

George W. Bush Presidential Library

Collection: Records Management, White House Office
of

Series: Subject Files – HU015 (Voting Rights)

Folder Title: 450585 - 498418

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Form	White House Correspondence Tracking Sheet [with attachments]	3	02/02/2001	PRM;

COLLECTION TITLE:

Records Management, White House Office of

SERIES:

Subject Files - HU015 (Voting Rights)

FOLDER TITLE:

450585 - 498418

FRC ID:

12558

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Form	White House Correspondence Tracking Sheet [with attachments]	3	02/02/2001	PRM;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Records Management, White House Office of

SERIES:

Subject Files - HU015 (Voting Rights)

FOLDER TITLE:

450585 - 498418

FRC ID:

12558

OA Num.:

12072

NARA Num.:

12282

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

ID# 450663

PAGE 1

HU 015

DATE RECEIVED: 02/06/2001

NAME OF CORRESPONDENT: ALAN REICH

SUBJECT: CONCERNS REGARDING ELECTION REFORM WITH A VOTING SYSTEM ACCESSIBLE TO THOSE WHO ARE DISABLED

ROUTE TO:		ACTION		DISPOSITION	
OFFICE/AGENCY	(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	COMPLETED YY/MM/DD
CORRESPONDENCE	DEBBIE HAIR	ORG	2001/02/06		C 01/03/02
ACTION COMMENTS					
HHS	✓	A	01/3/02		C 01/3/02 RY
ACTION COMMENTS:					
ATBCB		A	1/1		A 01/3/02
ACTION COMMENTS:					
			1/1		1/1
ACTION COMMENTS:					

COMMENTS

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOP) EXT-62590

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

5



United States Architectural and Transportation Barriers Compliance Board

1331 F Street, NW • Washington, DC 20004-1111 • 202-272-5434 (Voice) • 202-272-5449 (TDD) • 202-272-5447 (FAX)

March 26, 2001

Mr. Alan A. Reich
President
National Organization on Disability
910 Sixteenth St., NW
Washington, DC 20006

Dear Mr. Reich:

We have been asked to respond to your recent letter to President Bush where you state NOD's position about accessible voting, and ask for the Administration's attention.

As you know the Access Board has the responsibility of developing accessibility guidelines under the Americans with Disabilities Act, the Architectural Barriers Act, and now two other acts. We strongly believe in accessibility. We also believe that it is critically important that polling places, voting machines, and voter materials are accessible to all people with disabilities. We agree that too many people with disabilities have been disenfranchised by the lack of accessibility. Voting is probably the most important right and duty we, as citizens, have.

The Access Board would certainly commit to working with your organization, Congress, and other agencies within the Executive Branch to develop guidelines or other kinds of technical assistance to help achieve a voting system accessible to all people.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence W. Roffee".

Lawrence W. Roffee
Executive Director

THE WHITE HOUSE OFFICE
REFERRAL

March 16, 2001

*Rec: 3/22/01
ARB*

TO: ARCHITECTURAL & TRANSPORTATION
BARRIERS COMPLIANCE BOARD

ACTION REQUESTED: APPROPRIATE ACTION

DESCRIPTION OF INCOMING:

ID: 450663
MEDIA: LETTER, DATED JAN 25, 2001
TO: PRESIDENT BUSH
FROM: ALAN REICH
PRESIDENT
NATIONAL ORGANIZATION ON DISABILITY
910 SIXTEENTH, N.W.
W, DC 20006
SUBJECT: CONCERNS REGARDING ELECTION REFORM WITH A VOTING SYSTEM ACCESSIBLE
TO THOSE WHO ARE DISABLED

**PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS
OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNED AT 456-2590.**

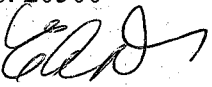
**RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO:
RECORDS MANAGEMENT, ROOM 72, THE WHITE HOUSE, 20500**

OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF THE SECRETARY
EXECUTIVE SECRETARIAT

March 7, 2001

TO: Office of Records Management
The White House
Room 72
Washington, D. C. 20500

FROM: Eva A. DeSarno 
Correspondence Control Center
Room 639G Humphrey Building
Washington, D. C. 20201
202-690-6392

SUBJECT: Alan Reich
ID# 450663

The attached correspondence is being returned for referral to the
Architectural and Transportation Barriers Compliance Board.

THE WHITE HOUSE OFFICE
REFERRAL

March 02, 2001

TO: DEPARTMENT OF HEALTH AND HUMAN SERVICES

ACTION REQUESTED: APPROPRIATE ACTION

DESCRIPTION OF INCOMING:

ID: 450663

MEDIA: LETTER, DATED JAN 25, 2001

TO: PRESIDENT BUSH

FROM: ALAN REICH
PRESIDENT
NATIONAL ORGANIZATION ON DISABILITY
910 SIXTEENTH, N.W.
W, DC 20006

SUBJECT: CONCERNS REGARDING ELECTION REFORM WITH A VOTING SYSTEM ACCESSIBLE
TO THOSE WHO ARE DISABLED

**PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS
OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNED AT 456-2590.**

**RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO:
RECORDS MANAGEMENT, ROOM 72, THE WHITE HOUSE, 20500**

OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE

Debbie Hain

**NATIONAL ORGANIZATION ON
DISABILITY**
www.nod.org

2003973
450663

HONORARY CHAIRMAN
President George Bush

DIRECTORS

Michael R. Deland, Chairman
Christopher Reeve, Vice Chairman
Alan A. Reich, President

Arlene E. Anns
Former Publisher
The McGraw-Hill Companies, Inc.

Phillip E. Beekman
Retired CEO, Hook SuperRx, Inc.
Henry B. Betts, M.D.

Past President/Medical Director
Rehabilitation Institute of Chicago

Richard Bishop, Esq.

Bertram S. Brown, M.D.
Forensic Medical Advisory Services

J. Harold Chandler
Chairman, President and CEO
UnumProvident Corporation

Tony Coelho

Hon. H. Brent Coles
Mayor, City of Boise
President, U.S. Conference of Mayors

Richard M. DeVos
N.O.D. Founding Chairman
Retired President, Amway Corp.

