

much too fast, and there is so much more we could say to honor and extend our great respect to BOB LIVINGSTON as he terminates his many years of service to the State of Louisiana.

I just want to add one personal thought. BOB and I have been friends for a long time. We contested each other politically. We have been on different sides of the fence occasionally. At the end of the day, we have always been friends. And that has been the hallmark of his career. He leaves so many friends here.

BOB, Louisiana will miss you. Louisiana will miss your service. Louisiana will miss your caring, concern for her, for all of her people. And my colleagues in Louisiana and across this body will miss you for the good man that you are.

Mr. Speaker, with great thanks and appreciation to the gentleman from Louisiana (BOB LIVINGSTON), who I will now replace as dean of the Louisiana delegation, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to pay tribute to my friend and the Representative of the good people of Louisiana's First District, BOB LIVINGSTON.

BOB LIVINGSTON is a man of courage and honor. In every aspect of his career in Congress, he has made clear his enduring love and respect for the institution of the House of Representatives in which he has served for 22 years.

At a time when our nation was calling out for leadership, BOB LIVINGSTON reminded us all that the institutions of our democracy are stronger than any one person.

I have witnessed firsthand the strength and fairness with which BOB LIVINGSTON led the Appropriations Committee and how he demonstrated exceptionally well the leadership necessary to bring people of divergent ideas and talents together. I can say proudly, too, that as New Jersey's only Member of Congress to serve on the Appropriations Committee, Chairman LIVINGSTON was receptive to the needs of New Jerseyans and supportive of my work in Committee on important state priorities.

It is, of course, legend now, that day he came to take over the Committee wielding a "Louisiana filing knife." And with a surgeon's precision, he led us to make cuts that put our budget in balance for the first time since 1969. Under his leadership in the 104th Congress, our Committee reduced government spending by over \$50 billion, and we continued this trend in the last Congress, too. This will be BOB's legacy, and I am proud to have had the opportunity to be a part of it.

BOB, you will be missed. Thank you for your courtesy, and your friendship. I wish you and Bonnie continued success for the future.

#### GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on my special order.

The SPEAKER pro tempore (Mr. HAYES). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### PATTERN OF BRUTALITY AND KILLINGS IN NEW YORK CITY LINKED WITH EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, I would like to add my voice of praise and congratulations to the retiring chairman of the Committee on Appropriations in one respect that I think people keep forgetting, and it ought to be an important footnote in the history books. That is that the biggest appropriation in the last few decades for education, the biggest appropriation, was the appropriation in 1996 that came out of the Committee on Appropriations. Education got a \$4 billion increase under the leadership of Chairman LIVINGSTON, \$4 billion.

We had gone for 2 years with proposals coming from the majority party that we decrease education and that we cut education. And the miracle of that fall and the miracle of the sessions of the Committee on Appropriations produced a \$4 billion increase in education. And I want to congratulate Mr. LIVINGSTON, the chairman of the Committee on Appropriations, for that; and history should note that.

I am very concerned about education. And I have been on the Committee on Education and the Workforce now, this is my 17th year. I really wanted to make my speech tonight a speech about the importance of the education agenda, particularly the item of school construction.

I wanted to confine my remarks originally only to that subject. However, I must say that a matter of grave concern to me forces me to broaden my discussion, and for days now I have been very disturbed about events taking place in my home city of New York.

I represent the 11th Congressional District of New York State, which is part of New York City. The 11th Congressional District is in New York City. And although it did not happen in my district, there was an incident where the New York City Police Department, a street unit, fired 41 shots at a young man; and a large number hit him, of course; and he was killed. We do not use the word "killed." He was murdered.

Because there was no real reason why a man standing in a doorway, innocent, no record, no violent crime had been committed in that immediate vicinity during that particular period, and suddenly an innocent man, who happened to be an immigrant from Guinea, was killed in cold blood.

Of course, if this stood by itself as one lone incident where four policemen emptied their guns on an African in New York City it would not have caused the furor that it caused. But there were other incidents recently.

Abner Louima, in a precinct adjacent to my district in Brooklyn, was sodomized with a broomstick last summer during the mayoral election that took place. And Abner Louima, the four policemen on trial for that still have not been tried. That was another incident.

I have lived in New York City now for more than 35 years, and I have been an activist for most of that time, so I can recite easily a long list of other people who have suffered from police brutality and police killings. The killings stand out. And every time one of them took place, I always said we cannot get much worse than this.

When Clifford Glover was gunned down in Queens, a 12-year-old boy who was fleeing from the police and was shot in the back, I said, how horrible. It cannot get much worse than that. But many others have taken place since Clifford Glover was killed.

Claude Reese, Randolph Evans, who was shot at point-blank by a policeman who put a gun to his head in a crowd and shot him; and there was no explanation that the policeman could give, so he finally was acquitted on the basis of psychomotor epilepsy. They brought a psychiatrist to court, an expert who we have never seen or heard from since, who described the condition of the policeman as psychomotor epilepsy. So that policeman was acquitted. I said, oh, you cannot get much worse than that.

Then we had Eleanor Bumpers in the Bronx, who was a grandmother in her sixties, in her own living room who was shotgunned down by a policeman, a police sergeant, who said that he was frightened for his life because he came into her living room and, not knowing who he was, she lunged at him. She was shot down in cold blood. And not only was that sergeant exonerated, he was later promoted. And on and on it goes.

In my district, several years ago a young man was killed. Twenty-one shots were fired from the police at a young man in a car. They noted that the car was stolen, and they identified it. And they said he went for a gun, but no gun was ever found. But he was shot 21 times. And we could not even get the photographs of the policeman who did that released.

