

CELEBRATING BLACK HISTORY  
MONTH

The SPEAKER pro tempore (Mr. KERNS). Under the Speaker's announced policy of January 3, 2001, the gentlewoman from Ohio (Mrs. JONES of Ohio) is recognized for 60 minutes.

Mrs. JONES of Ohio. Mr. Speaker, once again on behalf of the Congressional Black Caucus we rise to celebrate Black History Month. As we said yesterday, this is a continuation of presentations from yesterday. Black History Month is an excellent time for reflection, assessment, and planning. A full understanding of our history is a necessary and crucial part of comprehending our present circumstances and crafting our future.

I want to recognize, if she chooses to be recognized once again, the Chair of the Congressional Black Caucus, the gentlewoman from the great State of Texas (Ms. EDDIE BERNICE JOHNSON.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, to my colleague, the gentlewoman from Ohio (Mrs. JONES), let me thank you for leading this celebration series of speeches today. It is important that we at least once a year give notice to the history of the African Americans in this country.

We especially think it is important this year, because we just had a very, very emotional, difficult experience with the past election, and the reason why we are so concerned about that is because we have had several turbulent periods in our history on our voting rights.

As you know, we got them very early; then Reconstruction, we lost a number of people. We have fought and died for our voting rights, and, as I indicated before, as Santayana once said: "Those who fail to learn from history are doomed to repeat it." We do not want to repeat the history we have had in this country, trying to gain equal respect and equal opportunity for casting votes as citizens in the United States.

So it is indeed important that we bring attention to this issue and plead and pray for a solution. I thank the gentlewoman very much.

Mrs. JONES of Ohio. I thank the gentlewoman.

Mr. Speaker, it gives me great pleasure at this time to yield to my colleague, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman from Ohio for yielding to me, and particularly do I thank her for her initiative and leadership in organizing this Black Caucus commemorative on and during Black History Month.

I want to congratulate the good gentlewoman from Ohio for the way in which she has hit the ground running. No grass grows under her feet. Her predecessor, the esteemed gentleman from Ohio, Mr. Stokes, left. We did not know whose feet would be big enough to fill his shoes. I am looking at her

feet right now. They may not be big enough, but they certainly are filling them. They are not big enough because she is a lady, and that is not how a lady's feet operate. But this is only one indication of how the gentlewoman from Ohio operates.

Mr. Speaker, it is an important occasion this year, because each year we, of course, come forward, we who are African Americans, and others, to commemorate Black History Month. It may be that we were in danger of having Black History Month become like George Washington's birthday. You do it every year, you know you are doing it because something great and important is being commemorated.

But I must say, this year, all of us I believe have looked at Black History Month as a giant wake-up call for what it truly can mean and must mean in these times. This is no commemoration for African Americans or for America; this is a time for reflection and for action.

I could go down a list of reasons why the country does not need to be in repose on its oldest issue, born as a matter of original sin, race and racism in our country. That ought to be clear, although I fear it is not. Rather, in the limited time I necessarily have, I would like to focus on three reasons why a wake-up call comes this Black History Month: one has to do with how long it has taken us to honor the Father of Black History; second has to do with Florida and its aftermath; third has to do with the most pressing voting rights challenge in our time.

Dr. Carter G. Woodson, only the second black to get a Ph.D. from Harvard, a self-educated man until he went to the University of Chicago and got his masters, started the Association for the Study of Negro Life and History.

This man, this brilliant and great American historian, almost single-handedly uncovered suppressed African American history and started the process of challenging racist stereotypes throughout American historiography. Yet his house on 9th Street, the house where the association that he started and where he lived, has been boarded up for decades.

I come to the House today to thank the House for passing my bill during Black History Month last year, finally passed by the Senate, which allows the Park Service to do a feasibility study, now under way, to determine whether or not Dr. Carter G. Woodson's house will become a national historic site.

Carter G. Woodson started Negro History Week, which I always celebrated as a child in the segregated schools of the District of Columbia. It has evolved into Black History Month, now commemorated through the history and the world. It is time that we focused in on the man who began it all, began the process of correcting the history that we celebrate this month, the history, through its correction, that led finally to the historic civil rights acts themselves.

Second, the wake-up call comes in no small part because of Florida and its aftermath. We, especially those of us who come out of the civil rights movement, thought that, at least with respect to the great civil rights bills, our work could be said to be, if not done, well on its way. We certainly did not think there were major voting rights problems remaining in this country. We knew there were pockets; we knew of problems.

What we now know is that nationwide there have been systematic violations of people's voting rights forever in this country, and if there had not been a close election, we never would have known it. The results in Florida were beneath the standards of American democracy. The great shame is the court to which we move to the side on political matters decided an election for the first time in American history. That alone must never happen again.

Florida shows us that what African Americans struggled for in the 1965 Voting Rights Act is no longer simply a black problem. There were many more people than blacks who were disenfranchised in Florida. We cannot go back to Florida, but what we can do is not make this year go by without putting in motion the apparatus and the funds to correct the voting rights mechanisms or the election mechanisms in the United States of America. We do need a commission, we do need to study some of the long-range effects, but we need to begin the process of correction before the next election is held.

Finally, let me address what I said was the third great wake-up call, and that is the most pressing voting rights challenge in America today. That, of course, is the absence of congressional voting rights for almost 600,000 American citizens who live in the District of Columbia who have no voting representation on the floor of the House or the floor of the Senate, but on April 15th are expected to pay their Federal income taxes like everybody else.

This is a situation that cannot go on much longer, as we hold our heads high as we preach democracy around the world. Residents of the District of Columbia are not going to let it go on much longer. It has gotten to the point of civil disobedience. I myself testified at a trial yesterday regarding some civil disobedience that occurred here during the last appropriations period.

D.C. residents have been very patient. They do not seek to correct this by civil disobedience, the way we did in the civil rights movement. They seek to use the processes of this House in order to get the voting rights to which they are entitled as American citizens who pay their Federal income taxes every year.

So, for those for whom this month of commemoration has become just that, a commemoration, let me leave you with a notion that the way to commemorate this month is to think of

what is still outstanding on the American agenda that most affects African Americans.

□ 1545

I believe that a small but important matter is making sure that Carter G. Woodson's home becomes a National Historic Site, and I believe that is under way. I come this afternoon to thank the House for what the House has done and what the Senate has done to make that possible.

There is Florida and its aftermath, which I think is only beginning. We will know if we have gotten anywhere by whether or not this year's budget and specific legislation has moved this issue forward this year, not this session but this year.

Finally, on that agenda must be the outstanding issue of taxpaying residents being left without voting rights in the Congress of the United States, and those taxpaying residents do not live in some far-off corner of our country. Those taxpaying residents live right under the nose of the Congress.

In their name, in this month of black history, particularly since the majority of them are African-Americans, I ask that the Congress move forward to grant voting rights in the Congress of the United States to the residents of the District of Columbia.

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentlewoman from the District of Columbia.

For the record, I support voting rights for the District of Columbia, as many of us do, and we are going to continue to work this year in this Congress to see that each of the residents of the District of Columbia have a vote and a voice.

Mr. Speaker, let me just read a quote from the last black to leave Congress back in 1901, George Henry White, from North Carolina. He stood up on this very floor and declared, "You have excluded us. You have taken away the right to vote, and so I am the last one to leave. This, Mr. Chairman, is perhaps the Negro's temporary farewell to the American Congress. But let me say, phoenix-like, he will rise up some day and come again. These parting words are on behalf of an outraged, heart-broken, bruised and bleeding but God-fearing people, a faithful, industrious, loyal people, rising people, full of potential force."

With that quote, I yield to my colleague, the gentleman from the great State of Illinois (Mr. RUSH). Just like the phoenix rising, he represents one of 37 African-American Members of the Congressional Black Caucus.

Mr. RUSH. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I certainly want to commend the gentlewoman from Ohio for her leadership and her outstanding work on behalf of the entire Congressional Black Caucus, and also on behalf of American citizens who are minorities, who are dark-skinned citizens, all across this Nation, as she led the

charge on this day and on yesterday to bring before the Congress of the United States the celebration of Black History Month.

