

need to come together in a bipartisan way to act and not just to talk. On the one hand, the President talks about the importance of expanding opportunities to all Americans. And we all talk of that, and that certainly is something with which I agree, but the administration's policies do not back up this rhetoric.

There is still time for the President to file a brief in the Supreme Court case—one that supports the University of Michigan's admissions policy. I urge him to do so. Now is the time for us to come together and work together to make sure there is opportunity and access to our great institutions of higher learning in this country and that educational opportunities are available to every young person and to every American. I urge the President to reconsider the course that he appears to be taking and to join with us who understand the policy of the University of Michigan and to understand the importance of every young person having the opportunity to go to college.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Madam President, I ask unanimous consent that the time during further quorum calls be evenly divided on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DR. MARTIN LUTHER KING'S BIRTHDAY AND CIVIL RIGHTS

Mr. REID. Madam President, when I finished law school, I went back to Las Vegas. One of the first opportunities I had to do something socially was to listen to Martin Luther King speak at the old Las Vegas Convention Center. As I look back, that was really a good choice that I made. I am so fortunate that I, over the years, have been able to hear stirring speeches by people on this floor, by the finest extemporaneous speakers I have ever heard, Henry Cisneros, and Dr. Martin Luther King.

The reason I mention that is because that is a special day in my life. This Monday we are celebrating a national holiday, the birthday of the man who I

listened to in Las Vegas, Dr. Martin Luther King, Jr.

This year, in particular, with controversial remarks and votes related to issues of race having affected this body itself, it is important that we reflect on the life, legacy, and the message of Dr. King.

The Senate may not be in session next week—it may be; it may not be—it certainly will not be in session on Monday, so I would like to share some of my thoughts on this subject this afternoon.

In one of his famous, stirring speeches, Dr. King shared with us his dream for American society. I was working as a Capitol policeman here in Washington when he gave that speech. I was in law school. I can remember the buses. I had never seen so many buses. Hundreds and hundreds of buses came here. And, of course, he gave that famous speech.

Despite the suffering he individually endured and African Americans, as a group, have experienced, Dr. King articulated hope, optimism, and encouragement. He spoke of an America in which all people were united, free, and equal, and of a time when people were not discriminated against or limited because of their race or ethnicity or religion.

Today we are closer to that place and time because of his efforts, accomplishments, and sacrifices, and that of countless other African Americans. These men and women confronted enormous obstacles to make life better not only for African Americans but for all Americans.

America has made great strides in improving the status of ethnic and racial minorities. Today, African Americans are leaders in our communities, the arts, sciences, business, and world affairs. We no longer accept legal discrimination in America in any form. We no longer allow the use of poll taxes that prohibit African Americans from voting. We no longer tolerate discrimination in public accommodations such as water fountains, lunch counters, movie houses.

In addition to making political, legal, and social gains, Blacks are now enjoying unprecedented economic success. African-American unemployment and poverty levels are at record lows. There continues to be a significant rise in African-American homeownership and a dramatic increase in loans to African-American entrepreneurs.

We must be aware, though, that the slumping economy the past 2 years has threatened to undo much of the progress, and its impact is disproportionately felt by people of color. I talked about one of those issues this morning; that is, 34 percent of African-American teenagers are unemployed. They want to find jobs.

So despite all of our progress as a society expanding opportunities for all, we can do much better. We have a lot more to do and challenges we have to overcome. The population of Blacks

and other minorities continues to increase and flourish in Nevada and across America. But African Americans often lack the services and resources they need to receive a quality education and, in turn, achieve a better place in our society.

Almost half a century after *Brown v. Board of Education*, most minority students still attend schools that are predominantly minority. On average, they are in larger classes, have older books, receive less challenging lessons, and have teachers with less training in the subject being taught.

Fortunately, Congress passed a bipartisan *Leave No Child Behind* education reform package, which became the law of the land last year, to correct certain inequities by making sure well-trained teachers are in every classroom, setting higher standards for all students, and providing schools with resources to meet these new standards.

