

We will not have that educational process. We will not have incentives to deliver the best care at the right time. What we will have instead is a quick lawsuit process whereby power to decide care is taken away from doctors and awarded to lawyers.

We simply cannot make that mistake. There is no margin of safety financially to allow costs to escalate like that. We can pass legislation. Indeed, I would argue we can pass legislation this Congress which does what we have asked for it to do which empowers doctors in consultation with their patients to make the right care decisions, which encourages the best care at the earliest time, and which teaches HMOs what care they ought to be approving and not approving, rather than throwing the whole thing over to the lawyers.

Mr. COBURN. Mr. Speaker, I would make one point. I believe the gentleman has hit on something. I believe that most people really do not understand the impact of the Norwood-Dingell bill. I believe that we can bring people together. I believe that we can put people before politics.

I know this is an election year issue. I am not running for reelection, so I do not have a dog in this fight as far as the election. But what I do know is that our job is to bring people together. And I want to thank the gentleman from Arizona (Mr. SHADEGG), for first of all his insight and understanding of what has gone on with this legislation. Also, his tremendous effort, the amount of time that he have given up away from his family; the amount of time he could have been in Arizona that he was here meeting in a conference, trying to do the right thing. Not for HMOs, not for trial lawyers, but for doctors and patients. For that I am forever grateful.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman and would echo those remarks. I think the reality is clear. I know the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Michigan (Mr. DINGELL), and both of them are honorable men and both have the best interests of patients at heart. But, sadly, what happens in Washington, D.C. is that these debates get pulled down into political wars and the Democrat party has a constituency and that constituency happens to be trial lawyers.

So I think this bill got drafted with the input of trial lawyers and, sadly, we have a war going on. I do not defend the insurance companies either. We have a polarization here with the insurance companies and the HMOs on one side saying: do not pass any legislation. We have the trial lawyers on the other side saying: no, turn it all over to us. Sadly, nobody is fighting for the doctors and the patients.

Look how thick this bill is. I think many of our colleagues, indeed, I would guess the vast majority of our colleagues have not had the chance, because these issues are too complicated,

to study Dingell-Norwood and understand its public policy flaw and recognize that it does have the danger of driving costs up, and try to understand that the legislation that we are asking for which would empower doctors and patients and would enable doctors to teach plans what care they ought to approve and not approve, that legislation has not been studied carefully.

I think we can still pass it this Congress. The gentleman and I have been in consultation with our Senate colleagues, and we may even have a meeting yet with them tonight on this. I am encouraged. I think we can, if we cut the partisan bickering, pass legislation that will protect patients across America. I appreciate the gentleman from Oklahoma for his brilliance and instruction and all of his help in this debate. It has been a great privilege.

□ 1830

FINAL BUDGET ISSUES

The SPEAKER pro tempore (Mr. WALDEN of Oregon). 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 begin tonight with a symbol that I have used repeatedly over the last year, the construction hard hat, to drive home the fact that, at the heart of our effort to improve schools in America is the need to revamp facilities. Whether that means repairing facilities, renovating facilities or building new schools, this is the key, the first and most dramatic and visible evidence of exactly how we elected officials and decision makers feel about education.

Do something about the obvious problem. Do something about the overwhelming problem that localities and States are having the most difficulty with because it requires a large outlay of capital.

Let us do something in the area where the Federal Government does not have to get directly involved in decision making at the local level. We help at the capital problem of buildings and equipment, laboratories, libraries that are involved in improving facilities; and we get out. We do not keep the Federal government around in a situation which involves facilities and equipment.

So I am here tonight to salute the democratic process here in this Congress and to salute the process here in Washington by saying that it looked impossible 3 years ago when we began the crusade to get Federal funding for school construction. It has been a long and torturous battle. The obstacle course has been quite filled with devastating obstacles, quicksand pits and all kinds of traps.

Even now, I cannot stand here and announce that we have an obvious victory. But I think what is important is

that we have, at this critical moment in the final days of the 106th Congress, we have school construction on the radar screen. It is at the center of the radar screen.

One of the big problems that we are faced with here as we try to reach judgment, one of the areas of controversy, fortunately, is still there on the table, is school construction. I am proud of the fact that the process has awakened and that we are now, as decision makers here in Washington, running very hard to catch up with the American people.

The American people have said, voters have said repeatedly that education is the number one priority. Within the priorities for education, people do not understand why we cannot do something immediately in some kind of very significant amounts about school construction, about facilities, about guaranteeing that every youngster goes to school in a facility that is safe, that is not threatening his health in any way, the teachers' health is not threatened.

We would like to see a movement which understands that part of the problem with our schools certainly in large numbers of rural areas as well as in inner-city areas is that they are not desirable work sites. Part of the problem of attracting teachers is that they do not want to work at these work sites where we have situations which, really, not only endanger the health of the students, but endanger the health of the teachers as well.

If one has a situation like the coal burning schools in New York where, at the beginning of this crusade that we started 3 years ago, there were more than 200 schools in New York City that still had furnaces that were burning coal.

I am happy to report that, as a result of our agitation and our effort and our constant pursuit of the problems and all the roadblocks, we have a situation now where the New York City School Construction Authority has stated that, by the end of 2001, every coal burning furnace, every school coal burning furnace in New York City will be remodeled and revamped and renovated, and it will be an oil or a gas burning modern furnace with no pollution of coal dust being spewn into the area.

So it is good to stand here and report some progress at some levels, certainly as we move toward the end of the 106th Congress, to have one of our major items still on the table, on the radar screen. A point of great controversy between Republicans and Democrats is school construction, what should we do about school construction.

So I would say that out there, and there are still some students who are still awake at this early hour, fortunately it is kind of early, let us pull out a glass of orange juice or glass of milk and let us drink a toast. I do not have a glass here, but let us drink a toast to the students of America, the

public schools of America that are in great need of some help in this very basic area of school construction.

They are about to get a breakthrough. We are about to realize a breakthrough, we hope. The fact that we are still on the radar screen is number one.

The second thing I would like to joyously report is that there is discussion about the fact that, in the area of the Labor, Health and Human Services and Education appropriations bill, there is some kind of almost agreement that the first dollars will be appropriated for school construction that have been appropriated in the last 50 years or more. We will have a breakthrough, we hope.

There is a tentative agreement that the President's proposal of \$1.3 billion will be approved in some form. Maybe not all of it will be available for school construction, but some portion of it will be available for school modernization. They like to play with terms. School modernization means renovation or repairs. Maybe, I hope in desperate situations where they need school construction will have school construction.

So many out there are going to school in trailers, have to go to classes in trailers. In the wintertime, the trailers have no bathroom facilities, and kids have to go outside to get to bathroom facilities. Trailers, of course, have no libraries and no cafeterias.

Large parts of America, suburban America, rural America, as well as big cities, are afflicted with the disease of these trailers. So trailers, we hope we can look down over the next 10 years and hope that the Federal government's intervention will lead to a situation where the trailers will be gone.