So there has been one incident after another and people have been crying, as they always have the right to cry, about public officials not providing proper leadership. Where should we leave them in this situation?

The demonstrations are taking place in New York. Yesterday, there was a demonstration near city hall. It was one of about five demonstrations that have taken place since this incident occurred on February 4. Eight protesters were arrested near city hall in Manhattan yesterday when they chained themselves together to block traffic on lower Broadway. And on and on it goes.

Several churches had special prayer marches last Sunday. On and on it goes, and it is appropriate that people should be very upset.

And it occurred to me that there is a link between the problem we have in New York City with education and school construction and the problem we see now manifested in the way the police brutalize the minorities and the pattern of brutality and pattern of killings.

One of the facts in the pattern of brutality and the pattern of killings is that these accidents that the police claim misjudgment or reasonable reactions and responses, these accidents never happen in white neighborhoods. There have been no accidental killings, there have been no atrocious incidents where guns were emptied on white young men or women. There have been no grandmothers in the white community ever murdered in their living rooms by police.

The pattern is clearly the evidence that it only happens in minority neighborhoods. Yes, some have been Hispanic, some of the victims. Some have been Asian recently. Because we have a new immigrant population, powerless Asians. One small kid who had a toy gun was shot down by a policeman and killed. On and on it goes.

The pattern is clear. Something is wrong racially in terms of the actions and reactions of the New York City Police Department.

I have been involved for a long time, and I can give my colleagues the long list of demands that we made 20 years ago. Those same demands are being made now. And yet nothing changes. They sit as a permanent government of New York, the newspapers, the New York Times and the media, and they all control public opinion, and they do not want to see something happen that does not happen.

So I assume that reform of the police department, which is basic, the establishment of a civilian review board, a number of things that we asked for, the appointment of a special prosecutor to deal with police brutality and police killings so that the district attorney who has to work with police all the time is not in a position to prosecute police. There is an intimidation factor which is obvious. The ending of the 48-hour rule, where policemen cannot even be interviewed about an incident like this until 48 hours has elapsed.

The movement of New York City into the same category as the other cities in the State where New York City has the right to hire only policemen who live in the city. Other municipalities and counties in New York State have the right to have a residency requirement. Only New York City, by State legislative law, cannot have a residency requirement. So we have most of the people who are policemen coming from outside the city. They live in communities outside of the city.

Of the people who were involved in this latest killing, three of the four lived outside of the city.

□ 1845

Of the people involved in the latest killing, the oldest person was 27. One

was as young as 23, the policeman. That pattern goes on and on, and the establishment, the power structure, will not cooperate with the leadership from the minority communities to give any kind of ground in terms of meeting demands that are reasonable: the appointment of a special prosecutor, the residency law, the end of the 48-hour rule, the establishment of a civilian review complaint process that is not tainted by the police commissioner having the last word. All these basic, reasonable demands have not been met.

On the other hand, if we look at education, we have made some basic, reasonable demands over the years that also have not been met. Some atrocious things are happening in education. There is a pattern of tyranny here, a virus into the democracy of New York City and New York State. There is a virus of tyranny and a virus of oppression which is reflected in some atrocious acts that are being committed across the board whether you are talking about welfare policies and recently the Federal Government criticizing New York City and putting it under a special court order for the way its welfare policies are being handled, the way people are being processed or whether you are talking about hospitals and health care. The city hospitals, the Hilton hospitals corporation that has existed for several decades, the present administration of the city is trying to sell the hospitals, privatize them. It gets so ridiculous until in my district recently the laundry that services the city hospitals in Brooklyn has been ordered closed and they are going to contract with a laundry across the river in New Jersey because, by the pound, they can provide the service for a few pennies cheaper to launder the linen and the sheets and the various things that relate to the hospitals. The pattern is to try to sell the hospitals, if not sell them, destroy them. And then in education, the pattern has been to refuse to deal with obvious problems related to education infrastructure. School construction is no longer an education issue in New York, and probably in large parts of the country it is the same situation. It is a moral issue. It is a moral issue. It is not a financial issue in New York. It is a moral issue.

School construction reflects the same pattern, the same mind-set of the administration in respect to tyranny and oppression of a certain group of people. The worst schools are in the minority areas. The worst schools are in the areas where black and Hispanic and Asian children go to school. The worst schools are in neighborhoods that have been neglected over the years. So when you have a \$2 billion surplus, and New York City had a surplus, revenue over expenditures last year of \$2 billion, not a single penny of the \$2 billion was devoted to meeting school construction emergencies in New York City. At a higher level, in New York State, the State had a \$2 billion surplus. I am sometimes ashamed

to come to the floor of Congress and talk about the subject that I am going to primarily talk about tonight, the need for Federal aid for school construction, because our State and our city, even with the resources, is doing so little, is dedicating such a small percentage of those resources to deal with school construction. Why? They do not care. There is a moral issue. There is a determination made to destroy a certain segment of the population. The basic human rights of a certain segment of New York City's population are being violated. There is a process which is very different from the way the Serbs violated the human rights of the Albanians in Kosovo. In Kosovo you have violence, you have bullets, you have blood. It is kind of obvious. But also in Kosovo they complain about the fact that the school system for the ethnic Albanians in Kosovo, run by the Serbs, the school systems were not teaching the children properly, the basic problem of language they would not teach but there are things they complained that they had inferior schools. I remember reading at the time when the conflict between Armenia and Azerbaijan had a lot of visibility in the world that one of the big things about an enclave of Armenians that were in Azerbaijan was that the school system was deliberately neglectful of the needs of the Armenian children.

