

with great standing and credibility in her community. Rosa Parks had stature. Rosa Parks had the backing of the NAACP. Rosa Parks had people who could get her out of jail.

She had people who could work with her and help to stage, if you will, in the minds of some, this moment in time when she literally decided that she was not going to move back nor stand up so that her seat could be held and had by a person of a different hue.

It was a bold thing to do. It was a very bold thing to do in the South, the segregated South at that time, the segregated South where the Constitution accorded us all of the rights of other citizens, but our friends and neighbors denied us those rights that the Constitution accorded us. This was the segregated South, and this was Rosa Parks. She decided to take that seat, backed by the NAACP and backed by a host of persons who were prepared to work with her and support her.

The truth be told, the honorable Rosa Parks, who is considered by many the “mother of the civil rights movement,” the honorable Rosa Parks stands and stood at that time on the shoulders of a giant. She stood on the shoulders of a giant that we rarely hear about and rarely read about.

It is the story of a giant who was but 15 years of age at the time she made her mark, if you will, in history. It is the story of a giant who was arrested 9 months before Rosa Parks for doing the same thing that Rosa Park did. She was a 15-year-old girl, Claudette Colvin. She was the first person arrested under the circumstances comparable to Rosa Parks in Montgomery, Alabama.

She went to jail. Little is known about her. Little is known because it was thought at the time that she was not the ideal person around which to rally. It was thought at the time that a more senior person was needed, a person who had greater standing in the community. She was not that person.

Ah, but here is where history—history—tells the story. She was one of four people to file the lawsuit—the lawsuit—that ultimately ended segregation of the bus line in Montgomery, Alabama.

Although Rosa Parks, Dr. King, and the multitudes marched and protested, they marched and they protested for approximately a year or more, it was not the march or protest that actually brought about the ending of this form of invidious discrimination. It was really the lawsuit, *Browder v. Gayle*. It is important to note that there were four plaintiffs in the lawsuit and that Claudette Colvin was one of those four plaintiffs.

It was that lawsuit that made the difference in the lives of not only those people in Montgomery, but people across the length and breadth of this country because that was one of the first times that the opinion expressed in *Brown v. Board of Education* was expanded to include public transpor-

tation. That was an important, significant event in history.

It was Rosa Parks who received a lot of the credit. I love her, and I think she deserves all the credit she received, but I also think there are these unsung heroes and heroines who have not received their fair share of credit for what they too have done. In fact, they are the shoulders that giants stand on. Claudette Colvin is the giant on whose shoulders Rosa Parks stood on.

Moving to another giant, we all know of Dr. King, and last week and earlier this week, we talked a lot about Selma, and we talked about the march that took place there.

In talking about that march, we talked about how people assembled at a church, and they decided that they were going to march peacefully from Selma to Montgomery. As they proceeded to march, they came to a turning point in history. They came to one of those seminal moments in history that will forever define the life of a country, to be quite candid.

They came to the Edmund Pettus Bridge, and they confronted the constabulary on the other side of the Edmund Pettus Bridge. If you have not gone to the Edmond Pettus Bridge, you should go and see the Edmund Pettus Bridge.

If you understand the times that these persons were living in, you have to realize that these were some brave, courageous, and bold souls to be willing to march across the Edmund Pettus Bridge, knowing that the constabulary was on the other side with clubs and on horses.

You have to ask yourself candidly: Would you have confronted what you knew was waiting for you in the form of possible death on the Edmond Pettus Bridge?

The Honorable JOHN LEWIS indicates that he thought he was going to die that day because, when confronted by the constabulary with these clubs, they beat the marchers all the way back to the church.

If you see the movie “Selma,” you can get a fair depiction and representation of what happened on the Edmund Pettus Bridge. There will be another march this year across the Edmond Pettus Bridge. For those who are interested, I am Congressman AL GREEN. You can call my office, and we will tell you about it. You might want to join us.

Let’s talk about the Edmond Pettus Bridge and this march. Dr. King was not there for Bloody Sunday. There were reasons that compelled him to do some other things in his life. There were other persons there. The Honorable JOHN LEWIS was one of them.

In a sense, when Dr. King came back—or he came to Selma following Bloody Sunday to march, he was standing on the shoulders of those who had already gone before him and confronted this constabulary.

