

# Black Caucus Demands Justice for Voters, Not Ashcroft for Justice

*The time was 2:00 p.m. EST, Saturday, Jan. 6, 2001; the location, the U.S. House of Representatives radio-television gallery. The entire Congressional Black Caucus and several other Representatives had walked out in protest from the Congressional Joint Session certifying the election of George W. Bush as President. Vice President Al Gore had prevented them from presenting Congressional objections to Florida's Electors, and starting a debate and investigation of the extreme irregularities in the Presidential election, including widespread violation of the Voting Rights Act of 1965. The Representatives had been publicly and privately urged by state elected officials and constituents, to initiate that investigation. They had been publicly asked by Lyndon LaRouche to hold up the certification of Bush, until he withdrew the nomination of John Ashcroft for Attorney General. We publish here the statements made by those Representatives to the press, following their walkout, which were nearly universally blacked out in the media coverage of the events of Jan. 6 in Congress.*

**Rep. Eddie Bernice Johnson** (D-Tex.): I'm Eddie Bernice Johnson of the Congressional Black Caucus, and I'm going to ask Mr. Hastings to give his opening statement, and I'll return.

**Rep. Alcee Hastings** (D-Fla.): Thank you very much, Madam Chair. Today was a very solemn day, and the remarks that many of us were not permitted are regretted by us all. Had I been given an opportunity to go forward with an appropriate objection, I would have indicated that because of the overwhelming evidence of official misconduct, deliberate fraud, and an attempt to suppress voter turnout by unlawful means, I felt the necessity, as do my colleagues from the Congressional Black Caucus and other members of the House of Representatives, to object to the kinds of errors against democracy, the holy grail of democracy, that were permitted in the state of Florida. And we felt that they should not be tolerated, as they would not be



tolerated in other countries. Indeed, we should not tolerate them in America. I would have said to Vice President Gore that Harry Truman once said that what is popular is not always right, and what is right is not always popular. What we were doing here today is right. I, all of our colleagues, and the American people see it that way, and that is why we raised our objection. And it's a proud moment for the conscience of the House of Representatives, those of us that are representing the entirety of the Congressional Black Caucus. In the presence of our chairlady and the members here assembled, we stand proudly to say that we did what was right.

## 'Without Justice, There Can Be No Peace'

### **Representative Johnson:**

Forty years ago, during the civil rights movement, I marched for justice with a firm belief that my son would not have to march in order to utilize his voting rights. Much to my dismay, 40 years later, I find myself marching again, but this time for my grandchildren, so that they will not have to march in order to be afforded the same rights. How long will we settle for injustice in America? How long will we have to fight to protect the 15th Amendment? How long will we have to struggle for something that should be every American's birthright?



On Election Day, 100 million Americans went to the polls to make their voices heard. Those voices want to be heard still. No hypertechnical manipulation of election law should derail the intent of the voter. We cannot sweep under the carpet the claims of first-time college voters who say they registered to vote, had voter registration cards in their hands, but when they were not allowed to vote at the polls because their names were not on the rolls, the lines were busy all over the country where they tried to call to clarify their registration. We cannot sweep this under the carpet, the cries of those who were incorrectly removed from the polling places in Florida by an inept Texas company hired by Mr. Bush's brother. We cannot ignore believable stories of police intimidation, questionable activities by poll workers, and simple ineptness

by volunteers at the precincts.

We cannot ignore what we saw with our own eyes on television: polls closing on voters in St. Louis, un-American voting lines in Pennsylvania, an incredibly complex ballot in south Florida. There is overwhelming evidence that George W. Bush did not win this election, either by national popular vote or the Florida popular vote. As Members of Congress charged with defending the constitutional principles of this country, it is our duty to challenge this vote. The Vice President, in an incredibly statesmanlike effort to take the high road, has ruled against our challenge. So George W. Bush has managed to ascend to our nation's highest office, but he should be on notice that without justice, there can be no peace. And we will ensure that there is no peace in this Congress until he truly reaches across party lines and corrects these wrongs. He must reach across party lines, racial lines, and philosophical lines. We see what's going on. There will simply be no peace until these problems can be corrected. We have seen his so-called efforts to reach out. He has reached out to conservatives who think like him, even though they might look like us. He has appointed people to fill out our most important Cabinet offices who have a history of activity contrary to the mission of the department where they are.