Edward Eckenhoft
President and CEO
National Rehabilitation Hospital

Brooke Ellison

Stephen L. Feinberg
Chairman and CEO
Dorsar Industries

John D. Firestone

Partner
Secor Group

Bruce G. Freeman

Retired Chairman
Marts & Lundy, Inc.

Stephen L. Hammerman
Vice Chairman of the Board
Merrill Lynch & Co., Inc.

I. King Jordan, Ph.D.

President
Gallaudet University

Young Woo Kang, Ph.D.

President
International Education and
Rehabilitation Exchange Foundation

Peter B. Kovler

William P. Kupper, Jr.
President and Publisher
BusinessWeek

Kelsey Marshall

Advocate for Accessibility in the Arts

Harold McGraw III

Chairman, President and CEO
The McGraw-Hill Companies, Inc.

Mercedes M. Miller

President, SERD/BTS, Inc.

Itzhak Perlman

Jeffery P. Reich
President and CEO
Reicher Capital Management

Kenneth Roman
Former Chairman and CEO
Ogilvy & Mather

E. John Rosenwald, Jr.

Vice Chairman
Bear Stearns & Co., Inc.

Alan Rubin

Director
Goodwill Global

Richard J. Salem, Esq.

Chairman
Enable America

Vincent A. Sarni

Retired Chairman and CEO
PPG Industries, Inc.

Raymond Philip Shafer

Former Governor of Pennsylvania
Counselor, Dunaway & Cross

Humphrey Taylor

Chairman, The Harris Poll
Harris Interactive, Inc.

W. Reid Thompson

Retired Chairman
Potomac Electric Power Company

Jack Valent

President and CEO
Motion Picture Association
of America, Inc.

Reverend Harold Wilke

Director, The Healing Community

Robert J. Saner II Esq., Counsel
Powers, Pyles, Sutter & Verville, P.C.

CONGRESSIONAL SPONSORS

Sen. Max Cleland, GA
Sen. William H. Frist, M.D., TN
Sen. Judd Gregg, NH
Sen. Tom Harkin, IA
Sen. Daniel K. Inouye, HI
Sen. Edward M. Kennedy, MA

Rep. Michael N. Castle, DE

Rep. Julian C. Dixon, CA

Rep. Steny H. Hoyer, MD

Rep. Dale Kildee, MI

Rep. Major R. Owens, NY

Rep. Henry Waxman, CA

January 25, 2001

VIA MESSENGER

The Honorable George Bush
President of the United States
The White House
Washington, DC 20500

Dear President Bush:

Congratulations on your initiative on election reform. The nation will benefit from your leadership on this critical issue.

No minority is affected more by the nation's inadequate voting system than those of us with disabilities. For example, an estimated eight million individuals of voting age with visual impairments have never been able to cast a secret ballot. Polling place inaccessibility and machines that are difficult for voters with disabilities to operate are among the problems that must be solved.

During our VOTE! 2000 Campaign this past year we promoted the Texas Election Code as a model for other states to replicate. We continue to do so as we call for fully accessible polling places; voting machines that are usable by all; a secret ballot for all voters; a simple absentee ballot system; and voter education materials available in accessible formats.

We appreciate your attention to this matter early in your administration. The National Organization on Disability, which has been leading the nation's effort to enfranchise people with disabilities stands ready to assist you.

I am sharing this letter with Congressional leaders in the interest of ensuring a coordinated approach as America achieves a voting system accessible to all.

Sincerely yours,



Alan A. Reich
President

cc: Senator Trent Lott
Senator Thomas A. Daschle
Congressman J. Dennis Hastert
Congressman Richard A. Gephardt

It's ability, not disability, that counts.

944588

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

ID# 479996
PAGE 1

DATE RECEIVED: 03/01/2001

NAME OF CORRESPONDENT: THE HONORABLE EDDIE BERNICE JOHNSON

*Election Reform
HU 015*

SUBJECT: URGES THE PRESIDENT TO INCLUDE A COMPREHENSIVE ELECTION REFORM PACKAGE IN HIS FY02 BUDGET SUBMISSION TO CONGRESS THAT WILL ADDRESS ALL THE PRESIDENTS THAT VOTERS EXPERIENCED IN THE LAST ELECTION

ROUTE TO: OFFICE/AGENCY (STAFF NAME)		ACTION ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
LEGISLATIVE AFFAIRS	NICK CALIO	ORG	2001/03/01	NC	A	01/3/8 ¹⁶

ACTION COMMENTS

OMB *C/A* 01/3/8¹⁶ *C* 1 1

ACTION COMMENTS:

✓ WH Policy - DPLAMO *C/I* 01/3/8¹⁶ *C* 1 1

ACTION COMMENTS:

WH Political Affairs *C/I* 01/3/8¹⁶ *C* 1 1

ACTION COMMENTS:

FEC *C/I* 01/3/8¹⁶ *C*

COMMENTS

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

479996

March 8, 2001

Dear Representative Johnson:

Thank you for your recent letter regarding funding for a comprehensive election reform package.

I have shared your letter with the President's budget advisors and the appropriate agencies who have been formulating policy recommendations in this area. Your comments are receiving their close and careful attention.

Thank you for your interest in writing.

Sincerely,

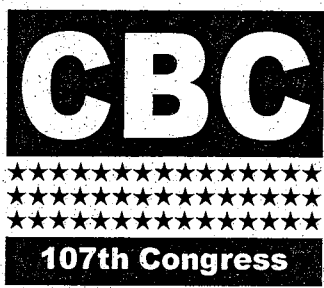
Nicholas E. Calio
Assistant to the President and
Director of Legislative Affairs

The Honorable Eddie Bernice Johnson
U.S. House of Representatives
Washington, DC

Bcc w/ copy of inc.: OMB - for appropriate action
WH Policy, WH Political, FEC - for information

010312

479996



Congressional Black Caucus

of the United States Congress

1511 Longworth HOB • Washington, DC 20515 • (202) 225-8885 • fax (202) 226-1477
www.house.gov/johnson/cbc

February 12, 2001

President George W. Bush
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear Mr. President:

Thank you for visiting with the Democratic Caucus at our annual retreat in Farmington, Pennsylvania, last week. I also appreciate your taking questions from Members of the Caucus. As you will recall, I asked you to include a comprehensive election reform package in your Fiscal Year 2002 budget request to Congress. Your reply was "Yes, ma'am."

