VALELLY TASK 9:
BARBARA JORDAN AND THE EXTENSION OF THE VOTING RIGHTS ACT

Reference:
BARBARA JORDAN AND SHELBY HEARON, BARBARA JORDAN: A SELF PORTRAIT (GARDEN CITY, DOUBLEDAY & CO, INC, 1979)
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MARY BETH ROGERS, BARBARA JORDAN: AMERICAN HERO (NEW YORK, BANTAM BOOKS, 1998)
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THIS PACKET CONTAINS EXCERPTS REFERENCING THE 1975 EXTENSION OF THE VOTING RIGHTS ACT. EXCERPTS ARE TAKEN FROM BOTH THE BIOGRAPHY AND AUTOBIOGRAPHY OF BARBARA JORDAN

AUTOBIOGRAPHY
Packet pages 2-6, Book pages 208-213
(Title page also included)

BIOGRAPHY
Packet pages 7-13, Book pages 240-247, 383
(Title page also included)
Books by Shelby Hearon

A Prince of a Fellow
Now and Another Time
Hannah's House
The Second Dune
Armadillo in the Grass

BARBARA JORDAN
A Self-Portrait

Barbara Jordan and Shelby Hearon

DOUBLEDAY & COMPANY, INC., GARDEN CITY, NEW YORK
1979
price-fixing mechanism which prevented free competition, and therefore hurt minority-run businesses. Originally it had been seen as a device to help the small, independent owner, the "Mom and Pop" stores. "I don't know whether Mom and Pop ever heard of the bill, but at least they didn't show up to testify. Only the big manufacturer came to protest my bill."

Rodino let her manage this bill on the floor of the House, and, after it passed both houses overwhelmingly in the same language, she got to keep the pen with which President Ford signed the bill. "That's what you do up here—you collect pens."

Most important of her civil rights work was her extension of the Voting Rights Act. She considered that the right to vote, that basic right of citizenship, had been effectively prohibited blacks in various covert, convoluted ways since they were given it in the Fifteenth Amendment.

As Burke Marshall, Assistant Attorney General for Civil Rights under Kennedy, had expressed it (Federalism and Civil Rights): "Only political power—not court orders or other federal law—will insure the election of fair men as sheriffs, school board members, police chiefs, mayors, county commissioners, and state officials. It is they who control the institutions which grant or deny federally guaranteed rights . . . Any elected official represents not the people in his district, but the people in his district who vote."

Barbara remembered that Johnson, when he was President, had said that even more than we have to ensure that everybody can go to the bathroom and eat without harassment we must determine that all people have equal franchise.

Under him, after the civil rights marches in Selma and Montgomery, the original Voting Rights Act of 1965 was passed, stating:

"No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color."

Additionally, the act stated that:

"[N]o citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device . . ."

This had put an end to such subterfuges as formidable application-to-vote forms required only of blacks, or difficult literacy tests requiring only blacks to define such terms as ex post facto and habeas corpus, or the financially discriminating poll tax, which Texas had used.

This original bill had been targeted only at the Deep South states, and therefore Texas had been excluded. But Barbara had begun to receive a continual flood of complaints concerning voting obstructions and intimidation in heavily black East Texas, and from Mexican Americans who had difficulty reading the English-printed ballots. She decided, when the Voting Rights Act came up for renewal, that Texas should be brought under its coverage.

In 1975, she introduced an amendment to the bill's renewal—that Texas be placed under its jurisdiction. She claimed that if a given percentage of the population had a language other than English, that ballots only in English would constitute a test or device, and therefore be a violation of the Voting Rights Act.

Every elected official in the state opposed the idea of including Texas. Because under the Act if you made any change in election requirements or procedures, that change
would have to be approved by the Attorney General of the United States before it could go into effect, and if complaints were made of discrimination in voting procedures, the Justice Department could send federal registrars into an area with jurisdiction to handle the election. State officials were aghast. *Federales* would be intruding into local elections.

The legislature hastily voted compulsory bilingual ballots, in an effort to block Texas' inclusion under the act.