So the school system's neglect of a particular population is not by accident. The people in power who make the decisions, the people in power who have the money, even if they have a \$2 billion surplus, if they do not care about what happens to a certain segment of the children who go to the schools, they will not use those resources. So it is more than just money. It is a moral issue. We would like to have some aid from the Federal Government and I am going to talk about the need and the duty of the Federal Government to provide aid but we certainly are not doing enough in New York City or New York State with what we have. Why? Because there is a virus of tyranny, a virus of oppression that has contaminated our democratic process in New York City. There is a small group that has managed to take power and they have determined that they are going to drive a certain segment of the population out of the city. They are going to neglect them to the point where they will be totally powerless forever. And they continue to go on and on successfully.

That is why I feel I have to deviate from just talking only about school construction and make the linkage between the pattern of police brutality, police killings, the pattern of hospital closings and privatization, the pattern of neglect of certain neighborhoods deliberately, the pattern is such that we have to link them together and understand that we are fighting a much bigger problem than just the neglect of school construction in New York City.

And probably the application to other parts of the country, certain big cities, is the same. People in power who make decisions about the money have over the years neglected these schools and now we have a crisis and they have determined to do nothing about the crisis.

We have a situation where the General Accounting Office in 1995 said that we needed \$112 billion to revamp the infrastructure of schools all across America. They cited, and it is not just the problem of big city schools. There are problems in rural schools which are very serious, there are problems in suburban schools, but mainly the biggest problem, of course, is in the big city schools, Los Angeles, Chicago, Detroit. It is all over where you have deteriorating schools, in some cases endangering the health and safety of children.

The trailer problem. Somebody said a few days ago, they called the trailers learning cottages, not trailers. Let us call them trailers. When the greatest Nation in the world with the highest per capita income and Wall Street setting records every day, when they have to have their children go to school in trailers, then something is radically wrong. The Vice President has recently discovered some schools somewhere in America where children are forced to eat lunch at 9:30 because of the overcrowding. It is such a crowded school until they have to eat in shifts and there are so many shifts that you have to begin serving children at 9:30 and you do not end until 1:30 or 2 o'clock serving the children in shifts. That is commonplace in my district in New York. It is commonplace across New York that children are being forced to eat lunch at 9:45 or 10 o'clock in the morning. That is child abuse. But decent people, teachers with education and a mission to help children, principals, administrators, the city council members, everybody is acquiescing to a situation where children are abused systematically by being forced to eat lunch when they have just finished breakfast.

That is the way you solve the problem, take the pattern of least resistance. Treat the children of the schools as if they were not quite human. Maybe their parents will get the message and move out of the city or somehow take the burden away from the city administration, or whatever. But it is related.

The fact that you cannot have law and order in New York City, some people believe you cannot have law and order without having a violation of civil rights and without having justice is not accurate. There is no reason why we cannot have law and order with civil rights being respected and justice for all.

New York City recently announced and they initiated last night, I think, the policy where anybody who is caught driving drunk will have their car taken away from them. Well, the first reaction of the minority neighbor-

hood is that, there goes our cars, because certainly anybody with alcohol on their breath in the minority neighborhood is going to be stopped. The profiling that is so outrageous all over the country where they have profiles of criminals and color is a basic part of the profile. You stop the cars where the young people are black. You stop the cars where the young people are Hispanic.

I want to congratulate the Justice Department for its announcement, the United States Justice Department for its announcement that it is going to conduct an investigation of profiling in New Jersey, the State right across the river from New York, because New Yorkers and other minorities, certain Hispanic and African-American young people have been complaining for years about the fact they always get stopped, their cars get stopped.

The law of averages say if you stop every car with a young person who also happens to be black or Hispanic, you are going to find a large percentage who might have something wrong in the car. They might have an open beer bottle or they might have even some drugs. If your profiling is done that way, you are going to have a pattern where most of the people who get arrested are going to be black or Hispanic. If you are going to profile drunk driving and stop more people in the minority community, more minority drivers, you are going to have more minority people losing their cars because they happen to be caught up in that network.

We do not think it is a good approach to punish people before they have their day in court. But that is just part of a pattern of moving to maximize law and order at the expense of civil rights and justice. It does not have to be.

The unique thing about our democracy, what makes America so great, is that these excesses we do not tolerate in order to get the productive results. Law and order they had in Mussolini's Italy. Law and order they had in Hitler's Germany. Law and order can be achieved if that is all you want. But why make law and order a goal which prevails over everything else? Law and order over civil rights, law and order over justice. What you end up doing is end up getting lawlessness. You get violence perpetrated by the people who are hired or commissioned to carry out the law and order, the SS, the Gestapo, the police departments filled up with people who are not given proper training, too many people who do not have proper training.

I do not think that the whole New York City police department should be indicted. I think the administration of the police department, I think the administration in city hall must be indicted because they have created an atmosphere, a mind-set, they have made law and order a political objective that must be achieved over everything else, and they have created a situation where people who are unstable, people

who are not properly trained, people who have problems. One of the policemen who shot Amadou Diallo, and I might have gotten ahead of myself and not been specific about what I am talking about in terms of the latest outrage.