Mr. President, this is a very serious matter for all voters in America, but especially it is of real importance to African-Americans and minorities. I urge you to give this your personal attention. We must correct all of the problems in our election system in sufficient time for the 2002 election cycle. To accomplish this, Mr. President, it is necessary that the country understand your proposal to fix the problem. The integrity of our democracy is at stake.

I urge you to promote a package of reforms that will address all the problems that voters experienced in the last election. The Congressional Black Caucus stands ready to assist you in achieving the goal of correcting the imperfections in our broken system. I believe that our goal should be to enact legislation no later than the 4th of July, and I can not think of a better birthday gift for America.

Again, please know that I am committed to solving this problem, and look forward to working with you on this most important issue.

Sincerely,

Eddie Bernice Johnson
Chair, Congressional Black Caucus

OFFICERS

Eddie Bernice Johnson
Chair

Elijah Cummings
First Vice Chair

Sheila Jackson Lee
Second Vice Chair

Bobby Rush
Secretary

Gregory Meeks
Whip

MEMBERS

*By Seniority in the
US House of Representatives*

John Conyers, Jr. MI - '65
Charles B. Rangel, NY - '71
Major R. Owens, NY - '83
Edolphus Towns, NY - '83
John Lewis, GA - '87
Donald M. Payne, NJ - '89
Eleanor Holmes Norton, DC - '91
William Jefferson, LA - '91
Maxine Waters, CA - '91
Eva Clayton, NC - '92
Sanford Bishop, GA - '93
Corrine Brown, FL - '93
James E. Clyburn, SC - '93
Alcee Hastings, FL - '93
Earl Hillard, AL - '93
Eddie Bernice Johnson, TX - '93
Cynthia McKinney, GA - '93
Carrie Meek, FL - '93
Bobby Rush, IL - '93
Robert C. Scott, VA - '93
Melvin Watt, NC - '93
Albert Wynn, MD - '93
Bennie G. Thompson, MS - '93
Chaka Fattah, PA - '95
Sheila Jackson Lee, TX - '95
Jesse Jackson, Jr., IL - '95
Juanita Millender-McDonald, CA - '96
Elijah Cummings, MD - '96
Julia M. Carson, IN - '97
Donna Christian-Christensen, VI - '97
Danny K. Davis, IL - '97
Harold E. Ford, Jr., TN - '97
Carolyn Kilpatrick, MI - '97
Gregory W. Meeks, NY - '98
Barbara Lee, CA - '98
Stephanie Tubbs Jones, OH - '99
William Lacy Clay, Jr., MO - '01

977 03

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

ID# 479996
PAGE 1

HU015

DATE RECEIVED: 03/01/2001

NAME OF CORRESPONDENT: THE HONORABLE EDDIE BERNICE JOHNSON

SUBJECT: URGES THE PRESIDENT TO INCLUDE A COMPREHENSIVE ELECTION REFORM PACKAGE IN HIS
FY02 BUDGET SUBMISSION TO CONGRESS THAT WILL ADDRESS ALL THE PRESIDENTS THAT
VOTERS EXPERIENCED IN THE LAST ELECTION

ROUTE TO: OFFICE/AGENCY		(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
LEGISLATIVE AFFAIRS		NICK CALIO	ORG	2001/03/01	NC	A	01/3/8 ¹⁶

ACTION COMMENTS

OMB	A	01/3/8 ¹⁶	C	01.05.07
-----	---	----------------------	---	----------

ACTION COMMENTS:

WH Policy - Dplamo	I	01/3/8 ¹⁶	C	1.1
--------------------	---	----------------------	---	-----

ACTION COMMENTS:

WH Political Affairs	I	01/3/8 ¹⁶	C	1.1
----------------------	---	----------------------	---	-----

ACTION COMMENTS:

FEC	I	01/3/8 ¹⁶	C	
-----	---	----------------------	---	--

COMMENTS

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOP) EXT-62590

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

THE WHITE HOUSE OFFICE
REFERRAL

March 16, 2001

TO: OFFICE OF MANAGEMENT AND BUDGET

ACTION REQUESTED: APPROPRIATE ACTION

DESCRIPTION OF INCOMING:

ID: 479996

MEDIA: LETTER, DATED FEB 12, 2001

TO: PRESIDENT BUSH

FROM: THE HONORABLE EDDIE BERNICE JOHNSON
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

SUBJECT: URGES THE PRESIDENT TO INCLUDE A COMPREHENSIVE ELECTION REFORM
PACKAGE IN HIS FY02 BUDGET SUBMISSION TO CONGRESS THAT WILL ADDRESS
ALL THE PRESIDENTS THAT VOTERS EXPERIENCED IN THE LAST ELECTION

**PROMPT ACTION IS ESSENTIAL -- IF REQUIRED ACTION HAS NOT BEEN TAKEN WITHIN 9 WORKING DAYS
OF RECEIPT, PLEASE TELEPHONE THE UNDERSIGNED AT 456-2590.**

**RETURN CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO:
RECORDS MANAGEMENT, ROOM 72, THE WHITE HOUSE, 20500**

OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE

479996

March 8, 2001

Dear Representative Johnson:

Thank you for your recent letter regarding funding for a comprehensive election reform package.

I have shared your letter with the President's budget advisors and the appropriate agencies who have been formulating policy recommendations in this area. Your comments are receiving their close and careful attention.

Thank you for your interest in writing.