Mr. Speaker, for as long as I can remember, Black History Month was a time of joyous celebration as the Nation took note of the accomplishments and achievements of black Americans throughout the history of this Nation, acknowledging their contributions, not only to the upliftment of this Nation, the progress of this Nation, but indeed, to acknowledge their accomplishments and achievements on behalf of nations throughout the world.

Indeed, the world is a better place because of the contributions of black Americans, and we honor and celebrate them during the month of February.

However, Mr. Speaker, this month of February is a month that the celebration is somewhat hollow. We are celebrating with less enthusiasm than we have celebrated past Black History Months. The reason for this is singularly the fact that just a few months ago there was an election for President of the United States, and, Mr. Speaker, that election, in the opinions of a significant number of American citizens, and I would say, indeed, the majority of black American citizens, that election was stolen from the rightful winner.

So, Mr. Speaker, I am here today to talk about a stolen Presidential election and the disenfranchisement of African-American voters during this last election.

As we speak on the floor today, the Committee on Energy and Commerce, on which I serve, is holding a hearing on the television network's coverage of last November's Presidential election. That is a hearing that I also have mixed feelings about because, whereas I understand and appreciate and am also concerned about the fact that the coverage, the network coverage of last November's election, left a lot to be desired, I feel as though that hearing is just tinkering along the edges. It is not really getting to the essence of the issue.

I and the voters of the First Congressional District, along with millions of American voters across the Nation, heard the results of Florida's Presidential balloting announced, then revised, then reversed, then rescinded by the networks.

The impact of those faulty projections and the havoc which they wreaked is still being felt today, not only by the individual who was defeated, Vice President Gore, but also by tens of thousands of American voters who believed then and believe now that their votes in Florida and in many States, like my State, the State of Illinois, were not counted.

Mr. Speaker, we have spent many, many years, and I have spent most of my adult life, fighting to ensure that African-Americans have the right to vote and that their vote be counted. I spent most of my political career fight-

ing a dastard machine in the city of Chicago that moved with adroitness and skill on every election to suppress the African-American vote within the city of Chicago, within the State of Illinois.

Mr. Speaker, on election night in Chicago, and also in Cook County, I want to bring it to the attention of the American people that antiquated voting machines in Chicago and Cook County resulted in thousands of African-American voters' ballots being disqualified. Yet, in the rich suburban, Republican collar counties surrounding Cook County, where the population is not primarily minority, there were state-of-the-art voting machines in place which allowed for the smooth disposition of defective ballots, and for citizens to be recorded accurately right then and there.

Can Members believe it, in my State, in the State of Illinois, in Cook County, where a majority of minority citizens are, we had old, antiquated machines, that if in fact a ballot was put or entered into that machine, it was kicked out and that person lost their vote? But just a few miles away, in the Republican part of the State of Illinois, in the collar counties surrounding Cook County, they had up-to-date machines where once the card was entered in that machine, if in fact there was a mistake by the voter, it was immediately rejected and the voter right then and there, at the same time, could correct their mistake and enter that card once again into that machine and their vote would be counted.

So 125,000 African-American and minority voters in the County of Cook were denied their right to vote as a result of this duality of this double standard, of these two different machines, one antiquated, being utilized inside Cook County, and one up-to-date state of the art, being utilized outside of Cook County.

More than 200 years after the Emancipation Proclamation, African-American voters are still today being denied their rights, particularly their right to vote. It is incumbent upon us as Members of Congress to safeguard the rights of African-Americans and all voters, no matter what their race, color, or creed. There are lingering questions, many lingering questions, about this last Presidential election that need to be answered.

Mr. Speaker, I call upon Members of this Congress, Members of the 107th Congress, I call upon the leadership of this Congress, to get to the bottom of why, why did African-Americans and other minorities, why were they denied their right to vote? Why were their votes not counted? Why was there intimidation and harassment, and indeed, in some instances, faulty arrests of African-Americans on their way to the polls?

Why, Mr. Speaker, in the County of Cook, were there two different types of machines, one with faulty equipment, antiquated equipment, and the other

one state-of-the-art equipment? Why were those two different types of machines used in the State of Illinois in a Presidential election?

The American people deserve the right to know that, to know the answer to those questions. African-Americans deserve the right to know the answer to those questions. Indeed, Mr. Speaker, we all deserve the right to know the answer to those questions.

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman from Illinois very much, and I yield to my colleague, the gentleman from the great State of Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding to me. Moreover, I thank the gentlewoman for her outstanding leadership in this special order commemorating Black History Month. She has done a marvelous job over these two days, and we certainly appreciate her efforts.

Mrs. JONES of Ohio. If the gentleman will allow me to interrupt the gentleman, due to the large amount of people we have coming, I am going to ask my colleagues to try to restrict their comments to 3 to 5 minutes, please, and I thank the gentleman very much.

Mr. WYNN. Yes, I will be happy to do that. But as I say, the gentlewoman from Ohio has done a magnificent job, and we all appreciate it.

Mr. Speaker, I rise on the occasion of Black History Month to speak about electoral reform. There was a saying that those who do not learn the lessons of history are destined to repeat them. I want to comment for a few moments about a relatively ugly episode in American history, the disenfranchisement of African-Americans.

Return first to the era known as Jim Crow, an era in which African-Americans were legally and systematically denied the right to vote. They were, in essence, denied democracy. They were denied full citizenship. They were denied the very things that make us proud to be Americans.

Techniques such as poll taxes, literacy tests, requiring African-Americans to recite the Constitution, physical harassment, the denial of jobs for those people who chose or decided they wanted to vote, all of these were mechanisms that were used to systematically disenfranchise African-Americans during this period of our history known as Jim Crow.

In the sixties, and as a result of the civil rights movement, we saw a major mobilization as people of good will of all colors, races, and creeds came together to mobilize against this disenfranchisement and begin the movement known as the voting rights effort.

Unfortunately, in 1964, three such individuals, Michael Schwerner, James Chaney, and Andrew Goodman were killed while working in Mississippi to protect that fundamental aspect of American democracy, the right to vote.

But even more recently, a decade ago in New Jersey, under the thinly-veiled

notion of ballot security, a program was instituted to actively discourage African-Americans from voting with physical intimidation and the presence of off-duty law enforcement officers designed to discourage people from voting.

This brings us to the present day and what I would like to call “the fiasco in Florida.” Now, there are a lot of people who say to the African-American community, “You need to get over it. The election is over.” Let me emphasize that this is not about the Gore campaign. This is not about who won that election, although that is certainly important.

What this is about for the African-American community is that the incidents we saw occurring in Florida recalled the incidents of the Jim Crow era; recalled the incidents surrounding the deaths of Schwerner, Chaney, and Goodman; recalled the so-called ballot security programs. So this is not just a matter of who won or who lost, this is a matter of a threat to what we believe are our fundamental rights.

What did we see in Florida? The use of identification requirements to discourage voters, requests for photo identification, which is not required in the law. Suddenly police checkpoints sprung up in African-American communities, discouraging people who might be on their way to vote and then to work.

We found voters turned away, being told they were not in fact registered when in fact they were. College students, eager, enthusiastic about voting for the first time, were turned away. There were allegations that the motor-voter program did not effectively register people. People who in fact had their voter registration card in hand were turned away by election officials.

□ 1600

Of course, as you heard from the gentleman from Illinois (Mr. RUSH), my colleague, faulty detective voting machines were disproportionately located in African American communities. All of these incidents bring to mind a very, very ugly episode in our history, and we are determined not to relive the mistakes of the past. We are determined to, in fact, learn the lessons of history.

To that end, I would say we need to do three things. First, we need to have a full Justice Department investigation of voting rights violations in Florida. That would give the administration an opportunity to truly prove that they want to extend the knowledge base and ensure that everyone has fair access to the voting process.

Second, we need legislation, legislation that would provide money to States so that they can buy modern voting machines and we can have uniform voting technology.

