

1 **AMENDMENT TO H.R. 3005**

2 **OFFERED BY MR. GOHMERT OF TEXAS**

3 Strike sections I through V and insert the following:

4 To direct the Joint Committee on the Library to replace the bust of Roger Brooke Taney in the Old
5 Supreme Court Chamber of the United States Capitol to be obtained by the Joint Committee on the
6 Library and to remove certain statues from areas of the United States Capitol which are accessible to the
7 public, to remove all statues of individuals who belonged to any political organization or party that has
8 ever held a public position that supported slavery or the confederacy from display in the United States
9 Capitol, and for other purposes.

10 Be it enacted by the Senate and House of Representatives of the United States of America in Congress
11 assembled,

12 **Section 1. Replacement of Bust of Roger Brooke Taney**

13 (a) Findings. – Congress finds the following:

- 14 1. On the Week of June 28, 2021, H.R. 3005 was brought to the House floor for
15 a vote, with the purpose of eliminating the Roger B. Taney statue along with
16 all others that include individuals who “served voluntarily at any time as a
17 member of the Armed Forces of the Confederate States of America or of the
18 military of a State while State was in open rebellion against the United States”
19 yet failed to address the most ever-present historical stigma in the United
20 States Capitol; that is the source that so fervently supported, condoned and
21 fought for slavery was left untouched, without whom, the evil of slavery could
22 never have continued as it did, to such extreme that it is necessary to address
23 here in order for the U.S. House of Representatives to avoid degradation of
24 historical fact and blatant hypocrisy for generations to come.
- 25 2. The Democratic Party Platform of 1840, 1844, 1848, 1852, and 1856 states
26 “That Congress has no power under the Constitution, to interfere with or
27 control the domestic institutions of the several States, and that such States are
28 the sole and proper judges of everything appertaining to their own affairs, not
29 prohibited by the Constitution; that all efforts of the abolitionists, or others,
30 made to induce Congress to interfere with questions of slavery . . . are
31 calculated to lead to the most alarming and dangerous consequences; and that
32 all such efforts have an inevitable tendency to diminish the happiness of the
33 people and endanger the stability and permanency of the Union, and ought not
34 to be countenanced by any friend of our political institutions.”
- 35 3. The Democratic Party Platform of 1856 further declares that “new states” to
36 the Union should be admitted “with or without domestic slavery, as [the state]
37 may elect.”
- 38 4. The Democratic Party Platform of 1856 also resolves that “we recognize the
39 right of the people of all the Territories . . . to form a Constitution, with or
40 without domestic slavery.”

- 1 5. The Fugitive Slave Law of 1850 penalized officials who did not arrest an
2 alleged runaway slave and made them liable for a fine of \$1,000 (about
3 \$28,000 in present-day value); Law-enforcement officials everywhere were
4 required to arrest people suspected of being a runaway slave on as little as a
5 claimant's sworn testimony of ownership; the Democratic Party Platform of
6 1860 directly, in seeking to uphold the Fugitive Slave Act, states that “the
7 enactments of the State Legislatures to defeat the faithful execution of the
8 Fugitive Slave Law are hostile in character, subversive of the Constitution,
9 and revolutionary in their effect.”
- 10 6. The 14th Amendment, giving full citizenship to freed slaves, passed in 1868
11 with 94% Republican support and 0% Democrat support in Congress; the 15th
12 Amendment, giving freed slaves the right to vote, passed in 1870 with 100%
13 Republican support and 0% Democrat support in Congress.
- 14 7. Democrats systematically suppressed African-Americans’ right to vote, and
15 by specific example in the 1902 Constitution of the State of Virginia, actually
16 disenfranchised about 90 percent of the black men who still voted at the
17 beginning of the twentieth century and nearly half of the white men, thereby
18 suppressing Republican voters; the number of eligible African-American
19 voters were thereby forcibly reduced from about 147,000 in 1901 to about
20 10,000 by 1905; that measure was supported almost exclusively by Virginia
21 Democrats.
- 22 8. Virginia’s 1902 Constitution was engineered by Carter Glass, future
23 Democratic Party U.S. Representative, Senator, and even Secretary of the
24 Treasury under Democrat President Woodrow Wilson, who proclaimed the
25 goal of the constitutional convention as follows: This Democrat exclaimed,
26 “Discrimination! Why, that is precisely what we propose. That, exactly, is
27 what this Convention was elected for — to discriminate to the very extremity
28 of permissible action under the limits of the federal Constitution, with a view
29 to the elimination of every Negro voter who can be gotten rid of legally.”
- 30 9. In 1912, Democratic President Woodrow Wilson’s administration began a
31 racial segregation policy for U.S. government employees and, by 1914, the
32 Wilson administration’s Civil Service instituted the requirement that a
33 photograph be submitted with each employment application.
- 34 10. The 1924 Democratic National Convention convened in New York City at
35 Madison Square Garden; the convention is commonly known as the “Klan-
36 Bake” due to the overwhelming influence of the Ku Klux Klan in the
37 Democratic Party.
- 38 11. Democrat President Franklin Delano Roosevelt continued Woodrow Wilson’s
39 policy of segregating White House staff and maintained separate dining rooms
40 for white and black staffers. He also continued the White House
41 Correspondents Association’s ban on credentialing black journalists for White
42 House duties until outside pressure from black publications finally forced a
43 change in policy in 1944, the last year of his presidency. According to the

1 American Journal of Public Health, prior to his presidency, Roosevelt not only
2 banned blacks from receiving treatment at his polio facility in Warm Springs,
3 Georgia, black staff were forced to live in the basement of the facility or in a
4 segregated dormitory while white staff lived in the hotel or in surrounding
5 cottages.

