

preparing to consolidate into three mega airlines controlling eighty-five percent of the U.S. commercial air transportation services.

A GAO report that I, along with my colleague JAMES OBERSTAR (MN), requested made clear in December that the proposed US Airways/United merger would trigger further consolidation of the industry, thereby reducing the industry to as few as three major carriers. That prediction has come true faster than any of us imagined. It appears that the mere possibility of a United/US Airways merger has prompted American Airlines to buy Trans World Airlines. Now press reports indicate that Delta Airlines, Continental Airlines and Northwest Airlines are also exploring a strategic alliance.

No one believes that these mergers are going to benefit consumers. We need a moratorium to determine how detrimental the impact of these mergers will on the flying public.

Twenty-two years into deregulation, we have been left with fewer airlines, eroding passenger service, and gridlock. President Bush would have the opportunity during a moratorium to order a comprehensive review of how these mergers will adversely impact the public. Newly appointed U.S. Transportation Secretary Norman Y. Mineta and U.S. Attorney General John Ashcroft would have the necessary time to fully understand the problems, opportunities and constraints faced by new carriers.

A moratorium would provide the Bush administration with sufficient time to establish a new merger policy. These are enormously complex mergers where the public interest must be a factor in determining whether to allow them to go forward.

A moratorium would provide Congress an opportunity to request its own independent analysis of consolidation-related issues from the Transportation Research Board (TRB)—as Congress did in 1999 with respect to the DOT Competition Guidelines.

Congress could seek a TRB analysis of the many merger-related questions that remain open including the following:

What are the anticipated long-term impacts on air transportation system workers should these mergers be approved?

Is US Airways really a failing airline? If so, why in United paying a huge market premium to acquire it?

What is the best use of publicly owned take-off and landing time slots at Reagan National Airport?

What would be the national economic impacts from a labor strike among airline employees should these mergers consolidate the airline industry into three major carriers?

Generations of American taxpayers have poured their hard-earned tax dollars into building our nation's aviation infrastructure. These same taxpayers now find themselves at the mercy of the marketing departments of megacarriers who can decide with impunity which regions of the country will live or die based on their access to air service.

We owe it to our constituents to take a hard look at how these mergers will further impact our communities.

CBC HEARING ON ELECTION REFORM

HON. CYNTHIA A. MCKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 27, 2001

Ms. MCKINNEY. Mr. Speaker, in 1857, the Supreme Court majority penned these infamous words: “[The black man has] no rights which the white man was bound to respect.” The state of minority voting rights in America is in disorder, and I see a direct line between the debacle of 2000 and that shameful ruling in the Dred Scott case that found that blacks could not be citizens of the United States of America. From that decision and onto Plessy v. Ferguson in 1896, which struck down a federal law passed to enforce the Fourteenth Amendment to the Constitution, black Americans have known that the Supreme Court can, at its worst, become a reflection of the particular mutation of racism of the day.

We find ourselves today in a serious retrenchment on our country's commitment to mainstreaming into American life its former slaves. Affirmative action has been decimated. The Voting Rights Act has been bludgeoned, with its enforcement section due to expire in less than a decade, and the ability of minorities to elect their candidates of choice severely hampered by the Supreme Court in its rulings limiting the ability to create black-majority congressional districts and limiting the enforcement powers of the Department of Justice.

But no one, I'm certain, ever thought that the kind of voter suppression witnessed in the 2000 Presidential elections would ever be revisited upon America's minorities. If I had to give a State of the State of the Minority Vote, I would say that disfranchisement, not enfranchisement, is the order of the day. First, in 1978, the Burger Supreme Court turned the Fourteenth Amendment sideways by outlawing the use of racial quotas implemented for the purpose of including minorities in America's life. A few years later, the Rehnquist Court stood the Fourteenth Amendment on its head by issuing its startling decision in *Shaw v. Reno* that completely changed the political map for America's minorities. In the Court's ruling in *Johnson v. Miller*, Georgia's redistricting case I learned the hard way that Supreme Court justices, like other participants in our judiciary, are political actors first and foremost. I saw them dismantle my district and pave the way so that other black voters across the South could receive similar mistreatment.

The Voting Rights Act was passed to prohibit impediments to voting. The original focus was literacy tests, poll taxes, and direct threats and intimidation, along with redistricting, dual voter lists, location of polling places and eventually, voter registration, and purging of names from the voter list. However, innovation has never been lacking among those who want to suppress and deny minority voting rights. As we have seen in the debacle of the Year 2000 Presidential Elections, especially in Florida, minority voter suppression comes in many forms.