We also need to protect disputed ballots so people who believe they are registered could vote on a temporary basis and have that vote preserved until the

legitimacy of their voting status could be determined.

Let me take a brief moment to mention another item that ought to be corrected by this Congress. Individuals who are convicted of crimes, served their sentence and served their parole, ought to have their voting rights restored. They have paid their debt to society.

Our prison system has said they have been rehabilitated, they ought not be denied that fundamental rights to vote.

Mr. Speaker, when I began I said that those who do not learn the lessons of history are destined to repeat them. I think the final lesson we need to learn on the occasion of Black History Month is that continued vigilance is necessary to protect our right to vote. We cannot take it for granted.

We need to register more voters. We need to educate voters as to their rights, and we need to protect the voters who come out and want to vote. We need to protect voting rights. I believe we have learned the lessons of history.

We have been reminded by virtue of what happened in Florida, and I hope as we reflect on the meaning and the history of African American History Month, that we will take to heart these ideas and ensure that never again in America will our citizens of any color be denied the right to vote.

Mrs. JONES of Ohio. Mr. Speaker, I want to thank the gentleman from Maryland (Mr. WYNN) for his comments.

Mr. Speaker, I yield to the gentleman from the great State of Illinois (Mr. DAVIS).

Mr. Speaker, I would like to also thank the gentleman from Illinois (Mr. DAVIS), because it was through his work that we were able to secure the hours to be able to have this Black History Month special order.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentlewoman from Ohio (Mrs. JONES) for her outstanding work and for yielding to me.

I rise, joining my colleagues, on this day during Black History Month to discuss two critical issues that impact every American citizen, voting rights and the need for reform.

Mr. Speaker, it is one of the great historic truisms that our right to vote, the ultimate expression of the empowerment of the people and the bedrock of our democracy, is also perhaps the most hard-won right accruing to Americans.

The battle to extend the right to vote to every citizen, especially women and African Americans, has shaped much of our Nation's history, and along with the battle to protect the vote has, and continues to, shape and reshape our nations of democracy.

Events in Florida this past November remind us that this is no mere intellectual exercise. Unfortunately, events in Florida during the election reflect the fact that we leave the 20th century facing an assault with great parallels to the events which ushered in the century.

After the Civil War, our Nation witnessed great movement towards democracy. Swept along by a powerful movement for African American equality, Congress passed the 14th and 15th amendments to the Constitution.

The movement for equality rapidly grew into a movement to claim a fair share of political representation. Some two dozen African Americans were elected to the Congress, and some 700 African Americans to State legislatures in the South.

The response was a wave of terrorism and oppression followed by a storm of political and legal repression.

One of the most horrific and shameful symbols of that wave of terror came in the summer of 1908, when in the town of Springfield, Illinois, my home State, home to President Abraham Lincoln, America learned of a race riot of mass terror against African Americans which lasted for days and which killed and wounded scores of African Americans and which drove thousands from the city.

Those riots led directly to the founding of the NAACP by W.E.B. DuBois and other brave and far-sighted individuals and to the unfolding of a century of struggle for political and voting rights.

The landmark cases, Smith versus Allwright giving African Americans the right to vote in primary elections in Texas, Thornburgh versus Gingles ruling that redistricting to dilute the voting strength of minorities is illegal, Chisom versus Roemer ruling that the Voting Rights Act applies to the election of Judges, were driven by the unrelenting determination of mass struggles and marches, boycotts, sit-ins and voter registration drives, and by the great political victories including, in the first place, the Voting Rights Act of 1965.

Second only to the 13th, 14th, 15th, 19th and 24th amendments to the Constitution, no tool has been more powerful in breaking the bonds which denied political representation to African Americans and other minorities, and especially even to women.

The NAACP Legal Defense Fund, the ACLU and a host of peoples' organizations wielded this tool with great effectiveness.

As a result, our democracy was expanded and enriched, our political institutions regained credibility, our government's effectiveness was redoubled.

However, those that thought full equality would come on its own had not fully appreciated the words of Frederick Douglass, when he said that power concedes nothing without struggle.

The 20th Century ended with the beating of Rodney King, the dragging death of James Byrd, the assassination of Ricky Byrdsong, and the 20th Century ended with renewed Supreme Court attacks on affirmative action and voting rights. With cases such as City of Mobile versus Bolden and Shaw

versus Reno, the Supreme Court reflecting the political events of the last quarter of the century, began to dismantle generations of hard-won gains in the battle for equality and justice.

Gone were the days of overt racism. In its place was a new paradigm, one which shed crocodile tears for fairness and democracy, all the while ruthlessly ripping at African American voting rights.

It was not long ago that America responded to the demands of protests, wrapped her strong arms around the impervious suffrage movement led by African American leaders and other leaders and relieved trepidation of an abused who longed to take an active role in shaping our democracy.

On August 6, 1965, our Nation matured and took a giant leap forward towards equality. On that day, America witnessed the passage of the Voting Rights Act of 1965. This historic act enforced the right that no voting qualification or prerequisites to voting or standard practice or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

This landmark event, among other historical moments in American history, unified our country and together we began building a bond of comradeship and brotherhood. By voting, thousands of citizens began to speak a common language, democracy.

Ironically, this great achievement has been overshadowed by recent developments. According to the NAACP, despite a record level voter turnout among African Americans during the November 7 general election, black voters were confronted with a multitude of nonuniform election practices which impeded their ability to vote.

So when a private company, ChoicePoint, gave Florida officials a list with the names of 8,000 ex-felons to scrub from their voting lists, and it turned out that none on the list were felons, that is a new and deadly threat to democracy.

It makes no difference that the source of the list was the State of Texas. It makes no difference that Florida officials made an attempt to restore some of those purged. It makes no difference that the company dismissed the error as a minor glitch, less than 1/10 of 1 percent of the electorate.

The fact is that 8,000 votes is some 15 times the margin of victory in Florida, a margin which determined the Presidency of the United States. The fact is that in Hillsborough County, Florida, the number of African Americans on the list of felons was 54 percent while African Americans make up only 11.6 percent of Hillsborough's voting population.

The fact is that ChoicePoint is only a small part of a system which denies African Americans the right to vote and to have their vote counted in Florida, a system which includes, according to

suit filed by the NAACP, arbitrary and racially disparate adverse impact on the electoral systems, racial disparity in election administration, wrongful purging of eligible voters, failure to timely and correctly process voter registrations, improper procedures for change of residence and unequal access to the inactive list.

And so you see, Mr. Speaker, what happened in Florida is a mirror of what is happening all over America. Now is the time for America to say, not only will we renew the Voting Rights Act of 1965, but we will be serious in our efforts to make sure that each and every American, no matter where they live, no matter what their race, creed, ethnic origin, background, income status, they will have the right to participate effectively in the making of decisions in this great democracy, anything less than that makes a mockery of our understanding of what democracy really is.

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for his comments.

Mr. Speaker, it gives me great pleasure to yield to the gentlewoman from the State of North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman (Mrs. JONES) for yielding to me, and I thank her for the leadership and making time available so that members of the Congressional Black Caucus can have this opportunity to speak today.

Mr. Speaker, it is important, and it is also very appropriate during Black History Month, for us to reflect upon and recall the struggles this Nation has experienced in our continuing quest to ensure that all our citizens are able to freely exercise their fundamental act of citizenship, voting.

In 1776, our Nation's founders made a remarkable beginning of a struggle to establish a more perfect union, a union which the government derived its power from the consent of the government. Our founders correctly, albeit, with some elitism, established voting as a foundation of our democratic republic. Voting was a process by which the will of the people would be expressed.

At first, the only people that mattered, those who enjoyed the privilege of voting, were white men who owned property. Through painful, sometimes bloody, often deadly struggles and sacrifices of many American heroes, the shackles of racial and gender discrimination have been shaken off. It is fitting that we take time to pause and to recall and to honor those great Americans and their contributions to our Nation, a Nation that shines like a beacon to other people around the world who also yearn to be free.

