vote of the military personnel.

On behalf of the members of this organization, I relate to you our overwhelming support for this legislation.

We are outraged at the deliberate attempt to throw out the absentee ballots of the military in Florida. It is a national disgrace.

Again, we fully support your effort in introducing legislation to enact the Armed Services Vote Rescue Act.

Sincerely,

JOSEPH L. ALEXANDER,  
National Commander.

NAVY LEAGUE OF THE UNITED STATES,  
Arlington, VA, November 30, 2000.

Hon. MATT SALMON,  
House of Representatives, Cannon House Office  
Building, Washington, DC.

DEAR REPRESENTATIVE SALMON: I am writing to you on behalf of the 70,000 members of the Navy League of the United States in support of the Armed Services Vote Rescue Act.

Deployed military members have accepted the risk of missions and remote assignments ordered by the commander in chief. They swear to defend the Constitution of the United States. It is inconceivable that the very men and women who put their lives on the line to protect our freedoms under law should be denied the privilege of voting.

The men and women in uniform must not be deprived of their right to vote and have their vote counted. The Armed Services Vote Rescue Act will ensure that the votes cast by members of our armed services are counted.

The Navy League, as a civilian patriotic organization, it dedicated to the support of America's sea services and supports this bill.

Sincerely,

RADM JOHN R. FISHER,  
USN (Ret.),  
National President.

VETERANS OF FOREIGN WARS OF THE  
U.S., VFW NATIONAL HEAD-  
QUARTERS,  
Kansas City, MO.

NATIONAL VETERANS' LEADER IRATE OVER  
REJECTION OF MILITARY BALLOTS

WASHINGTON, DC, November 24, 2000.—The Commander-in-Chief of the 1.9-million-member Veterans of Foreign Wars (VFW) today again expressed his outrage over the failure of the State of Florida to include more than 1,400 absentee military ballots.

"I just returned from visiting America's troops overseas," said Commander-in-Chief John F. Gwizdak. "These young men and women are serving under extraordinarily difficult conditions for a nation that has just taken away one of their most basic rights—the right to vote. It is absolutely unconscionable that any party or official would seek to include dimpled or damaged ballots and reject, out of hand, any ballot from those who proudly serve this nation because that ballot failed to pass through the U.S. Postal System. If any ballots should be counted, it should be those of our nation's heroes first."

"I call on the decency of both candidates and the State of Florida to correct this grievous injustice," said Gwizdak. "How can we send young men and women into harm's

way if we are unwilling to give them the basic right upon which this nation was founded? Anyone who fails to grasp the magnitude of this injustice does not understand the principals of the U.S. Constitution. They should hang their head in shame."

Gwizdak is from Stockbridge, Georgia and a retired military officer, having served 10 years as an enlisted soldier and 10 years as an officer, retiring in 1978 at the rank of Captain. He is a decorated Vietnam veteran having received a Combat Infantryman's Badge, a Purple Heart for wounds received in battle as well as a Bronze Star with a "V" for valor among other decorations.

Date: November 15, 2000.

To: FDP Lawyer.

From: Mark Herron.

Subject: Overseas Absentee Ballot Review and Protest.

State and Federal law provides for the counting of "absentee qualified electors overseas" ballots for 10 days after the day of the election or until November 17, 2000. Sections 101.62(7)(a), Florida Statutes defines as "absentee qualified elector overseas" to mean members of the Armed forces while in the service, members of the merchant marine of the United States and other citizens of the United States, who are permanent residents of the states and are temporarily residing outside of the territories of the United States and the District of Columbia. These "absent qualified electors overseas" must also be qualified and registered as provided by law.

You are being asked to review these overseas absentee ballots to make a determination whether acceptance by the supervisor of elections and/or the county canvassing board is legal under Florida law. A challenge to these ballots must be made prior to the time that the ballot is removed from the mailing envelope. The specific statutory requirements for processing the canvass of an absentee ballot including of overseas absentee ballot, are set forth in Section 101.62(2) (c)2. Florida Statutes:

If any elector or candidate present believes that an absentee ballot is illegal due to a defect apparent on the voter's certificate, he or she may at anytime before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of the ballot specifying the precinct, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voters certificate may not be accepted after the ballot has been removed from the mailing envelope. The form of the voter's certificates on the absentee ballot is set forth in section 101.64(1), Florida Statutes. By statutory provisions, only overseas absentee ballots mailed with an APO, PPO, or foreign postmark shall be considered a ballot. See Section 101.62(7)(c). Florida Statutes. In reviewing these ballots you should focus on the following:

1. Request for overseas ballots: Determine that the voter affirmatively requested an overseas ballot, and that the signature on the request for an overseas ballot matches the signature of the elector on the registration books to determine that the elector who requested the overseas ballot is the elector registered. See Section 101.62(4)(a), Florida Statutes.

2. The voter's signature: The ballot envelope must be signed by the voter. The signature of the elector as the voter's certificate should be compared with the signature of the elector of the signature on the registration books to determine that the elector who voted by ballot is the elector registered. See Section 101.68(c)x, Florida Statutes.

3. The ballot is properly witnessed: The absentee ballot envelope must be witnessed by

a notary or an attesting witness over the age of eighteen years. You may note that these requirements vary from the statutory language from the Section 101.68(a)(c)1, Florida Statutes. Certain statutory requirements in that section were not proclaimed by the Justice Department pursuant to Section 5 of the Voting Rights Act, Sec. DE 98-13.

4. The ballot is postmarked: With respect to absentee ballots mailed by absolute qualified electors overseas only those ballots mailed with an APO, PPO, or foreign postmark shall be considered valid. See Section 101.62(7)(c), Florida Statutes. This statutory provision varies from rule 15-2.013(7), Florida Administrative Code, which provides overseas absentee ballots may be accepted if "postmarked or signed and dated no later than the date of the federal election."