Let’s really take a closer look at the history—at the history that we rarely

talk about and hear about as it relates to the Edmund Pettus Bridge because there is a person that I conclude is the greatest unsung hero of the civil rights movement who had a hidden hand in the march from Selma to Montgomery.

□ 1745

When they went back to make the final march with Dr. King, as they moved across the Edmund Pettus Bridge, they had a hidden hand that had signed a court order. That court order was signed by the Honorable Frank M. Johnson, a Republican appointee to a Federal court, appointed by the Honorable President Dwight Eisenhower.

Frank M. Johnson signed the order clearing the way for them to march from Selma to Montgomery. And it is interesting to note that he was a contemporary of George Wallace. In fact, they were classmates. He and George Wallace had a constant confrontation, a mild form of confrontation, sometimes it got a little bit more than mild, but they continually battled each other. Frank M. Johnson was so much of an impact on the times that he had to be guarded 24 hours a day. He was a Federal judge unlike any other. In fact, Dr. King said he put the justice in the word “justice,” the Honorable Frank M. Johnson.

So the question becomes, on whose shoulders did Dr. King stand on that day when they marched across the Edmund Pettus Bridge? On whose shoulders did the marchers stand on? They stood on the shoulders of a hidden hand of the civil rights movement, the Honorable Frank M. Johnson.

Frank M. Johnson integrated schools, he integrated the jury system. He changed the face of the South, and so little is known about this giant on the shoulders of whom many of the great icons of the civil rights movement stood on that day. This is not to demean or diminish—obviously, we can’t—the role of Dr. King and the Honorable JOHN LEWIS; this is simply to say there are others whose stories are not told enough, whose stories should be told more.

And on an occasion like this when we want to celebrate Black history, I think we have to acknowledge that there were unsung heroes and heroines on whose shoulders many of the giants stood on. And we also have to acknowledge that many of these unsung heroes and heroines are not of African ancestry. You see, there really is a White side to Black history. Frank M. Johnson is a part of this White side of Black history. But we also must know that Frank M. Johnson, the great hero that he was, is not in the history that we speak of, is not celebrated to the extent that he should be.

So tonight, I want to say to the family and friends, relatives, those who knew him, we celebrate him tonight. We celebrate the Honorable Charles Hamilton Houston tonight. We celebrate the Honorable Claudette Colvin

tonight. These are persons who were in the shadows but who made a difference, and giants stood on their shoulders.

Now to close. Let's go back to the Edmund Pettus Bridge because a significant thing occurred. At the Edmund Pettus Bridge when they marched across, at that time there were five African Americans in Congress; there were four Latino Americans in Congress, Hispanic Americans; and there were three Asian Pacific Islanders in Congress. Now, rather than five African Americans, we have 48. Rather than four Hispanic Members, we have 38. Rather than three Asian Pacific Americans, we have 14. I would also note that there were 14 females in Congress at that time. We now have 104.

Crossing the Edmund Pettus Bridge provided the world an opportunity to see the horrors of invidious discrimination, of onerous segregation, the horrors that people, decent God-fearing human beings in the South, had to suffer. And it provided the President of the United States, the Honorable President from the State of Texas, Lyndon Johnson, the opportunity to sign the Civil Rights Act of 1965.

That Civil Rights Act is in no small part why I happen to stand before you in the Congress of the United States of America. I stand on the shoulders of many giants. Many of them are known to us, but there are a good many of them who are not known to us, and I am proud to say that during this time of Black History Month, it is appropriate for us to acknowledge them and celebrate them for what they have done to make it possible for many of us to have the opportunities that we have.

And today, as we look back and we revisit the Special Order hour, "50 Years Ago From Selma: Where Are We and Where Are We Headed?", I must tell you, in concluding, that we are headed back to the future. We are headed back to the future because the Civil Rights Act of 1965, which accorded us the many opportunities that we have today, that Civil Rights Act of 1965, section 4 of it has been eviscerated. And as a result of the evisceration of section 4, we have seen, unfortunately, section 5 of the act lose its potency because without section 4, you don't have a section 5. Section 5 has been emasculated; section 4 eviscerated, section 5 emasculated. Section 5 is there, but it does not have the coverage areas that it is to address. And so without section 5, we find ourselves back to a point in time wherein we will have to again relitigate the whole question of the right to vote, to a certain extent—very limited—but also in this context the means by which we were able to secure many of the seats in Congress that the 48 Members presently enjoy.