Mr. Speaker, after the Civil War, the signing of the Emancipation Proclamation and passage of series of amendments to the United States Constitution, the 13th, 14th and 15th amendments, African Americans, former

slaves and sons of former slaves no longer were excluded from the great American experiment of self government. As a result, black men were elected to public office, especially in the South, in large numbers.

Women continued to be excluded from voting until the passage years later of the 19th amendment. In South Carolina, the State legislature had a black majority; in North Carolina, at least four Afro-Americans served in Congress before the turn of the century, including Mr. John Hyman, Mr. James O'Hara, Henry Cheatham and George H. White.

Then, the forces of hate, nullification and bigotry surged and our Nation entered the awful period called Jim Crowism, a period in which some whites, with the tacit or overt support of others, exerted power through a combination of terrorism, economic oppression and legalized separation of the races.

The terrorism included bombings of homes and churches, jailing of black men for minor, often presumed violence violations of law, beatings and lynchings. For years, African Americans were beaten and jailed for trying to register and to vote.

□ 1615

Foreign visitors commented about the strange fruit seen in the trees in many southern communities, the barriers imposed to black voter participation were widespread and severe. The barriers also included poll taxes and literacy tests, often given by white people who, themselves, could not read.

The struggle to overcome this horrible chapter of American history brought us to the modern civil rights effort of Thurgood Marshall, the architect of the litigation strategies of the NAACP; and Dr. Martin Luther King, who directed SCLC which, along with young John Lewis, now a Member of Congress; and many other individuals in the organization led protests and demonstrations to end racial discrimination that excluded African Americans from getting service at hotels and restaurants, from attending public schools with white children, from living in certain neighborhoods, from being considered for employment and college admissions, and most fundamentally, from registering to vote.

In 1957, Congress passed a Civil Rights Act that made it a Federal crime to interfere with a citizen's right to vote, and created the Civil Rights Commission to investigate violations of the law.

White politicians and white supremist groups intensified their resolve to prevent blacks from voting. Black applicants seeking to register to vote were made to wait for hours, voter registration places were open for very limited times and often suddenly closed when blacks tried to register, and their applications were lost or discarded.

Before the Voting Rights Act was passed 35 years ago, there were five Af-

ican Americans in Congress. Today, there are 40. The important role of Federal enforcement of voting rights is clear. The recent voting irregularities in Florida and other States serve as a painful reminder of the need for a Federal presence and effective enforcement remedies as a safeguard against unfair, discriminatory State action.

We cannot go back, Mr. Speaker, to the period of disenfranchisement of segments of our population. This Nation paid a dear price for that, in broken lives and deferred dreams of generations of African Americans. We paid in the form of loss of national credibility and moral standing in the eyes of the world. We paid in the form of lost opportunities to achieve our national quest for a more perfect union, one nation, indivisible with liberty and justice for all.

We must learn from the lessons of history and take seriously the challenges presented by the recent Florida elections disaster. We must move forward to heal the Nation and to fix the problems in our voting procedures and machinery.

Congressman George White from North Carolina spoke from the floor in 1900. He knew he could not be reelected because of unfair voting practices taking place all across the country, including North Carolina. He was the last African-American Member of Congress during the Reconstruction era. Like a voice from the wilderness, he called on the Congress to pass legislation that would prohibit lynching. Congress refused to act. Congressman White told his colleagues that he was leaving the Congress but that African Americans, like a phoenix, would rise again and return to the Halls of Congress. Years passed before Mr. Oscar DePriest, from Illinois, was elected in 1928. Nearly a century passed before the gentleman from North Carolina (Mr. WATT) and I, in 1992, were elected to succeed George White from North Carolina.

Mr. Speaker, I know there are those who cannot appreciate the depth and pain of the deprivation suffered by many of our citizens for so many years, they must recognize the contradiction between our ideals, that all of our citizens' votes count in a democracy, and our tarnished history, years of unjust, legalized exclusion from voting of certain segments of our population.

We must work together, both Democrats and Republicans, black and white, Hispanic, Asian and Native Americans, to protect and promote voting and to ensure that all votes are indeed counted. Our government must be elected by the people for the people.

Mrs. JONES of Ohio. Mr. Speaker, I yield to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, in keeping with the spirit of the many great men and women we honor each year during black history month, I rise today to join my colleagues in the Congressional Black Caucus in calling for meaningful election reform that will

ensure the voting rights of all Americans.

I want to commend the gentlewoman from Ohio (Mrs. JONES) for her leadership on this matter and for scheduling this special order at this time.

We as Americans cannot afford to allow a repeat of what transpired during the last Presidential election. Although our Constitution guarantees every citizen the right to vote, what we witnessed last November was an electoral system so flawed and outdated that it caused the disenfranchisement of thousands, if not millions of eligible voters across our country.

The essence of our constitutional freedom itself is founded on the inalienable right of every eligible American citizen to cast his or her vote without obstruction or intimidation.

When this right is denied, whether by design or simple neglect, democracy itself suffers. Like Florida, in my own district in St. Louis, Missouri, thousands of citizens were turned away from the polls and denied their right to vote. The result of a failing system that was ill prepared to deal with the large voter turnout.

Such a situation cannot and must not be tolerated. That is why it is incumbent on those of us in Congress to work together to ensure that every eligible citizen in our country be afforded the unobstructed right to vote. And just as important, every vote cast also must be counted.

To do this, we must modernize our Nation's failing electoral system by creating one that is accurate, efficient, and tamper proof. To do any less, we risk forfeiting the rights and protections guaranteed to all Americans by law.

We must not allow partisan differences to prevent us from resolving the critical problem, and the public demands that we do not. Because if the people do not have confidence in the electoral process, how can we expect them to have faith in our government?

I thank the gentlewoman from Ohio (Mrs. JONES) very much for this opportunity to participate in the special order.

Mrs. JONES of Ohio. Mr. Speaker, I yield to the gentlewoman from the great State of Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, if I might welcome the gentleman from Florida (Mr. PUTNUM), it is a delight.

I thank the gentlewoman from Ohio for her kindness, and I am gratified that we have been allowed this time in our Nation's history to be able to recount the many contributions of Americans.

And I stand before you today to emphasize the word "Americans" in America, for I might think that there may be those who may be listening who may have some consternation or some difficulty with Members of the United States Congress rising to the floor, to be able to emphasize both our

difference and our commonality. The common core that joins us together is that we are Americans.

Mr. Speaker, I salute in this month the many heroes and leaders and activists and spokespersons and quiet people who, in their own way, have offered to contribute to the fundamental right of the right to vote. February happens to be the month we commemorate the contributions of African Americans to this great Nation, but it also gives us a time in 2001 to be able to reflect upon a journey that none of us thought that we would travel and that is a time that sunshine shown very brightly on a Democratic system frankly that is broken.

So I rise today to recount for those whose memories may have faded, Birmingham and Selma and Montgomery, North Carolina and South Carolina, Georgia and Mississippi and Texas and names like Martin King and Rosa Parks and Josiah Williams and Andy Young; but yes, those names that are yet not recorded, names of thousands upon thousands of young college students from all walks of life, all religions and races and creeds, that walked in the sixties to be able to reestablish the fundamental right to vote.

Mr. Speaker, I thought it was important, and I want to thank the Congresswoman from Ohio and the chairperson of the Congressional Black Caucus, that you hear us emphasize the need for refocusing on the right to vote. For you to understand that it was not easily secured, either by women, either by those who were without property, or either by those who look first and came first to this Nation in the bottom of the belly of a slave boat.

The real focus of the right to vote sort of jelled in the late 1950s and early 1960s as one began to expand this whole concept of civil rights. We all know about Rosa Parks. We pay tribute to her; and the concept of her movement was about accommodation and riding on buses and being able to eat in restaurants and hotels. It was the simple dignity of being able to use your money as any other American citizen.