Amadou Diallo on February 4, an unarmed street peddler from Guinea, was killed in a barrage of 41 bullets in the Bronx. The people who shot him, one of those people had also been responsible for the murder of a young man in Brooklyn not too long ago where the young man was shot and the wounds that he sustained were not life-threatening but he was allowed to bleed to death. They did not give him any medical attention for 45 minutes and he bled to death. The doctors at the hospital said if he had only been brought to the hospital within a reasonable length of time, his life would have been saved. There were no obvious life-threatening wounds at the beginning.

So Amadou Diallo becomes a symbol, because he is part of a long line. Before him Abner Louima, before him the long succession of Eleanor Bumpers, Claude Reese, Clifford Glover, Randolph Evans and numerous others who were killed by police under circumstances that could not be justified. Anthony Biaz is unique because he is one of the few persons killed by police where the police were punished.

□ 1900

So it happened the policeman who strangled him to death or killed him with a choke hold happened to have had a long record of brutality, and the city and the union ran away from defending him, and he was convicted. Livoti is his name. Livoti was convicted of killing Anthony Baez in a civil suit at least. And the important thing is that some punishment was meted out, whereas in the case of Eleanor Bumpers, the grandmother who was murdered in her living room, the policeman was not only not convicted, he was given a promotion later.

So, the task I made for myself tonight is to make synergy here. There is a clear relationship between the way and, as I speak, it applies to many other places in the country so I do not feel guilty about taking the time here on the floor of the House of Representatives to talk about this because in other places in the country we have the same kind of problems. The task is to let it be known that the education problem is partially, certainly, the obvious part of the education deficit.

The lack of resources is due to the fact that there is no moral commitment to educate the poorest children in America, no moral commitment, and the poor happen to be mostly African American, Hispanic. There is no moral commitment to really educate them, and that is why we cannot get around to doing what is obvious. There is no commitment there. There is no commitment to provide law and order with justice if you can just forget about justice and be careless about the way you

provide law and order. Then Amadou Diallo and Abner Louima and Eleanor Bumpers, they are all sacrificial lambs.

I am going to go on to talk more specifically about school construction and education, but first I want to enter into the RECORD a letter that was written by my colleague from Chicago, DANNY DAVIS, and signed by many other members of the Congressional Black Caucus.

I wrote my own letter to Janet Reno, and I am going to enter that in the RECORD, too. It was like a ceremony every time one of these outrageous cases occurs and someone is unjustifiably murdered by the New York City police. I wrote a letter to Janet Reno asking for an investigation. I asked not only that the particular specific individual incident be investigated but I asked that they investigate the systemic problem, why it keeps happening over and over again, why do only these accidents only take place in minority neighborhoods, why only people who are considered powerless, why only people who are African American or Hispanic or Asian, why are they the only victims of police mistakes? It is really a question worthy of the attention of the United States Justice Department.

But I ceremoniously write these letters. I get an answer back from Janet Reno and, before that, previous Attorney Generals saying, we will proceed to investigate, but I never get a later letter which says exactly what they are doing or what the outcome was. They promised to investigate systemic police abuse in New York at the time of the outrageous sodomization of Abner Louima. Abner Louima was sodomized with a broomstick and left to die. He just was very tough, and although they left him around for several hours, when they finally got him to the hospital, he fought, and he lived and was able to tell his own story.

But the letter from Janet Reno said, we will proceed, I have ordered an investigation. I even got a letter from the local U.S. Attorney saying, we are proceeding to investigate the New York City Police Department, the systemic problem, but you never get any final conclusion or any progress report.

So DANNY DAVIS, my colleague from Chicago, is asking the same things I have asked repeatedly in my letters. DANNY DAVIS' letter reads as follows:

Dear President Clinton, we are writing to urge you to form a Federal task force comprised of community leaders and Department of Justice officials to investigate incidents of police brutality and misconduct. As you may know, on February 4, 1999, Amadou Diallo was shot 19 times in New York City when police mistook him for a rape suspect. In all, four white officers shot 41 times in Mr. Diallo's apartment.

That is not exactly correct. There was a doorway leading into his apartment house.

Continuing to quote the letter from Congressman DANNY K. DAVIS:

There have been numerous incidents of this kind of unchecked police abuse through-

out the Nation especially in African American communities. In 1997, police sodomized and beat Abner Louima, a Haitian immigrant, while he was in police custody in New York City. In Los Angeles, there was the police beating of Rodney King. In Chicago, Jeremiah Mearday was beaten by police who were later fired. In addition, two young boys ages 7 and 8 were arrested and charged with raping and killing 11 year old Ryan Harris when it was later revealed that these young boys could not have committed the crimes with which they were accused. We have numerous examples all throughout the country where this type of police abuse is or has taken place.

There is a real perception in the African American and minority communities that if your skin is dark then you are in trouble. In addition, police brutality has undermined the respect of people in minority communities for the rule of law, because there seems to be two sets of rules. We remain concerned that the police cannot fairly investigate themselves. Moreover, we believe that the formation of a national citizenry board in conjunction with the Department of Justice provides legitimacy to a fair process.

If we are to have true racial reconciliation in this country, then we must deal with the issue of police brutality. Finally, if America is to be what she ought to be, then there must be one set of rules by which every citizen is governed. We thank you in advance for your assistance in this matter, and we look forward to your reply. DANNY K. DAVIS.

And this was signed also by other members of the Congressional Black Caucus.

Mr. Speaker, I enter the letter of DANNY K. DAVIS into the RECORD:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 22, 1999.