Certainly I just told my colleagues that the coal burning furnaces in New York City schools, they have given us a chart which shows that there will be none around as of the end of the year 2001, the School Construction Authority. So that means we move from more than 200 schools that 3 years ago were burning coal in their furnaces to none in the year 2001.

I am certain that the Federal Government involvement, as small as it may be, what they are talking about is \$1.3 billion in direct appropriations, there is still some discussion of the Committee on Ways and Means bill which would provide tax credits and have the government pay interest on the amount of money borrowed by States and localities up to a total of \$25 billion in borrowing authority over a 5-year period, and the Federal Government would pay the interest. That is the other opening for school construction. We hope that that is not off the table yet.

Either way, we would like to see some forward movement and begin the process of having our government deal with education in the area where there is the greatest immediate need and where it is simplest. It is very simple

for them to get involved and not have to weigh into the issue of disrupting local control or threatening local operations, et cetera.

So let us drink. Take out your orange juice or your milk and let us drink to a breakthrough. We are on the radar screen.

As the session concludes, I am optimistic that we will make some small breakthrough. I think that it is important to note that this is a very strange session we are about to conclude, I hope we are about to conclude. I know the date for adjournment was set at October 6 and now it is October 30. Every week we had these projections. We are going to get through. But we are still here on October 30. There is an election on November 7, which means that this Congress goes out of existence shortly after that.

We are still hung up on some very critical problems. I want to just take a minute to say that those problems are problems that are very important to the American people. Some people have raised the question as to why suddenly do we have such importance placed on problems like prescription drug benefits, prescription medicine benefits. Why have we singled out that problem for this year?

It is very important because we have been discussing it for the last 10 years in one form or another. It has escalated to the point where the discussion has led to some proposals, and it is time to make some decisions about it.

The cost of preparing drugs also has escalated. The cost has gone up greatly. The role of prescription medicines in our health has increased. There are now some drugs that really make a great difference in terms of the quality of life. There are some prescription medicines that determine whether people live or die. If the medicines were not there, if the prescription, the pill was not there, they would not be able to survive.

More and more, we are seeing the benefits of science over the years pay off in the form of what some people call miracle drugs. I do not think it is an exaggeration. Some of them are literally keeping people alive. One could call them miracle drugs.

So we are now in a situation where it is time to make a decision where this Congress has options that no Congress has had in the last 50 years. We have a situation where there is a huge surplus; whereas, we have had to deny some basically needed services before to our constituents. Here is a matter related to health, life and death. Why cannot we now make some decisions which guarantee the benefits of the great prosperity we enjoy and the great wealth that we have now.

Nothing ever in the history of the world has existed like the United States of America at this point in the year 2000. There is just no other nation, no other phenomenon that one would call a political entity that has had the kind of power and the kind of wealth,

the kind of options that the United States of America has at this point.

These options that we have here in Congress in terms of the decisions we make are greatly increased by the fact that we have the wealth. We have the surplus. So why not now make the decisions? The fact that the prescription medicine benefit is still on the table is important. Let us make that decision before we leave here. Why not?

Why not make the decisions about the HMO Bill of Rights, the patients' bill of rights with respect to HMOs. Why not now? Why save it? We have had the dialogue. The democratic process has generated proposals. We have had the debates. Why not now?

Who knows what the 107th Congress may face? Who knows what natural disasters may occur? Who knows what new kinds of crises in the world will confront us in the 107th Congress? We know now that we have the options now. We have had the debate. The process of those who are not enlightened now about what the problem is will never be enlightened. There are folks who cling to certain kinds of special interest considerations. It is not because they are not enlightened. They know they have enough knowledge, they have enough evidence as to what is needed. So we ought to make those decisions.

We ought to make the decisions also related to immigration fairness. We have a bill called the Latino and Other Immigrant Fairness Act, which is called the Latino and Other Immigrant Fairness Act, but it does include critical problems related to immigration in general, critical problems which covers all of the crisis situations that we face right now in immigration.

We face a crisis problem with respect to certain Central American people having receiving permanent status, certain Haitians receiving permanent status, and Liberians. There are a lot of critical problems that are wrapped up here in this Latino and Other Immigrant Fairness bill.

The issue of 245(i), which relates to people renewing their permanent status without having to leave the country is critical throughout the entire country overall of the immigrant groups. That is in the bill.

The issue of the registry for amnesty where we had a cutoff date of 1972 in the last amnesty bill, and the request is that we move that registry date to 1986 so that anybody who had been in the country for 10 years up to 1986 would be eligible for amnesty and could apply.

□ 1845

A very humane gesture because these are people who are already in the country. They have been in the country for a long time, 10, 15, 20 years; and we are just going to recognize the fact that they are here, they are paying taxes, they are working. So let us move to try to regularize their status by giving them permanent residency and allowing them to move on and apply for citizenship.

This does not mean that we are opening up the gates for a flood of immigrants to illegally come into this country. It means we have a common sense problem, and we would like to solve that problem. That is one of the issues still on the radar screen, one of the points of controversy. I want to congratulate the White House and the President, this administration, for insisting that we confront this problem and deal with the humanitarian dimensions of it now, not next year. Right now.

We had an immigration problem of another kind that we dealt with speedily, the H-1B problem, where industry, corporations, have a great need for professional manpower that can handle the kind of needs that they have, information technology needs, most of them, needs related to the digital world, computers, programming of software and hardware, of various problems in the complex digital computer information technology world. They cannot find the people to fill all of the vacancies. That will go on for a long time because our education system is not generating, not producing the people to fill those jobs.

We acted quickly on that one. That is an immigration piece. We raised the quota, and now we have a situation where 195,000 new people in the professional area mostly, information technology, can come in each year. They can come in each year, so that over a 3-year period it is close to 600,000 professionals who have that capacity that are allowed in. We have a need; we met the need.

The Democrats, the administration are contending that we have a humanitarian need. We have a need to regularize the lives of the people who have been here 10, 15 years and let them begin to move towards citizenship. We have a need to do that. We have a need to stop the pain and suffering caused by the regulations related to 245(i), which deny people the opportunity to go home and visit their relatives and then come back without having to deal with long stays away in order to qualify for an adjustment of status and other problems relating to that. We have a need to deal with the Liberians, the Haitians, the Central Americans who have been stranded for various reasons. We need to have the relief of this Latino and other immigrant fairness bill.

So that is another item on the agenda. We have the health care, we have HMO and prescription medicine benefit, we have the Latino and other immigrant fairness act. We have a few other things that are important, but those are two items that are very important that are on the agenda, and we would like to see them remain there until they are resolved in a positive and productive way.

We congratulate the administration. The power of the White House in this end game negotiation is considerable. I have tried to explain the process be-

fore. We have come to the point now where it is a Republican-controlled Congress, the other body as well. The whole Congress, House and Senate, is controlled by Republicans. They have the majority, they have the votes, they can do pretty much what they want to without the input of the Democrats who are now in the minority. Our only hope is that the Democratically controlled administration, the executive branch, the White House, will balance off the power of the Republican-controlled Congress.