Take my State of Georgia. In the majority black precincts of my district, the chaos was so pervasive it could have been planned. In one precinct in my district, white police even blocked the entrance and refused free access

for voters because of an erroneous belief that I hadn't supported their pay raise. Too often there was only voter list. There were poorly trained elections workers, old equipment and overcrowded precincts right next to unused spacious accommodations. The frequent inability to handle high voter turnout is particularly disgraceful. Having to stand in line, sometimes outside in the rain and sometimes for as many as five hours, is outrageous and unconscionable and should not be tolerated anywhere, let alone the world's wealthiest nation. Yet that happened at many of my precincts in my district. It is also inexcusable to stand in line for hours, only to reach the table and be told that you are not at the correct voting place, that there is no time to get to the correct place and that you won't be able to vote. This also happened over and over again in my district.

Interestingly, we have Democrats in charge of our county, yes they vote to deny funds to allow a smooth voting process for the areas of the county now experiencing tremendous population growth. It shouldn't be surprising that this population growth is nearly all black. What makes this governing body's failure to appropriate the necessary funds to accommodate our new voters is so shocking that we had this same scenario in 1996, a Presidential election year and the year in which I faced reelection in a majority white district with well-financed white Democratic and Republican opposition. An overwhelming black turnout returned me to Congress despite the new district and in the process the county elected its first black sheriff and superior court clerk. They immediately voted to give the black newspaper the legal organ designation and a change in the county was evident. There should not have been a repeat of the chaos this year, but there was. I would suggest that perhaps the leaders responsible for appropriating funds for DeKalb County don't want large voter participation from the black residents on its south side. That's the only way I can explain the failure to fund adequately the elections office for the past four years. I would argue that, this is a subtle violation of the Voting Rights Act with the intent and effect of suppressing the minority vote.

Let me address other ways that we are disfranchised:

A recent study by the Southern Regional Council found that punchcard machines are disproportionately used by black voters in Georgia and disproportionately fail to register votes. Similar findings come from other states, yet many states are hard-pressed for funds for the infrastructure of democracy. If Congress fails to fund modernization of election equipment in the United States and better training and education of pollworkers and voters, we will send the message that it doesn't matter if votes aren't counted. A one-time Federal investment equal to less than one percent of the annual defense budget would give Americans the voting mechanics a modern democracy—let alone one of our status—demands. If President Bush truly wants to move beyond the controversy in Florida, his immediate step must be to support full federal support to states in modernizing equipment and procedures.

Why should people who have served their time and paid their debt to society be permanently disfranchised from America's body politic? Fourteen States bar criminal offenders

from voting even after they have finished their sentences. Once these people have returned to society, become good mothers and fathers, have jobs and are taxpayers, why should they not be allowed to vote? And because of the disproportionate impact of racism in this country, blacks and Latinos bear a disproportionate share of the burden of the loss of the right to vote. If Canada and other countries can take affirmative action to register former prisoners and bring them into full citizenship, then so can America. That's why I have cosponsored and plan to sponsor legislation having this effect on the federal level.

I strongly support creation of black-majority legislative districts. In a winner-take-all system in which 50.1 percent of voters can win 100 percent of power, they often are the only vehicle for people of color winning representation. But why should we accept these winner-take-all electoral rules that by definition deny representation to any political grouping that is in a minority in an area? What makes Republicans living in a majority-Republican district any more deserving of a chance to elect someone than Republicans living in a majority-Democratic district? Why should the black voters who were so happy to help elect me in my original congressional district no longer have that chance just because the courts ordered my district changed? How can some downplay the role of race in voting in America even as no blacks or Latinos serve in the U.S. Senate—and no State has a black or Latino majority?

I work hard to represent everyone in my district, but I have no illusions; a large number of my constituents would prefer another Representative. And as the only Congresswoman from Georgia and the only black woman Representative from the deep South States of South Carolina, Georgia, Alabama, Mississippi and Louisiana, I feel an obligation to speak for many people outside my district. Different voting systems would allow elections to be based on this reality, rather than the fallacy that Members speak only for the people in their districts.

Our entire electoral system should be reformed to make our institutions more reflective of America's voters. That's why I have authored in each of the past three Congresses the Voters Choice Act which allows the States to adopt proportional voting systems. Of the world's 36 major, full-fledged democracies, 33 use forms of proportional representation for national elections. Proportional systems also have a history in the United States. For example, then-governor George W. Bush signed legislation in Texas that has contributed to more than 50 localities moving to proportional systems in Texas. In May 2000, Amarillo used cumulative voting for the first time to elect its school board. It resulted in victories by the first black candidate ever to win a seat, the first Latino candidate to win since the 1970s, a tripling of voter turnout and widespread acceptance of the new rules. It is proportional representation in the Republic of South Africa that allows the Afrikaaner parties to have representative in the South African Parliament despite majority rule.