But as we moved into the 1960s and as Martin King laid out the agenda for us in his 1963 "I Have a Dream," he began to realize that the political empowerment of a people was crucial to take one's role and one's right. And so we began to move after 1963 to emphasize over and over the right to vote. That right to vote bore fruit in 1964 in the Civil Rights Act and in the 1965 Voter Rights Act that said no one should be discriminated against in the right to vote.

Mr. Speaker, yet after signing that legislation, constantly throughout the decade of the 1960s and 1970s and 1980s and 1990s, we have found instances where: One, there has been voter intimidation. Two, votes have been thrown out. Three, minorities have lost elections for a variety of infractions that never rose to the level of national concern.

And yet in this election in 2001, although we recognize that it is finished, I believe the ultimate fact that a decision had to be made at the Supreme Court level of the United States, that people felt that they were turned away from the polls, that young college students who were dutifully registered to vote whose names were not on the polling list and who were then instructed to be turned away because there was not enough knowledge to know that you could affirm and testify to the fact that you had registered, there is need for electoral reform.

We should not let the tragedies of Montgomery, of Selma, and all that went before go on any further without solving the problem of allowing one vote, one person. The history of this Nation is embedded in the fact that each voice should be counted, but all too often people do not vote. People are disenfranchised, frightened, or turned away or their votes are not counted.

So in tribute to African American History Month, I believe the tribute should be forthright and forward-going. It should be a recommitment that, in fact, we will allow no intimidating force to ever keep us away from voting. We will answer the question of racial profiling. We will answer the question of blockades at polls. We will answer the question of antiquated voting equipment in certain areas of our community. We will lift up the Voting Rights Act of 1965 which reinforces the opportunity for people to be represented by people who will represent them in the best way.

Mr. Speaker, I do believe that our Declaration of Independence says it all. We all are created equal with certain inalienable rights of life, liberty, and the pursuit of happiness. In the pursuit of such liberty, it is imperative that our vote is counted. As we proceed to improve on the voting system, let it be in tribute to all of those who marched, who sung, who spoke, who lost their lives, all Americans with particular emphasis and tribute on African Americans who did not have the ultimate right to vote in the 1960s.

Mr. Speaker, let this African American History Month be a tribute of going forward, never to repeat again the days of Florida and the days of this last election where anyone, no matter who you are, new citizen or not, failed to vote because someone closed the door in your face.

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There is much that I could say, and as my colleague well knows, when we are moved to speak on these issues, we are moved to speak. But I would only say that the Constitution charges us with the importance of ensuring that everyone has a right to vote.

Mr. Speaker, it is with great enthusiasm and appreciation that I join my colleagues of the House in recognition of Black History Month.

It is ironic that we are celebrating the first Black History Month of the new millennium, yet we must make so much more progress,

my friends. The disenfranchisement of thousands of African American voters, along with countless others whose votes were not counted, opened many wounds in the recent election.

After the heated battles of the Civil Rights movement and the sacrifices of Martin Luther King, Malcolm X, as well as countless others, including the four little girls who were killed at the Sixteenth Street Baptist Church in Birmingham, Alabama, I believed that we had indeed made progress. Today, African Americans know that we have not yet overcome the weight of not being treated as full citizens of this great nation.

The seminal catalyst for voting rights was reflected by Dr. Martin Luther King, Jr. when he began a peaceful and historic march for black voting rights from Selma, Alabama on March 7, 1965.

When the peaceful marchers attempted to leave Selma they were beaten by law enforcement officers as they crossed the Edmund Pettus Bridge.

Two weeks later, under the protection of the Alabama National Guard, Dr. King was able to lead the march successfully, and in August of that same year President Johnson signed into law the Voting Rights Act of 1965. This was a civil rights victory because African Americans understood all too well the barriers to suffrage.

Today, I must say that history does and can repeat itself, if we are not vigilant. We have not been vigilant enough in keeping the spirit of the United States Constitution alive. We have not been vigilant in ensuring that every American has the right to freely exercise their franchise. We have not been vigilant in keeping a watchful eye on those who administer elections at the local, state, and national level.

We know that the hands of justice for black people in this country moves slowly all too often. After all, it was only last summer that men were indicted to face trial in the nearly forty year-old murders of African American girls who were killed one Sunday morning by a bomb while they participated in services at the 16th Street Baptist Church. This terrible act galvanized the civil rights movement and began a call for justice, which may at last be answered in a court of law as two Ku Klux Klansmen in Alabama's Jefferson County are finally being brought to justice for the 1963 bombing.

I am here to say that we as a nation cannot wait forty years to get our election system right. We are on a clock and it is fast approaching the mid-term elections in 2002 and the next Presidential Election Day in 2004. We must learn from the mistakes made and empower African Americans so every vote counts.

It is our nation's credo that all men, the human species both male and female, are equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. We as a nation was founded on the premise that to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, which is expressed by our nation's founders in the Constitution of the United States. Thomas Paine's work titled the "Rights of Man," ably wrote "[T]hat men mean distinct and separate things when they speak of constitutions and of governments . . . A constitution is not the act of a government, but of a

people constituting a government without a constitution, is power without a right."

The people of this nation at its inception said, "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

It is understood that the preamble to the Constitution of the United States is not a source of power for any department of the Federal Government, however, the Supreme Court has often referred to it as evidence of the origin, scope, and purpose of the Constitution. In *Jacobson v. Massachusetts* (1905), Justice Harlan wrote "Although that preamble indicates the general purposes for which the people ordained and established the Constitution, it has never been regarded as the source of any substantive power conferred on the government of the United States, or on any of its departments. Such powers embrace only those expressly granted in the body of the Constitution, and such as may be implied from those so granted."

Our Constitution, like all constitutions, is the property of a nation, and not of those who exercise the government. It is our belief, as Americans, that this democracy was and continues under the direct authority of the people of this nation.

All power exercised over a nation, must have some beginning. In America, the beginning of power is found in the Constitution, but in the history of mankind power has found two sources where it may either be delegated or assumed. There are no other sources of power other than the consent of the governed. All delegated power is trust, and all assumed power is usurpation. Time does not alter the truth or veracity of this statement. It only makes its truth clearer to those who can see and to those who learn the enlightened history of this great nation.

Our Constitution grants separately the power to legislate, to execute, and to adjudicate, and it provides throughout the document the means to accomplish those ends in a manner that would allow each of the branches of government to avoid "blandishments and incursions of the others." The beauty of this document is its goal, which was to frame a system of federal government by conferring sufficient power to govern while withholding the ability to abridge the liberties of the governed. To this reason, I share Henry David Thoreau's view that "Government does not keep the country free." Mr. Speaker, we as citizens must do our part in preserving the fundamental freedoms of our country.

The longstanding theory of elaborated and implemented constitutional power is grounded on several principles chief of which are: the conception that each branch performs unique and identifiable functions that are appropriate to each; and the limitation of the personnel of each branch to that branch, so that no one person or group should be able to serve in more than one branch simultaneously.

Thomas Paine argued that Government is not a trade which any man or body of men has a right to set up and exercise for his own emolument, but is altogether a trust, in right of those by whom that trust is delegated, and by who it is always resumable.

Unfortunately, evidence from the resolution of the election reveals that a breach of trust has occurred. The United States Supreme Court, sworn to protect and defend the Constitution of the United States, did not act as one might have expected. I share the disappointment of millions of Americans with the Court handling of *Bush v. Gore*. The unfortunate aspect of politics was meshed with the law in a way that erodes the public's confidence in our judicial system. Now, the Court must repair any institutional damage done.

The Supreme Court has more cases presented than it can possibly review and for this reason has over time applied two rules to judge the appropriateness of review the Standing Doctrine and the Ripeness Doctrine.

Standing is composed of both constitutional and prudential restraints on the power of the federal courts to render decisions. In *Valley Forge Christian College v. Americans United* (1982), Justice Rehnquist wrote that "The exercise of judicial power under Art. III is restricted to litigants who can show "injury in fact" resulting from the action that they seek to have the court adjudicate. The Doctrine of "standing" has a core constitutional component that a plaintiff must allege personal injury fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief. The concepts of standing present questions that must be answered by reference to the Art. III notion that federal courts may exercise power only in the last resort and as a necessity, and only when adjudication is consistent with a system of separated powers and the dispute is one traditionally thought to be capable of resolution through the judicial process.

