

What has drawn me to the dialogue with you all and the discussions with you all is the fact that I grew up in Pine Bluff, Arkansas, and during this time was a graduate of law school, practicing law in my hometown; and we thought we were a long way away, but we were not.

But as things have occurred and I am now in public office, it is good for me to sit around in the rooms, in the room as I have done with you, and just go over exactly how we got where we are individually in relationship to race and discrimination and the hatred that we have all seen, particularly in the South.

I do not think you all know what it is like in the North, because in the South, as a white person and as a person from the establishment, I was kept from this controversy quite a bit, only to later go back and live so many regrets. I think you all are helping me in that regard in that you are listening to what we are saying.

One thing that I have, one touch that I had during that time, was a friendship with a man named Wiley Branton.

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He practiced law in Pine Bluff. My dad and he were friends. And he kind of brought me along in this. I think he is one of the true heroes of the Little Rock crisis. He does not get mentioned very much and I am so glad to mention it now for our country to hear. He was the glue that held it together until Judge Thurgood Marshall came into Little Rock. He then went to work on the voter registration. I can remember when he was head of the voter registration in the South and he kept saying, yes, we are getting people to register but I am not so sure we are getting them to vote. Then when he was up here in the Justice Department, he was constantly giving his life. Then the Dean of the Howard School of Law, Howard University School of Law. He was telling me some of these things and I was listening but I was not really a part of it. But I do know that he was.

He is now gone. He has passed. But I want his family to know and the people of America to know that his legacy lives on. I want to help in this project, too, for his sake as well as others.

In closing, the gentleman from Wisconsin (Mr. BARRETT) was saying, where do we go from here? If he is getting a load up, I want to be on, I want to be in the load. I want to be on our way to bringing people together in love in God's name. Thank you.

Mr. LEWIS of Georgia. Let me just thank the gentleman from Arkansas (Mr. DICKEY) for those words. I think tonight we are deeply grateful, in a sense we are more than lucky but really blessed that we have an organization like Faith in Politics Institute that brought us together. It is my hope that as a group that we will stay together and from time to time we will engage in other discussions and dialogue. This is only, as I said, but the beginning.

This is just one step on a very long journey before we create the beloved community and open society.

I want to thank all of my colleagues for participating in this dialogue tonight.

JUDGE MASSIAH-JACKSON

The SPEAKER pro tempore (Mr. SHIMKUS). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, first, I would like to thank the gentleman from Texas (Mr. ARMEY), the majority leader, for his kindness. Obviously I realize that we are at the time of his special order, but I do want to comment, as a member of the House Committee on the Judiciary, on the concern I had for the withdrawing of the nomination of Judge Massiah-Jackson. Let me first salute Judge Massiah-Jackson for her leadership as the common pleas court judge in Philadelphia, Pennsylvania and for the vigorous and dignified approach that she took to continuing her confirmation.

She was a nominee of the President of the United States, William Jefferson Clinton, and in fact had passed confirmation hearings and was moving to the floor. I do believe that we have a crisis process that is now broken. Our judges are not being appointed and are not completing the confirmation process. The Supreme Court has commented on the appalling backlog of Federal judges and the backlog of cases.

I call this an abomination on the justice system of this country and ask my colleagues who have political differences with the nominees to recognize the separation of powers, the right of the government and the President to appoint and certainly advise and consent.

But let me tell you what I believe the action should be in light of this harmonious debate we have just had. I am calling for the leadership of the NAACP, the National Urban League, the American Civil Liberties Union, the NAACP Legal Defense Fund and all who may be considering this great crisis, the National Council of Negro Women, the Coalition of 100 Black Women, the Coalition of 100 Black Men, certainly the Black Women Political Caucus to come together to address this crisis. We do have a crisis. The system is broken. Judges are being rejected and refused. Judge Massiah-Jackson was the last victim of this process.

We cannot have the conservative rule destroy the appointment of Federal judges who deserve to be appointed, who are fair and impartial, a system that should not be tainted by politics. My heart is simply broken for the loss of this woman, the trampling on her constitutional rights as well as her dignity, the disrespect that was shown

her, her losing this process and not going forward for a vote.