Meanwhile, following Barbara's plan, the 1975 Congress expanded its definition of "test or device" to include:

"Any practice or requirement by which any State or political subdivision provided any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, only in the English language, where the Director of the Census determines that more than five per cent of the citizens of voting age residing in such State or political subdivision are members of a single language minority."

Under this new language-minority provision, in order to permit enforcement, the Director of the Census had to prove that more than 5 per cent of the voting-age citizens of the state belonged to a single-language minority (American Indian, Asian American, Alaskan native, persons of "Spanish heritage"). The Director was to determine that on November 1, 1972, in the last presidential election, less than 50 per cent of the voting-age citizens were registered to vote, or less than 50 per cent of the voting-age citizens actually voted. And the Attorney General was to make a separate determination as to whether the state had maintained a "test or device" as of November 1972.

Texas, fighting this all the way, took the case to court in 1976. Secretary of State Mark White challenged the state's inclusion, claiming error on all three determinations. He claimed that the fact that 5 per cent of the voting-age population was of Spanish heritage was unrealistic because of the large number of illegal aliens; that the fact that 50 per cent of the voters did not vote did not prove it was Mexican Americans who had not voted; and that the all-English election of November 1972 should not be considered a test, as the state legislature had now made all-English elections illegal.

But the Supreme Court held unanimously that Texas was subject to the Voting Rights Act, and, to make matters worse in the eyes of Texans, through a fluke the newly included states were to be covered for longer than those states whose eligibility had been renewed from the old act of 1965.

When Barbara's bill passed the House, it had been privately agreed by the Senate leadership that when the physical bill itself got to the Senate, it would be held at the desk for the members to consider directly without sending it to committee, as they feared Senator Eastland, conservative Mississippi head of the Senate Judiciary Committee, would block it.

So, when the Senate was debating it on the floor, what they were actually debating was a piece of paper which said the Senate agrees to the House bill. After several weeks of filibustering, Senator Robert Byrd (D., W.Va.) put together a compromise to end discussion. His suggestion was for an extension for seven years instead of ten. However, when passed, due to the way the insertions were made in the House bill, the existing Deep South states were only covered for another seven years, while the new states...
(including the Spanish-speaking counties in Texas, Florida, California, New Mexico, and Arizona) were covered for a full ten, until August 1985.

Unlike the original Civil Rights Act of 1965, in which the individual had to file a suit to get relief from discrimination, the new Voting Rights Act, due in part to Barbara's efforts, provided for suits brought by the U. S. Attorney General as well. This was because, although the right to vote had existed for blacks since 1869, virtually no individual suits had been brought. Which, in the absence of federal monitoring, had made it difficult to control incidents attempting to bar blacks from polling places, or economic retaliation against blacks who did attempt to vote.

Barbara enjoyed bucking the whole state of Texas on this matter. "I was hanging in there. And I wouldn't kneel."

She also enjoyed the flourishing of another presidential pen, this time on a bill Ford had been most reluctant to sign, a bill that, against his will, had become an accomplished fact.

Doggedly reading from typed cards, in the rose garden of the White House, the President gave his belated endorsement to the new Voting Rights Act:

-I am pleased today to sign HR 6219, which extends and broadens the provisions of the Voting Rights Act of 1965. The right to vote is at the very foundation of our American system of government—and nothing must interfere with this precious right.

- Today is the tenth anniversary of the signing by President Johnson of the Voting Rights Act of 1965, which I supported. In the past decade the voting rights of millions of Americans have been protected and our system of government has been strengthened immeasurably.

Betrayal

- The bill I am signing today extends the temporary provisions of the act for seven more years and broadens these provisions to bar discrimination against Spanish-speaking Americans, American Indians, Alaskan natives, and Asian Americans.

- Further, this bill will permit private citizens as well as the Attorney General to initiate suits to protect voting rights of citizens in any state where discrimination occurs.

- There must be no question about the right of each eligible citizen to participate in our elective process. The extension of this act will help ensure that right.