Hon. WILLIAM JEFFERSON CLINTON,  
The White House,

DEAR PRESIDENT CLINTON: We are writing to urge you to form a federal task force comprised of community leaders and Department of Justice officials to investigate incidents of police brutality and misconduct. As you may know, on February 4, 1999, Amadou Diallo was shot 19 times in New York City when police mistook him for a rape suspect. In all four White police officers shot 41 times in Mr. Diallo's apartment.

There have been numerous incidents of this kind of unchecked police abuse throughout the nation especially in African American communities. In 1997, police sodomized and beat Abner Louima a Haitian immigrant while he was in police custody in New York. In Los Angeles, there was the police beating of Rodney King. In Chicago, Jeremiah Mearday was beaten by police who were later fired. In addition, two young boys ages seven and eight were arrested and charged with raping and killing 11 year-old Ryan Harris—when it was later revealed that these young boys could not have committed the crimes for which they were accused. We have numerous examples all throughout the country where this type of police abuse is or has taken place.

There is a real perception in the African American and minority communities that if your skin is dark then you are in trouble. In addition, police brutality has undermined the respect of people in minority communities for the rule of law, because there seems to be two sets of rules. We remain concerned that the police cannot fairly investigate themselves. Moreover, we believe that the formation of a national citizenry board in conjunction with the Department of Justice provides legitimacy to a fair process.

If we are to have true racial reconciliation in this country then we must deal with this

issue of police brutality. Finally, if America is to be what she ought to be then there must be one set of rules by which every citizen is governed. We thank you in advance for your assistance in this matter, and look forward to your reply.

Sincerely,

DANNY K. DAVIS.

Mr. Speaker, I also enter a similar letter that I wrote to Attorney General Janet Reno into the RECORD:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 6, 1999.

Attorney General JANET RENO,  
U.S. Department of Justice,  
Washington, DC.

DEAR ATTORNEY GENERAL RENO: Over the course of the last few years I have appealed to you and President Clinton to launch a comprehensive investigation into the pattern of misconduct by the New York City Police Department. The most recent incident involving the shooting death of Amadou Diallo on February 4, 1999, underscores my concern about a police department that appears to be out of control. By all accounts, it is obvious that officers have engaged in a pattern of reckless guerrilla warfare tactics against innocent victims.

Our community has grown weary of repeatedly being victimized by the institutional racism that exists within the New York City Police Department. Somewhere in the midst of all of this confusion lies the fear of every minority citizen that they could be next. It should be noted that these incidents never occur in predominately white neighborhoods.

We are deeply disturbed by the actions of the police; shocked and amazed that it took four officers and 41 bullets to bring one man down. This individual was a human being, not an animal. At some point, the leadership of the city has to acknowledge that it is incapable of controlling the growing number of misfits within its ranks and yield to a more objective body that is not driven by politics. We have a number of excellent police officers in New York City whose reputations are being strongly impacted by those who do not have the best interest of our citizenry at heart. One indication of the systemic nature of the problem is the fact that a Street Crimes Unit with life and death power over citizens was comprised of four inexperienced officers under 27 years of age.

Madam Attorney General, this is a very serious matter and requires a very thorough and comprehensive investigation. These last few years have been emotionally draining for the people of New York and I call on you to respond as soon as possible to the urgency of this matter.

Sincerely yours,

MAJOR R. OWENS,  
Member of Congress.

Again, I do not need to read a list of the demands that have been made over the years. I have been involved for many years, and the patterns are the same on police brutality and the ending of police killings. We have made certain demands, and those demands still are legitimate.

We demand, and the way to solve the problem, probably not only New York City but across the country, is to have special prosecutors appointed for police brutality and police killing cases. The way to solve it is to have a situation where any locality anywhere in the country can hire policemen from among its own citizens. People who live and work in the same community are less likely to participate in abusive behavior.

In New York, the demand also should include the end of a 48-hour rule where you cannot even interrogate a policeman about an incident of brutality or killing for 48 hours. Union contract specifics that, and there are numerous other demands which have been applied. The question over the years, made over the years, that is still applicable.

So I think what we need in New York is a basic campaign, for a campaign or a crusade for basic human rights. We need to call upon the whole world to take a look at what is happening in New York and compare it to Kosovo. In one sense, they are very different; in another sense, the oppression and the tyranny that has taken place in New York is a preview of coming attractions. It is a very sophisticated kind of oppression.

The virus of totalitarianism, the virus of tyranny, have been introduced into the democratic culture of New York City and New York State. The virus manifests itself in both ways, through the fact that education is neglected, abandoned. Even when there are clear resources available, they refuse to apply them to education. The Governor of New York produced a budget which had additional money for the creation and construction of prisons while at the same time he made cuts in education at the elementary and secondary level and also at the higher education level.

This is a pattern now of both the Governor and the Mayor. Both happen to be Republicans, both are running for or are interested in national office, both are trying to make a statement for the rest of the country. Therefore, I think it is quite fitting and proper that I should stand here on the House of Representatives' floor talking to people all over the country about this virus that has been introduced into democracy in New York State and New York City. It is something that we have to contend with and respond to.

And I do believe there is in America a caring majority, that most people care about democracy. Really, they just do not want democracy for themselves, they do not want the benefits of our great country only to be applied to just themselves. The majority, there is a majority, a caring majority that keeps rising up again and again when extremism raises its head. You see that manifested in many ways.

I will not go into what happened recently with respect to the ridiculous indictment through impeachment of the President and the trial that took place and the final outcome of that, how the majority of the people of America made themselves known, and they will prevail.