So without that section 5, an effective, potent section 5, we find ourselves with a circumstance where we are looking back now to that future, that future that is going to require us to do

some heavy lifting to reinstate section 4 of the Voting Rights Act.

And, as they marched once before, we will march once again this year. My hope is that we will be able to in this Congress come to a bipartisan conclusion that section 4 of the Voting Rights Act is still important to a good many people, and that we will work together to revitalize section 4 of the Voting Rights Act so as to give section 5 the potency it needs to provide the coverage that has been of great benefit to us.

Mr. Speaker, I am so grateful to have had the opportunity to share these thoughts at this moment in time about some of the great heroes and heroines and some of the unsung heroes of the civil rights movement. I thank you, and I thank the leadership for allowing us this time to celebrate Black History Month in these, the great United States of America. God bless you, and God bless our great country.

I yield back the balance of my time.

#### AMERICA'S NATIONAL CONVERSATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY) for 30 minutes.

Mr. FORTENBERRY. Mr. Speaker, first, if my friend, Congressman GREEN, wouldn't mind staying a moment, I would like to offer a few comments on what you said. Unfortunately, I missed the larger body of your talk, but I would like to add a few things, if you don't mind.

Mr. AL GREEN of Texas. I welcome the opportunity to stand with you, my dear friend. Thank you.

Mr. FORTENBERRY. I think it should be acknowledged that we were elected at the same time.

Mr. AL GREEN of Texas. We are classmates.

Mr. FORTENBERRY. We are classmates. While we are on different sides of the political aisle, nonetheless I hope that you consider me as much of a friend as I consider you.

Mr. AL GREEN of Texas. I do. And if I may say, I rarely think of sides of the aisle when you and I are talking. It doesn't become a significant factor in our lives as we converse and we celebrate our friendship.

Mr. FORTENBERRY. I would like to note a couple of things you pointed out in your speech, and then you can move on with your evening. I don't want you to stay through my other comments, but nonetheless, you said a few things. You talked about the important progress that has been made in this country, and I think that is notable. You talked about that particularly difficult period in the 1960s, and you referred to Black History Month as America's history month as well. I think those are all notable comments, and I wanted to tell you that.

In that tough time, something happened to me that I would like to share

with you. I was not born in the State that I represent. Nebraska is my home. It is where I have decided to raise my family. It has given me a bounty of opportunity, and I am so privileged to be a Representative from Nebraska. I was born in the Deep South in a State where segregation and racial difficulties were particularly difficult.

When I was in third grade, it was time for my birthday, and we had a birthday party and I invited all of my classmates. This was basically a White, middle class stable school in a stable neighborhood, but there was one African American family, either because of the beginning of desegregation that was taking place at that time or because they lived in proximity, they were at the school. One of the young boys was named Philip Brown. He was not only my classmate, but my friend. So I invited all of the boys, including Philip, to my birthday party. Philip didn't come. And I saw him on the Monday afterward and I asked him, I said: Philip, I didn't see you at my birthday party. Why didn't you come?

He said: I did. They wouldn't let me in.

Now this is an 8-year-old child.

I remember then thinking during the party, my father had come over to me and whispered in my ear, in terms of the time, he said: Jeffrey, is Philip a Black boy?

And I said: Yes, and I didn't think any more about it.

He had to go outside. My father had to go outside and talk to Philip's father because the establishment there, unbeknownst to us, but the establishment didn't let in African American children.

Now, I want to fast-forward, though. I told that story to my little children. I have five daughters, and they are growing up now, but I told this to them a few years ago. To your point about progress being made, they were visibly upset. They said: Daddy, you have to go find Philip. You have to go find him.

Mr. AL GREEN of Texas. What a wonderful thought.

Mr. FORTENBERRY. Because they were deeply touched, wounded, if you will, by this story. How could this happen to a little child?

But I think you rightfully acknowledge that those days are behind us. And through all of the difficulties, toils and struggles that occurred, thankfully they are behind us. And I think what you said is appropriate, that Black History Month ought to also be called America's History Month because these chapters are an important, essential part of our national fabric and our national culture.