Barbara recounted that moment. "I was in Texas and we were in a recess, but I thought it was worth flying back to Washington to make sure Gerald Ford got his name on that bill. Ford had fought it in the Senate, but he decided that the battle was lost. So he had a stack of three-by-five cards and he read about how he had worked for its successful passage, and I said: 'Your remarks are most interesting.' And he perked up and said: 'Would you like to have them?' And I said: 'Certainly, Mr. President.' So I fixed up a display of my get-together with Ford over those little cards.'

If Barbara's work for civil rights came from the gut, from the conviction still present to her that only through legal changes could minorities gain equality, her reaction to women's rights was more ambiguous.

Not having been married, she had not dealt firsthand with such chattel-status matters as credit discrimination or loss of contractual autonomy. Reading the definition of slavery in the Civil Rights decision of 1883—"compulsory service of the slave for the benefit of the master, restraint of his movements except by the master's will, disability to
DURING THE SPRING of 1975, even when she was embroiled in the
Connally testimony, Barbara Jordan was also at the center of congressional
efforts to extend the Voting Rights Act. She had become the most promi-
nent and powerful black member of Congress. Because of her close ties with
Texas conservatives and other southern Democrats, she could probably in-
fluence as many as forty to fifty votes on a piece of legislation important to
her. No other black member of Congress had that span of influence, and
other than the Speaker or the minority leader, few white members had it
either.

Jordan felt that the Voting Rights Act of 1965 was the most impor-
tant—and effective—piece of civil rights legislation ever passed because it
opened the doors for millions of southern blacks to participate in the Amer-
ican system. But the act would end August 7, 1975, unless Congress ex-
tended it. For Jordan, the right to vote was the paramount civil right. From
this one right could come the political opportunity to acquire decent jobs
and income, education, health care, housing, and the other goods people
needed to live without systemic humiliation or private misery.

While the notion of exactly what constituted a civil right sometimes
got lost in the movements, marches, struggles, shouts, and litigation, Jor-
dan's penetrating mind always went straight to the heart of the concept of
rights. A civil right, to her, simply meant having the freedom to carry out
the ordinary activities of private or public life and enjoy the benefits of
society. She believed that certain rights were "fundamental."

"The addition of 'fundamental' adds something . . . it is not surplus
verbiage . . . it enhances the concept of right exponentially . . . " In
Jordan's mind, civil rights were "entitlements" of citizenship. Citizenship
depended on an unfettered right to vote, and to have one's vote count in a
way that one could be represented, Jordan had always believed that if "her
people" had full access to this right, they could make the political changes
necessary to secure other rights and benefits.

President Johnson and the Congress had also recognized that voting
rights were fundamental elements of civil rights protection. The 1965 vot-
ing rights law had prohibited state or other political jurisdictions from im-
posing voting requirements to deny or abridge the right to vote on account
of color or race. Designed to end seventy-five years of discrimination
against southern blacks, the law gave the attorney general and the Justice
Department discretionary power to appoint federal officials as voting "ex-
aminers" who made sure that African Americans could register to vote
without interference. The Voting Rights Act also abolished literacy tests,
which seven southern states still used to keep blacks from voting. The most
controversial provision of the law, however, required seven Deep South
states to obtain federal approval, or "pre-clearance," of any change in law or
procedure that might affect the rights of minority voters.

When African Americans in the South had begun to participate in
electoral politics in greater numbers as a result of the civil rights movement,
recalcitrant white officials quickly figured out that they could minimize the
impact of large blocs of black voters through structural changes like gerry-
mandered districts, at-large elections, and the consolidation of voting dis-
tricts, which could dilute the power of the black vote to influence the
outcome of an election.

The pre-clearance section of the Voting Rights Act of 1965 halted
many of the most blatant of these practices in the South. Representative
Andrew Young's congressional seat in Atlanta was effectively spared by the
pre-clearance requirement. After the 1966 elections, in which Young and
Barbara Jordan became the first African Americans elected to Congress
from the modern South, the Georgia legislature redrew the state's congress-
ional district boundaries, effectively eliminating Young's district and re-
placing it with one in which the black vote would be so diluted that
Young—or any black—would have no hope of winning. Because the new
districts had to be submitted to the Justice Department for approval, how-
ever, the gerrymandered plan was thrown out and Young's district remained
essentially intact.