We are particularly concerned about the appointments for Justice Department and Labor Department. And though we acknowledge the phenomenal competence of Colin Powell and Condoleezza Rice, we know that their brave stances on affirmative action will be meaningless because they are in positions that do not influence domestic policy. We know what's happening to us. We know that he has scoured this country to find the tiny minority of African-Americans who think like him and then parade them in front of television, and perhaps even put some kind of commission in place to say they're going to reform election laws. We must see and feel and know it's the truth and know it's sincere, and we can work with him. You should know by now, based on the fact that he lost the popular vote by more than a half-million voters, and we don't know how many he lost by in Florida, that the American people are not fooled by this propaganda of false claims of unity. He should know, based on the fact that a smaller percentage of African-Americans in his own state voted for him than the tiny percentage that voted for him around the nation.

I am still waiting for Mr. Bush to reach out to the Congressional Black Caucus. I believe he will. And I hope that in due time he will. And we'll be prepared to work with him, because he needs to solicit us in the next four years, and he ought to start right now. If he truly wants to reach out and make this a priority, voting reform, then we can truly work with him. It is ludicrous to even discuss a \$2 trillion tax cut before allocating billions of dollars that will be needed to ensure that the abuses we suffered this time at the polls will never, ever happen again. It is not difficult to fix this problem. We stand firm on

our desire to have it done. We are chagrined, unhappy, and frustrated today, because we know who won by the voters to go to the White House. We will continue to object to the election procedures until they are corrected. I now call on Ms. Meek.

### **'Our Senators Did Not Stand Up Today'**

**Rep. Carrie Meek (D-Fla.):** . . . We dare not have it repeated. We dare not have the Tilden and the Rutherford Hayes situation repeated again, because it disenfranchised our people at that time. This will disenfranchise—it already has—our people. We don't want that continued. We will always come out. We will always fight. We don't care who isn't there. We're very disappointed that our Senators did not stand up and support us today. We helped to elect those Senators. They will hear from us again, because we feel very disappointed that they didn't say, "We want our African-Americans and our disjointed people who were not able to vote to have someone in the halls of Congress to say, 'Yes, give them a chance to debate this issue so that the world can see what is happening here.' "

We had our votes nullified. That's why we are so sad. They were nullified by defective voting machines, nullified by discrimination and targeted machinery, election machinery, in our neighborhoods. The votes were nullified by a purge of voting lists undertaken by direction from a campaign that retained the equivalent of electoral thugs. I was there. I saw exactly what happened. I was chased by these thugs. I was called a communist by these thugs, a socialist by these thugs, many of them who were not even citizens of this country. That's what happened in this campaign in Miami-Dade, Florida, so that we were illegally struck from the voter list by a process that classified thousands of our people as felons. We were nullified again by deals that were cut in cities, cut by the winning campaign with our leading authorities in our cities. We were nullified by ballots that were printed in such a way that a reasonably thinking citizen could not know for whom they were voting. That's why we're here. Everyone should have a right to know how they're voting and for whom they're voting. We were nullified again by a Secretary of State who has already been given a very big accomplishment by this administration. She utilized her authority to prevent ballot votes from being counted. . . .

All that's left for us now, as the Congressional Black Caucus and as citizens of this country, is to exercise our First Amendment right while we still have it, and before it is further undermined by a politically dominated Supreme Court. We exercise that right today to protest against this ill-chosen nomination. We exercise our right to petition our government for our citizenry to receive a redress of grievances. So I speak for the majority of Americans, particularly African-Americans, who did not vote for the new President-elect, but who now must live under an administration that appears to award spoils

to the victors, even when the electoral process has been so clearly corrupted. I thank you. . . .