Sincerely,

Nicholas E. Calio
Assistant to the President and
Director of Legislative Affairs

The Honorable Eddie Bernice Johnson
U.S. House of Representatives
Washington, DC

Bcc w/ copy of inc.: OMB - for appropriate action
WH Policy, WH Political, FEC - for information

010312

479996



107th Congress

OFFICERS

Eddie Bernice Johnson
Chair

Elijah Cummings
First Vice Chair

Sheila Jackson Lee
Second Vice Chair

Bobby Rush
Secretary

Gregory Meeks
Whip

MEMBERS

By Seniority in the
US House of Representatives

John Conyers, Jr. MI - '65
 Charles B. Rangel, NY - '71
 Major R. Owens, NY - '83
 Edolphus Towns, NY - '83
 John Lewis, GA - '87
 Donald M. Payne, NJ - '89
 Eleanor Holmes Norton, DC - '91
 William Jefferson, LA - '91
 Maxine Waters, CA - '91
 Eva Clayton, NC - '92
 Sanford Bishop, GA - '93
 Corrine Brown, FL - '93
 James E. Clyburn, SC - '93
 Alcee Hastings, FL - '93
 Earl Hillard, AL - '93
 Eddie Bernice Johnson, TX - '93
 Cynthia McKinney, GA - '93
 Carrie Meek, FL - '93
 Bobby Rush, IL - '93
 Robert C. Scott, VA - '93
 Melvin Watt, NC - '93
 Albert Wynn, MD - '93
 Bennie G. Thompson, MS - '93
 Chaka Fattah, PA - '95
 Sheila Jackson Lee, TX - '95
 Jesse Jackson, Jr., IL - '95
 Juanita Millender-McDonald, CA - '96
 Elijah Cummings, MD - '96
 Julia M. Carson, IN - '97
 Donna Christian-Christensen, VI - '97
 Danny K. Davis, IL - '97
 Harold E. Ford, Jr., TN - '97
 Carolyn Kilpatrick, MI - '97
 Gregory W. Meeks, NY - '98
 Barbara Lee, CA - '98
 Stephanie Tubbs Jones, OH - '99
 William Lacy Clay, Jr., MO - '01

Congressional Black Caucus

of the United States Congress

1511 Longworth HOB • Washington, DC 20515 • (202) 225-8885 • fax (202) 226-1477
www.house.gov/johnson/cbc

February 12, 2001

President George W. Bush
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear Mr. President:

Thank you for visiting with the Democratic Caucus at our annual retreat in Farmington, Pennsylvania, last week. I also appreciate your taking questions from Members of the Caucus. As you will recall, I asked you to include a comprehensive election reform package in your Fiscal Year 2002 budget request to Congress. Your reply was "Yes, ma'am."

Mr. President, this is a very serious matter for all voters in America, but especially it is of real importance to African-Americans and minorities. I urge you to give this your personal attention. We must correct all of the problems in our election system in sufficient time for the 2002 election cycle. To accomplish this, Mr. President, it is necessary that the country understand your proposal to fix the problem. The integrity of our democracy is at stake.

I urge you to promote a package of reforms that will address all the problems that voters experienced in the last election. The Congressional Black Caucus stands ready to assist you in achieving the goal of correcting the imperfections in our broken system. I believe that our goal should be to enact legislation no later than the 4th of July, and I can not think of a better birthday gift for America.

Again, please know that I am committed to solving this problem, and look forward to working with you on this most important issue.

Sincerely,

Eddie Bernice Johnson
Chair, Congressional Black Caucus

777/63

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

ID# 485045
PAGE 1

HU 015

DATE RECEIVED: 05/23/2001

NAME OF CORRESPONDENT: THE HONORABLE FRAN ULMER

SUBJECT: REQUEST PRESIDENT, CONGRESS, AND SECRETARY OF DEFENSE TO WORK TOGETHER TO
COUNTERMAND ANY DIRECTIVE THAT IMPEDES THE RIGHTS OF AMERICAN CITIZENS TO VOTE
AT ELECTION SITES AT MILITARY INSTALLATIONS

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
INTERGOVERNMENTAL AFFAIRS	RUBEN BARRALES	ORG	2001/05/23			

ACTION COMMENTS

Response overcome by events

C 10/31/01

ACTION COMMENTS:

ACTION COMMENTS:

ACTION COMMENTS:

COMMENTS ENCLOSURE

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO
RECORDS MANAGEMENT.

Barack



FRAN ULMER
LIEUTENANT GOVERNOR
STATE OF ALASKA

2068744
485045

April 30, 2001

The Honorable George Bush
President
United States of America
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Bush:

In accordance with Uniform Rule 49 (b) of the Alaska State Legislature, I am transmitting to you a copy of **HCS CSSJR 8 (MLV) am H:**

Relating to supporting polling places at military installations.

Sincerely,

A handwritten signature of Fran Ulmer in black ink.

Fran Ulmer
Lieutenant Governor

Enclosure

994763

STATE OF ALASKA THE LEGISLATURE

2001

Source

HCS CSSJR 8(MLV) am H

**Legislative
Resolve No.**

8



Relating to supporting polling places at military installations.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Department of Defense (DoD) issued a directive that disrupted the traditional authority of military base and post commanders in Alaska to allow local election officials to set up voting booths at military installations; and

WHEREAS this action makes it more difficult for thousands of military personnel and their families to vote; and

WHEREAS recent election history has shown that every vote is important in deciding an election; and

WHEREAS Alaska has a long tradition of voting at military installations that could end as a result of the DoD directive; and

WHEREAS Alaska has four polling places that could be made unavailable for future elections by the DoD directive, including polling places at Ft. Richardson, Ft. Wainwright, Elmendorf Air Force Base, and Eielson Air Force Base; and

WHEREAS the U.S. House of Representatives responded to the negative effects the DoD directive would have on Americans in uniform and their families by passing H.R. 5174 on October 12, 2000, to ensure the voting rights of Americans who live on military bases and posts; and

WHEREAS H.R. 5174 allows the Secretary of a military department to make any building at a military installation under the Secretary's jurisdiction available for use as a polling place in any federal, state, or local election; and

WHEREAS once that site is made available for an election, H.R. 5174 provides it will remain available for subsequent elections, unless the Secretary notifies the Congress in advance of the reasons the building will no longer be used in that capacity;

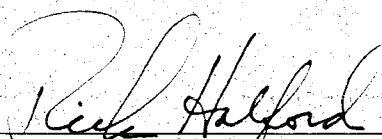
BE IT RESOLVED that the Alaska State Legislature respectfully requests the President of the United States, the United States Congress, and the United States Secretary of Defense to work together to countermand any directive that impedes the rights of American citizens to vote at election sites at military installations.