The Voting Rights Act would expire in August 1975, and it was ques-
tionable whether the old civil rights community, with its fragmented leader-
ship, could rally for one more battle for its extension. Many observers felt
that the punch was gone from the movement, and that it might be difficult to
pass a veto-proof law that would meet Republican president Gerald
Ford's approval, or even to pass anything through the Senate, where Missis-
pippi's conservative Democratic senator James Eastland was chairman of the
Judiciary Committee. Yet if the act expired, the "New South" might revert
back to its old ways. While it was unlikely that the most egregious abuses of the old days would be reinstated, leaders in the civil rights community feared that structural changes could so dilute minority votes that the hard-fought gains of the past ten years would be lost. By 1974, there were approximately 3,200 black elected officials in the nation. But that could change—particularly because a new reapportionment would be mandated after the 1980 census. Federal pre-clearance was the most valuable tool to prevent such structural forms of discrimination and exclusion.

Jordan’s legislative aide Bob Alcock and her administrative assistant, Bud Myers, were enmeshed with the key Capitol Hill staffers and civil rights advocates who cared most about the extension of the Voting Rights Act. Alcock, in particular, was plugged into what he called “Title Sixers,” the advocates of applying the nondiscrimination clauses and enforcement powers of Title VI of the 1964 Civil Rights Act to a wide range of federal legislation, from revenue-sharing to law enforcement. The group included members of the staffs of the U.S. Civil Rights Commission, the NAACP Legal Defense Fund, the Mexican American Legal Defense and Education Fund (MALDEF), key executive agencies, and some House and Senate Judiciary Committee staff members. Alcock remembers that they began talking about the upcoming Voting Rights Act extension as early as 1973.

The U.S. Civil Rights Commission had accumulated enough evidence of voter intimidation in the Southwest to conclude that English-language-only election materials had been used as a means to keep Spanish-speaking people from participating in the political process. Its staff was preparing a recommendation that Mexican American voters be included in any extension of the Voting Rights Act. The consensus of the Title Sixers was that the extension was “something Barbara should be interested in,” recalled Alcock. They wanted her to bring Texas into the full coverage of the act by adding Texas to the original seven states subject to pre-clearance.

“MALDEF was pushing bilingual ballots, and since my mother had been born in Mexico, I could see the logic of that, but when they talked about covering Texas, at first it was too big a leap for me,” Alcock said. President Lyndon Johnson had deliberately not included Texas in the original legislation to placate his own political friends in the state. Now the Title Sixers wanted Barbara Jordan to do what Johnson had been unwilling to tackle. They left it up to Alcock to persuade her.

Alcock, a sandy-headed, affable Californian, had developed a solid working relationship with Jordan during her first session. He was a “heads-down, do-your-work” kind of guy who knew both the workings of the Hill and the peculiarities of Texas State government. Jordan hired him to be her chief legislative aide shortly after her first session in Congress and would delegate most of the detail work to him and Bud Myers. Jordan had a small staff, as congressional staffs go, but she expected a lot from them.

“We would take her mail and messages over to her, and sit in the Rayburn Room off the floor to go over things with her,” Alcock remembered. “She was pretty insistent that everything be organized and in order. She wanted to be informed, and she didn’t want surprises.” Alcock had helped Jordan organize her research during the Watergate inquiry, and because he was conscientious and good at anticipating what she might need in the way of documentation, she came to trust both his work and his judgment. Extending the Voting Rights Act to Mexican Americans involved a host of legal technicalities, and Alcock said he was not sure he ever mastered it. “But she did,” he said of his boss.

