

It happened first on Nov. 7, 2000, when Vice President Al Gore was the choice of the American people, with more than half a million more votes around the country than George W. Bush. But Bush won the White House thanks to a few hundred ballots in Florida, and a recount stopped short by the Supreme Court.

It happened again in 2016. Two times in less than two decades. And there's a very plausible chance it could happen again in November.

If Senator Bayh were here, I know he would say this is a crisis for our democracy. It is a crisis for our republic.

In fact I don't have to speculate. He stayed deeply involved in the politics of electoral reform after leaving the Senate. In 2005, a team of lawyers and activists devised a plan to elect the president by a national popular vote, not by abolishing the Electoral College but by using it exactly as it was designed in the Constitution. They came to Washington to test the political waters, to see whether they could get support for this plan. The first person they spoke to was Birch Bayh.

I was lucky enough to meet the senator—two years ago this week, at his home on the eastern shore of Maryland. It was the last interview he gave before his death. We were joined by his wonderful wife, Kitty, and Kevin Feely, one of his longtime Senate staffers.

When I asked him about his early life, he recalled a childhood spent working on his grandparents' farm in Terre Haute. "Nobody in my family background had ever been involved in politics," he said. "When my father found out what I was doing, I think he wondered what he'd done wrong as a parent."

On the topic of the popular-vote amendment, the pain of the loss was still there. If anything, it was keener, now that the Electoral College has awarded the White House to two popular-vote losers in the past two decades.

"I don't know," he told me when I asked how he thought of the issue today. "I like to think as a country, as we grow older, we learn. It just makes such good sense."

I asked about the familiar charge that eliminating the Electoral College would lead to "mob rule." He was nonplussed. As he saw it, the "mob" was the American people. He said, "That, to me, is the positive end of it. Why shouldn't they be able to determine their own destiny?"

This was emblematic of Bayh's broader commitment to fairness, equality and inclusion. Birch Bayh's America is a big, open, welcoming place. It has room for everyone, and it treats all of us as equals.

I think it's fair to say that Birch Bayh was one of this nation's founding fathers. He changed the country for the better, and he would have done even more if he could. The fact that he didn't succeed in changing how we choose our President . . . well, Madison didn't get everything he wanted either. But the seeds have been planted.

Speaking of seeds, I found a short article about Senator Bayh in a Reader's Digest from November 1948. It was titled "GI Ambassador."

Of course, we know that the senator was raised in a farming family, and had a knack for the work. When he was a teenager, he won \$200 for the best teenaged tomato patch in the state. So, when he joined the army and learned he was being shipped overseas to help with the recovery effort, what's the first thing he did?

He ordered seeds. "Please send at once \$4 worth of vegetable garden seeds," he wrote to the county agent in Terre Haute. "Be sure to put in some sweet corn."

He got 18 packets in the mail. But when he showed up for inspection, he nearly lost

them all. "Regulations state that you can take only military equipment and personal belongings," his sergeant said. "But vegetable seeds—get rid of 'em!"

So he broke open each packet and emptied its contents into a different pocket on his uniform. When he arrived in the small German village where he was stationed, he slowly redistributed the seeds into their 18 packets. "It was quite a job," he said. "But I did want a garden."

He helped build 45 garden plots and got 2 village children to tend each plot. By the end of the growing season, they'd produced mountains of cabbage, beans, spinach, turnips, tomatoes, cucumbers, beets, lettuce, kale, chard . . . and sweet corn. The village was fed all winter.

In an interview years later, he said, "The thing I love about agriculture is that it's pretty hard to get away from the facts. There it is. Mother Nature takes care of it. If you do something wrong, you pay."

Birch Bayh was a farmer of democracy. He planted the seeds of a more equal and more just America. He helped us cultivate a national debate by connecting our modern lives to the fundamental principle of universal human equality embedded in the Declaration of Independence.