The case brought before the Court in *Bush v. Gore* did not establish the fine points of standing because no injury had been incurred by then Governor Bush. It was only the presumption of impending injury that prompted the court's action. The Court's decision had the real impact of stopping the counting of votes in the State of Florida, a decision that had a direct effect on the outcome of the election.

Just as the question of standing has importance in the life of judicial review, so does the Ripeness Doctrine, which defines when a case may be brought before the Supreme Court for review. In the case of *United Public Workers v. Mitchell*, the Court declared that it could not rule in the matter because the plaintiffs "were not threatened with actual interference with their interest," there was only a potential threat of interference of their interest. The Court viewed the threat hypothetical and not ripe for review by a court of law.

In a dissenting view in *Bush v. Gore* by Justice Stevens joined by Justice Ginsburg and Justice Breyer argued that the ripeness issue presented to the Court had already been assigned to the States by the Constitution. Article II, Section 1 of the Constitution defines that each state shall appoint, in such manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled for the purpose of choosing the President and Vice President of the United States.

In addition, Mr. Speaker, we cannot deny that all voters do not use the same method of voting. The condition of the Florida election was the fruit of this disparity in that the vari-

ations in the methods voting lead to different methods of tallying votes and different success or failure rates in the accuracy of those tallies. The more modern pencil mark to fill an oval on a paper ballot that is feed into a computer to tally votes was found to only hold a three percent error rate while the punch card method of tallying votes had a fifteen percent error rate.

It is clear that the injured party in this matter are the voters of Florida who had to suffer through the biased actions of a Secretary of State who campaigned for then Governor Bush. The voters struggled to be heard in the face of repeated challenges and disruptions designed to end an orderly process of discerning voter intent when the machine failed in that determination. Let us remember today that a constitution is the property of a nation, and not of those who exercise the government. All the constitutions of America are declared to be established on behalf of the authority of the people.

For this reason I introduced H.R. 60, the Secure Democracy for All Americans Act, which would create a commission to address all of the problems associated with last year's election. We can do better Mr. Speaker.

The result of this infamous decision is that African Americans were shunned by the country where we were enslaved and died for our nation on the battlefields. I do remember the cries from Republicans and Democrats after it was learned that military service men and women votes cast by absentee ballot were under threat of not being counted, because I joined them in that outrage. The cry that we should not disenfranchise these Americans was shared by all who appreciate their dedication and service to our nation. My pain was at the lack of concern that those who were veterans of past conflicts were not given the same level of concern that their votes not go uncounted because they resided in Palm Beach County, and Miami County Florida.

We can and will do better if we adopt electoral reform that enable all Americans to have their vote counted. We can accomplish that in a bipartisan way, Mr. Speaker.

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentlewoman from Texas.

I now call on my colleague, the gentlewoman from the great State of California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank my colleague from Ohio for her leadership and for bringing us all together to celebrate Black History Month over the last couple of days.

As we celebrate Black History Month, we are reminded that the struggle continues in our country for equality and justice for all. The recent Presidential election reminded us that voting rights, the very essence of our democracy, must be protected and enforced. Many African Americans discovered that equality and justice did not apply to them. America has unfortunately repeated a very sad chapter in our history, and we must never repeat it again.

African Americans had to wait almost 100 years after the formal birth of our country to receive the right to vote. One of the major turning points came after the Emancipation Proclamation in 1863. Less than 3 years later,

the 13th amendment was ratified ending slavery. In 1870, the 15th amendment was ratified stating that the right to vote could not be denied in this country based on race, color or previous conditions of servitude. Many blacks were elected to Congress, two to the Senate from Mississippi, Hiram Revels and Blanche Bruce, and 20 Congressmen.

Just as the black community began to enjoy some newfound political freedoms in the post-Civil War era, most of their legal rights diminished after the Presidential election of 1876. The Democratic candidate, Samuel Tilden, won the popular vote and only needed one additional electoral vote to win the Presidency. However, his opponent, Rutherford Hayes, made a deal with the Democratic Party and the white-controlled South to remove Union troops from the South, which meant the end of enforcement of black rights in that part of the country, including the right to vote.

Hayes won the election and millions of blacks lost the new rights that they barely had time to appreciate as the South ushered in the period of Jim Crow. 120 years later, in the 2000 Presidential election, one candidate won the popular vote and another won the electoral vote. Many African Americans reported numerous problems trying to exercise their constitutional right to vote.

Just as in the 1876 election, Florida was one of the States at the center of the voting controversy. In a county in Florida a police check was set up which intimidated voters. Others reported that they were told that they were purged from the voting polls, even though they were indeed registered to vote and had their voting cards with them. Still others were told they could not vote because they were felons, when in fact they were not. Voting irregularities occurred outside of Florida as well, and so the 2000 elections showed us that the need to still be vigilant about this very important right remains.

Many men and women died for the right to vote. This is part of black history, it is a part of American history. We will not take the hard-fought right to vote for granted. African Americans had to wait almost 200 years for the full legal and enforced right to vote in this Nation. We will not see those rights taken away.

In closing, let me just say to my colleagues and to all here today that we want to remember and to thank the Congressional Black Caucus for this Special Order because it is so important that we focus on Black History Month and remember the long hard battles many African Americans and other Americans have fought for basic civil rights in our country. We should learn from our history so that we are not doomed to repeat some of the major miscarriages of justice.

#### GENERAL LEAVE

Mrs. JONES of Ohio. Mr. Speaker, I ask unanimous consent that all Mem-

bers may have 5 legislative days within which to revise and extend their remarks on and to include therein extraneous material on the subject of my Special Order.

The SPEAKER pro tempore (Mr. PUTNAM). Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. JONES of Ohio. Mr. Speaker, I want to take my last minute to wrap up.

This has been a great pleasure for the past 2 days to have an opportunity to host a Special Order for Black History Month. We decided this year to focus specifically on the whole issue of voter reform and the history of voter disenfranchisement that has occurred in this country.

If I have 30 seconds left, Mr. Speaker, I want to yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I thank the gentlewoman very much. I would like to share with her how appreciative I am for the time that she has taken to organize this Special Order for the Congressional Black Caucus and others who wanted to participate.

We did focus on election reform. It is extremely important. We have a very rich history in this country of making sure we correct the wrongs and we open up this country to participation by all of those who would wish to participate in this democracy. When we see a problem, we move to correct it. This focus today on election reform is about that.

We will be working to make sure we correct the problems in the system.

Mrs. CHRISTENSEN. Mr. Speaker, not only during Black History Month but appropriately, as we continue to celebrate Black History Month for 2001, the Congressional Black Caucus is using this time and the voice that is afforded to us as members of this body to come before the country and its leaders to re-issue our call to reform the election system.

The Presidential election of 2000 will be remembered by many of our citizens for not living up to the promise of "Democracy for all". It is therefore clear that our election system must be fixed as it relates to the election of the President—but equally important, to ensure that all Americans are afforded their right to use.

Last November, many Americans, especially African-Americans, either saw their legally cast votes not counted or encountered a mire of obstacles that prevented them from being able to vote.

What occurred in the state of Florida last November, as well as in many other places in our country and which has occurred in election after election—must never be allowed to occur again.

According to the NAACP, irregularities ranging from the ridiculous—such as calls being made to primarily Black and Hispanic communities suggesting that the NAACP was calling to urge people to vote for President Bush—to specific complaints, from the time the polls were opened until they were closed, about police stops, actual polling places being moved, or the young and old being told that they weren't registered to vote when clearly they were.

We in the CBC will live up to our reputation as the "conscious of the Congress" and "the fairness cops" of the nation.