“She was intrigued when I laid it out for her,” Alcock said. “Barbara initially really didn’t understand the pre-clearance process because Texas had not been included in the original bill. Her political life didn’t include this concept. So we sat down with her and tried to explain this in real terms so she would understand just how a Texas politician would feel about having to submit these election law changes to the Justice Department. And she didn’t have any hesitation once she saw it.” When Jordan realized that she might be able to end the practice of gerrymandering and at-large districts that had prevented her own entry into politics thirteen years earlier, she enthusiastically agreed to sponsor a bill that would bring Texas under the act. It would extend greater protection to black voters, “her people,” but she wanted to be sure Mexican American voters would be included, too. She sent Alcock off to work out a formula to include Mexican Americans in the Southwest without a blanket coverage of all the southwestern states, which she thought would endanger passage of the bill.

The formula Alcock and the Title Sixers, along with U.S. Census Department officials, worked out for her was based on a mix of the relative percentages of low voter turnout and large concentrations of non-English-speaking voters. In any given area, a voter turnout rate below 50 percent and a 5 percent concentration of non-English-speaking voters would trigger the pre-clearance sections of the Voting Rights Act and mandate the use of bilingual ballots. The key legal justification for requiring bilingual ballots would be to establish that English-only ballots were in the same category as literacy tests.

Two issues had to be resolved: finding a legally acceptable term to describe Mexican American voters, and determining the exact trigger mechanism. The Fifteenth Amendment language protecting the voting rights of African Americans was based on “race, color, or previous condition of servitude.” The logical constitutional question that had to be considered was: Do Mexican Americans, Cuban Americans, Puerto Rican Americans, constitute a race or color? As she always did, Jordan dug deep into the constitutional issues. She came to the conclusion that Fifteenth Amendment protection “is not limited to blacks. Any denial of voting rights, on the ground of race or color, would contravene the Fifteenth Amendment.”
Jordan contended that because the phrase "race or color" did not have a precise, generally accepted meaning, it could be applied in a general way to Spanish-language voters. She produced a memo from the Justice Department stating that antidiscrimination laws were already being enforced as if "race or color" did in fact apply to Mexican Americans.

Another issue was whether language was the primary form of discrimination faced by Mexican Americans. Jordan said: "Probably not, but it is characteristic of the myriad of problems Mexican Americans face. Just as the Congress seized upon literacy tests as characteristic of the voting problems facing blacks in the South, so too are English-only ballots among a substantial Spanish-speaking population. Printing of Spanish registration forms and Spanish ballots will not cure voting discrimination in the Southwest . . . but I can think of no clearer alternative criterion which is both characteristic of Mexican American voting problems and provides clearer direction to the executive than the employment of an English-only ballot." Jordan's bill used the Census Bureau's legal term "mother tongue" to define those who would be covered under her bill, which called for the use of bilingual ballots when at least 5 percent of the population of a jurisdiction spoke a "mother tongue" other than English.

When Jordan presented her bill to the Subcommittee on Civil and Constitutional Rights, she used an exhibit Bob Alcock had prepared showing the proposed newly covered jurisdictions colored in pink on a U.S. map. All of Texas was included, as were counties with a heavy concentration of Mexican Americans in New Mexico, Arizona, Florida, and California. The surprises on the map—even to Jordan—were the pink-colored counties in Maine, Massachusetts, New Hampshire, Pennsylvania, and Vermont. Alcock's non-English "mother tongue" census categories, in combination with the low-voter-turnout criterion, had picked up German, Amish, and French ethnic communities that had never been discriminated against. Jordan was appalled and told committee members she would happily change her formula if they could come up with a better one. After the hearing, she admonished Alcock. "You've got me in a hole, Bob. Now go back and find a better trigger!"

Judiciary chairman Peter Rodino and the subcommittee chairman, Don Edwards, had introduced a simple extension of the bill for ten years. Some members, like Massachusetts representative Robert F. Drinan, wanted to add general election reforms and national voter registration procedures to the Voting Rights Act, but there was sentiment on the committee and within the civil rights community against turning the bill into a "Judiciary Christmas tree" by hanging every conceivable reform on the bill. There was even opposition among older African American civil rights leaders against extending protections to Mexican Americans. "It's not that the civil rights leaders don't want brown people, Mexican American people, included," Jordan explained. "They just don't want to jeopardize the possible extension of the act by an effort to expand it."