### **‘The World Knows What’s Happening’**

**Rep. Corrine Brown** (D-Fla.): I guess I keep hearing, “You all need to get over this.” Let me tell you something. We will never get over this. We will take this—I personally will take it to my grave. What happened in Florida, we must rededicate ourselves to the fact that it will never happen again. Too many people died, too many people bled, for us to come to this point where an election has been stolen, robbed or

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—*Rep. Maxine Waters*

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taken from the people. On November the 7th, it is very clear that more people in this country went to the polls and voted for Al Gore than George W. Bush. But let me tell you what is not a secret—that more people in Florida went to the polls and voted for Al Gore than George W. Bush. And, in fact, the election is not close. I represent Duval County, where 27,000 votes were thrown out, 16,000 of them African-Americans, that vote 98% Democratic. I represent Seminole County, where, when I go into the supervisor of elections office, I never go past the counter; where Republicans came into the office and filled out forms. I represent Lake County, where the *Orlando Sentinel* recently counted and found out that Al Gore came out 130 votes ahead, counting conservatively, 130 votes ahead in predominantly Republican areas. Yes, we know that the Supreme Court selected George W. Bush as the President. He was not elected. And it would be a travesty that today that we did not stand up and speak about what has happened. The world knows what’s happening. Florida knows what’s happening. And it is our obligation and duty to stand up today. What happened today happened 100 and some years before, and it took 129 years for Florida to send an African-American to Congress. And we were sent here for a purpose, and one of those purposes is to speak up for the people that have been disenfranchised. Thank you.

### **‘A Time To Take Destiny Into Your Own Hands’**

**Rep. Maxine Waters** (D-Calif.): What you saw today, on the floor of the House, was African-Americans, the sons

and daughters of slaves, who took their destiny into their own hands, despite the fact there were those who, again, told us to get over it, and tried to shame us, and say we would be divisive. And despite the fact, that leadership of our own party suggested that perhaps we should not do this. And while we are very smart elected officials and politicians, who work in cooperation with our party and our leadership, there comes a time when you have to take your own destiny into your own hands, no matter what is being said by whom.

And so today, we took to the floor, to object, even though we understood what the rules say. We needed to make a point, to our constituents, and to the people of America, that we’re not going to “go along to get along.” We needed to make a point that the day of doing business as usual is over. That we’re elected by our constituents, and we have strong support. As a matter of fact, when you look at the Democratic Party, we come from districts where we stand to come back here over and over again, more than any other members of the House. And so we can use our strength, and our support, to speak up for what is right. And that’s what we did today.

Let me just say, that we will use this model, continuously, and continually, as we fight through the next four years. We’re going to use this model as we deal with the confirmations of some of the appointees and the nominees of this administration. Just as you saw Senators who sat there today, from our own party, and didn’t have the courage to sign their name to an objection, we’re listening to Senators saying, “Oh, yes, we’re going to put Ashcroft on the hot seat, but in the final analysis, we’re going to vote for him, and he’s going to get through.”

Well, I want you to know that *we*, in this Congressional Black Caucus, do not subscribe to that; we’re not going to go along with that; and in addition to joining with all of the civil rights organizations, and people of good will, who know that this man is dangerous, to stop that confirmation, we’re going to take a close look at our Democratic Senators. We’re going to get with them, and we’re going to encourage them, and we’re going to urge. And I want to tell you, if in fact we see the continued kind of lack of courage, lack of support, for the base of the party, that gave 91% of its vote to the Democratic Party, somebody is going to have to pay a price.

And so, I’m very proud of my colleagues here on this podium with us today. We spoke out, we were loud, we were clear, and we understand very well that this is not about any one person; it’s not even about Vice President Gore. This is about our legacy. This is about the sacrifice of our ancestors. This is about the fact that we had people who worked, sacrificed, and died for voting rights. Our people, and a lot of other people, were disenfranchised in Florida. 186,000 votes did not get counted for one reason or the other. Voting machines were outdated and old in minority communities. They gave out laptops to many of the precincts, so that they could check for voters who came in who said they were registered, and

they couldn't find their name. Guess who didn't get the laptops? Minority precincts did not get them. Only one laptop was given in minority precincts.

When you add that to the intimidation of the precincts that were surrounded by police challenging people, asking them questions, people being queried about whether or not they were felons, and people being stopped on the highway on the way to the polling place, the butterfly ballot, and all of the rest, we're very clear about what happened in Florida.

Florida may get its electoral votes counted here today, and the President-elect may become the President. We shall never forget what has taken place in this election, and we're dedicated to the proposition that we have enough power, we have enough strength, and we have enough of what was given to us by our forefathers, to fight this battle all over again. To make sure there's justice for all people.