Tomorrow, Democrats will announce the creation of a Special Committee on Election Reform to investigate all the flaws plaguing our system and take swift action by submitting recommendations to Congress on how to fix the election process. In this vein we must: modernize the machinery of voting and provide better training for poll workers and voter education; enforce the National Voter Registration Act and the Voting Rights Act to ensure that more Americans have greater access to democracy; explore structural reforms like expanded time for voting, uniform poll closing times and easier access to voter registration; and provide models of election systems that work and promote these best practices.

We pledge to do all that we can to move forward swiftly and pass the best and most relevant recommendations into law soon.

Mr. Speaker and colleagues, as we focus on the election reform we must not lose sight of the fact that equal justice includes struggling for voting rights. To this end, the lack of voting rights for my constituents and those of my colleagues from the other U.S. Territories and Commonwealths must also be addressed. The fact we are not allowed to directly participate in the choice of who will be our Commander-in-Chief is fundamentally undemocratic. The people who live in the Territories are Americans in every respect except, that by virtue of where they live, they don't get to vote for President or to have voting representation in the Congress.

We should be ashamed, that as the only remaining superpower in the world and the biggest promoter of democracy abroad, that we afford citizens in our territories less voting rights than Canada—our neighbor to the north—provides to their citizens in the Yukon Territory or than France does to the citizens in their remaining overseas territories.

And so, in the spirit and goal of Black History Month, I am committed to working with my colleagues in the Congressional Black Caucus to urge Congress as a whole, as well as President Bush, to expeditiously come up with and put in place the critically needed election reforms that will be developed by the Special Committee on Election Reform of the Democratic Caucus and by this Caucus, including providing voting rights to the people of the Territories.

In closing, I want to commend my colleague, STEPHANIE TUBBS JONES, for organizing this Special Order tonight.

Mr. CROWLEY. Mr. Speaker, seventy-five years ago, Dr. Carter G. Woodson, a noted African American historian and scholar, founded Negro History Week. He wanted to create an occasion for African Americans to remember, honor and celebrate the accomplishments and achievements of their ancestry.

As I stand before you on this diamond anniversary, all that I can say is—what a great tradition this has become.

African American Heritage month is important because it provides an opportunity for all American families and communities to come together and reflect upon the contributions African Americans have made to this great country.

Earlier this week, I invited one of my colleagues and close friends—Congressman

HAROLD FORD, Jr. of Tennessee to join me at my 2nd annual African American Heritage Month Celebration.

This year's celebration was dedicated to African American Economic Development and empowerment in the New Millennium.

Everyone who attended the event that evening had a good time. Each year, I enjoy celebrating this great tradition and look forward to it.

African Americans have such a rich heritage and culture. Neither my district, the Seventh Congressional District of New York nor this country would be what it is today without the rich contributions of African American heritage and culture. I am proud to say that I represent the district that both Louis Armstrong and Malcolm X lived until the very last days of their lives.

In the aftermath of the 2000 Presidential election, many African Americans throughout this country find themselves engaged in another struggle.

While the civil right's movement ended some time ago the struggle for equal justice and equality still continues.

After this past election, too many people of color felt that the votes they casted were not counted.

Some even felt that there was an organized effort to disenfranchise their votes and keep them from the polls.

The problems of this past election are far too reminiscent of the problems African Americans had to face prior to the passage of the Civil Rights Act of 1964 and Voting Rights Act of 1965.

So while we celebrate, we must remember that the fight for equal rights, justice and equality must continue.

I believe that all leaders, regardless of their party affiliation, race, religion or creed must do all that they can to ensure all Americans are protected under the laws of this great nation.

As I stand before you here this afternoon, I pledge to do all that I can to ensure that these rights are protected for African Americans and all Americans regardless of their race, religion or creed.

I would like to thank my colleagues in the Congressional Black Caucus, especially Representative TUBBS JONES for allowing me this time this afternoon.

Mr. VISCOSKY. Mr. Speaker, I rise today to celebrate Black History Month with my colleagues. As we approach the 45th Anniversary of the arrests in which many of Montgomery's African American leaders, including the Reverend Dr. Martin Luther King, Jr., were indicted, tried, and convicted under an old law prohibiting boycotts, it is important for us to remember that the quest for civil rights is an ongoing journey.

The Montgomery Bus Boycott officially began on December 1, 1955, when Rosa Parks, a seamstress and civil rights activist, was arrested for disobeying a city law that required blacks to give up their seats when white people wished to sit in those seats or in the same row. After this arrest, a chain of events unfolded that had an undeniable impact on American society.

African-American community leaders quickly urged all blacks to stay off the city buses on the day that Parks' case was due in court. Dr. King later wrote, "a miracle had taken place" when all the buses in Montgomery were empty the following morning.

Capitalizing on the boycott's initial success, local ministers and civil rights leaders met to organize themselves as the Montgomery Improvement Association. As important as the founding of the organization itself, the group elected King as president, and the group quickly moved on a unanimous vote to continue the boycott indefinitely.

Bus boycotts had been held before for short periods of time in other Southern cities, so local authorities were not expecting the Montgomery boycott to last very long. However, the resolve shown by the community was extraordinary. The Montgomery Improvement Association even organized a "private taxi" plan, under which blacks who owned cars picked up and dropped off blacks who needed rides at various points throughout the city.

Maintaining the boycott was not easy. Local leaders had their homes bombed, and private taxi drivers were arrested on trumped up traffic charges. Each day that it continued, attempts were made to break the boycott, which had hurt downtown businesses considerably.

In court, black residents of Montgomery pushed hard for complete integration of the city's buses. Because the Brown versus Board of Education decision said that the "separate but equal" doctrine had no place in public education, Montgomery's residents argued that the doctrine had no place in any public facilities. On November 13, 1956, the United States Supreme Court declared bus segregation unconstitutional. Montgomery's black residents returned to the buses after the Supreme Court mandate had been enacted in December of that same year—a full 382 days after the protests began.

Trying to put the Montgomery boycott into perspective is not an easy task, but I would argue that there are three key points to be made when discussing its legacy. First, the ascension of Dr. Martin Luther King as a leader is of the utmost importance. The boycott gave Dr. King a leadership position within the national movement, and he quickly became an international symbol of tolerance who worked tirelessly for the advancement of civil rights.

It should also be noted that the work of the work of Dr. King was extraordinary because of his effectiveness at drawing support to the movement. He built a groundswell of support by recruiting like-minded people throughout the South across the normal barriers of race, age, and religion. A good example of this is the creation of the Student Non-violent Coordinating Committee in 1960, where King recruited both black and white college students to lead boycotts, sit-ins, and marches for the cause of civil rights.

Secondly, the Montgomery boycotts are an important aspect of America's history because they caught the attention of the entire nation. The massive scale and duration of this protest was widely reported, heightening public awareness to the lack of the civil rights of African-Americans.

As the first organized mass protest by blacks in Southern history, the Montgomery boycotts also set the tone for the rest of the movement. The boycott's effectiveness demonstrated the power of nonviolent direct action in the quest to end Southern segregation. Similar nonviolent protests and actions, including the important luncheon counter sit-ins that took place throughout the South at segregated stores and restaurants, can be traced to the Montgomery boycotts.

Lastly, honoring the history of the Montgomery boycott reinforces the fact that civil rights require our attention at all times. We must be vigilant at all times, to ensure that no person is every discriminated against on the basis of the color of his or her skin. It may not always be easy, but the path has been laid out clearly for us. Collectively, we must commit ourselves to the protection of each person's unalienable rights to "life, liberty, and the pursuit of happiness."

Mr. CONYERS. Mr. Speaker, I commend the gentlelady from Ohio, Congresswoman STEPHANIE TUBBS JONES, for convening this critically important special order today. It is very appropriate that Members of the Congressional Black Caucus take this time to honor Black History Month, and more specifically, our nation's ongoing struggle to fulfill the promise of democracy.

When I first ran for Congress in 1964, I ran on a platform of "Jobs, Justice and Peace." I never thought at that time that the fundamental plank of justice, the right to vote, would remain the primary issue before us 37 years later. I never would have thought then that there would be cases of voter intimidation, disenfranchisement and confusing ballots in the 21st century.