Again, I didn't intend to dialogue with you. But I was sitting there thinking of this, and I have never shared that story publicly. But I think the main part of the story is the painful look on my own little children's faces when they heard that, and I think that means good progress.

I yield to the gentleman.

Mr. AL GREEN of Texas. I appreciate you sharing that vignette with me because it is very much heartfelt. It is good to have a person to tell the actual story. If you have read it, you will know of what I speak; if you haven't, I commend it to you—Dr. King's "Letter from a Birmingham Jail."

Mr. FORTENBERRY. I am very familiar with it.

Mr. AL GREEN of Texas. It is one of the greatest pieces of literary history, saving a few holy books, I would say. It is absolutely one of the best stories of what that time was like. Dr. King talks about how he had to explain to his children why they couldn't go to a certain theme park, and how he could see the clouds over their heads as they were saddened by their inability to go to the theme park because of who they were.

I ask people to please read that letter because it really parallels what you are saying tonight here on the floor of the House of Representatives. You are right—we have come a long way from those times. These times are difficult in a different way, however. There is still great work to be done, and you and I can work together to get some of this additional great work done.

But notwithstanding all that I have said tonight, I conclude with this: On a bad day, it is still good to live in the USA.

Mr. FORTENBERRY. Amen.

Mr. AL GREEN of Texas. On a bad day when your spouse wants to leave you, or on a bad day when your puppy wants to bite you, let your puppy bite you and let your spouse leave you, in the United States of America, on a bad day, it is still good to live in the USA.

□ 1800

Mr. FORTENBERRY. I thank you for listening to me and your commentary tonight. Let's continue our robust friendship and our collegiality as we work through differences and difficulties, which are inevitable in a body like this where there are indeed philosophical divides.

There ought to be certain principles that unite us, and I have myself quoted from Dr. King's letter in the Birmingham jail in other speeches.

Mr. AL GREEN of Texas. Thank you very much.

Mr. POE of Texas. Will the gentleman yield?

Mr. FORTENBERRY. I yield to the gentleman from Texas.

Mr. POE of Texas. I thank you for yielding. I won't take all of your time.

You and I, our careers have mirrored. We both became lawyers the same year, and we both started at the courthouse in Houston I think the same year—'73, '74, right in there.

Of course, you were on one side, the defendant side, and I was on the prosecution side. We worked before the same judges. You and I both became judges about the same time and then we left the bench at the same time and ran for Congress and joined Mr. FORTENBERRY in the infamous class of 2004 or '5.

I do want to make this comment that things at the courthouse during all that time changed a great deal as to who was at the courthouse in the courtroom representing either the State of Texas or the citizen accused, as you referred to him.

Were you the first African American to practice in the courtroom? Or was it Ned Wade or Ron Mock? Which one of you was it?

Mr. AL GREEN of Texas. I was not and probably someone prior to Ned Wade. There were other lawyers who were there long before us.

Mr. POE of Texas. It has changed a great deal. In fact, the judge who took my place is an African American judge at the courthouse in Houston. It is hard looking back on history to realize things were not always that way at the courthouse and the legal profession as they were in many other professions.

I think your accomplishments as an attorney and as a jurist are admirable. They have served the State of Texas quite well, but you fought a lot of battles during that time as well, and I want to thank you for fighting those battles.

Mr. AL GREEN of Texas. Well, thank you.

I know that your time is of the essence, and you have been very generous with me. Mr. FORTENBERRY.

Will the gentleman allow one additional comment? The Honorable TED POE and I have had a friendship for many, many years. He is imminently correct. We were on different sides of the table, literally, in the courtroom, but we never allowed many of the political maneuvers of the time, the political issues of the time, to prevent us from being friends, and we brought that friendship to the Congress of the United States of America.

While there is still great work to be done—even in the courts, there is still great work to be done. There is great work to be done in the area of litigation that still is matriculating through the courts, but we still have to acknowledge that it is a better time to do it now than to do it then.

We have greater friendships and greater opportunities. On a bad day, it is still good to live in the USA.

Mr. FORTENBERRY. A great expression. Thank you.

Thank you, Judge POE.

Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore. The gentleman from Nebraska has 20 minutes remaining.