I think in the case of the kind of tyranny that has raised its ugly head in New York, which is a preview of coming attractions of how sophisticated vehicles and methods can be used to oppress people by neglecting their education, by degrading them, by crushing

their will, by forcing their children to eat lunch at 10 o'clock in the morning when they are still filled up with breakfast, by having coal-burning schools. Out of the 1,100 schools in New York, 275 this time last year were coal-burning schools. Now about 250 have coal-burning furnaces polluting the air, immediately polluting the atmosphere in the school and polluting the general air.

So we have an unprecedented asthma problem in New York City, and so the Mayor has an anti-asthma campaign which is phony because of the fact that during his anti-asthma campaign and his appropriation of money to fight asthma and the problem of asthma nothing is said about ending the coal-burning furnaces, removing the coal-burning furnaces. No emergency has been declared to get rid of coal-burning furnaces. You know, we are making some progress, but the City of New York has not given this any special attention.

There is an \$11 billion construction plan proposed by the Board of Education of the City of New York, \$11 billion over a 5-year period to construct new schools and renovate old schools. Periodically, every 5 years, they come up with these plans, and the fact that the plan is proposed should not mislead anybody. The last plan was not fulfilled at all. The plan that got a great deal of publicity was a plan that School Chancellor Cortinez produced less than 5 years ago which called for \$7 billion for school construction and renovation, et cetera, and he was ridiculed and driven out of town by the Mayor because he put on the table what the real construction needs were. So to have an \$11 billion plan proposed does not mean that we are ever going to spend that much unless unusual things happened.

I am here tonight to try to make some unusual things happen. I want to make some unusual things happen not only in New York City and New York State but all across the country. I would like to see some unusual things happen in the construction and renovation and repair and modernization of schools.

I am afraid that we may reach a consensus on education matters here. Both parties are now trumpeting bipartisan cooperation, and we know that that is not going to take place in certain areas, but it might take place in the case of education, and my fear is that a bipartisan deal might be at the expense of the schoolchildren in America. My fear is that a bipartisan deal on education might leave school construction in limbo or only make a token, take token steps to improve the school construction issue.

I am all in favor of everything that the President has proposed in respect to education. I endorse what he has proposed. My concern is that he does not go far enough. Certainly in the area of school construction it does not go far enough in his proposals.

I endorse the \$25 billion he proposes to finance. The simple plan is not that complicated. They will, Federal Government under the President's plan, will provide between 3 and \$4 billion to pay the interest on \$25 billion worth of bonds over a 5-year period. That is if the localities and the States will borrow the money, float the bonds and borrow the money, the Federal Government will pay the interest, which after a 5-year period, if all of this works, if every State and locality gets its share, then the Federal Government will be out of no more than about \$4 billion for interest, no more.

That is a lot of money. I am going to say that is a small token. The President's plan is the only plan on the table for school construction that is significant.

□ 1915

I have not heard a plan come from the majority, the Republicans, for school construction. They are talking about a number of other issues in education but not school construction. So I support the President's plan. It is the only plan on the table, but it does not go far enough. It does not go far enough and I want to come back to that.

I support the President's plan on no social promotion. No social promotion is a nice slogan, and it is a good idea. It is a sound concept. There are good reasons offered for it. If we are going to provide resources to help youngsters who are in trouble, we are going to give them tutors and mentors after school, we are going to provide them with some extra help during the summer, if all of those things are in place, then great. Who needs to advocate holding a youngster in the same grade if we are going to give him all that kind of help to keep him moving?

The problem with the slogan that keeps being repeated about no social promotion is that I have heard it before, and I have endorsed it before, that we should not promote children who have not reached certain levels of competence and their performance does not justify their being passed on to another grade. I have heard it many times before. I have endorsed it many times before. One of the reasons it broke down in New York City before was that there was no place to put the children that you held back.

The enrollment is increasing steadily and we are already overcrowded. The schools are overcrowded. I just said some schools, a large number of schools, force their children to eat lunch at 10:00 in the morning because the cafeteria, the lunchroom, cannot hold but a certain number. The school was built for 500 and it has a thousand youngsters so they have to feed the youngsters in cycles, and the cycle has to begin at 10:00 and end at 1:30 in order for them all to get fed. So instead of looking for some other way to solve the problem, and there must be some other way other than forcing children

to eat lunch at 10:00 in the morning, as late as 1:30, they have not chosen to find another way.

The overcrowding situation is dealt with by forcing them to eat lunch at those ungodly hours. I think it is child abuse. I think the nutritionists and the health department ought to be brought in to condemn it. I think it should be forbidden, it should be outlawed. But that is happening. Why is it happening? Because the schools are overcrowded. Therefore, if there are not social promotions, the number of children will pile up in the schools even more. They will be even more overcrowded.

In order for a policy of no social promotion to be real and to take effect and not be a fraud, the policy must be accompanied by the building of more schools. You need more school construction. You have got to act on the basics first.

No social promotion, I support that. I support the effort to increase the number of after-school centers, because the after-school programs will be part of the way to give a youngster some help so he does not, he or she does not, have to stay in the same grade; they can keep moving.

The after-school programs, the after-school programs that we have, as successful as they may be, let us look at their significance in terms of numbers. We have just increased the amount of money, or in the President's proposed budget he is increasing the amount of money, from \$200 million for the after-school programs to \$600 million. We are going to increase the number of youngsters to the point where there may be one million youngsters or 1.2 million youngsters, I do not have the exact figures on that, who will be part of the after-school programs.

However, there are 53 million youngsters in public schools in the United States; 53 million. We are going to take care of, at most, 1.2 million when there are 53 million. So whereas I endorse the after-school program, I want to see it increased.