Although Andrew Young favored inclusion of Mexican Americans in the bill, he wanted to keep general election and voter registration reform out of the extension arguments. Dr. Aaron Henry, president of the Mississippi State Conference of the NAACP and national lobbyist for the NAACP Leadership Conference on Civil Rights, did not want anything but a simple extension of the act. "I do not want to lose. I do not want to give anybody an excuse to vote against what we have got now under the guise of trying to extend it. . . . If we have the votes for it, I am completely supportive of that idea. But I do not want to amend the act to perfection and then lose the whole thing."

Barbara Jordan, with Bob Alcock at her side, outlined and explained her bill at the subcommittee hearings. "I know firsthand the difficulty minorities have in participating in the political process as equals. The same discriminatory practices which moved the Congress to pass the Voting Rights Act in 1965, and renew it in 1970, are practiced in Texas today."

M. Caldwell Butler from Virginia, the leader of Republican efforts to block the extension, commented somewhat facetiously to her in the hearing that "if voting rights could have been protected four years earlier in Texas, by this time you would probably be President of the United States."

When the subcommittee began its markup of the bill, the basic extension of the act for ten years was included in a separate Title I, which also permanently outlawed literacy tests. Jordan, along with two Hispanic members of Congress, Edward Roybal of Los Angeles and Herman Badillo of New York, and their staffs then sat down to work on sections of the bill that dealt with expansion of coverage to foreign-language-speaking minorities. They defined Spanish-language voters as persons of "Spanish heritage" and kept Jordan's 5 percent minority population trigger to require bilingual ballots for specific language minorities. Then they included American Indians, Asian Americans, and Alaskan natives in the bill. They added the pre-clearance requirement for the state of Texas and for certain counties in other states, and redefined English-only ballots and election materials in affected jurisdictions as a "test and device" that resulted in discrimination. "In its simplest form . . . my bill amends the definition of the phrase 'test or device' to make explicit the rulings of federal courts that the failure to provide bilingual registration forms and ballots constitutes the use of a literacy test," Jordan said.

In the meantime, Jordan's actions were setting off a political furor among politicians in Texas who vehemently opposed Texas's inclusion in the federal law. The Texas legislature was so fearful of the possibility of having to pre-clear all of its voting and election laws with the Justice Department that it hastily passed its own bilingual ballot bill in the hope of
forestalling inclusion in the bill. But the full House Judiciary Committee made no changes in Jordan's consensus subcommittee bill and reported it out on May 8. The committee's report to the House filled more than thirteen hundred printed pages with detailed evidence of discrimination against Mexican American voters to justify their inclusion in the act. The full House debate began on June 2, with Representative Edwards managing the bill and Caldwell Butler orchestrating the opposition. Jordan took up her customary place on the House floor to line up key votes to fight off seventeen crippling amendments, including one to remove Texas from the bill altogether. Ironically, it was proposed by the first Hispanic member of Congress from Texas, Democrat Henry B. Gonzalez of San Antonio.

"Henry B."—as he was often affectionately called—had been the first Mexican American in almost as many settings as Barbara Jordan had been the first African American. He was incensed that he had not been included in any of the deliberations about the inclusion of Mexican American voters in the bill. He bitterly resented Jordan's intrusion into his business—which he considered to be anything that had to do with Mexican American politics or power. Gonzalez had also been at war with the Mexican American Legal Defense and Education Fund over some local turf battles, and he was furious because Jordan had worked with MALDEF, which had submitted an annexation decision on San Antonio as a prime example of Mexican American vote dilution. He called the subcommittee's report, with the MALDEF exhibits, a "lie" and "an outright mendacious fabrication of the truth" about San Antonio. He spoke angrily in defense of his amendment to drop Texas from the bill. The debate degenerated when Gonzalez and Roybal got into a shouting match about the reality of discrimination against Mexican American voters. By this time, however, the voting rights extension had the full backing of the civil rights community, the Congressional Black Caucus, the Democratic leadership in Congress, a host of moderate Republicans, and Mexican American activists in the Southwest—minus Henry B. Gonzalez, whose amendment failed on a division vote. The House overwhelmingly passed the full bill on June 3 by a 341-70 vote. Jordan had persuaded two-thirds of the Texas delegation to vote with her on a bill that would subject Texas to the same federal oversight as the states of the Deep South. It was a remarkable feat considering the opposition to the measure at home. Gonzalez was recorded as present and not voting, still mad as a hornet at Jordan and his Hispanic colleagues in Congress.