Mr. FORTENBERRY. Thank you, Mr. Speaker.

Before I deviated, I had some other thoughts that I wanted to convey tonight. Mr. Speaker, let me start out with this thought.

It is a high goal, a principle, that I think across this body we all share, and it is this: Americans deserve a smart and effective government. I don't think nor do I think many of us believe that Washington should be

mired in mediocrity, nor should we be divided by class or income, but I do think we have to acknowledge several difficult truths.

I think our national conversation should also start here. The reality is we have a tale of two very different economic recoveries. One recovery was working pretty well for transnational corporations, many of which are subsidized indirectly by the state, but the other recovery is not working quite as well for everyone else.

Too many families are facing downward mobility, stagnant wages, and an increased cost of living, and many feel abandoned by a Washington and Wall Street axis. There is an incomplete picture being given, I think, in the dynamics of the statistics that are now being promulgated about the current economy.

Yes, we have some good news. Energy prices have significantly fallen, and that is taking a lot of pressure off a lot of sectors and a lot of individuals. Some recovery is happening.

But as the head of the Gallup organization points out, the recent reports that the unemployment rate has dropped to 5.6 percent are really quite misleading. The Department of Labor doesn't count those who are trapped in unemployment and who have stopped looking.

In fact, the further you unpack these statistics and you look at what is causing the causal relationship here is, unfortunately, we are entering into a period of what I am calling an entrepreneurial winter, where there are more small businesses dying than there are being born; in other words, the net outcome of small business creation is in a negative range for the first time in the history of our country.

The reason this is significant is this is where most jobs come from. Most people in America are working hard and are looking for their opportunity in small business. We are not talking about larger entities, which have an important role in not only economic recovery and in creating employment for many, but small businesses are where the majority of jobs are created.

It is also where this dynamic of an interdependent economy, a healthy economy, is really born, an opportunity economy, where the benign forces of competition create a certain interdependency between the one who is making a good with their own two hands or their intellect and selling it to another who needs that good and, in turn, reinforcing a social dynamic that is essential to personal well-being and a healthy economy.

Well, how did we get into this position? I think we have to analyze this as well.

Mr. Speaker, I received a phone call last spring, and the gentleman was very, very eager to talk to me, so I called him back. In fact, he was so eager to talk to me that he was actually sitting at the Nebraska spring football game where the white team versus the red team, they play it out.

This is a big deal in Nebraska. Tens of thousands of people actually go to this game. He was sitting in the stands, and he took his time out from watching the Nebraska spring game to talk to me which is a high honor.

He wanted to point out that he was a small business person. He owned and started a heating and air-conditioning business and, until very recently, had five employees. Because he could see what was coming—particularly in health care—he got rid of all of his jobs, and it is just him now.

If you ask the question—and analytics are showing this—as to why small businesses are not taking proper risk going out into the marketplace to create new products and hire people, there are two simple—this is a bit simplistic—but two answers are what come forward. The first is health care, and the second is regulation.

You see, in the name of trying to create an orderly and just and fair economy when Washington overreaches and creates an environment that is setting up the guardrails for proper economic function, if it is too heavyhanded and it is penalizing those who don't have an army of lawyers and accountants and regulatory personnel, that means that the playing field suddenly shifts toward much bigger entities that, in many ways, can become impersonal.

The more Washington imposes regulatory burdens that are affecting the outlook and expectation of small business people, the more they are hesitating to hire.

The second factor is health care. Now, I think we have to have this hard conversation. We have a broken health care law. The Affordable Care Act, as it is called, could be called now the “Unaffordable Care Act.”

The law was designed to fix some real cracks in our system that were very evident. People with preexisting conditions or people being priced out of the market were having a very difficult time finding health insurance, and that needs to be addressed, and it needs to be addressed through Washington policy.

But we need a health care system that is focused on decreasing cost and improving health care outcomes while also helping vulnerable persons. What we have gotten now is higher escalating cost, fewer choices, and a dampening effect on the entrepreneurial small business economy—again, where most jobs come from. It is not me saying this. This is what the statistics are bearing out and the research is bearing out; and it is a hard, hard reality.