5. The elector has not already voted (duplicate ballot), in some instances an absent qualified elector overseas may have received two absentee ballots and previously submitted another ballot. No elector is entitled to vote twice. (Please insert appropriate FL xxx.)

To assist your review, we have attached the following:

1. A review Federal Postal regulations relating to FPO's and PPO's.
2. A protest form to be completed with respect to each absentee ballot challenged.
3. Overseas Ballot Summary of Definitions.

Revised Overseas Ballot Summary of Definitions—There are 3 different types of overseas ballots that are valid for return at the counties provided they are postmarked on or before November 7th.

1. Federal Write-in ballot. Must be an overseas voter and must be eligible to vote and be registered under State law. Must have affirmatively requested an absentee ballot in writing and completely filled out request (including signature). Must comply with State laws applying to regular absentee ballots (such as registration requirements, notification requirements, etc.). Ballot contains only Federal races, and is considered to be a "backup" system if the regular state absentee ballot fails to arrive. The intent of the voter in casting the ballot should govern. In other words, minor variations in spelling candidate or party names should be disregarded in ballot counting so long as the intention of the voter can be ascertained. Must be postmarked as an APO, FPO, or MPO in a foreign country or a foreign post office.

2. Florida Advance Ballot Sent out in advance of a regular General Election ballot with state and Federal candidates listed. Must be an overseas voter and must be eligible to vote and be registered under State law. Must comply with State laws applying to regular absentee ballots (such as registration requirements, notarization requirements, etc.). Must have affirmatively requested an absentee ballot in writing and completely filled out request (including signature). Sent prior to the second (or October) primary elections to all permanent overseas registered voters. Must comply with all State laws regarding signatures, witness requirements, etc. Must be postmarked at the APO, FPO or MPO in a foreign country or at a foreign post office.

3. Regular Overseas Ballot. Sent after the second (or October) primary elections to all permanent overseas registered voters and voters requesting an overseas ballot from the county. Must be an overseas voter and must be eligible to vote and be registered under State law. Must comply with State laws applying to regular absentee ballots (such as registration requirements, notarization requirements, etc.). Must have affirmatively requested an absentee ballot in writing and completely filled out request (including signature). Full ballot with all candidates listed. Likely would take precedence over any

advance or federal ballot also returned. Must comply with all State laws regarding signatures, witness requirements, etc. Ballot is designed by the county. Must be postmarked at an APO, FPO, or MPO in a foreign country or at a foreign post office. Below are the definitions for points of origin and postmark that are valid for military overseas ballots:

1. APO (Army Post Office)—A branch of the designated USPS civilian post office, which falls under the jurisdiction of the postmaster of either New York City or San Francisco, that serves either Army or Airforce personnel.

2. FPO (Fleet Post Office)—A branch of the designated USPA civilian post office, which falls under the jurisdiction of the postmaster of either New York City or San Francisco, that serves Coast Guard, Navy, or Marine Corps personnel.

3. MPO (Military Post Office)—A branch of a U.S. civil post office, operated by the Army, Navy, Airforce, or Marine Corps to serve military personnel overseas or aboard ships.

4. Military Post Office Cancellation—A post mark that contains the post office name, state, ZIP Code, and month, day, and year that the mail xxx was cancelled.

Protest of Overseas Absentee Ballot As provided in Section 101.68(2)(c)(2), Florida Statutes, I, as an elector in \_\_\_\_\_ County, Florida, hereby protest against the canvass of the overseas absentee ballot described below.

County:  
Precinct:  
The Ballot:

Name of Voter:  
Address of Voter:  
Reason for rejection:  
\_\_\_\_Lack of voter signature  
\_\_\_\_Lack of affirmative request for absentee ballot  
\_\_\_\_Request for absentee ballot not fully filled out  
\_\_\_\_Signature on absentee ballot request does not match signature on registration card or on ballot  
\_\_\_\_Voter signature on envelope does not match signature on registration card  
\_\_\_\_Inadequate witness certification  
\_\_\_\_Late postmark (Indicate date of actual postmark)  
\_\_\_\_Domestic postmark (including Puerto Rico, Guam, etc.)  
\_\_\_\_No postmark  
\_\_\_\_Voter had previously voted in this election  
\_\_\_\_Other  
Signature of Person Filing Protest  
Print Name

IN HONOR OF RAJ MATHUR

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, December 6, 2000*

Mr. KUCINICH. Mr. Speaker, we rise today to honor the memory of an actively involved

Cleveland citizen and leader of the Indian-American community, Raj Mathur. His recent death at the age of 59, is a sorrowful event for the whole community of Cleveland.

After moving to the United States in the late 1960s to further his education at North Carolina State University, Mr. Mathur went on to teach economics at the University of Akron. After several year of sharing his knowledge with students, in 1974 he shared a piece of his culture with the Greater Cleveland community, opening the Taj Mahal restaurant, which is believed to be the first Asian Indian restaurant in the area.

Dedicated to getting Indian-Americans and Asian Indians involved in the U.S. political process, Mr. Mathur was a founding member of Asian Indians for Better Government. Furthermore, he was a key member of the community helping to start the Federation of Indian Community Associations's Project Seva, which provides Thanksgiving meals for those in need.

In recognition of these efforts, Mr. Mathur received the federation's 1999 Community Service Award. We all owe him a great debt of gratitude for his tireless work in organizing and uniting our community, and for his exemplary record of public service.

We ask the House to join with us today in honoring the memory of this great community leader and role model.