Let us not fool ourselves. That small amount of money will not affect most of the children in the public schools of the Nation. It will not have a significant impact on education in America. It is too small and there are too many children in need out there. Not all 53 million, and the actual number is 52,700,000, not all of them need after-school centers but even if half need it that is a long ways from 1.2 million.

So the amount is too small. If after-school centers are important, and I think they are, we ought to really appropriate money which would reach the children who should be reached by those centers. We need to greatly increase that amount of money.

So I worry about the rhetoric, the rhetoric which says we are in favor of improving our schools, but not being accompanied with resources. Rhetoric without resources probably equals fraud. There is a fraudulent overcast in these small education programs that are ballyhooed a great deal.

Now I do not want to discourage making small efforts. If the darkness is out there, then light a small candle. A small candle in the dark gives some light, some hope, but let us not fool ourselves. We are not really doing anything significant to take American schools into the 21st century when you provide after-school programs for only a tiny portion of the 53 million youngsters in public schools.

We talk about technology and going into the 21st century with our schools wired, at least five classrooms and the library wired, and yet many of the schools cannot get the wiring because of the fact that they are so old until they cannot make the proper connections. They have to do extensive renovation to change the wiring or to deal with asbestos problems and they also have problems with lead in the paint or lead in the pipes.

There is a school, PS-92, in my district where they cannot drink the water from the school fountains. There is lead in the pipes that made it impossible for them to continue drinking the water. That same school has a coal-burning furnace. While I am at it, PS-92 is an outrageous example of how when there is no moral will to accomplish the process of creating safe schools, healthy schools, schools with physical facilities to do some learning, how it gets bogged down. It is easy for anything to happen.

The PS-92 saga begins with the fact that they had money appropriated to convert this coal-burning furnace at PS-92 but the \$500,000 that was first appropriated has all been spent on planning and making blueprints for the new furnace and the new heating system. They tell the parents that we are out of money, we cannot install the furnace because we have to go back and get another appropriation. Well, that kind of corruption and incompetence can go on if the people at the top do not really care.

The situation at PS-92 is so bad until the angry parents and their expression of their concern about the fact that \$500,000 was spent and still there is no furnace, it is so great until the last shipment of coal that was brought in to feed the coal-burning furnaces had police escorts.

I think it is symbolic that parents, upset and angry about the fact that a coal-burning furnace is still in place after \$500,000 has been spent, they are still told we do not have the money to change the coal-burning furnace, they are angry, the response of the city administration is to send police in with the next shipment of coal.

There is a virus, a totalitarian virus, in New York City democracy. The mindset of City Hall under Mayor Rudy Giuliani, the mindset is such that they think every problem can be solved with police; you can take the hard approach.

Why not take the moral approach and use some of the city's surplus to replace the coal-burning furnaces?

Now I was talking about the pieces in the President's program that I approve

of, but right now we cannot have technology in the schools that need it most and that need to be helped by new technology because the wiring and the asbestos, all of that, has to be dealt with. It is better in many cases to build new schools rather than to try to renovate and converting some of the crumbling buildings that our schools are housed in.

We also have direct problems of leaks, water actually coming into the buildings, into the roof, or water running down the sides, the walls. There are problems that are real emergencies that are being treated in an offhand way. The caring majority is certainly not very active here in New York City. I think there is a caring majority in New York City. I insist that if they give us some kind of blueprint as to how to get out of this mess, how we must unite in a crusade for our basic human rights and go where we have to go, if we are concerned about human rights in Kosovo then we ought to be concerned about human rights in New York City. It is subtle, more subtle, more difficult to understand in the case of New York, but if you destroy your children, generations of children, then it is a serious problem, maybe not as serious as shooting them down in cold blood, as it is in Kosovo, and New York does not face the kind of problem that Sarajevo faces where a beautiful cosmopolitan city was being destroyed by violence. I am proud of the fact that our President took the initiative, and although he only had one-third approval of the Congress and one-third public opinion approval he took the initiative and joined the effort in Yugoslavia to bring peace there. I am proud of what we are doing in Bosnia and Sarajevo and Serbia and now Kosovo.

I think we stayed too long in Bosnia and the rest of Yugoslavia. We have spent about \$8 billion, and I think that is a bit too much. I think that we should go anywhere in the world and help out in peacekeeping operations, help to save children, help to save people from genocide but when they run a game on us and begin to hustle, keep some trouble going, foment trouble to keep us there and use our military as part of their economy, I think we ought to get wise to that, but that is a subject for another discussion.

If we are concerned about human rights in Kosovo, then let us take a look at the human rights that are being violated in New York City when they do not give decent buildings, safe buildings, for children to study in.

Now you may talk about testing, national testing we need. I reversed my position on testing. I will support the White House and the administration position on testing. The problem with supporting a national testing program is that why are you going to test children in schools with coal-burning furnaces? In several schools that I visited, along with some colleagues of mine from central Brooklyn, the Martin Luther King Commission, we have a

project of going to look at the health conditions of schools and several schools that I visited one-fifth of the children had serious asthma conditions. Many of the teachers were beginning to have respiratory illnesses.

We are going to test people in those kinds of hardship situations. They do not have technology. They do not have enough books and supplies. What I call opportunities to learn are ignored and we are going to test them, but I will support theoretically the need for national testing but that controversy is going to rage for awhile. I do not think it is going to really be settled for a long time.