The principle of proportional voting is simple: That like-minded voters should be able to win seats in proportion to their share of the vote without hurting the rights of others—which is to say that 20 percent of like-minded voters in Peoria call fill one of five city council

seats with its cumulative voting system, and 51 percent will elect a majority of three seats. It mechanisms range from party-based systems, which allow small parties to win seats, to candidate-based systems that would simply widen the "bid tent" of the major parties. Either way, its impact would be powerful in reinvigorating American politics, encouraging more cooperative policy-making and giving voters a greater range of choice.

Campaign finance reform must become more than a slogan, but law if we are to really give voters a choice in candidates. Right now, the special interests select the candidates before we even get to vote, so our choices as voters are severely limited due to the influence of special interest political money. I have benefited from current laws, as my incumbency helped me raise enough money to have the chance to reach new voters and hold onto my seat in Congress even after it was converted into a white-majority district. But that doesn't stop me from wanting to establish a political playing field in which all Americans have a chance to play, not just those with money or rich friends.

America is increasingly becoming a country of people of color. We know that southern resistance to minority gains of the Civil Rights Era never ended. But as America becomes a country of color we have seen southern resistance spread across our land. We must remain vigilant. Any policy that has the effect of suppressing or diluting the votes of people of color is not sustainable and violates the Voting Rights Act. We have severe problems facing us today. A black boy born in Harlem has less chance of reaching age 65 than a boy born in Bangladesh. Twenty-six black men were executed last year. And too many black men have been relegated to the streets, underpasses, and heating grates of America's urban cities. It is only through the vote that we will be able to change the conditions in our community and to right the multitudinous wrongs that have been foisted upon our condition. We have the power to change the status quo and our opponents know that well. That is why the practice of minority voter suppression is alive and well. However, until now, we didn't realize the power that we have. The Emperor is naked now. And as a result, the devious acts of minority vote suppression have been laid bare for the world to see. We have seen them too. I predict that the black electorate will never be the same. Just like white America, we now know that our votes count and as a result we will demand that our votes be counted.

---

HONORING CAROLYN GOLDEN FOR  
HER PORTRAITS OF SUCCESS  
AWARD

---

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 2001*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Carolyn Golden for receiving the Portraits of Success Award. This award pays tribute to Ms. Golden's involvement in the African-American community. Her active involvement has made her a role model for the members of her local community.

Carolyn graduated from Fresno University in 1973. In 1974, she began work as a Deputy

Probation Officer. From 1978 to 1991 she served as a Campus Probation Officer, a Placement Officer, and a Superior Court Investigator. In 1991, Carolyn became the Probation Services Manager for the Fresno County Probation Department. She also serves as the Project Coordinator of the Victim/Witness Program in Fresno County.

Her involvement with volunteer and professional organizations include: KVPT, Alpha Kappa Alpha Sorority, Black Catholic United, N.A.A.C.P., YWCA Marjorie Mason Center, Big Brother/Big Sister, Central Valley March of Dimes, African-American Museum San Joaquin Valley, Citizen's Advisory Committee for Pleasant Valley State Prison, Women's Criminal Justice Association, Black Peace Officer's Association, California Victim Witness Coordinating Council, AD HOC Committee Member, Domestic Violence Round Table, California Probation & Parole Correctional Association.

Her accomplishments have earned her a Portraits of Success Award, presented by KSEE-24 and Companies That Care in recognition of African-American History Month.

Mr. Speaker, I rise to recognize Carolyn Golden for her commitment to improving the lives of the people in the community. I urge my colleagues to join me in wishing Carolyn Golden many more years of continued success.

---

INTRODUCTION OF THE MEDICAL  
RESEARCH INVESTMENT ACT

---

**HON. JENNIFER DUNN**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 27, 2001*

Ms. DUNN. Mr. Speaker, I rise today to introduce bipartisan legislation, the Paul Coverdell Medical Research Investment Act.

Under the current tax code, deductible charitable cash gifts to support medical research are limited to 50% of an individual's adjusted gross income. This bill would simply increase the deductibility of cash gifts for medical research to 80% of an individual's adjusted gross income. For those individuals who are willing and able to give more than 80% of their income, the bill also extends the period an individual can carry the deduction forward for excess charitable gifts from five years to ten years.

In what is perhaps the most important change for today's economy, the bill allows taxpayers to donate stock without being penalized for it. Americans regularly donate stock acquired through a stock option plan to their favorite charity. And often they make the donation within a year of exercising their stock options. But current law penalizes these donations by taxing them as ordinary income or as capital gain. These taxes can run as high as 40%, which acts as a disincentive to contribute to charities. How absurd that someone who donates \$1,000 to a charity has to sell \$1,400 of stock to pay for it. The person could wait a year and give the stock then, but why delay the contribution when that money can be put to work curing disease today. The MRI Act is premised on a simple truth: People should not be penalized for helping others.

PriceWaterhouseCoopers, relying on IRS data and studies of charitable giving, conducted a study on the effects of the MRI Act.