That is what happens in these so-called end game negotiations. The end game negotiations are underway now. And that is why we are stuck here week after week, because the end game negotiations have been deliberately slowed down as part of the strategy of the Republican majority in the hopes that they can wear out the patience of the administration and of the Democrats.

These items I just mentioned are too important to be given up by default. As long as it is necessary for us to stay here, we ought to stay here to get a prescription medicine benefit in this Congress. As long as it is necessary to stay here, we should stay to get an HMO bill of rights; we should stay to get a Latino and other immigrant fairness bill, a bill which includes amnesty, a 245(i) adjustment and a blanketing of the categories of Central Americans, Liberians and Haitians, who have been left out there with a questionable status.

There is one very important breakthrough that I would like to report, particularly to my own district, on this whole matter of immigration before I go on to school construction, that last and most important of the business items that we have here on the agenda of the Congress. School construction I will talk about in more detail, but before I do that, I am happy to report, and this is another example of the executive branch taking the initiative, doing what it can do in a very humanitarian spirit to relieve suffering of people, that the extension of the designation of Montserrat under the temporary protective status program.

It is important that there is a notice that extends the Attorney General's designation of Montserrat under the temporary protective status program until the year 2001. August 27, 2001. So we have an extension that goes for almost a year for people in Montserrat who need temporary protected status.

Eligible nationals of Montserrat may reregister for temporary protective status and an extension of employment authorization. Reregistration is limited to persons who registered during the initial registration period, which ended August 27, 1998. All who registered after that date under the late initial registration provision, persons who are eligible for late initial registration, may register for the temporary protective status during this extension.

The extension, as I said before, goes until August 27, 2001. The reregistration period began August 2, 2000; and it will remain in effect until November 1 of 2000. In other words, there are 2 days. This breakthrough that was realized and announced on October 2 was a bit late when it was announced, but on that date the registration process began. But people only have until November 1, which is 2 days from now, to reregister.

Now, Montserrat has suffered one of the most cataclysmic natural disasters in this hemisphere of the last 50 years. Montserrat is a very tiny country. At least a third of the country has been wiped out by a volcanic eruption. It is rapidly becoming an island that is uninhabitable. There is some worry about whether the nation of Montserrat will survive. But in the meantime, for those people who had to flee the island, special temporary protected status was given as part of the great humanity of the American people and how our government reacts to natural disasters. We ought to be congratulated for taking them in, first; and now there is an extension, which did not have to have the approval of Congress or we might not have gotten it. This extension will carry them until August of 2001, and we hope that more can be done to resolve the problems related to the great natural disaster of Montserrat in the meantime.

So that is a positive breakthrough in the immigration area. It is a very tiny amount when compared to what we are requesting in terms of the need to pass the Latino and other immigrant fairness act. That act would include, and I wanted to summarize for the last time, it would include an expansion of the 1997 legislation to include refugees from Central America, Haiti, and Liberia who were unjustifiably excluded from the opportunity to apply for permanent residency. It will permanently extend section 245(i) to allow individuals who qualify for a green card to obtain a visa without first leaving the country. It would move the registry date for those individuals who can demonstrate that they have maintained a continued presence in the U.S. from 1972 to 1986, providing an overdue and well-deserved opportunity to individuals who have been living, working and paying taxes in the United States. In addition, for those individuals who have been in this country since 1985, the bill would allow them to adjust to legal permanent resident status.

Now, this bill was proposed to be part of the Commerce, Justice, State appropriation. The President made it quite clear that if this was not included as part of that appropriation bill he would not sign the act, and that is part of the process that is going on now. The strong stand and position taken by the White House is to be commended. We congratulate the President and hope that he will continue to insist that the 106th Congress should not adjourn without bringing immigration relief to

the people who deserve that kind of relief.

Those are three items that are on the screen, two items on the screen other than the one that I started with, which I deem to be not more important than immigration, not more important than health care, but critical in terms of where our civilization is going. Our Nation at this point has made an unprecedented breakthrough. We are ahead of Europe, we are ahead of Japan, we are ahead of all our industrial rivals in the area of the digital economy. We have made some breakthroughs which put us out there, and we can maintain that lead and maintain the unprecedented prosperity that we now experience if we continue to generate the kind of resources needed to fuel and drive the information technology industries, the cyber-activities, the digital economy activities. But brainpower is needed.

The critical thing we need now, unlike industrial revolutions in the past where the natural resources often determined the wealth of a nation, if a country was lucky enough to have oil, then the nation had a great advantage. An industry can grow up related to the uses of oil and petrochemicals, and there are a whole series of things that relate to oil. If an area was fortunate to have coal, the coal mining areas had certain advantages because of that natural resource. If an area was fortunate to have iron ore or coal and iron ore near each other, then the steel industry certainly saw advantages there and developed in those areas. If someone was fortunate enough, of course, to have discovered gold, gold or silver, those are obvious metals that all over the world command a great price. So natural resources determine wealth, and the wealthiest people in America for a long time were people who had control over natural resources.

There were people who had control over the natural resources and used them to industrialize, to create the steel and the various products out of the natural resources, and they became the wealthiest people. Now the wealthiest people in the world are people who do not necessarily have the fortunate or good luck to have discovered a pool of oil, oil wells, or the gold mine, a whole set of coal fields; but the people who have the greatest wealth now are people who are masters of the utilization of brainpower. Brainpower is the most powerful force in the world right now. Brainpower.

Who has the brains to make use of all the opportunities that have opened up by the revolution in information technology, the revolution in the digital world, the use of computers in 100 different ways, a thousand different ways? The application of computers is almost infinite. There is no limit on the application of computers, and the use of digitalized equipment of various kinds except the limits of our brainpower. As the brainpower increases directly in proportion, we have these utilizations increase. New discoveries make it easi-

er every day, and so the industry is changing.

The fact that the stock market right now is in a situation where the digital industries are sort of being questioned as generators of income and as investment opportunities, it is all a passing phase. It will not last long.

□ 1900

It is an adjustment of an enthusiasm that maybe got out of control. But it is clear, and we do not have to be a rocket scientist or even a sophomore in college to see the way of the future is clearly the way of digitalization. The way of the computer is the way we are going.

It is like when automobiles were first invented and automobiles even first began to roll off the assembly line, assumptions were made that there will always be only automobiles for rich people, that only rich people could own automobiles, and that the automobile was something so special that it was not going to affect the entire society. But the automobile has transformed and the offspring of automobiles transformed the entire society. We have the culture of the car, an automotive culture. And not just the richest and most powerful people involved, at every level down to the poorest people have some junky, used car. If they want wheels, they can get them or they are involved as drivers in the economy or in the economy as mechanics or mechanic's helpers.

It is just a transformation which touched every level of our society. That was a small development compared to what computers are doing and will do. Computers will move more rapidly. The digitalization of the economy, digitalization of activities, whether they are nonprofit activities or profit activities or military activities, everything will move more rapidly, it will spread across the world more rapidly because it is not as expensive and not as difficult to move about and maneuver as automobiles were and are still.