Like most Americans, I wanted to believe that our system of justice would do all that it could under current laws to ensure the right to vote, particularly the right of African Americans and other historically disenfranchised voters will be protected. Unfortunately this was not the case in the 2000 presidential election.

Therefore I have joined with several of my colleagues in the Congress to begin the painstaking task of looking at reform of our system of voting from the top down and from the bottom up.

So, as we celebrate the history of African-Americans, we should commit ourselves to fight harder for the future of all of America. This Congress and the current Administration, must make real, true election reform their top priority.

#### DEMOCRATIC CAUCUS SPECIAL COMMITTEE AND CONGRESSIONAL SPECIAL COMMITTEE

Today, Democratic Leader GEPHARDT announced the formation of a Democratic Caucus Special Committee on Election Reform, chaired by Congresswoman MAXINE WATERS, and Co-chaired by myself, STENY HOYER and a number of our colleagues who have committed themselves to this task. The Democratic Caucus is committed to working on solutions, not rehashing the past.

We are hopeful that Speaker HASTERT will appoint a Congressional Special Committee soon and look forward to working with him and all of our Republican colleagues on a non-partisan basis.

#### NATIONAL ROUNDUP OF VOTER IRREGULARITIES

From reports that flawed felony voter "purges" may have erroneously disenfranchised thousands of African-American voters to allegations of voter irregularities across the nation, we agree that the razor-thin margin in the 2000 Presidential election illuminated serious flaws in our electoral system.

Here are just a few of the problems encountered by voters in the past election:

#### PROBLEMS IN FLORIDA

The Problems in Florida are well known. From butterfly ballots that no one could understand, to police roadblocks near polling

places, to overbroad felony voter purges, Florida showed the system is broken.

THE PROBLEM WAS NOT JUST IN FLORIDA—IT WAS NATIONWIDE

In Georgia, "Lines too long" was the single most commonly heard complaint from voters. Citizens in some communities waited at the polls for two hours or more, and some metro Atlanta voters did not cast ballots until after 11:00 p.m.—a more than four-hour wait. Contributing factors in some polling places were poor layout, a shortage of well-trained poll workers, and a shortage of poll locations.

In Louisiana, people who claimed that they were prevented from voting because their voter registration at local driver's license bureaus under the "motor voter" law never got processed. According to the Registrar of Voters, dozens of voters in Jefferson Parish alone found themselves with no designated precinct to go to. On the west bank of New Orleans, there were 75–100 calls from people who claimed to have changed their address, but were not in the Registrar's records. And in St. Tammany, Registrar of Voters M. Dwayne Wall said that approximately 100 people called because of apparent problems with the Department of Motor Vehicles registration process.

In Missouri, it was contended that many registered voters were inaccurately stricken from the rolls after a mail canvass. They also allege that procedures for re-registering those "inactive" voters were too cumbersome, and that many polling places were understaffed or had no telephone contact with the board's downtown headquarters.

And in my home state, voters complained that the polling places had undertrained administrators and long lines.

#### STORIES OF ELECTION DAY PROBLEMS

In New Orleans, voters were not allowed to vote because their voter registration at local driver's license bureaus under the state's motor voter law never got processed. Leslie Boudreaux moved from one precinct and registered. However, she was turned away at her polling place.

In Portland, Maine, it appears that as many as 15,000 voters were illegally purged from voting rolls and were forced to wait in long lines at City Hall to register again and vote. One voter forced to stand in line, Shirley Lewellyn, said she was "mad as hell" about having to stand in a long registration line when she wanted to be with her husband, who was undergoing minor eye surgery. "I've voted for 20 years at [my precinct], and when I went there this morning, they told me I wasn't on the list."

In Columbia, South Carolina, some registered voters said they were turned away from the polls, while others said they were intimidated by poll workers and NAACP poll watchers were asked to leave poll sites.

In Boston, Mass., a volunteer who was giving voters rides to the polls received a call from an amputee for a ride to the polls. The caller stated that he had attempted to vote at the polling place he had voted a year before and was turned away. The volunteer drove the man to four different poll sites and were turned away each time. Only at the last poll site were they told that the first poll site, the one the man had visited initially, was the correct one.

#### THERE ARE SOLUTIONS

Most importantly, we must address the instances of voter intimidation, such as police

checkpoints near polling places, and the widespread problem of overbroad felony voter purges. The best voting machines in the world won't do any good if they don't let legal voters vote.

We should have more vigorous investigation and enforcement of civil rights laws and government aid to states should be contingent upon affirmative steps by states to comply with those laws.

The most obvious problem for states and localities has been an inability or unwillingness to fund 21st Century election technology. The federal government needs to step in and provide assistance to states to replace old voting machines.

But we need to help states do more than that. States need better trained poll workers and better educated voters.

We need to ensure that polling places accessible to persons with disabilities. More than that, it is unthinkable in the year 2001 that we have not implemented technology that allows a seeing impaired person to cast an independent secret ballot. The federal government can provide financial assistance and encouragement in this area as well.

We need to use federal dollars to encourage states to make democracy easier, by implementing same day registration procedures.

And there is a "data gap." No unbiased entity is testing voting machines. There has been no rigorous study of whether other innovations, such as an election day holiday, are needed. We need to study these issues very carefully and very quickly.

In short, Congress needs to act and it needs to act soon before these incidents are repeated in the 2002 elections.

Together we have fought to end voting disenfranchisement and secure racial justice in the electoral arena. Today, the fight continues. The voice of each American must be allowed to be heard in our democracy.

#### BLACK HISTORY MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Michigan (Mr. SMITH) for his kindness in allowing me this time, and I want to join others in commending the Congressional Black Caucus and our colleague, the gentlewoman from Ohio (Mrs. JONES), for her leadership in calling this Special Order today.

Nothing speaks to the contribution made by the African American community to our great country than the eloquence that we heard on this floor today from our Members and the fine record of achievement by the African American community and the members of the Congressional Black Caucus to Congress over time.

The focus today on this celebration of Black History Month has been election reform. My colleagues, including the gentlewoman from California (Ms. LEE), talked about the history of voting rights in this country and how African Americans first got those rights and what the struggle has been. Now, as we look to the future, we must improve.

The issue of electronic voting, using technologies for the future, having a uniform standard, even if it is not a uniform manner of casting ballots and counting them, is essential. We must be very proactive in making sure that the people in all of our communities, including the African American community, know that when they vote, they will be counted, that indeed they do count.

We must be aware of the fact that some of the technology may increase the disparity that we have, so I caution us as we go forward to involve ourselves in those technologies which increase participation and which are more uniform in their standard rather than again advantaging those who have more resources with technology at home.

So while we have big challenges ahead, again we are blessed with the resources, the human resources of the Congressional Black Caucus in this Congress. And I want to point with pride to a newly elected member of our Board of Supervisors in San Francisco, Sophie Maxwell. She comes from a proud tradition. Her mother, Enola Maxwell, is very active in education and other social and economic justice issues in our community. Sophie is a member of the Democratic State Central Committee. She has been a leader on issues in our community. She has made us, and will make us, all very proud.

But back to the Congressional Black Caucus, I want to thank them for what they are doing. It is important to the black community and important to the Black Caucus, and it is important to our great country.

With that, Mr. Speaker, though I have so much more to say but only a little time, I wish to yield to a great leader, someone we are very, very proud of in California, she is a national leader on this and so many other subjects important to strengthening our country and making the future brighter for all of America's children, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I want to thank my colleague, the gentlewoman from California (Ms. PELOSI), for her generosity in sharing her very limited time with me so that I will have an opportunity to continue my remarks on this very important issue of elections and election reform.

I am very proud to announce that the minority leader, the gentleman from Missouri (Mr. GEPHARDT), today appointed me to serve as the chairperson for a Democratic Caucus special election reform committee. I am honored to accept that appointment and to work with the vice chairs of that committee to travel across this country holding town halls, workshops, and meetings where we will listen to the people. We will hear from the people the problems that they are experiencing in their States and in their jurisdictions as it relates to the elections process.