COPIES of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable Donald Rumsfeld, U.S. Secretary of Defense; Lieutenant General Norton A. Schwartz, Commander, Alaskan Command, U.S. Air Force; Admiral Dennis C. Blair, Commander in Chief, U.S. Pacific Command, U.S. Navy; Major General James J. Lovelace, Jr., Commanding General, U.S. Army Alaska; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

AUTHENTICATION

The following officers of the Legislature certify that the attached enrolled resolution, HCS CSSJR 8(MLV) am H, consisting of 2 pages, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

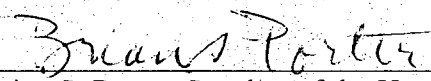
Passed by the Senate March 13, 2001


Rick Halford, President of the Senate

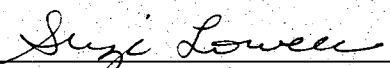
ATTEST:


Heidi Vogel, Secretary of the Senate

Passed by the House March 12, 2001


Brian S. Porter, Speaker of the House

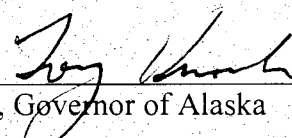
ATTEST:


Suzi Lowell, Chief Clerk of the House

ACTION BY GOVERNOR

Read by the Governor

March 27 20 01


Tony Knowles, Governor of Alaska

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

ID# 488202

PAGE 1

HV025

DATE RECEIVED: 05/21/2001

NAME OF CORRESPONDENT: MS. E. PATRICIA HALLMAN

SUBJECT: URGES THE PRESIDENT TO RECONSIDER HIS VIEW THAT AMERICAN CITIZENS RESIDING IN THE NATION'S CAPITOL SHOULD NOT HAVE FULL VOTING REPRESENTATIONS IN THE BODY WHICH MAKES THEIR LAWS, TAXES THEM AND CALLS THEM TO WAR

ROUTE TO: OFFICE/AGENCY		(STAFF NAME)	ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
DOMESTIC POLICY COUNCIL	MARGARET LAMONTAGNE		ORG	2001/05/21		C	01/06/18

ACTION COMMENTS

Pres. Correspondence *RY* *R* *01/06/18* *IP* *C* *01/08/01*

ACTION COMMENTS: *There is a Robo on this subject. DH-851*

1-1-051 *1 1* *entered 8/8/01* *1 1*

ACTION COMMENTS:

1 1 *1 1*

ACTION COMMENTS:

COMMENTS ENCLOSURE

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODE:

S

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590

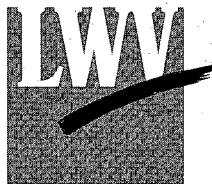
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

Domestic Policy

**THE LEAGUE
OF WOMEN VOTERS
OF THE DISTRICT OF COLUMBIA**

2078367

488202



May 10, 2001

President George W. Bush
The White House
Washington, DC 20500

Dear Mr. President:

We urge you to reconsider your view that American citizens residing in the nation's capital should not have full voting representation in the body which makes their laws, taxes them and calls them to war.

The lack of Congressional representation for DC residents constitutes a special irony. Not only is Congress our national legislature as it is for all US citizens, it also serves, in many ways, as our state legislature. Congress may veto any DC enacted legislation it chooses, reviews our budget as if we were a Federal agency and may even deny us the use of locally raised funds.

"No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined."

Supreme Court Justice Black, *Wesberry v. Sanders* (1964)

Enclosed is background material that we urge you and your staff review.

Respectfully,

E. Patricia Hallman

E. Patricia Hallman
President

Enclosures:

1. Fact Sheet
2. Twenty Questions & Answers

100/036

DC VOTING RIGHTS FACTSHEET

Prepared by the DC League of Women Voters

- The Constitution gives the U.S. Congress power over the District of Columbia, per Article I, Section 8, Clause 17, to "exercise exclusive legislation in all Cases whatsoever over such capital district...as may... become the seat of the Government of the United States" as well as enclaves it might acquire.
- Each American citizen is represented in Congress by one member of the House of Representatives and two senators, *except* citizens of the nation's capital (and those living in territories, where other factors operate).
- DC was part of the original colonies; its citizens did vote in Congress before the capital was moved to the District of Columbia. DC citizens are inheritors of the constitutional claim for voting rights, equal treatment under the law and other principles.
- Americans living in the nation's capital—Americans who pay federal taxes and can be called to war—should be treated as other Americans. According to *The Federalist Papers*, the lack of attention in the Constitution to DC's situation reflects an oversight.
- In the last official census (1990), the District's population (more than 600,000 people) was greater than that of several states (Alaska, Wyoming and Vermont).
- While the Constitution speaks of representation in Congress in terms of "states," the District is in fact treated as if it were a state for more than 500 purposes, including constitutional ones as affirmed by the Supreme Court. For example:
 1. Article I, Section 8: Congress regulates business across DC borders and levies taxes.
 2. Article IV: Requires full faith and credit be given to public acts of every other state and guarantees privileges and immunities of citizenship and a republican form of government.
- The Bill of Rights applies to the District, e.g., the 6th Amendment provides the right to trial by jury.
- Each chamber in Congress has special responsibilities. Representation is not effective nor complete if not in both chambers. For example:
 1. Only the House of Representatives has the power to initiate spending bills.
 2. Only the Senate votes on treaties and presidential nominees.
 3. Conference committees, reflecting differing views of each chamber, are pivotal to the outcome of legislation.
- Among world democracies, notably those where power is divided between the national government and the states, only the United States denies voting representation in the national legislature to citizens of the national capital.
- The District's budget is now financed by locally raised revenues.
- DC citizens are denied voting representation in that legislative body that:
 1. Spends their taxes and governs their lives on a national level.
 2. Serves as a *de facto* state legislature.
 3. Even has control over *locally* raised funds and legislation.
 4. Non-DC residents in effect can have more control over the District's local affairs than do DC residents themselves.

Twenty Questions & Answers

Prepared by the DC League of Women Voters

1. What is the problem?

More than a half million American citizens have no voting voice in the U.S. Congress, the body that governs them—only because they live in the nation's capital, Washington, DC.