The bill had a more difficult time in the Senate, however, because Mississippi senator Eastland refused to call a hearing of the Judiciary Committee. It took a cloture motion by Senate Democratic leaders Mike Mansfield and Barbara's new friend, Senator Robert C. Byrd, to call up the bill, and they still had to fight off a filibuster attempt by invoking another cloture vote to limit debate. Senator Byrd put together the compromise to get Senate passage, and President Ford signed the bill on August 6, 1975, one day before it would have expired. It was ten years to the day that Lyndon Johnson signed the first version of the landmark Civil Rights Act.

Jordan was so happy at the bill-signing ceremony that she asked President Ford to give her the big index cards from which he read his remarks before signing the bill. She wanted him to autograph them, too. Ford gave her the cards with his signature. She said that although she was not much of a collector, "this is my first big legislative victory and I wanted a memento." She was also savoring her victory over the president. Gerald Ford had tried to stop the bill in the Senate, and Jordan took great delight in hearing him read from his cue cards "about how he had worked for its successful passage."

Jordan operated at her highest level during the Voting Rights Act deliberations. She did her research, spoke with eloquence, hammered out the details of the deal, made the necessary compromises, recognized the political consequences of carrying a good idea too far, bucked the politicians in her own state, and used her influence with House conservatives to get them to vote for something they would have normally voted against. It didn't hurt that she had made a friend earlier in the year with the Senate's second most powerful man, Robert Byrd, who was responsible for shaking the bill loose in the Senate.

Jordan was busy on several other legislative fronts during 1975. She sponsored and passed in July a consumer protection measure eliminating the practice of price-fixing among manufacturers of consumer goods, saving consumers an estimated $3 billion in excess payments. Judiciary Committee chairman Peter Rodino assigned her the responsibility of managing the floor debate on the bill, which she thoroughly enjoyed. House Democratic leaders recognized both her abilities and her appeal and began to involve her in some of their deliberations. Jordan's influence on the ten-member Democratic Steering and Policy Committee had secured a second "black" seat on the powerful House Ways and Means Committee, which went to new Caucus member Harold Ford of Tennessee.

Jordan was also active in the Judiciary Committee's efforts to curb abuses by the federal intelligence agencies, both foreign and domestic. She was particularly interested in the issue because she had been the target of the U.S. Army's domestic intelligence program in the 1960s. The Army maintained more than one hundred thousand files on citizens not connected with the armed forces. Barbara Jordan was one of them. She had not reacted publicly at the time, but when Congress took up the matter she was personally interested in making sure the practice had ended. In a newsletter to her constituents she wrote, "I reject the hypothesis that our civil liberties may be either strictly observed or blatantly ignored depending upon the whim of government officials."

Although Jordan had refused to become involved in the internal struggles to build a women's political movement, or in the competitions between
Austin, where he and Jordan occasionally saw each other socially. In 1997 Tigar would defend Terry Nichols against charges that he participated in the plot with Timothy McVeigh to blow up the federal building in Oklahoma City in 1996.


25. John B. Connally to Barbara Jordan, June 3, 1975, Correspondence Files, Barbara Jordan Archives, Texas Southern University, Houston.


27. Correspondence Files, Barbara Jordan Archives, Texas Southern University, Houston.


29. Giddings, "Will the Real Barbara Jordan Please Stand Up?"


32. Greenfield, "The New Lone Star of Texas."

**CHAPTER FIFTEEN**


2. The seven southern states subject to the pre-clearing, or section 5, requirements of the original Voting Rights Act of 1965 were Louisiana, Georgia, Alabama, Mississippi, Virginia, North Carolina, and South Carolina. If these states made any change in law or procedure which might affect the rights of minority voters, they had to request approval for the changes by the U.S. attorney general or the federal district court for the District of Columbia.