Computers are already in the far corners of the Earth. There are people who have never seen a car who have seen the benefits of computers. There are things happening in third world countries and in remote regions of the Earth with respect to computers which are astounding.

So we have the leadership. We are ahead of everybody else. We are the driving force in a cyber civilization that has begun already. And yet, in this 106th Congress, the midget minds and the petty souls are such that they are not willing to take advantage of this opportunity where at the same time we can surge ahead in this cyber civilization. The opening is there. The opportunity is there.

We also have the resources. We have a \$230 billion surplus. To apply just a small part of that surplus in a constructive way toward education in order to increase the pool of brain

power that America has available would gain immense dividends. And you do not have to be a rocket scientist to see it. If brain power is the power that is now driving the world, then the students and the children out there in all parts of America, whether it is a rural poor area or the inner-city areas, they are all potential resources that should be developed.

Some of them may never become computer programmers. Most of them will not. Most of them will not become computer scientists. Most of them will not get in the high theoretical mathematics that relate to computers. But there is no reason why somewhere in the chain where you have computer scientists, you have technicians, you have mechanics, you have mechanic's helpers, you have the school aides who apply help to teachers to apply to computers.

There is a whole world. If you look at automobiles and all the people that are related to automobiles, the salesmen and the auto parts shops and the car wash people, there is a whole range of people who have gotten involved in the culture of the automobile. The culture of the computer will involve many more people.

And when we focus our education effort in a way which anticipates this need, we increase our ability to maintain our leadership in the world in this area. If we have to rely on foreign input, and I am not against foreigners, I am not against immigration, you just heard my arguments before, I am not against spreading the wealth by hiring a large amount of people from all over the world, but if you rely on that repeatedly, then you are going to be draining away resources from the Nation.

The people that are coming here to learn eventually will go back and develop the competition. We have seen that in several instances with respect to the automobile industry. I remember shortly after World War II they were importing large numbers of students from Holland and France and training them in Detroit as engineers and design specialists and so forth and they were working for our companies here. They took it all home eventually. And we have competitors, of course, in Europe and Japan. A large number of those competitors were trained here.

It is not the worst thing in the world, but they do not pay into the Social Security fund here. They do not generate the businesses here that are taxed and can provide the revenue that we need to run our society. And on and on it goes.

There is a limit to the great generosity that prevails now. It may be a fact that most people cannot comprehend but one-half of all the students in our graduate schools who are in science and engineering are foreigners. They are not Americans. And the percentage of foreign students in our programs for graduate science and engineering, computer science, et cetera, has been increasing, not decreasing.

The percentage increases because the number of students from our own American base school systems are going into science and those areas is decreasing, not increasing rapidly enough to keep pace with the need.

The number of vacancies is not being exaggerated. The information technology world said last year they had 300,000 vacancies that would not be filled with the new crop of college graduates because their survey showed that there are colleges that do not have the people that are being prepared to come out and take these jobs. And it increases geometrically. There will be 600,000 after that. And then it will keep growing and expanding, and we will be overwhelmed by a situation where there is so much more that could be done and so many things are being attempted that the frustration will be tremendous. The lost opportunities will be tremendous.

So that is the background that I give for my final statement for the night, and that is we need to reform and improve education right across the board. Education needs help in many areas. We have proposed in the Congressional Black Caucus an alternative budget way back in the spring when we introduced the budget. We proposed that 10 percent of the surplus be dedicated to the improvement of education.

In order to deal with this cyber civilization and all the brain power needs, 10 percent of the surplus, which now the surplus has gone up to \$230 billion, 10 percent of that over the next 10 years dedicated to education would be the kind of resources needed to revamp and move.

We could train the science teachers, who then could get more science students. We could train the math teachers. We could get the computers purchased. We could get the technology training for teachers. And most of all, immediately the first thing we could do is to solve the problems that are most acute out there and most visible. And that is the problems of school construction, school renovation, school modernization, the wiring of schools for technology.

We have repeatedly stayed up on this consideration. And I said before, my symbol of the construction hard hat, the Nation needs an effort by construction workers. If ever there was a time that the overtime of one group of people was needed, the Nation needs the overtime of the construction industry to catch up.

The National Education Association survey showed that our needs in order to serve the present generation of public school students, the numbers now to increase enrollment, you need \$320 billion for school construction, renovation, modernization, and technology, \$320 billion.

Now you say this is an exaggeration by the National Education Association because, after all, they serve teachers. But the official estimate by the Education Statistics Commissioner's Office

in the Department of Education is that right now we need \$126 billion or \$127 billion.

So let us take the conservative figure. Let us deal with \$127 billion. Five years ago the General Accounting Office, the GAO, said that we needed \$110 billion, 5 years ago. So there is some consistency here in terms of large amounts of dollars are needed for school construction repair and renovation, and we have been on this theme for some time because at the heart of education improvement and education reform must be this highly visible action we need to take to send a message to teachers, to students, to the community that we are serious about education.

Every politician, every candidate is out there preaching that he wants to improve our education system at every level, whether it is the city council people at the municipal level or the State level people, certainly the Federal people, Congress people, and the Presidential candidates. Everybody talks about the need to improve our education system.

Why, then, are there so few resources being dedicated to the improvement of our education system? Why, then, when we have a \$230 billion surplus are we being such misers and refusing to commit a substantial portion of that surplus for education? You could commit 10 percent of the surplus without endangering or in any way infringing upon the other responsible utilizations of the surplus. We can still pay down the debt.

The vast majority of the funds that have been accumulated in the surplus can be used to pay down the debt. We can still give money to the Medicare program and money for prescription medicine benefit. We can add to that school construction. And when it is all added up, we are talking about less than 30 percent of the surplus. That means we can give the other 70 percent to pay down the debt and even a tax cut.

Why not a middle-class tax cut, a middle-income tax cut? Why not a tax cut that comes from the bottom and the people who are at the very bottom be eliminated from paying taxes and the middle class have their tax bill reduced, the people who are most in need of some kind of help and relief from taxes? We can do all this and still pay down the debt.

We devote at least 50 percent of the surplus to paying down the debt and still do the other things. And among the other things that we do with the surplus, the number one priority should be the 10 percent improvement for education.

The Congressional Black Caucus said this in the spring of this year, and it is as sound a proposal now as it was then. We have continually pressed the point.

I have a Dear Colleague letter I sent out on January 27, 2000, where I said in terms of the utilization of the surplus for construction and we said if you

have 10 percent of education overall, take half of that, 5 percent and use that 5 percent for school construction, renovation, repairs, and technology.

That means that we are talking about \$10 billion to \$12 billion a year for school construction and another \$10 billion to \$12 billion a year for other items related to the improvement of education.

In January 27, I said we are moving and the stage is set to build schools. I introduced H.R. 3071, and I said at that time that every Presidential candidate, Republican as well as Democrat, is now proposing a sweeping education program.