I can only say that we have a crisis. All who will hear my voice, I simply ask for you to respond. If we stand together, we can fight against this abomination and restore the dignity to the process and allow us to go forward in the way that we should.

Judge Massiah-Jackson, I thank you for being a true American. You have my support and appreciation. I will commit to you that we will subject no one else to the tragedy of being so defeated, lonely, without the support of so many that were needed.

I thank the gentleman for allowing me this time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, today, ladies and gentlemen, is a shameful day in the history of our federal judicial appointment process. When the Framers of the Constitution decided that the United States Senate should confirm all Presidential appointees for the federal bench, surely, they could not have imagined that this process would be used for the kind of unmitigated character assassination that Judge Frederica A. Massiah-Jackson has had to endure for the last few months.

The sad fact of this case is that in Philadelphia, Pennsylvania, the cradle of our most fundamental liberties, a place known far and wide as the city of brotherly love, an insufferable crime against justice has been committed. Judge Frederica A. Massiah-Jackson has withdrawn her name today from consideration for the Federal District Court bench in the Eastern District of Pennsylvania.

Since her approval by the Senate Judiciary Committee last October, Judge Massiah-Jackson, a Common Pleas Court magistrate in Philadelphia since 1984, has been the subject of vicious attacks about her record on crime. To me, the most terrible tragedy of this situation is that Judge Massiah-Jackson's critics have been able to use a series of smoke and mirrors tactics in regards to her record to undermine both her qualifications and her credibility. Obviously, these critics have been extremely effective at their task, because they have given Judge Massiah-Jackson the impression that her nomination by the Senate was a lost cause.

My friends, this is a real-life travesty if you take the time to look at the facts. According to today's Philadelphia Inquirer, the Pennsylvania District Attorneys Association, who was among the chief critics of Judge Massiah-Jackson's nomination, used approximately 1% of the judge's actual sitting cases as an evidentiary basis of her unfitness for the federal bench.

The President, in a statement today, described these allegations as "baseless attacks that mischaracterized (the judge's) record without affording (her) an opportunity to respond". Senator ARLEN SPECTER of Pennsylvania similarly noted that Judge Massiah-Jackson was treated unfairly by both her opponents and the Senate Judiciary Committee. Judge Massiah-Jackson, without foreknowledge, was asked by the Senate Judiciary Committee about cases she decided over a decade ago. As Senator SPECTER said in response to this modus operandi by the Committee, "the quintessential point of due process is notice".

Additionally, I find the timing of these charges to be extremely peculiar. The avalanche of charges about Judge Massiah-Jackson' record came several months after both her initial nomination and recommendation for appointment by the Judiciary Committee.

The bottomline, however, is that these charges are completely unfounded. According to a report from the Philadelphia Bar Association, Judge Massiah-Jackson actually imposed sentences above the Pennsylvania sentencing guidelines more frequently than most other Common Pleas Court judges. Actually, in her last year on the bench, Judge Massiah-Jackson was five times more likely than her peers to impose a sentence above the state guidelines. Tell me, ladies and gentlemen, how is this a soft record on crime?

The reality is that this woman's professional record has been destroyed on rumor, unsubstantiated allegations and misplaced accusations. But what can be done for her now? Can her good name ever be restored to its previous standing? Are there any measure of apologies that can be given to restore her dreams? Judge Massiah-Jackson would have been the first female federal judge ever to serve in the Eastern District of Pennsylvania, but now where is her place in history, is it the place of honor that she deserved, or is it one of shame?

Furthermore, I am disgusted by the vast number of people that have ignorantly played a role in this great tragedy of errors. Too many people simply jumped on the bandwagon of attacks in this case without substantive evidence. Judge Massiah-Jackson, wherever you are, I send my deepest apologies to you and your family. And I hope that in the future, this horrible miscarriage of justice does not dissuade other qualified women of your stature from seeking the high judicial offices that their record has earned them. We must end the backlog and conscious scheme to deny Judges appointed by this Democratic Administration their fair hearing and confirmation. Denial of them is a denial of social justice and civil rights for many Americans. It must cease and desist now!