3. Changes in laws in any of the following activities had to be submitted to the Justice Department for approval: annexation, at-large elections, bilingual materials, home rule charters, multi-member districts, polling places, political parties, precinct lines, redistricting, referenda, registration and voting methods, requirements for running for office, special elections, and staggered terms of office. The purpose was to prevent vote dilution which occurs when election laws or practices diminish or cancel the voting strength of the minority group. At-large elections, for example, can dilute minority voting strength because the minority vote would never be large enough to elect a minority candidate. This was the system that prevented Barbara Jordan from being elected when she ran for the Texas legislature in 1962 and 1964. But the impact of minority voters can also be diluted by annexation or de-annexation of certain geographical areas.


12. Texas congressman Jack Brooks of Beaumont, Abraham "Chick" Kazen of Laredo, and Richard White of El Paso came to Gonzalez's assistance when they spoke for his amendment. The only member of the Texas delegation to come to Jordan's defense was the bill was Democratic representative Bob Krueger of New Braunfels. Krueger was a Shakespearean scholar who came close to defeating Texas senator John Tower in 1980. Governor Ann Richards appointed Krueger to the U.S. Senate seat to fill the vacancy left when Lloyd Bentsen became secretary of the treasury in January 1993. Jordan enthusiastically endorsed Krueger's bid to win the seat in 1994 and specifically referred to his support of her on the Voting Rights Act. "Only one other Texan ... stood up and said I want to support that amendment, too, because I believe democracy includes everybody. That one other member of the Texas congressional delegation whostood with me and said let's make democracy real—that Texan was Bob Krueger." ("Krueger's Appointment Draws Enthusiastic Praise," *New Braunfels Herald*, January 6, 1993.) Krueger was defeated by Republican Kay Bailey Hutchison in the general election.


14. This legislation was identified by the misnomer of "fair trade laws." Jordan appealed the federal authorization that allowed states to make antitrust exceptions by giving manufacturers the right to set a minimum price below which a retailer could not sell an item. Jordan estimated that her repeal of the fair trade laws would save consumers about $3 billion a year by allowing prices to be set by market factors rather than by manufacturers acting in concert. She introduced her bill in January 1975. It passed in December, was signed into law by President Ford, and became effective in March 1976.

15. "Barbara Jordan Reports to the People of the 18th Congressional District of Texas (newsletter), February 1976, Houston Public Library.


17. Sanders, "Barbara Jordan."

18. Ibid.


20. In 1975 there were few restrictions or reporting requirements on outside income.


22. Michah 6:8, Authorized (King James Version).

**CHAPTER SIXTEEN**

1. George Gallup, "Betty Ford Is Most Admired Woman," *Gallup poll press release*, January 13, 1977, Barbara Jordan Archives, Texas Southern University, Houston. The top twenty women in the poll, in order of their ranking, were Betty Ford, Rose Kennedy, Shirley Temple Black, Barbara Jordan, Golda Meir, Lucille Ball, Mamie Eisenhower, Barbara Walters, Joyce Brothers, Jacqueline Kennedy Onassis, Coretta Scott King, Pat Nixon, Kate Smith, Rosalyn Carter, Shirley Chisholm, Lady Bird Johnson, Margaret Mead, Bella Abzug, Carol Burnett, and Queen Elizabeth II.


5. Chafe, "Barbara Jordan."


10. ABC *Issues and Answers*, with correspondents Bob Clark and Sam Donaldson, July 11, 1976, Barbara Jordan Office Files, LB School of Public Affairs, later incorporated into Barbara Jordan Archives, Texas Southern University, Houston.

11. Ibid.


13. Quoted in author's interview with Johnson.

14. The Latin phrase *cuius situs unum* was adopted by the new U.S. government as its official motto in 1777. The phrase was first found on the title page of the Gentleman's Magazine in January 1692. The exact meaning is "from many, one," although many Americans have