Candidate AL GORE then called and he still is calling for a \$115 billion program over a 10-year period. I have said that we need \$110 billion over a 10-year period just for school construction. But we will take a break through. Even a small amount would be useful. And that is where we are at this point as we near the end of the 106th Congress, a proposal for \$1.3 billion, a far cry from what the National Education Association says we need or a far cry from what the Education Statistics Commissioner says that we need or what the General Accounting Office says we need.

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But it is a beginning. The stage is set to build schools. I said on January 27 in this Dear Colleague letter:

Keep the education action simple. Revamping infrastructure is the most effective and least intrusive role for the Federal Government.

And I introduced H.R. 3071, which sends the money back to the States based on the number of school-age children. H.R. 3071 offers maximum flexibility for renovations to facilitate security and safety; modernization for educational technology; and new construction to end overcrowding. H.R. 3071 will use no more than one-tenth of the surplus for the next 10 years. Democrats risk being upstaged by Republicans, I said at that time, if they do not move on a school construction bill.

We cannot emphasize too much the fact that the fiscal negotiating environment has undergone a rapid, almost revolutionary sea change since the announcement of the trillion dollar surplus, over a 10-year period, a more than \$2 trillion surplus.

I said that as we move toward the end game negotiations, we must make certain that school construction modernization is on the table. I am happy to report, as I said before, that at least we have achieved that. It is on the table. It is on the radar screen. It is a bone of contention, but it is there on the table.

One-half year later, and that was January, July 19, 2000, I sent out another Dear Colleague which said:

Build Schools 2000. Two big battles have been won. Now let us move on to win the war.

The first battle won. The White House moved from a strictly tax relief policy to a direct appropriation policy of \$1.3 billion for school infrastructure. The President introduced his budget. And in the budget we made a breakthrough because instead of proposing school construction only through the Committee on Ways and Means and a tax credit process whereby the Federal Government would pay the interest on money borrowed by the States and the localities, the Federal Government was proposing a direct appropriation for school construction. That was a great step forward, \$1.3 billion for school modernization.

The victory, the second victory, which came much later, in July, was that after insisting for decades that the Federal Government should not be involved in school repairs and school construction, the Republican leadership introduced legislation which authorizes \$1.5 billion for school repairs. That is H.R. 4766, the Classroom Modernization Act of 2000, introduced by the chairman of the committee, the gentleman from Pennsylvania (Mr. GOODLING).

That is the second great victory. To have the Republican leadership move off the center, move off the position that school construction did not belong at the Federal level and have it propose any kind of school construction was a great victory. I understand most of the dollars being proposed in this legislation would go to charter schools, but I do not care.

Let us understand that some of the remedies for our school system that are being proposed, alternatives, vouchers, for example, vouchers cannot succeed in large numbers if you do not have a school construction program. If you were to suddenly remove all barriers to vouchers, and I am not in favor of that because I think that vouchers only take us into chaos, it is not a viable alternative, but suppose hypothetically that you had the legislation and the authorization from the government to institute a large voucher program in any city or county. Immediately the amount of positions available at the private schools would be filled up. They already have long waiting lists at most private schools. So the people who want to utilize those vouchers would have to build new schools. They would have to have some new facilities. You would have to have a new bureaucracy created to take care of large numbers of youngsters moving from a public school system into a voucher system. It does not matter which way you go.

Charter schools, limited experimental charter schools I am all in favor of. But charter schools have run into the first and most important problem that I am emphasizing here, that is, they have no facilities. The first problem of charter schools is to get a place, a building, some furniture, and the physical facilities, the infrastructure, is the greatest frustration being

experienced by people who want to start charter schools. So no matter which way you go, we need some help in this vital area of school modernization, construction, repair, renovation and technology provision.

In this July 19 Dear Colleague letter, I said:

We have won common sense acknowledgment and respectability for the position of Federal aid for school construction. To win this war means we must move from a \$1.5 billion proposal to a much larger annual funding proposal. But the important thing is that we have begun. Both parties have taken a position for direct appropriation of money for school construction.

I said also in this Dear Colleague letter:

The September end game negotiations must, one, authorize the reservation of 10 percent of the annual surpluses over the next 10 years for the improvement of education. Five percent must be used for school infrastructures; 5 percent must be placed in an education trust fund to be allocated to the States with flexible guidelines for programs that work.

Allocations from the 10 percent annual surpluses shall be distributed in accordance with the number of school age children within each State, et cetera, et cetera.

Mr. Speaker, I submit for the RECORD my Dear Colleague letter of July 19, 2000, and my Dear Colleague letter of January 27, 2000.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 27, 2000.

H.R. 3071 Is the Way of the Future, the Triumphant March Toward Common Sense Has Begun, Construction Is the Kingpin Action for School Reform

DEAR COLLEAGUE: Every presidential candidate, Republican as well as Democrat, is now proposing a sweeping education program which includes school construction. Candidate Al Gore has called for the expenditure of 115 billion dollars in ten years. In H.R. 3071, we call for a ten-year school construction program at a cost of 110 billion dollars. The stage is set to build schools.

Keep the education action simple.

Revamping infrastructure is the most effective and least intrusive role for the Federal Government.

Let the federal government pay for the big job. Build schools and then leave the day-to-day school operations to local control. Provide the capital funds for the infrastructure and thus free up other funds for salary increases, computers, more books, security, and safety.

H.R. 3071 Sends The Money Back To The States Based On The Number Of School-Age Children.

H.R. 3071 Offers Maximum Flexibility For: Renovations To Facilitate Security And Safety; Modernization For Educational Technology; And New Construction To End Overcrowding.

H.R. 3071 Will Use No More Than One-Tenth Of The Surplus For The Next Ten Years.

Democrats Risk Being Upstaged By A Republican "October 2000 Surprise" On School Construction Modernization.

Democratic Refusal To Support A Meaningful Dollar Investment In School Construc-

tion And Modernization Which Benefits Working Families Could Weaken Our Ties To Our Labor Allies And Leave Open An Opportunity For Republicans To Capture More Labor Union Support.

We cannot emphasize too much the fact that the "fiscal negotiating environment" has undergone a rapid, almost revolutionary sea-change since the announcement of the long-term trillion dollar surplus. To adapt to this change and at the same time respond to the number one priority of the voters, we urge you to review your position on this issue and sign up for co-sponsorship now.

Missing from the end-game budget surplus negotiating table is a democratic scenario for long-term adequately funded school construction and modernization.

To Co-Sponsor H.R. 3071 please call Beverley Gallimore at 225-6231. Please note that H.R. 3071 is a revision of H.R. 1820, which changes the authorization from 110 billion dollars in five years to 110 billion dollars in ten years.

Yours For Education Excellence,
MAJOR R. OWENS, M.C.

SEC. 12006. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title, 11 billion dollars for fiscal year 2000 and a sum no less than this amount for each of the 9 succeeding fiscal years. (HR 1820 which authorized funding for five years has been revised to authorize the same 110 billion dollars for ten years.)

SUMMARY OF H.R. 3071

To amend title XII of the Elementary and Secondary Education Act of 1965 to provide grants to improve the infrastructure of elementary and secondary schools.