**Rep. Cynthia McKinney (D-Ga.):** Cynthia McKinney from Georgia. I would just like to, really, just pose one question. We've come through a very tough, difficult election period, and we've had Democrats coming to the African-American community asking for a vote. And we had Democratic Senators coming into the African-American community, asking the African-American community to vote for them. How is it that when we ask for a signature, from a United States Senator, just so that we could have up to two hours of debate, that we didn't get a single Senator to agree?

If anything, it demonstrates that the African-American community gives its votes too freely. And we get very little in return. That's got to change.

Today's joint session rubberstamps a corrupt electoral process. I think all of the corruption has been demonstrated. You could say that the emperor is naked now. And we all see it. And we don't like what we see.

And so, I'm just pleased to have been a part of making history today, to put on the record, in the most meaningful way that we could, our effort at dissent. This democracy has got to tolerate dissent. And if we're going to talk about electoral reform, which we must discuss, we also might want to discuss Title 3 and Sections 15 through 18, which don't allow for us to have the kind of discussion that we needed to have today, about serious, egregious violations of the personal democratic dignity of America's minorities.

**Rep. Sheila Jackson Lee (D-Tex.):** You ask us, why we come today. You ask us, why, in an orderly proceeding of the United States House of Representatives in joint session, why we would rise in objection. And I would say to you, that I stand with, both participants and beneficiaries of the civil rights movement, and before, and the bloodshed, and the loss of heroes and sheroes who are part of our community.

I would simply ask you, however, to take a journey with me, either through America, or my district, or the districts of those who are standing alongside of me. Go up to an elderly

person, who in 2000 was voting for the first time. A disabled person. A young person. An African-American male, who was stopped and chastised because of the ramifications of racial profiling. Police roadblocks in Florida, that deterred people from actually getting to the polls. And then the final death knell, in recognition, on Dec. 12, 2000, at 10 p.m., that it is not the vote of the people; it is not the sacrifice that you've made to go and vote; but it is actually five partisan judges of the United States Supreme Court, that seal the fate of more than half of the population who voted for Vice President Gore and Senator Lieberman.

We come because those individuals are voiceless. They are silent. They are frightened, and they are angry. And they asked us, that, if they could not be present today, that we would stand alongside, not, as has been said, what is popular, but what is right, what warrants justice, and what warrants sacrifice.

Might I say to you, as you look at the Congressional Black Caucus, there may be many who silently acknowledge that we sacrifice our political positions, that in the course of this new day of a Republican Supreme Court, a Republican White House, and a Republican Congress, that we jeopardize our political benefits. But we have decided today, that we would diminish that need, if you will, and fight for our constituents in a manner that addresses the question of whether or not they are equal in America.

Might I say to you, that Alexander Hamilton said, "The sacred rights of mankind can never be erased or obscured by mortal power." As I reflected on why I would come here today and object, I think we've failed to realize why this country was founded: for opportunity, for freedom, for justice, and albeit I came here three-fifths of a person, by way of the designated law of the land, it is one that was to draw people here, for what was right.

And so, what I say to you is that, I'm going to hold to the words of Justice Breyer. What the Supreme Court did to us, we tried to undo today, and that was, the Supreme Court *denied* the actual and accurate counting of the votes of Florida. It stopped us in our tracks. And Justice Breyer asked the incredulous question, why couldn't an appropriate remedy be instead, to remand this case with instructions, at this late date; permit the Florida Supreme Court to allow for the undercounted votes; and he was never answered.

And so, for anyone to tell you that this was a majority opinion—it was 5-4 decision. And I will say to you, out of that decision has come, a President-elect who believes that he will act, as he has a mandate; a President-elect who will give us a designee, an Attorney General designee, John Ashcroft, who, to my understanding, has never seen a civil rights bill that he has liked. He gives us Linda Chavez, who cannot understand that affirmative action is outreach and equality.

And so our standing here today, is to put those on notice, that the voiceless will speak, that this will not be a nation

that will be governed by someone who believes that others do not count, and that we will fight 'til, I guess, the dearness of our breath may be lost. To say to the designee for the Attorney General's position, this is not one that you will have. At least you will not have it with silence. And neither will Linda Chavez, on my clock, be able to go to the Department of Labor, and destroy all that has been done. We do believe in justice and equality. And we do believe in the people.