This was not a dry intellectual exercise for him. Bayh's conviction was profound, and his inability to achieve a national popular vote pained him deeply for the rest of his life. It was, he would say, the single greatest disappointment of his career.

As an example, in the fall of 2000, John Feerick, the former dean of Fordham Law School and an instrumental figure in the passage of the 25th Amendment, was teaching a seminar at Georgetown Law School, and invited Senator Bayh as a guest speaker.

Bayh visited the class in October. In a few weeks, the nation would be upended with the drama and chaos of a contested election—the recount in Florida, the butterfly ballot, the hanging chads, the Brooks Brothers riot . . . and finally, a tense resolution by the Supreme Court, giving George W. Bush a bare Electoral College majority, and sending the first popular-vote loser to the White House in more than a century.

All of that was in the future when Feerick, sitting next to Bayh in his law-school seminar, posed what seemed at the time like an innocent hypothetical.

"I put the question to him," Feerick said, "'What do you think the reaction of the American people will be if there's a difference between the electoral vote and the popular vote winner?'"

"And his response to me was that the people would accept the legal system we have, and the outcome of that system. The one we have. And then he started to cry."

I want to return a final time to the words Birch Bayh spoke on the Senate floor in 1966. A national popular vote is "a logical, realistic and proper continuation of this nation's tradition and history—a tradition of continuous expansion of the franchise and equality in voting."

That is the essence. In my book I write, "Maybe this is the real American exceptionalism: our nation was conceived out of the audacious, world-changing idea of universal human equality. And though it was born in a snarl of prejudice, mistrust, and exclusion, it harbored in its DNA the code to express more faithfully the true meaning of its founding principles. Over multiple generations, and thanks to the tireless work and bloody sacrifices of millions of Americans—some powerful but most just regular people who wanted to be treated the same as everyone else—that code has been unlocked, and those principles, slowly but surely, have found expression."

I believe a central reason Birch Bayh's effort in the late 1960s came so close was that this was his argument. It was irrefutable, and it resonated with millions of Americans.

Now here we are, 50 years later, facing the same questions he faced, fighting the same battles he fought, and relying all along on his wisdom, his vision and his humanity to help us find our way to an answer—and to a more perfect Union.

## HONORING RECOLOGY

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 29, 2020*

Mr. THOMPSON of California. Madam Speaker, I rise today to honor Recology in celebration of its 100th anniversary on September 20, 2020.

Since its founding in San Francisco in 1920, Recology has become a leader in resource recovery and landfill diversion. As a result of its commitment to Waste Zero, Recology has worked to reduce the amount of accumulated waste by converting the waste that they collect for reuse, recycling, composting, or energy generation. Recology has expanded its efforts to cover over 140 communities in California, Oregon, and Washington.

Recology is not just a leader in waste management, but also a leader in employee ownership. Since 1986, Recology has been 100 percent employee-owned and is now one of the nation's ten largest fully employee-owned companies. Recology's efforts to empower its employees through employee ownership has especially served to empower female and minority employees, who currently hold a majority of the company's shares.

Recology has become an integral part of my own Congressional district in California, with offices and facilities in Santa Rosa and Vallejo employing 135 employee-owners. Not only has Recology helped communities in my district with its commitment to Waste Zero and employee ownership, but it has also continued to give back through participation in civic engagement projects and community organizations.

Madam Speaker, Recology emulates the type of company that we should expect from all American companies. Recology is a corporate leader in environmental sustainability, employee ownership, and community involvement within countless communities. It is therefore fitting and proper that we honor Recology here today as they celebrate their 100th anniversary.