SEC. 12001. FINDINGS.

(1) There are 52,700,000 students in 88,223 elementary and secondary schools across the United States. The current Federal expenditure for education infrastructure is \$12,000,000. The Federal expenditure per enrolled student for education infrastructure is 23 cents. An appropriation of 11 billion per year for ten years would result in a Federal expenditure for education infrastructure of \$208 per student per fiscal year.

(2) The General Accounting Office in 1995 reported that the Nation's elementary and secondary schools need approximately \$112,000,000,000 to repair or upgrade facilities. Increased enrollments and continued building decay has raised this need to an estimated \$200,000,000,000. Local education agencies, particularly those in central cities or those with high minority populations, cannot obtain adequate financial resources to complete necessary repairs or construction. These local education agencies face an annual struggle to meet their operating budgets.

(3) According to a 1991 survey conducted by the American Association of School Administrators, 74 percent of all public school buildings need to be replaced. Almost one-third of such buildings were built prior to World War II.

(4) The majority of the schools in unsatisfactory condition are concentrated in central cities and serve large populations of poor or minority students.

(5) In the large cities of America, numerous schools still have polluting coal burning furnaces. Decaying buildings threaten the health, safety, and learning opportunities of students. A growing body of research has linked student achievement and behavior to the physical building conditions and overcrowding. Asthma and other respiratory illnesses exist in above average rates in areas of coal burning pollution.

(6) According to a study conducted by the General Accounting Office in 1995, most schools are unprepared in critical areas for the 21st century. Most schools do not fully use modern technology and lack access to the information superhighway. Schools in central cities and schools with minority populations above 50 percent are more likely to fall short of adequate technology elements and have a greater number of unsatisfactory environmental conditions than other schools.

(7) School facilities such as libraries and science laboratories are inadequate in old buildings and have outdated equipment. Frequently, in overcrowded schools, these same facilities are utilized as classrooms for an expanding school population.

(8) Overcrowded classrooms have a dire impact on learning. Students in overcrowded schools score lower on both mathematics and reading exams than do students in schools with adequate space. In addition, overcrowding in schools negatively affects both classroom activities and instructional techniques. Overcrowding also disrupts normal operating procedures, such as lunch periods beginning as early as 10 a.m. and extending into the afternoon; teachers being unable to use a single room for an entire day; too few lockers for students and jammed hallways and restrooms which encourage disorder and rowdy behavior.

(9) School modernization for information technology is an absolute necessity for education for a coming CyberCivilization. The General Accounting Office has reported that many schools are not using modern technology and many students do not have access to facilities than can support education into the 21st century. It is imperative that we now view computer literacy as basic as reading, writing, and arithmetic.

(10) Both the national economy and national security require an investment in school construction. Students educated in modern, safe, and well-equipped schools will contribute to the continued strength of the American economy and will ensure that our Armed Forces are the best trained and best prepared in the world. The shortage of qualified information technology workers continues to escalate and presently many foreign workers are being recruited to staff jobs in America. Military manpower shortages of personnel capable of operating high tech equipment are already acute in the Navy and increasing in other branches of the Armed Forces.

SEC. 12003. FEDERAL ASSISTANCE IN THE FORM OF GRANTS.

(a) AUTHORITY AND CONDITIONS FOR GRANTS.—

(1) IN GENERAL.—To assist in the construction, reconstruction, renovation, or modernization for information technology of elementary and secondary schools, the Secretary shall make grants of funds to State education agencies for the construction, reconstruction, or renovation, or for modernization for information technology, or such schools.

(2) FORMULA FOR ALLOCATION.—From the amount appropriated under section 12006 for any fiscal year, the Secretary shall allocate to each State an amount that bears the same ratio to such appropriated amount as the number of school-age children in such State bears to the total number of school-age children in all the States. The Secretary shall determine the number of school-age children on the basis of the most recent satisfactory data available to the Secretary.

SEC. 12006. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title, 11 billion dollars for fis-

cal year 2000 and a sum no less than this amount for each of the 9 succeeding fiscal years. (HR 1820 which authorized funding for five years has been revised to authorize the same 110 billion dollars for ten years.)

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 19, 2000.

BUILD SCHOOLS 2000—TWO BIG BATTLES HAVE BEEN WON—NOW LET US MOVE ON TO WIN THE WAR

Victory 1—The White House moved from a strictly tax relief policy to a direct appropriation of 1.3 Billion Dollars for school infrastructure.

Victory 2—After insisting for decades that the federal government should not be involved in school repairs and school construction, the Republican Leadership introduced legislation which authorizes 1.5 Billion Dollars for school repairs. (H.R. 4766—'Classroom Modernization Act of 2000')

We have won common-sense acknowledgment and respectability for the position of federal aid for school construction. To win this war means we must move from a 1.5 billion dollar proposal to a 10 billion dollar annual funding.

The September End-Game negotiations must:

Authorize the reservation of 10% of the annual surpluses over the next ten years for the improvement of EDUCATION. 5% must be used for school infrastructures; 5% must be placed in an "Education Trust Fund" to be allocated to the States with flexible guidelines for programs that work.

Allocations from the 10% annual surpluses shall be distributed in accordance with the number of school age children within each State.

Federal oversight responsibilities shall be limited to the review, approval and monitoring of a School Improvement Plan submitted by each State.

No less than 1% of all Federal funds must be set aside for parent participation activities.

Yours For Education Excellence,
MAJOR R. OWENS,
Member of Congress.

Following on the heels of this effort during the Congressional Black Caucus legislative weekend, we held press conferences along with numerous other entities in Washington and throughout the Nation that wanted to move more aggressively in the area of school infrastructure development. At that time I issued a statement which began as follows:

A deep pool of students who have a basic education in reading, writing, arithmetic, and computer literacy is the point of departure for the creation of the workforce needed for our burgeoning digital economy. To guarantee the continuous production of the qualified workers needed in the information technology industry and other sectors of the digital economy, the Nation needs increased numbers of competent high school graduates who swell the college classrooms. At the end of this funneling process, we will have the digital scientists, technicians, mechanics, salesmen, managers, creative producers, and other categories of workers needed.

Mr. Speaker, I ask to include the statement I made on September 15 entitled, "To Close the Digital Divide, We Must Build Schools First."

TO CLOSE THE DIGITAL DIVIDE WE MUST BUILD SCHOOLS FIRST

(Statement of Congressman Major R. Owens, September 15, 2000)

A deep pool of students who have a basic education in reading, writing, arithmetic and computer literacy is the point of departure for the creation of the workforce needed for our burgeoning digital economy. To guarantee the continuous production of the qualified workers needed in the information technology industry and other sectors of the digital economy the nation needs increased numbers of competent high school graduates who swell the college classrooms. At the end of this funneling process we will have the digital scientists, technicians, mechanics, salesmen, managers, creative producers, and other categories of workers needed.