To continue improving the quality of education, expanding opportunities for all Americans, our next step must be to raise the standards for safety, character, and discipline in our schools and to fulfill the promise of our education reform. To do this, we must have a budget that comes from the White House that doesn't skimp on funding for our schools. Passing a bill that says leave no child behind is good, but we are leaving many children behind if we don't provide the funding.

There are some schools, because of a lack of funds, that are going on 4-day school weeks. I don't know of a school district in America—I am sure there are some—that is not having tremendous funding problems. The fifth or sixth largest school district in America is Las Vegas, Clark County, some 250, 260,000 students. That school district has deep financial problems. Many of these problems are a result of the unfunded mandate that we passed on to the school district in Clark County and other school districts around America with *Leave No Child Behind*. They are required to do things, and we have not provided resources to help them.

While we have made substantial progress, Blacks still lag behind financially and are disproportionately represented among America's poor. Congress should increase the minimum wage, not only to help youths and African Americans but all of our Nation's citizens, especially single mothers, who benefit more than any other group. In addition, providing unemployment and health care benefits for those who have been hindered by the recession will help dislocated workers and their families get back on their feet and continue to improve their lives. We also need to find creative, effective ways to narrow the earnings gap between Whites and African Americans.

Making these improvements will take the dedication of all Americans. Our Nation's efforts to recover from the tragedy of September 11 remind us that by working together, we become a

stronger America. We must join to continue fighting to make sure all Americans enjoy equal opportunities for justice, quality education, and economic prosperity. To say that a child has the ability to be educated is not a truism if that education does not include adequate funding.

Sadly, some pay only lipservice to the legacy of Martin Luther King, Jr. They even use his own words as a defense for opposing policies and programs that would advance his goals. In this year, 2003, it is not enough to quote Martin Luther King, Jr., or to say the right thing or avoid saying the wrong thing. Actions speak louder than words, even words as powerful as his. While we certainly remember Dr. King as an articulate speaker, it was not what he said, it was his actions that were more important—nonviolent actions of organizing, educating, motivating, demonstrating—that achieved the real results.

So if we are to truly and fully honor Dr. King and, even more, if we are truly and fully motivated to improve race relations in this great country of ours, we want America to live up to its democratic ideals. If we want all of our people to have equal opportunity, freedom, justice, prosperity, security, and peace, we must pass civil rights legislation, fund programs that help level the playing field, and appoint judges whose records show a commitment to tolerance and fairness.

I am proud of the Democratic Party's longstanding commitment to civil rights. We have recognized that we must take additional steps, though, to advance and protect civil rights in the future for all Americans. We cannot stand on the laurels of what we have done in the past; we must move forward.

We have developed a package of civil rights legislation known as the Equal Rights and Equal Dignity for Americans Act. This comprehensive legislation includes measures to expand hate crimes protections, strengthen the enforcement of existing civil rights laws, support legal representation for indigent Americans, respond to the injustice of racial profiling, address pay inequities between men and women, protect individuals against genetic discrimination, prohibit employment discrimination based on sexual orientation, prohibit military and civilian personnel from collecting intelligence information about U.S. citizens, and fully fund election reforms passed last year.

During the most recent elections, I was troubled by what we learned took place in the last few days of the election and some we didn't learn about until after the election. Here are examples of the 2002 elections, where there were efforts made by the Republican Party and Republican candidates to harass and intimidate minority voters in an effort to reduce the number of people of color from voting.

Regarding Louisiana, this is from the New York Times, headlined "GOP 'En-

gineered and Fueled' Runoff Campaign":

[Louisiana GOP candidate Suzie Haik] Terrell, whose campaign was engineered and fueled by the White House, had the momentum going into today's runoff election. \* \* \* the Republicans did their best to suppress the black vote so crucial to Ms. Landrieu's fortunes.