2. What's new?

Based on the evolution of constitutional law, legal experts have concluded that the U.S. Congress, under its own authority under the Constitution, has the power to provide a remedy for the District's lack of voting representation. This is the subject of a 1998 lawsuit filed in the U.S. District Court for the District of Columbia (civil Action No. 98-CV-2187-LFO; *Clifford Alexander et. al, Plaintiffs, v. William M. Daley, as Secretary of Commerce et al.*)

3. What does the U.S. Constitution say about the District of Columbia? About Congress in relation to the District?

Article I, Section 8, Clause 17 gives the Congress exclusive jurisdiction over the District, Specifically: "To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;"

The fact that Congress has exclusive power over the District makes it all the more important that District citizens be represented in Congress.

4. Are there other federal enclaves acquired under Clause 17 where residents of the federal enclave can vote for representation in the U.S. Congress?

Yes. A notable example concerns the reservation of the National Institutes of Health, located outside Washington, DC, in nearby Bethesda, Maryland. The citizens there are like millions of others living on federal enclaves who vote in the jurisdictions from which their enclaves were created. This reflects the force of the "equal protection" provisions of the Constitution (14th Amendment).

5. Would voting representation for the District in Congress be inconsistent with the Constitution?

Constitutional experts have testified that there is no constitutional barrier to representation in both the Senate and the House for residents of DC. (See also Q&A 8.)

6. So U.S. citizens residing in the District of Columbia have no voting representation in Congress. Isn't that what the Founders intended?

No. It was an oversight. The federal district was a new concept when the Constitution was written, its site undecided. The Founders did not envision a major city with a large permanent population. In treating the new district concept, James Madison writing in *The Federalist Papers*, No. 43 said: "The inhabitants of the District will find sufficient inducements of interest to become willing parties of the cession; as they will have had their voice in the election of the government which is to exercise authority over them."

When the capital was moved in 1800 from Philadelphia to the new District of Columbia, population was far below the 30,000 specified in relation to establishment of congressional districts. From 1790 to 1800, people living in the territory of the District continued to vote in national elections in Maryland or Virginia. Further, at the outset the right to vote was highly limited. In the course of 200 years, the franchise has been broadened such that the principle of "one person, one vote" is now central to our system of laws.

7. Was the seat of the federal government created to protect federal interests? Wouldn't DC representation in Congress threaten the federal interest?

This is a "red herring." The Continental Congress wanted to create a federal district so that no one state could interpose its jurisdiction between the national government and the seat of that government. This desire arose from experience when the Congress was meeting in Philadelphia and feared attack from disgruntled unpaid soldiers but could not compel the state of Pennsylvania to protect it.

Remember, there was great concern about safety and defense after the Revolutionary War. Protecting the young government had high priority. However, the population in the District was very small at the outset. It did not constitute a practical threat and, today the federal government is well able to defend itself. Moreover, as American citizens, DC citizens have the same full range of federal interests as any other citizens, e.g., health care and foreign policy. Additionally, there are many important federal operations in the states that could be viewed as being equally important as are operations in the District. The Pentagon, located in Virginia, is one example.

Finally, the parallel should be tested. There is no more inherent conflict between federal interests and those living in the nation's capital than there is between residents of state capitals and the respective state governments.

8. The Constitution provides for congressional representation from states. The District of Columbia is not a state. Why should it have congressional representation as if it were?

The District is responsible for conducting state-level functions in addition to classic local functions. (See Q&A 13.)

More importantly, the District is treated as if it were a state for more than 500 purposes, including constitutional ones as affirmed by the Supreme Court. For example:

- Article I, Section 8: Congress regulates business across District borders and levies taxes;
- Article IV: Requires that full faith and credit be given to public acts of every other state and guarantees privileges and immunities of citizenship as well as a republican form of government;
- The Bill of Rights Applies in the District; for example, the 6th Amendment provides the right to trial by jury.

In the *Alexander v. Daley* lawsuit, plaintiffs address the statist argument from various perspectives. A basic argument is made:

- Article I, Section 2 of the Constitution provides: "The House of Representatives shall be composed of Members chosen every second Year by the People of the several States...." At that time no federal seat of government had been defined; it was a theoretical construct. The entities with which drafters were familiar were states and thus logical to mention. But it is the "people" who chose.
- Before passage of the 17th Amendment, Article I, Section 3 addressed composition of the Senate in terms of "two Senators from each State chose by the Legislature thereof." However, the 17th Amendment to the Constitution (1913) provided for election of Senators by direct popular vote: "The Senate...shall be composed of two Senators from each State, elected by the people thereof..." The plaintiffs in *Alexander v. Daley* argue that the "people" are the same people for the purposes of electing both Senators and Representatives. This is reinforced by the importance of the modern principle of "one person, one vote."

9. The District has a nonvoting Delegate in the House of Representatives. Isn't this enough?

No. The Delegate has no vote—and thus no bargaining power, which makes representation truly credible. Moreover, DC has no representation in the Senate. Each chamber in Congress has special responsibilities. Representation is not effective nor complete if it is not in both chambers. For example, only the Senate votes on treaties and presidential nominees. Only the House of Representatives has the power to initiate spending bills. Conference committees, reflecting differing views of each chamber, are pivotal to the final outcome of legislation.

10. If District citizens are allowed to have voting representation in Congress, won't this dilute the representation of the states?

The original 13 states—of which the District was a part—have shared representation with new states 37 times. Two senators for the District would not impinge on the equal treatment of any state vis-a-vis the other states. Any reapportionment for the House of Representatives would follow traditional requirements and accord with results of the census.

11. Would DC residents gain undue influence in Congress because they live so close?

Proximity has no practical consequence in and of itself. In fact, the U.S. Capitol is located geographically closer to some parts of Maryland than it is to some District neighborhoods. Access and influence in Congress is not dependent purely on where one lives, especially given the realities of current day communications and technology.

12. If DC residents want congressional representation, why don't they move out of the District?

To those born in the District, such a suggestion is an affront to their birthright. Others may not be able to afford to move even if they should so desire. No citizens elsewhere in the country have to move to vote. Even American citizens residing *outside* the country can retain voting rights for Congress. On a practical level, as the core for the National Capital metropolitan region, the District's economic health is important to the economic health of the region. Encouraging residents to leave, and thus reduce the District's revenue base, would be counterproductive.