First, our potential workforce must have high quality schooling. The buildings must be safe, conducive to learning, wired for technology and able to send the message that education is the top priority of our leaders. The National Education Association study recently released reveals a need for more than 320 billion dollars to provide adequate school buildings across the nation.

The allocation to "Build Schools" must be made this year from the 200 billion dollar federal surplus. We are demanding just ten per cent of the surplus for increased federal aid to education. A mere 20 billion dollars per year for the next ten years would allow for the building and repair of thousands of schools, and also provide funding for other education improvements. In my bill, H.R. 3071, the annual eleven billion dollar appropriation of construction and repair funds is proposed for distribution in accordance with the number of school-age children in each state.

School systems across the entire nation would benefit. All Americans who want meaningful action for education must join the effort to send a message to the White House where the final (end-game) negotiations on the budget will begin in a few days. Public opinion must speak out loud and clear for school modernization and construction now. We are calling on the coalition of parents, teachers, unions and contractors to intensify their mobilization to force the utilization of at least 10 per cent of the federal surplus for education with the first dollars earmarked to "Build Schools".

On October 11, very late in this game, recently, the Congressional Black Caucus sent a letter to the President. This was after a process by which the Caucus decided we support all of the proposals that have been made by Presidential candidate AL GORE for education. We support a plan that was introduced by the minority leader, the gentleman from Missouri (Mr. GEPHARDT). We support all these plans. But the Congressional Black Caucus was frustrated by the fact that all the plans we see, while exemplary and we support them, none of them focus directly and immediately on the urgent problem being faced by the schools in the inner-city communities. So we have sent a letter to the President with a proposal. Our proposal is called a Public Schools Emergency Recovery Program, and it summarizes a way to move immediately to take care of the problems faced by the failing schools in our communities. Large numbers of schools are failing, and of course the students are failing, too, as the need for immediate reaction and action.

We call our emergency recovery program a program similar to a response to a natural disaster. We have an education disaster. We would like to declare certain areas as education disaster areas. We would like to have a program that moves immediately to deal with that. So we sent this program to the President. We sent the President a budget attached to the proposal showing how programs that have already been authorized can be integrated into this Public Schools Emergency Recovery Program.

Mr. Speaker, I submit the Public Schools Emergency Recovery Program with the budget attached.

CONGRESSIONAL BLACK CAUCUS OF
THE UNITED STATES CONGRESS,
Washington, DC, October 11, 2000.

Hon. WILLIAM J. CLINTON,
President of the United States, The White
House, Washington, DC.

DEAR MR. PRESIDENT: We respectfully request a meeting with you as soon as possible. With the end of the 106th session only a few days away this is an emergency. The members of the Congressional Black Caucus are convinced that we are at a pivotal point in the life of public education, and we are at a critical point in the history of our nation. For the first time in many decades we have a federal budget surplus—and we anticipate a significant surplus every year for the next ten years. We have a window of opportunity to make positive budget decisions this year which will set a pattern for the next ten years. In the context of the present era of abundance the abandonment of failing public schools would be a shameful tragedy.

We, members of the CBC, have already stated our general budget and appropriations priorities through the CBC Alternative Budget which emphasized the need to use our surplus to invest in human resources. Since the final countdown for the "end-game negotiations" has now begun, we wish to state our priorities in more specific and concrete requests.

First, we wish to state that we agree with the prevailing wisdom that a large percentage of the 230 billion dollar surplus should be used for debt reduction. We also concur with the allocation of funds to strengthen Medicare and provide for a Prescription Medicine Benefit.

Secondly, we contend that after these priority steps are taken, there should be a significant investment in human resources. At least 10% of the surplus should be invested in Education; 5% for school construction and 5% for other school improvements. We propose that another 10% be invested in housing, health care and social services. For the benefit of the nation we stand firm on the adoption of all of these proposals.

Since the hour is late and the negotiations have begun, we now find it necessary to move from general concerns to specific emergencies. Within the African American community Education remains as our greatest emergency, the solution that makes it possible to resolve most of the other problems we face. Our crisis education situations require a systematic and well targeted Public Schools Emergency Recovery Program which directly addresses the most critical problems of the worst schools of the nation. While the larger national education problems are being considered, we must have an immediate intensified initiative to address the nation's schools which serve populations where more than 50% of the students qualify for free school lunches; and, or schools which are failing to meet established standards and are being ordered to close down. "Education

Disaster Areas" would also be determined in accordance with an additional set of hardship and risk indices.

The outline of the proposed CBC Public Schools Emergency Recovery Program is attached. We look forward to an immediate review of this matter with you. We know that it is possible to allocate the funding for this program in the Labor, Education, Health and Human Services Appropriations Act, or within an Omnibus Budget Act.

We extend our heartfelt thanks for your past eight years of partnership and support for the Congressional Black Caucus and the special constituency that we serve.

Sincerely yours,

MAJOR R. OWENS, M.C.,
Chairman, CBC Edu-
cation Braintrust.

JAMES E. CLYBURN, M.C.,
Chair, Congressional
Black Caucus.

APPEAL TO PRESIDENT CLINTON TO FUND THE PUBLIC SCHOOLS EMERGENCY RECOVERY PROGRAM

(Statement of the Congressional Black
Caucus—October 18, 2000)

In the critical area of Education members of the Congressional Black Caucus insist that we cannot, once again, go home empty-handed. Over the last two decades our constituent communities have suffered devastating budget cuts with the federal deficits always being blamed for the savage neglect. As we celebrate a historic 230 billion dollar surplus, why is it that not a single new concrete initiative is being offered to bring relief to the "Education Disaster Areas" of the nation.

The hour is late but the "end game" appropriations negotiations offer an opportunity to fund an intensely focused emergency program utilizing already authorized measures. Failing schools in poverty areas can be assisted immediately. By targeting a massive "Comprehensive School Reform" effort to solve and resolve the worst education problems in the nation, we establish a foundation for overall school reform that works.

Vouchers which undercut established school systems without offering adequate alternatives are not the answer for schools in crisis. Block grants which hand the power over to neglectful states must be prohibited. The members of the CBC are adamantly opposed to these two dangerous Republican proposals. We also refuse to accept the paralysis of the current Democratic leadership proposals.

While the CBC endorses the Education Agendas that have been offered by President Clinton, Vice President Gore and House Democratic Leader Gephardt, we contend that these plans lack a sense of urgency. The Program that has been set forth by the CBC in no way runs counter to other Democratic proposals. From the womb of the larger and more sweeping agendas, the CBC is seeking to give birth to a baby that will breathe new life into dying schools and systems. For example:

Vice President Gore proposed to allocate 115 billion dollars for education reform over the next ten years.

The CBC proposes that this process be started by committing the first 10 billion dollars and targeting this amount to the worst schools.

Democratic Leader Gephardt proposes the hiring of a million teachers and the initiation of universal pre-school programs.

The CBC proposes to utilize minority colleges and universities to begin a large scale teacher recruitment and staff development program. The pilot programs for universal pre-school should begin immediately in "Education Disaster Areas."

President Clinton's initiatives on school construction are absolute necessities.