6 12. Democrat Congressman Howard Smith, former chairman of the House Rules
7 Committee introduced the “Declaration of Constitutional Principles” in a
8 speech on the House floor where he attacked the Supreme Court’s 1954
9 decision on Brown v. Board of Education of Topeka (KS) which determined
10 that segregated public schools were unconstitutional. Smith’s declaration
11 urged people to utilize all “lawful means” to avoid the “chaos and confusion”
12 which would occur if they desegregated schools. [History.House.Gov](#) states
13 that “Under Smith, the Rules Committee became a graveyard for numerous
14 civil rights initiatives in the 1950s.”

15 13. In 1964 the Democratic Party led a 75-calendar-day filibuster against the 1964
16 Civil Rights Act.

17 14. Democrats enacted and enforced Jim Crow laws and civil codes that forced
18 segregation and restricted freedoms of black Americans in the United States.

19 15. On June 18th, 2020, House Speaker Nancy Pelosi ordered the removal from
20 the Capitol portraits of four previous Speakers of the House who served in the
21 Confederacy saying that the portraits, “set back our nation's work to confront
22 a combat bigotry;” the men depicted in the portraits were Democrat Robert
23 M.T. Hunter, Democrat Howell Cobb, Democrat James L. Orr and Democrat
24 Charles F. Crisp.

25
26 **Section 2. Requirements and Removal Procedures for Statues in National Statuary Hall.**

27 (a). Requirements – Section 1814 of the Revised Statutes ([2 U.S.C. 2131](#)) is amended by inserting
28 “(other than persons who belonged to, or were affiliated with, any political organization or party that has
29 ever held a public position that supported slavery or the confederacy)” after “military services”.

30 (b). Statue Removal Procedures. -

31 (1) In General. –

32 (A) IDENTIFICATION BY ARCHITECT OF THE CAPITOL.—The Architect
33 of the Capitol shall identify all statues on display in the United States Capitol that do not meet the
34 requirements of section 1814 of the Revised Statutes (2 U.S.C. 2131), as amended by subsection
35 (a).

36 (B) REMOVAL BY JOINT COMMITTEE ON THE LIBRARY.—The Joint
37 Committee on the Library shall arrange for the removal of each statue identified by the Architect
38 of the Capitol under subparagraph (A) from any area of the United States Capitol which is
39 accessible to the public by not later than 120 days after the date of the enactment of this Act.

1 (2) Return of Statues. —A statue which is removed under this subsection and
2 which was provided for display by a State shall be returned to the State, and the
3 ownership of the statue transferred to the State, if the State so requests.

4 (3) Replacement of Statues. —A State that has a statue removed under this subsection
5 may replace such statue in accordance with the requirements and procedures of section 1814 of
6 the Revised Statutes (2 U.S.C. 2131) and section 311 of the Legislative Branch Appropriations
7 Act, 2001 (2 U.S.C. 2132).

8 (c) Storage. —The Architect of the Capitol shall keep any statue removed under this section in
9 storage pending the return of the statue to the State.

10 **SEC. 3. REMOVAL OF CERTAIN OTHER STATUES AND BUSTS.**

11 (a) Statues And Busts of those individuals who belonged to, or were affiliated with, any political
12 organization or party that has ever held a public position that supported slavery of the
13 confederacy.—

14 1. REMOVAL.—Not later than 45 days after the date of the enactment of this Act, the
15 Joint Committee on the Library, together with the Curator of the House of
16 Representatives or the Curator of the Senate (as the case may be), shall remove all statues
17 and busts of any individual who belonged to any political organization or party that has
18 ever held a public position that supported slavery or the confederacy from any area of the
19 United States Capitol which is accessible to the public.

20 (b) Other Statues.—Not later than 45 days after the date of the enactment of this Act, the Joint
21 Committee on the Library shall issue a report on the merits of removing the statue of Charles
22 Brantley Aycock, a Democrat; the statue of John Caldwell Calhoun, also a Democrat; and the
23 statue of James Paul Clarke, who was also a Democrat, from any area of the United State
24 Capitol which is accessible to the public.

25 (c) Storage.—The Architect of the Capitol shall keep any statue or bust removed under this
26 section in storage.

27 (d) Exclusion Of Statues Subject To Other Removal Procedures.—This subsection does not
28 apply with respect to any statue which is subject to removal under section 2.

29 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

30 There are authorized to be appropriated such sums as may be necessary to carry out this Act, and
31 any amounts so appropriated shall remain available until expended.