Instead of just saying “no” to the Affordable Care Act, those of us who have said “no” many times also have a responsibility to find a responsible replacement in public policy for us—again, one that is going to increase competition, improve health care outcomes, give additional choice, while also decreasing cost, and protecting vulnerable persons.

Mr. Speaker, I think Americans deserve the best possible health care out-

comes in the world. The question is how do we get there?

Well, from my perspective, a new framework, a new architecture of approach is needed, but it basically expands a policy that we already have.

A long time ago, I had a very significant headache. I was in my twenties. I carried my own health care policy, and it was very expensive, so I had a very high deductible.

Because the headache was particularly severe, I decided: Well, I assume the family physician will probably just send me on to a specialist.

So I called the ear, nose, and throat specialist directly and went and got an appointment. She did an x ray and said: I can't really tell from the x ray, so I am going to have to do a CAT scan.

I said: Doctor, is that really necessary? You know, I understand the problem of liability and the need to push the boundaries on testing. Is it really necessary?

She asked me directly, almost kind of indignant, she said: Why are you talking to me about this? I said: Because I am paying for this. My deductible is very, very high. I am actually paying the cost of this test. I just want to know if this is absolutely necessary. Help me to make that decision.

She said: Oh, yes, of course, it is necessary. But now that you said that, I am just looking at your sinuses, so why don't we call places in town that have the machine and see if they will widen the cross section and give you a discount? I said: Great.

In 3 minutes, she had her assistant call. We found a place in town that was about \$75 cheaper than normal. The doctor got the test that she needed. Perhaps most importantly, in the aggregate, the resource was more properly allocated, all because I had the incentive to ask a simple question because I was actually paying for the test.

Now, we have a policy that encourages health savings accounts. Some Americans have them; some Americans don't. They are not appropriate for every American, particularly Americans who are getting older and at the ending point of their professional careers, because health savings accounts coupled with catastrophic insurance are a very, very proper way, I think, to manage health care when you are younger and in middle life. We ought to be expanding this.

The second point is: How do we get there? Guaranteed access to affordable, quality catastrophic health insurance with health savings accounts.

What you get for that is you are protected. If something really goes wrong, if you are in the hospital in the emergency, you shouldn't be put in the position of asking: Who is the chief anesthesiologist around here? I need to compare prices.

No, in those scenarios, you are protected. But in ordinary health care decisions, in partnership with your doctor—health care provider—making pru-

dential decisions about what is really necessary and what is not, I think this is a mechanism by which we can again significantly empower families to save money, control their first health care dollar cost, and be protected at the same time.

The health savings account is a tax-preferred vehicle whereby money is set aside on a tax-preferred basis and accumulates over time. Now, most people in their lifetimes don't get significantly sick, so there is the opportunity here again for young people to begin to set aside money in this tax-deferred account that actually helps them pay for when ordinary medical expenses arise. Then again, if something really goes wrong, you have catastrophic insurance.

Over time, these accounts would become larger and larger and help supplement retirement, help supplement the Medicare system, strengthening those important retirement security programs.

□ 1815

I think this is a key to reworking our current health care model, not for everyone, but an expansion of this opportunity, I think, is the right architecture in moving forward for the next generation, particularly, so that we guarantee access to affordable, quality health care.

I think we carry forward some important provisions in that no one with a preexisting condition can be denied. I think the provision whereby children can stay on their parents' health care longer, now until age 26—I actually supported that before the new health care law—is smart policy. We remove caps on insurance, but that doesn't save any money. It just penalizes those who get really sick. We carry those provisions forward, again, to protect persons in a vulnerable circumstance, but we give everyone the access to affordable, quality health insurance.

There is a lot of detail that would go into how you would make that happen—whether or not you would spread that cost over the entire market through regulation or whether you would subsidize it like the government does in other insurance markets, like flood insurance and crop insurance. Nonetheless, I think that is the right framework and architecture for a robust, competitive health insurance marketplace that is going to improve health outcomes, reduce costs, and protect vulnerable persons.

What will we get if we do this? What will we get if we are courageous enough as a body to step forward and say, “Do you know what? We can do better. Americans deserve better than the current arrangement”?

We will get peace of mind for ourselves and for our doctors. I think this would go a long way toward helping resolve the underlying problem here of stagnation in the economy, particularly among those who want to be entrepreneurs—small business persons