That is the article dated December 8. MISINFORMATION FLIERS POSTED IN LOUISIANA PUBLIC HOUSING PROJECTS FALSIFIED ELECTION DATE

The Times-Picayune reported, One of the most blatant attempts to keep African-Americans from voting was an unsigned pamphlet that the Landrieu campaign said was circulated in New Orleans public housing complexes just before the runoff. The document said: "Vote!!! Bad Weather? No problem!!! If the weather is uncomfortable on election day (Saturday December 7th) Remember you can wait and cast your ballot on Tuesday December 10th." Anyone who waited past Saturday, however, missed the chance to vote.

This appeared in the Times-Picayune of 12/12/02:

LOUISIANA GOP PAID FOR SIGNS TO DISCOURAGE AFRICAN AMERICANS FROM VOTING

The Louisiana Republican Party admitted to paying for signs aimed at discouraging African-Americans from voting. The signs said: "Mary, if you don't respect us, don't expect us." According to the New York Times, "The Republicans paid black youths \$75 today to hold the signs aloft on street corners in black neighborhoods." That was the Times-Picayune and the New York Times. The Times-Picayune is dated December 12 and the New York Times is dated December 8.

Madam President, it is 3:30. Morning business is to expire. I ask unanimous consent that I be allowed to continue for another 10 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. If the majority comes to the floor, I will be happy to step aside. Continuing to quote:

ARKANSAS: POLL WATCHERS ENGAGE IN AFRICAN-AMERICAN VOTER INTIMIDATION

On October 23, 2002, five Republican poll watchers, including two staff members of Senator Tim Hutchinson's office, were present at the courthouse in Pine Bluff, Arkansas—a heavily Democratic area—for the first day of early voting. They allegedly focused exclusively on African Americans, asking them for identification and taking photographs. They claimed to be "targeting anybody who does not have an ID to prove who they say they are." Trey Ashcroft, chairperson of the Jefferson County Democratic Party and the Jefferson County Election Commission, said the tactics caused some frustrated black voters to not vote. They are trying to intimidate African-American voters into not voting." Guy Cecil, a Democrat coordinating national efforts with Arkansas campaigns, said, "They were literally going up to them and saying, 'Before you vote, I want to see your identification.'" Cecil said that under Arkansas law poll watchers could not confront voters. Local law enforcement officials escorted the poll watchers out, but they later returned.

2002: RNC CREATES LAWYERS' GROUP TO PROMOTE "BALLOT SECURITY & INTEGRITY"

The newly-created Republican National Lawyer Association (RNLA) convened in San Antonio, Texas in August 2002, to "teach Re-

publicans from all over the U.S. about preserving and protecting the integrity of elections." They touted the event as a "landmark political forum" focusing on pre-election, election day, and post-election topics. On their Web site, they tout that "almost 200 lawyers from over 20 states attended." Their efforts, "at the request of" the RNC and "various" state parties, involve "conducting and organizing ballot integrity training across the country." The group is "sending its members out to targeted districts and areas where voter fraud is a concern or has historically been a problem to make sure that ALL registered and qualified voters have an opportunity to cast a ballot and that individuals not registered or qualified should not be permitted to vote." The group's president, Craig Burkhardt, urges that the Republican lawyers engage in "targeted, effective advocacy." The RNLA web site lists several hundred attorneys affiliated with the Republican Party, including 84 from across the country who specialize in election law.

NEW JERSEY: GOP DRAFTS PLAN TO INTIMIDATE HISPANICS WITH CADRE OF "LATINO LAWYERS"

At an October 28, 2002 hearing in Newark, New Jersey federal court, state Democrats alleged that the state GOP's Election Day plan to intimidate Latino voters violated a twenty year-old consent decree. In that decree, Republicans pledged they would not intimidate minority voters after a controversy involving a 1981 "ballot security task force". Democrats provided evidence of an email soliciting "Latino Lawyers & Others," described as an "aggressive campaign" to "ensure ballot fairness". The email was allegedly sent by a staff member of Republican Senate candidate Doug Forrester. Zulima Farber, arguing for the state Democratic Party, said the email suggested a plan to suppress the New Jersey Latino vote. The GOP has countered that the Democrats' attacks are "completely without merit" but acknowledged they plan to post about 70 attorneys in heavily Democratic districts to "make sure nonregistered voters are not allowed to cast ballots." Forrester's election lawyer, Bill Baroni, also notes that the email was not initially addressed to Latino lawyers. Another hearing has been scheduled.