13. Do DC citizens pay federal taxes, including income taxes? Doesn't the federal government totally finance the District?

The District pays a heavy total federal tax burden. For example, according to the latest official IRS data, on an annual basis District residents paid more than \$1.8 billion in federal individual income taxes alone. The federal government does not generally finance the District. In fact, the District's budget is now financed by locally raised revenues. (DC is eligible for various federal grants, like other jurisdictions.) Bear in mind that, unlike other jurisdictions, the District's *local* budget goes through the entire *federal* budget process regardless of sources of revenues. This process includes potential risk of DC government shutdown should the federal government not act on relevant appropriation authority.

In 1997, legislation provided for federal assumption of selected DC state-level responsibilities and a greater percentage of Medicaid, as well as certain pension liability (some of which had improperly been placed on the District). At the same time, the legislation eliminated provision for an annual Federal Payment to the District, a provision first established in 1874. The Payment had been at the annual level of about \$660 million. Some argue that the loss of the Payment is offset by the federal government's assumption of responsibilities under the 1997 legislation. This clouds understanding of the financial net benefit to the District, because calculations of the offset include responsibilities of the federal government in any event. (Certain pension problems imposed on the District were created by federal non-action; the federal government also took over certain assets that the District had amassed. As to Medicaid, the federal share increased, more in line with other jurisdictions and appropriate to a fully urban jurisdiction such as the District.)

For FY 1998, Congress and the Administration authorized a transitional one-time federal "contribution" of \$190 million. Any future such contribution(s) would be subject to the annual budget process. In fact none was provided for in FY 1999. Bear in mind that the Federal Payment owed the District was based on broader elements than a so-called PILOT (payment in lieu of taxes) with which states may be familiar. In addition to requiring DC services and thus a PILOT, Congress denied the District access to certain sources of revenues (e.g. reciprocal income tax with neighboring states). Moreover, the services required by the federal government are not only ordinary ones such as fire protection. Federal services are required reflecting the status of a national capital, e.g., support for national celebrations, demonstrations and the foreign diplomatic presence. Both the federal restrictions and federal need for special services continue, notwithstanding the cancellation of the Federal Payment and lack of a predictable contribution of any kind.

14. If DC gets voting representation in Congress, what about the U.S. territories?

The two cases are uniquely different. District citizens pay more than \$1.8 billion in federal individual income taxes. Residents of the territories (Guam, American Samoa, the Virgin Islands and Puerto Rico) pay no federal taxes. Moreover, the District's claim stands on its own because it was part of the original 13 states; the people of the District are inheritors.

15. In other countries, are citizens of the capital cities allowed to vote for national representatives?

Yes. Among world democracies, particularly those with a federal system, the United States stands alone in denying residents of the national capital voting representation in the national legislature.

16. Has the United States joined any international agreements that address representation in national governments?

Yes. The U.S. subscribed to the 1948 UN Declaration of Human Rights and is a party to the subsequent International Convention on Civil and Political Rights. Among other things, these instruments recognize the right of citizens to take part in the government of one's country through freely chosen representatives.

17. Is racism the real reason DC has been denied voting representation, since the population is majority African American?

Some may hold that view, but DC was denied its claim for the many, many years when the majority of the population was white.

18. Does the Alexander v. Daley lawsuit seek a particular remedy?

No, the plaintiffs are open as to solution. The suit does rely on the power that Congress currently holds under Article I, Section 8, Clause 17 to provide remedy, which thus could be by simple legislation providing for DC voting representation as if it were a state. The suit does, however, seek allowance for a period in which Congress may choose to act before the court would have to issue direction.

Basically, this lawsuit seeks recognition of a basic American principle, namely, citizens' rights to elect representatives to the body that makes their laws, taxes them and can call them to war. The Congress also serves in effect as the District's state legislature. As noted, in pursuit of the fundamental right, representation in both houses of Congress is called for.

19. Isn't there another, similar lawsuit? What is it about?

Yes. This suit (*Adams et al. v. President Clinton et al.*) also seeks voting representation in Congress, but it relies on different legal theories and relationship of the District to Congress. Generally speaking, it says that District residents have a right to be a state or be part of a state (presumably retrocession to Maryland). The two cases have been consolidated for consideration by the U.S. District Court for the District of Columbia.

20. What are the positions of "shadow" U.S. representative and senators currently elected in the District of Columbia?

In the 1970s, District citizens pursued voting representation in Congress through amendment to the U.S. Constitution. Congress did pass a constitutional amendment providing for representation as if DC were a state, but the amendment did not receive the required state approvals by the specified deadline. Some DC citizens then turned to the strategy of seeking statehood. Sending the "shadow" delegation to lobby Congress mirrors the approach used by a number of former territories seeking statehood. Congress has not acted on accepting any "shadow" delegation from the District.

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

ID# 498418
PAGE 1

HU025

DATE RECEIVED: 02/25/2002

NAME OF CORRESPONDENT: THE HONORABLE JOHN CONYERS JR.

SUBJECT: EXPRESSES CONCERN THAT THE JUSTICE DEPARTMENT IS SUBVERTING THE VOTING RIGHTS
ACT TO DISENFRANCHISE MINORITY VOTES IN MISSISSIPPI

ROUTE TO: OFFICE/AGENCY (STAFF NAME)		ACTION ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
LEGISLATIVE AFFAIRS	NICK CALIO	ORG	2002/02/25	<i>AC</i>	<i>C</i>	<i>2002/6/6</i>
ACTION COMMENTS						
ACTION COMMENTS:						
ACTION COMMENTS:						
ACTION COMMENTS:						

COMMENTS

ADDITIONAL CORRESPONDENTS: 0

MEDIA: FAX

INDIVIDUAL CODES:

REPORT CODES:

USER CODE: 8 SIGNEES

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE
X - INTERIM REPLY

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOb) EXT-62590

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

P. JAMES SENSIBURD, JR., Wisconsin
CHAIRMAN

HENRY J. HYDE, Illinois
GEORGE W. GEFAS, Pennsylvania
HOWARD COBLE, North Carolina
LAWRENCE D. SMITH, Texas
ELTON GALLEGLY, California
BOB GOODLATTE, Virginia
BO BRYANT, Tennessee
STEVE CHABOT, Ohio
BOB BARR, Georgia
WILLIAM L. JENKINS, Tennessee
CHRIS CANNON, Utah
LINDEE O. GRAHAM, South Carolina
SPENCER BACHUS, Alabama
JOHN N. HOSTETTLER, Indiana
MARK GREEN, Wisconsin
RIC KELLER, Florida
DARRELL E. ISSA, California
MELISSA A. HART, Pennsylvania
JEFF FLAKE, Arizona
MIKE PENCE, Indiana

ONE HUNDRED SEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

February 15, 2002

498418
JOHN CONYERS, JR., Michigan
RANKING MINORITY MEMBER

BARNEY FRANK, Massachusetts
HOWARD L. BERMAN, California
RICK DOUGHER, Virginia
JERARD D. NADLER, New York
ROBERT C. "BOBBY" SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
MAXINE WATERS, California
MARTIN T. MEEHAN, Massachusetts
WILLIAM D. DELAHUNT, Massachusetts
ROBERT WEXLER, Florida
TAMMY BALDWIN, Wisconsin
ANTHONY D. WEINER, New York
ADAM B. SCHIFF, California

President George W. Bush
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We are writing to alert you to our concerns that your Justice Department is subverting the Voting Rights Act to disenfranchise minority voters in Mississippi.

Yesterday, several of us met with Assistant Attorney General Ralph Boyd to advise him of our concerns about the Justice Department's delaying tactics in reviewing Mississippi's congressional redistricting plan under the pre-clearance provisions of Section 5 of the Act. In that meeting, Mr. Boyd led us to believe that the state's plan is not retrogressive and would receive a fair ruling before the original 60-day review period ends on February 25. So we were dismayed to learn that the Department has invoked a distortion of Section 5 pre-clearance law, in order to further delay the process by what could be several additional months.

On December 26, 2001, the Mississippi Attorney General submitted to the Justice Department for pre-clearance under the Voting Rights Act the Congressional redistricting plan ordered by the appropriate Mississippi state authority, Chancery Court Judge Patricia Wise. The State's plan is fair to minority voters and deserves pre-clearance under the Voting Rights Act. So the Mississippi Attorney General asked the Justice Department for an expedited ruling by January 31, in order to meet the state's March 1 filing deadline for candidates.

Unfortunately, the Department did not act for several weeks. In the meantime, a panel of three Republican-appointed federal judges took advantage of the Justice Department's delay to order their own Congressional plan, one that dilutes minority voting strength in the new 4th Congressional District. (Under the State of Mississippi's plan, African Americans comprise 38 percent of the population of the 4th District. Under the Republican federal judges' plan, that percentage drops to 30 percent.) The Republican federal judges issued an order saying that their plan would take effect if the Justice Department did not act in a "timely matter," and unlike the state plan, their map is not subject to review for pre-clearance under the Voting Rights Act.

1036402

President George W. Bush
Page 2
February 15, 2002

Then yesterday – 10 days before the DOJ's 60-day review period was to end, and on the same day of our meeting to request that DOJ stop stalling – the Justice Department requested further information from the Mississippi Attorney General about the state's congressional plan. At this late juncture, we can think of no legitimate rationale for this request other than delaying enactment of the plan that maximizes African American voting strength.

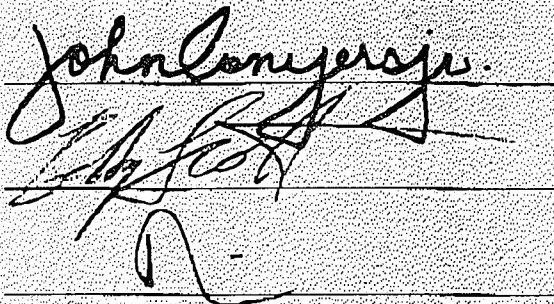
The bottom line is that it appears the Department is going out of its way to create novel and unique legal arguments which merely serve to delay the pre-clearance procedure unnecessarily and facilitate adoption of a discriminatory redistricting plan. This turns the Voting Rights Act on its head.

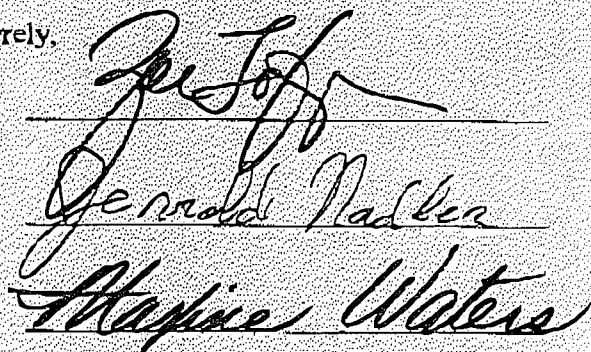
This manipulation of the Voting Rights Act to disenfranchise minority voters raises questions about your Administration's commitment to civil rights in general and whether your Justice Department can carry out a fair review of minority voting rights in redistricting plans across the country.

Much has been written about your efforts to reach out to minority communities. However, there is no more fundamental civil rights issue than protection of minority voting rights. Efforts at "outreach" will mean little if your Administration continues to pervert minority protections in the Voting Rights Act, in order to weaken African American voting strength.

Minorities have fought too long and hard to see their rights frittered away by your Justice Department. We urge you to personally speak up to help end the politicization of the Voting Rights Act. That is the only way that Mississippi's Congressional delegation can receive a fair and expedited ruling.

Sincerely,


John Conyers, Jr.
U.S. House of Representatives
Detroit, Michigan


Gerald Nadler
U.S. House of Representatives
Washington, D.C.

President George W. Bush

Page 3

February 15, 2002

Shirley J. Lee
Barry Rank

Delvin L. Watt

cc: The Honorable F. James Sensenbrenner, Jr.
Attorney General John Ashcroft
Assistant Attorney General Ralph Boyd, Civil Rights Division
Mr. Daniel J. Bryant