What I want to do is support something that I think we have agreement on. I think Republicans and Democrats both agree that in order for children to learn they need a physical facility that is safe, a physical facility that is healthy and a physical facility that is conducive to learning.

We need lights. In some of the school rooms we have, the lights are shot out and the kids are in a dark situation in parts of the classrooms. The library, they are crowded one on top of another. On and on it goes. They need a situation that is conducive to learning.

There is basic agreement that those are terrible conditions. There is basic agreement that in America all across the country, not just New York City, not just the big cities but in many rural areas, it is atrocious the conditions of the schools. We need some help.

The General Accounting Office, as I said before, estimated in 1995, that between \$110 billion and \$112 billion is needed in order to revamp the schools, in order to just get them in working conditions, not to take care of new enrollment.

Now we are in 1999, going into the year 2000, with large increases in enrollment. They project enrollment in the year 2008 will be up at 54 million children from the 53 million; there will be 54 million. So they are not going down. Whatever the demographics are, I know people are getting older, the senior citizen population is getting larger, but the children, the children who go to school, that population certainly is getting larger.

□ 1930

We have all of this happening and the response is to deal with rhetoric instead of substance.

Now, back to the President's proposal for \$25 billion in bonding authority that the Federal Government will pay the interest on. What is wrong with that proposal? Nothing, except that it does not go nearly far enough. I endorse that proposal. It is the only one on the table. Congratulations, Mr. President. He has been at it for years trying to get some movement.

Part of the reason the President fashioned this particular approach is it does not require direct appropriations, because he wanted something that he

thinks will pass. So we have a bill in the Committee on Ways and Means, the committee that is least concerned about children. They have never been that involved in education, they have the authority and they have the jurisdiction. They must deal with this construction bill.

Suppose it passed. And as I said before, suppose we passed it. New York City and New York State would not be able to make immediate use of it. They would have to have a referendum. We would have to have the State's citizens, all the citizens of the State would have to vote. The State would have to vote to allow the bonding to go forward. We cannot have bonding, we cannot make the loan that we are going to pay the interest on unless all the voters approved.

The last time we had such an issue before the voters, they did not approve it. It was voted down by the upstate voters who lived in relative luxury, schoolwise. They thought it was only for the poor children of New York City and they voted it down.

We may succeed after two or three tries, but how long will that take and how many generations will be forced to eat lunch at 10 a.m. in the morning? How many generations will be forced to deal with asbestos and lead paint, the fumes from coal-burning furnaces going into their lungs? How long do we wait while we fight these bond issues in New York State? And many other States and localities also require that the voters approve the bond before we can take advantage of that offer.

So even if we succeed and the Committee on Ways and Means should change its ways and really get serious about doing something for the children of America, even if we succeed, there is no immediate relief for the people who need it most.

But I am all for it. Let us give it a try. However, I would propose, and I hope that my colleagues will join me in proposing, that we directly fund school construction. We appropriate the money for school construction. We need, in order to have a rational respectable beginning, we need \$100 billion over a 5-year period. \$100 billion over a 5-year period is what is needed.

Mr. Speaker, I would say to the President, to the Republican majority, the Democratic minority, let us have a bipartisan approach to school construction. We all agree that whether we are for testing or not, or for after-school centers, or the whole word method or the phonics method, there are a lot of debates going on in education about various issues and methods and approaches. But here we are talking about physical facilities. If we agree that physical facilities are important, then let us unite and appropriate what is needed.

Mr. Speaker, \$100 billion over a 5-year period is a good beginning. Where are we going to get the \$100 billion from? From the surplus, Mr. President, from the surplus, majority Repub-

licans. Let us dedicate \$20 billion, or one-fifth of the surplus, for each year over the next 5 years, dedicate that to school construction. \$20 billion or one-fifth of the surplus, whichever is larger, to school construction.

Does that sound unreasonable? Are Democrats going to be labeled as "big spenders" by Republicans because they propose \$100 billion for school construction over a 5-year period? I do not think they should be, because last year we appropriated \$218 billion for highways over a 6-year period. And the overwhelming majority, more than 90 percent of the Congress, Democrats and Republicans, voted for the highway bill, for \$218 billion.

So let us not continue the fraud and say we are interested in education, when the basic problem, the problem of construction, which if we do not deal with the problem of school construction, if we do not have more classroom space, the money appropriated recently of \$1.2 billion that we all agreed to lower the size in classrooms, we cannot use it in New York City effectively because we do not have the classroom space. There are many other cities that cannot use it.

At the bottom, if we do not do anything about construction in an appropriate way, everything else is a fraud. All of the other concerns about education moves in the direction of being fraudulent. Deal with construction first. Deal with the issue that we could get agreement on. The money can come out of the surplus.

After all, we are proposing \$110 billion for defense expenditures for weapons systems that are not needed. Why do we not sell bonds to deal with those weapons systems that are not needed and give the money directly and appropriate the money directly to go to localities for school construction?

The challenge is to be real and do not join those people who want to destroy the poorest children in America. They just do not care. The country as a whole will suffer. Social Security will suffer because the workforce is not there to produce the income for Social Security. Our national security militarywise will suffer because we cannot staff our aircraft carriers. Recently we had an aircraft carrier that did not have enough staff because the people are not there in order to operate the ship.

The rest of the country needs an education system. Education is our first line of defense and first line of security and prosperity and we should act accordingly by dealing with school construction first.

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The SPEAKER pro tempore (Mr. HAYES). Under a previous order of the House, the gentleman from Maryland, Mr. HOYER, is recognized for 5 minutes.