## CONGRATULATING JAKE BURKE UPON HIS RETIREMENT WITH TRI-COMMUNITY ACTION

### HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 29, 2020*

Mr. PERRY. Madam Speaker, I'm honored to congratulate Gerald "Jake" Burke upon his retirement after 50 years of service with Tri-County Community Action to our community, Commonwealth, and Country. Jake was born on September 11, 1944 in Shippensburg, delivered by his grandmother at home. Growing

up, he was a member of both the Cub Scouts and Boy Scouts before beginning high school. He graduated from Shippensburg High School in 1962, and from the Barber School Harrisburg the following year. He was a member of the AV Club in addition to the proud owner of a 1952 Chevy Coupe, his first car. Jake started his work for Community Action in 1968, working part-time until 1970. He returned in 1972 as a full-time Community Development Coordinator working from the Shippensburg location, and has been with the agency since, becoming Housing Counselor in 1994. With Community Action, Jake has helped thousands achieve their goals, connecting first-time homebuyers to needed resources, and promoting economic self-sufficiency.

While working for Community Action, he managed to balance a litany of other roles that serve as a testament to his character. He worked at both the Carlisle and Chambersburg Hospitals in the 1980s and 90s, graduated Columbia School of Broadcasting in 1980, and honed his craft at WSHP radio, all while owning his own business—JB's Disc Jockey Service, which operated into the 2000s.

Jake is a cancer survivor of 26 years, and remains active in marching bands while being a world-renowned Masters Powerlifting Champion. He is a member of the Reilly Raiders Drum & Bugle Corps and the leader of the Dungeon Powerlifting Crew at the Front Street YMCA, holding numerous world records for his age group. Jake is also a member of the Mt. Pisgah AME Zion Church and the Locust Grove Cemetery Committee Firefighter Vigilant Hose Company No. 52. He loves gardening, the LA Dodgers, trains, fireworks, motorcycles, books, firearms, mini whiskey bottles, music, and enjoys collecting African-American relics.

Jake will tell you that his biggest and proudest accomplishment, by far, is his family. He is the proud father of five children (Andrew, Gerald, Mike, Kacey, and Ashley), 11 grandchildren, and 2 great-grandchildren. Jake has lived his life by his personal mantra: "Never stop learning. Live everyday as if it were your last. Put your faith in God and never give up."

With great honor, I commend Gerald "Jake" Burke's distinguished career of service to Tri-County Community Action, the Commonwealth of Pennsylvania, and the United States of America.

#### HONORING THE FAITHFUL SERVICE OF ASSISTANT CHIEF DEPUTY DOUGLASS TACKETT

##### HON. MARK E. GREEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 29, 2020*

Mr. GREEN of Tennessee. Madam Speaker, I rise today to recognize the service of Assistant Chief Deputy Douglass Tackett.

Mr. Tackett began his career in law enforcement as part of the Army Military Police Corps. Upon leaving the Army, he transitioned to working in civilian law enforcement with the Montgomery County Sheriff's Department. On account of his persistent work ethic, he quickly rose through the ranks, serving as Jail Administrator, Lieutenant, Captain, and finally as Assistant Chief Deputy.

Charged with the supervision of the hundreds of inmates housed in the Montgomery

County Jail on a daily basis, Assistant Chief Deputy Tackett sought to maintain order and discipline while trying to aid inmates who wanted to change their ways. His constant fidelity and excellence throughout his career stands as an example to be followed by all those who are charged with upholding law and order.

Assistant Chief Deputy Tackett's four decades of service to the Montgomery County Sheriff's office have been invaluable and he has made an impact in his community for years to come. His service exemplifies the virtues of steadfastness and dedication. It is fitting that we honor him as he concludes a long and faithful career in service to the people of Montgomery County. On behalf of the United States Congress, I wish to commend Assistant Chief Deputy Tackett for his service, and I congratulate him on the occasion of his retirement from the Montgomery County Sheriff's office.

#### RETIREMENT OF DANIEL SPATZ

##### HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 29, 2020*

Mr. WALDEN. Madam Speaker, I rise today to honor Daniel Spatz as he retires after 12 years as the Washington, D.C. Trip Scheduler for The Dalles Community Outreach Team. Daniel's dedication, diligence, and passion to support others has helped make the Community Outreach Team the success it is today.