SEARCH FOR VALUES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. ARMEY) is recognized for 60 minutes.

Mr. ARMEY. Mr. Speaker, I appreciate my colleagues that will be joining me this evening. It seems like every now and then, once perhaps in every lifetime, there is a sense of a movement on land, a movement of a Nation in search for things of greater meaning and of deeper meaning. I believe that is the case today. I believe America is searching for values that will work in the lives of their families and the lives of their children. I believe that value search that we see going on in America today is characterized accurately, as I like to characterize it, as a search for old ways of doing things.

I believe that it is up to us in a representative democracy to represent the very best of the people that we are privileged to represent and in doing that, it seems to me we must be in

touch with these issues. We must be in touch with the search that we see among our Nation's people. So towards that end of better understanding, I have gathered together a group of Members who have been studying on this matter and we would like to devote the next hour to discussing these issues.

I would like to begin with the distinguished gentleman from Pennsylvania (Mr. PITTS), who will talk about the moral principles as the foundation of a good society.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise to begin a discussion with the gentleman from Texas (Mr. ARMEY), the House majority leader, on the importance of values to our Nation. I thank him for giving me the opportunity to speak today on this issue of vital importance for the survival of our Nation.

Mr. Speaker, moral principles are the foundation of a good society. It is a simple fact that our democracy, the greatest government in history, was founded in large part so that Americans could practice and maintain a strong moral code in their way of life. The first people to colonize this Nation did so for the freedom of religion, not freedom from religion, freedom of religion in order to freely follow a code of ethics to which they were firmly devoted. From the time of the Pilgrims we have associated the creation of America with the privilege and responsibility of applying moral principles.

Even the modern anti-tax movement can trace its roots directly back to a moral principle present in colonial times that every penny and every power that government gets comes at the expense of personal freedom and personal opportunity.

In fact, this principle helped spur the American Revolution.

Mr. Speaker, we have a founding document in this Nation, a birth certificate, if you will, called the Declaration of Independence. This declaration is different from many others that have been issued around the world. The primary difference is the preamble that distinguishes it from all other declarations of independence. This preamble has certain principles that I would like to mention. The fact that, and I would like to quote it, the fact that these principles are highlighted, I think, are instructive.

This is what it says: We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness, that to secure these rights governments are instituted among men deriving their just powers from the consent of the governed and that whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles

and organizing its powers in such form as to them shall seem most likely to affect their safety and happiness.

Now, that is not the whole preamble, but in that part of the preamble we see that these principles that we are endowed by our Creator, that all men are created equal and that we are endowed by the Creator with certain inalienable rights, that these are God-given rights, rights not given to us by government, rights that the government cannot give and rights they cannot take away, they are God given rights and the purpose of government is to secure these God given rights, life, liberty and the pursuit of happiness.

With rights also must come responsibility. Our Nation is built on the principle of liberty. Our government exists with our consent. We choose to augment, revise and improve our laws and the very structure of our government routinely. With this privilege comes a mandate that we tend to liberty with care and caution and prudence.

We have another founding document, the one that we all swear to support and defend. It is called the U.S. Constitution. And that Constitution is the oldest national Constitution in the world, the granddaddy of them all. And it begins with these words: We the people of the United States in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity do ordain and establish this Constitution for the United States of America.

We the people, as one of the prime ministers who spoke to this Congress in past years said, the most important words in the English language, the most important three words, we the people. And in those days when kings were sovereign and people were subjects, to say that we the people are sovereign and we only give you the government certain limited powers, that we the people do ordain, was a revolutionary concept. Of course we know that our Republic, our constitutional form of government cannot work in a vacuum and it should not work in a back room. It requires citizens to be involved with their representatives in order to represent them adequately.

But when we take a look at other forms of government, we realize what a powerful and beneficial system we have. When other nations were created, the citizens were thought to be subjects. They were so much chattel from which the hierarchy could prosper, and around the world governments created just a few decades ago and some longer than that, centuries ago, forced men and women to be pawns for the state. The people live at the discretion of the government. But not in America. In America the government lives at the discretion of the people. As we see when we look around the world, our democracy truly is a blessing.