TEXAS: REPUBLICAN POLL WATCHERS EJECTED FOR VOTER INTIMIDATION

The *Brownsville Herald* reports, "Two poll watchers representing Republican U.S. Senate candidate John Cornyn have been removed from their polling places amid further accusations of voter intimidation in Hidalgo County. The decision to eject the two GOP workers, one watching early voting in McAllen and the other in Edinburg, was initially made by early voting supervisors Thursday and confirmed Friday by Teresa Navarro, Hidalgo county's elections administrator. . . . In an alleged incident at the Palmer Pavilion in McAllen, a voter reported [ejected GOP poll watcher Joseph] Hopkins to an early voting supervisor for making a 'racist remark.' The voter, who knew Hopkins, asked what he was doing there. Hopkins is said to have jokingly replied, 'I'm just a poll watcher but I do not see many Poles. I just see a lot of Mexicans.' In the other alleged incident, at an early voting station within the Elections Department Office in Edinburg, poll watcher [Laura] Mason was reported for 'repeatedly talking to and harassing' voters. An elderly Hispanic voter was said to have been reduced to tears after being 'confronted' by Mason.

NEW MEXICO: REPUBLICAN PARTY OF NEW MEXICO SENT FALSE MAILER TO VOTERS

The Republican Party of New Mexico sent mailers that incorrectly discouraged citizens

from voting a straight party ticket in order to benefit GOP candidates. The mailer said, "Notice to Voters. Do not vote using the Straight Party Button on your polling machine. This button cancels out any individual votes cast. In the past election, this button deprived many candidates of the votes they earned from people like you." In New Mexico voters are able to "cast a straight party ticket and then vote for individual candidates of the other party," the Las Cruces Sun News reported. Denise Lamb of the Bureau of Elections said, "its despicable that people would try to misinform voters to win an election."

PENNSYLVANIA: GOP CONGRESSMAN ISSUED POLL WATCHER PACKET WITH WRONG INFORMATION.

According to a Lebanon Daily News Editorial, "[Rep. George] Gekas, a Harrisburg Republican, has distributed among county officials and volunteers an 18-page manual that includes a section about 'challenging a voter.' That's right: Gekas volunteers aren't just going to challenge absentee ballots, but are going to try to block some people who show up at the polls from casting votes. Even more worrisome is the legal advice that 'challenging a voter' offers to GOP volunteers. The Gekas pamphlet contains some legal errors that may encourage Republican volunteers to lodge false and misleading protests against voters' rights. . . . The Gekas poll-watching strategy constitutes an embarrassment for the GOP. Republicans seem determined to frighten voters rather than competed in the arena of ideas. Gekas and his allies should disavow their planned attempt to discourage people from exercising the federal franchise. They would do better to welcome voters to the polls."

MARYLAND: MAILER CIRCULATED TO AFRICAN-AMERICANS SPREAD FALSE VOTING INFORMATION

In Baltimore, MD as unsigned flier circulated in African-American neighborhoods spread false information aimed at suppressing voter turnout. The flier read: "Urgent Notice. Come out to vote on November 6th. Before you come to vote make sure you pay your parking tickets, motor vehicle tickets, overdue rent and most important any warrants."

Mr. President, the Republican actions during the last election are not in keeping with the legacy of Martin Luther King.

#### EXTENSION OF MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the period for morning business be extended until 4:30, with the time equally divided, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORNYN). Is there objection? If there is no objection, it is so ordered.