Dan was born in Portland, Oregon and raised outside of White Salmon, Washington, and graduated from Columbia High School. He went on to earn his degree in journalism and business from Eastern Oregon State College after working at The White Salmon Enterprise as a high school student. After college, Dan began his career in the newspaper business working for every other newspaper in the Columbia River Gorge: Hood River News, Goldendale Sentinel, The Dalles Reminder, and lastly, The Dalles Chronicle. During this time, Dan learned all the nuances of newspaper production including running a printing press, running advertisement sales, directing news meetings, writing for publication, and ultimately serving as an editor and general manager. Additionally, he became an award-winning journalist recognized by both the National Newspaper Publishers Association (NNPA) and the Oregon Newspaper Publishers Association (ONPA).

While working at The Dalles Reminder, Dan met his wife, Michele, when he interviewed her for a news story. Together they built a family and raised two daughters, Melissa and Kathryn, who are now, respectively, a general surgeon and an emergency room physician. In fact, Dan and Michele have always shared a welcoming home, especially since they developed a high school student exchange program between The Dalles and its sister city, Miyoshi City, Japan. For several years the Spatz home has served as a homestay family and hosted numerous Miyoshi City students, visitors, and adult chaperones.

After 30 years in regional journalism, Dan left to join Columbia Gorge Community College (CGCC) as their Chief Institutional Advancement Officer where he serves today as

the Executive Director of Institutional Advancement. His outstanding accomplishments at CGCC include negotiating intergovernmental agreements securing \$14.6 million for capital construction programs to build the Treaty Oaks Skills Center and student housing on The Dalles CGCC campus. Dan also supported CGCC's Hispanic Serving Institution designation by creating and facilitating the college's Latinx Advisory Council, which represents community organizations, school districts, and other groups with a mission to identify barriers to college recruitment, retention, and academic completion of Latinx students.

Additionally, as Chief Institutional Advancement Officer, Dan embraced the task of scheduling the Community Outreach Team's complement of Washington, D.C. meetings that occur each March and September. He was also instrumental in helping CGCC receive funding for a new National Guard Readiness Center, a Wind Energy Technician Training program, new 911 dispatch equipment for Wasco County, and construction dollars for The Dalles' East Gateway Project. Dan secured meetings with Oregon and Washington Legislators, the American Wind Energy Association, the Department of Energy, and the Department of Education enabling the Community Outreach Team to advocate for and ultimately receive funding for these important community projects. Dan was also an integral member of the Community Outreach Team itself and made many trips to Washington, D.C. as a representative of CGCC and the City of The Dalles.

Finally, over the last two decades, Dan has also served in several other key leadership positions within The Dalles and Wasco County. From 2008 to 2016, he was elected to The Dalles City Council representing the Cities of Wasco County and served on the Mid-Columbia Economic Development District Board, the Mt. Hood Economic Alliance Board, and as Vice-President of the QualityLife Intergovernmental Agency (QLife) Board. Additionally, through a CGCC subcontract with Wasco County, Dan served as the Wasco County Economic Development Coordinator where he crafted Wasco County's comprehensive economic development strategic plan and led the Wasco 2000 initiative to develop wastewater treatment in rural Wamic, Oregon.

It's hard to look around The Dalles without spotting something that hasn't been touched by Dan's efforts. The community and region are better off because of the time and energy he has invested in helping spur growth and development in the Gorge. Madam Speaker, I ask my colleagues to join me in recognizing Dan's service, leadership, and dedication to the communities of Wasco County and The Dalles.

#### HONORING THE LIFE OF JOHN ERIC SWING

##### HON. JIMMY GOMEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 29, 2020*

Mr. GOMEZ. Madam Speaker, I rise today to honor the life and leadership of John Eric Swing, whose service to the members of Los Angeles' Historic Filipinotown and greater Filipino-American community will not be forgotten.