### **Ashcroft Appointment Is a Slap**

**Rep. Elijah Cummings (D-Md.):** Congressman Elijah Cummings from the state of Maryland. And I'm very, very proud of my colleagues this day.

You know, as I stood here and listened to them, I could not help but think about the fact that we're at a critical moment in history, a very, very critical moment. They have enunciated quite appropriately all the things that went wrong in Florida. Another thing that we must keep in mind, is, it's not only Florida, but it's states throughout this entire country. And the reason why we're at such a critical moment, is that, if you don't correct things now, they can only get worse. This is a critical moment.

It is a critical moment because, if we don't stand up now, it would appear, not only today, but tomorrow, 100 years from now, that African-American people watched their people, Jews, others, disenfranchised in the state of Florida, and throughout the country. And that can not be said.

Another reason why it's a critical moment is because we see what Mr. Bush is already doing. There was so much hope, by so many, that he would come in, and reach a hand, stick out an olive leaf, and say, let's work together. But what we've gotten instead of a hand, is a slap. We've gotten a slap, with a Mr. Ashcroft, who really is the wrong person for Attorney General, and it's very, very clear. But it sends a phenomenal message, and that message is, that I am going to conduct business-as-usual; it does not matter that I did not get the popular vote; it does not matter than I received—that is, Mr. Bush received—votes in Florida that he should not have gotten. It does not matter.

And so the reason why we're at a critical moment, is because—and that's why, when people say, why are they doing this? Why are they standing up? Why are they disrupting this wonderful, wonderful event that we're having today? Well, it's not a wonderful event. It's not a wonderful event for us. It's not a wonderful event for our constituents. It's not a wonderful event for all of those people who are sitting out there, whose votes weren't counted. It's not a wonderful event for those African-American males who came to the polling places, thinking that they could vote, and were told that they were felons, when, in fact, they weren't. It's *not* a wonderful event.

And if somebody doesn't say it, then who will? And this is what we have done today. And so, at this critical moment, we have done the right thing. And when history looks back at

what we did, it may not say that we won in *this* moment. But the fact is, that you may not win a battle, but that doesn't mean that you don't win the war. And so the question is, where do we go from here? And I know that we will fight with everything we've got.

And one last thing. One of the things that Mr. Bush said, when he came into office, on the night that he claimed the victory, he said that he wanted to heal America. Now, if you think about healing, it seems only logical that you would first start off, with what the ailment is, and then try to heal the ailment. Well, the ailment that has divided this country, is the fact that people were disenfranchised, in Florida. I haven't heard too much from Mr. Bush about how to heal that ailment. As a matter of fact, we've seen just the opposite.

And so, we have come here today, to stand up. And even if we had to stand alone, we were going to stand, because we realize that we're not just doing this for us, and the people that I talked about. But we're doing this for generations yet unborn.

**Rep. Barbara Lee (D-Calif.):** Congresswoman Barbara Lee, 9th Congressional District of California. Today I join with my esteemed colleagues in objecting to this bogus, really, vote, that is being tallied at this moment. We all know, and we want to remind the country and the world, that it was actually the Supreme Court, not the people of the United States, who selected our President. We will not stand by silently while African-American voters are dismissed from polling places, forced to use antiquated machines, and denied their rightful voice.

I went to Florida, to get out the vote. For the same reason that I have gone overseas, to serve as an election observer. Last year, in fact, I served as an election observer with Gen. Colin Powell, and I want you to know that what went down in Florida, would not have been tolerated in Nigeria. We would have called the election, put a halt to it, challenged it. It's not a Democratic or Republican issue. This is an issue with regard to the basic tenets of our democracy. The principle of one person, one vote, really must be more than empty rhetoric.

This dispute also is not a dispute about chads. It's really about fairness.

Martin Luther King, Jr. fought for the right to vote. Medgar Evers died for the right to vote. So, today, we stand here in their memory, and we fight on their behalf. The right to vote is really meaningless, if every vote is not counted. Some of our colleagues are saying that that was then, this is now. But we say, how can you compartmentalize what was done? What happened in Florida impacts future generations. What happened in Florida puts our democracy really on a very shaky ground.

So, I hope that President Bush, and the entire Congress, begins to recognize that something did go wrong, and join us in working toward electoral reform in this next session. Thank you very much.