Mr. REID. Mr. President, I have spoken to Senator BYRD and Senator

DASCHLE, and Senator BYRD had a meeting with Senator STEVENS. I think we are at a point real quickly where the two leaders will come to the floor with Senator BYRD and Senator STEVENS and do something on the appropriations process. I would alert everybody, they should not plan any real long speeches—my friend said he has not—because I think we are going to be able to go, pretty soon, to the appropriations bill.

The PRESIDING OFFICER. The Senator from Nevada.

#### COMMEMORATION OF MARTIN LUTHER KING JR.'S BIRTHDAY

Mr. ENSIGN. Mr. President, "What are you doing for others?" It is in the spirit of this simple question that Dr. Martin Luther King, Jr., lived and died. Can you imagine if every person started each day with such a challenge? If before we thought about what clothes we would wear or what food we would eat or what meetings we had scheduled, we asked ourselves, "What are you doing for others?"

These weren't just words to Dr. King. He walked the walk. And his walk often took place in neighborhoods where he was stoned by angry crowds, in jail cells where he was imprisoned, and in cities where he was despised. But every morning he woke up with the attitude that he was here to serve others, and he believed that everyone was capable of doing the same. He once said in a sermon that, "Everybody can be great, because everybody can serve." The only requirements to serve, according to King, were ". . . a heart full of grace, a soul generated by love . . .".

For the 39 years that Dr. King graced this world, he led by example. And for the almost 35 years since his death, his legacy has continued to light a path to love, tolerance, reconciliation, and equality.

As well lit as he left that path, we still continue to stumble. That is why celebrating Dr. King's mission, even if just one day a year, is so necessary. We must remind ourselves how important it is for us to keep working toward a Nation that promotes opportunity for all while celebrating our unique differences.

Race relations in American have come a long way since almost 40 years ago when Dr. King penned his "Letter from a Birmingham Jail" after demonstrating against the segregation of restaurants. He wrote:

We have waited for more than 340 years for our constitutional and God-given rights. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim \* \* \* when you take a cross-country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you \* \* \* when you are humiliated day in and day out by nagging signs reading "white"

and "colored," then you will understand why we find it difficult to wait.

A lot has changed since then, but in 2003, Dr. King's work is still not complete. Opportunity is not available to all, and we have not fully succeeded at respecting each other's differences.

As we honor the life of Dr. Martin Luther King, Jr., we are reminded that he lived to love others and serve others as a pastor, a champion of equality, and a leader of freedom.

He lost his life while on a mission to leave his children, and all our children, a better world. We owe it to him to continue down that path to love, tolerance, reconciliation, and equality, for only when we reach the end will his work have been completed.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURNS). Without objection, it is so ordered.

#### A WATERSHED MOMENT FOR THE ADMINISTRATION

Mr. DASCHLE. Mr. President, I came to the floor to discuss two issues—one, the matter of civil rights and, secondly, the important matter of economic stimulus. I indicated that today was a watershed moment for this administration. They had to make a choice and, as they made that choice, they would be making history.

Well, I am now told they have made the choice. They have decided to side with those opponents of civil rights and diversity in coming down in opposition to the Michigan case. I am troubled and saddened by the news. This administration, just a month ago, indicated they were going to demonstrate their commitment to civil rights, a commitment to diversity. They were going to show by their actions their intentions and their resolve to continue to provide meaningful opportunity to minorities in this country. Once again, today, the administration has said it is as clearly by their actions as anyone can that they will continue to side with those opposed to civil rights and opposed to diversity in this country.

I don't know how the Supreme Court ultimately will decide, but I do know this: Unless we take real action, unless we show real leadership, unless we show by our actions that indeed we want to see real opportunity and meaningful respect for diversity in this country, nothing will change.

On occasion after occasion, in spite of their rhetoric, the administration has shown by their actions an insensitivity to civil rights and diversity. They showed it by renominating Judge Pickering; they have shown it by their inaction and apparent opposition to