The CBC contends that the first federal construction and repair funds should go to areas where new pre-school programs can not be opened and class sizes cannot be reduced due to a lack of physical facilities.

The CBC proposes to streamline the delivery of relief to "Education Disaster Areas" by utilizing private contractors to replace the Department of Education bureaucracy which is not structured to implement emergency measures. Five such "Education Prime Contractors" would cover five regions of the nation.

The CBC is calling on all organizations and individuals who care about education to rally in support of this very practical proposal. Action must start now to replace the noble but fruitless discussions about education. Beyond the immediate education community we are appealing to civil rights groups, religious associations, labor unions and the corporate community to support this initiative which "jump starts" education reform in a meaningful movement.

Our immediate need is for a meeting with President Clinton. Our first task is to achieve a place on the President's "end-game" negotiations agenda. Funding for the Public Schools Emergency Recovery Program can begin now.

CONGRESSIONAL BLACK CAUCUS

SUMMARY—THE PUBLIC SCHOOLS EMERGENCY RECOVERY PROGRAM

(Prepared by Congressman Major R. Owens,
Chairman, Congressional Black Caucus
Education Braintrust, in Consultation
with CBC Special Budget/Appropriations
Task Force—Appointed by the CBC—October
4, 2000)

I. INTRODUCTION

At a time when the nation has a 230 billion dollar surplus, the Congressional Black Caucus refuses to accept the abandonment of the nation's most needy and challenged schools and school districts. The most effective course for the salvation of our overall education system is to first intensely focus on the reform and revamping of our worst schools and school districts. Saving failing schools requires that a massive area based, site based education improvement program be structured from the bottom-up. A *Public Schools Emergency Recovery Program* will require no less than a budget commitment of 10 billion dollars. We propose a program that can be implemented rapidly through a streamlined structure with strong national policy guidance, a decentralized administrative and operations structure contracted out to non-profit or profit making qualified agencies, institutions, or corporations with established records and experience in education and/or training. The "Education Prime Contractors" shall be allowed considerable flexibility but with strict accountability.

II. FINDINGS

That no proposals currently under consideration are addressing the critical problem of failing public schools at a time when there is a 230 billion dollar federal surplus.

That the long-term goals of the nation's education effort can never be realized if a large segment of the future workforce is abandoned.

That the Federal government is already funding a useful and relevant array of programs sufficient to implement a *Public Schools Emergency Recovery Program*; however, increased appropriations and new mandates to target enhanced funding to "Education Disaster Areas" are needed.

That of first and greatest importance for the achievement of overall education reform

is the need for a public policy determination that the recovery of failing public schools is an urgent national priority.

That we are rapidly entering a new "cyber-civilization" and it is imperative that we close the widening digital divide where children who live in "Education Disaster Areas" are falling behind at an accelerating rate.

III. DEFINITIONS

Education Disaster Area—A school or school system that is failing in a community environment with a high hardship and poverty index. Examples: Number eligible for free school lunches; Rate of high risk diseases; Juvenile delinquency rates; Percentage of incarcerated parents; Percentage of high school dropouts. An "Area" may be as small as one school or as large as a school district; but shall constitute no more than 20,000 pupils.

Emergency Committee of National Education Advocates—Five education leaders with special experience in the education of at-risk students. They shall be appointed by the President in consultation with Congressional leaders.

Education Prime Control Agency—A non-profit institution or private corporation with an exceptional track record and experience in education and training.

Predominantly Black Colleges/Universities—Institutions which do not meet the "Historic" criteria but serve a majority of Black students.

Significantly Hispanic Colleges/Universities—Institutions with 25% or more Hispanic Students.

IV. MAJOR PROGRAM COMPONENTS

A. Area and Site Based School Reform—Mandate local comprehensive planning involving parents, teachers, community leaders, government officials, private sector representatives, fraternal organizations, religious leaders, teachers unions and other unions.

B. Enhanced Curriculum and Program Activities—Areas would be allowed to choose from a menu of established federally funded programs, other certified programs that work, with no more than 20% of funding for

new experimental programs. Examples: Community Technology Centers; Gear Up; TRIO; 21st Century Learning Centers; Safe and Drug-Free Schools; Title One; Comprehensive School Reform; Magnet Schools; Reading Literacy Grants; etc.

C. Teacher and School Personnel Improvements—A massive undergraduate student incentive program to recruit teachers; continuing education for teachers and administrators; new positions and staffing patterns; a requirement that all who receive aid for their education must contract to serve in an "Education Disaster Area" for at least two years for each year of education assistance received. Persons who reside in designated areas must receive priority in the distribution of education scholarships, fellowships, stipends, etc. Funding Source Examples: Title Two; All Titles of Higher Education Assistance Act.

D. Funding for Infrastructure and Equipment—Priority must be assigned to the relief of overcrowding and the support of lower student-teacher classroom ratios; to health and safety repairs and renovations; to creating conditions more conducive to learning; to technology enhancement changes. Funding Sources: Elementary and Secondary Education Assistance Act; Rangel-Johnson School Modernization Act.

E. Family and Student Support Services Which Enhance Learning—Individual and family counseling; advocacy for health services; advocacy against community and environmental hazards; advocacy for effective social service; advocacy for jobs and job training; assistance to immigrant families. Possible Funding Sources: Title One; AmeriCorps; Community Services Grants; Welfare To Work; Comprehensive School Reform; etc.

F. Reserve Fund for Additional Incentives and Rewards—Each "Education Prime Contractor" must maintain a reserve fund to reward success as demonstrated via established accountability standards. Funding: Comprehensive School Reform.

V. POLICY, OPERATIONS, ADMINISTRATION

In order to streamline and "jump-start" the Public Schools Emergency Recovery

Program, Federal policy initiatives via an Emergency Committee of National Education Advocates in partnership with the Secretary of Education's contracting and monitoring authority will anchor the effort; however, the private sector will be utilized for rapid implementation and accountable administration of this emergency effort (see attached chart).

VI. SPECIAL CONDITIONS

States, local governments and Local Education Agencies with jurisdiction over "Education Disaster Areas" must establish a state of readiness for the receipt of emergency funding; covenants for policy reforms, accountability standards and adherence to timetables must be developed; A Parent-Community override provision shall be enforced in localities where official agencies and authorities are reluctant or obstructionist.

VII. EVALUATIONS

The Secretary of Education in consultation with the Emergency Committee of National Education Advocates shall be responsible for selecting the agencies for the ongoing and final evaluations of the performance of each "Education Prime Contractor."

VIII. EMERGENCY IMPLEMENTATION

The President, the Senate and House Appropriations Committee negotiators, through the "end game" negotiation process have the authority to launch The Public Schools Emergency Recovery Programs using existing funding streams and already authorized programs (See attached chart). The optimum vehicle for the administration of this initiative is Comprehensive School Reform.

Other Members of the CBC Special Budget/Appropriations Task Force—Barbara Lee, Donald Payne, Carrie Meek, Robert Scott, Maxine Waters, Danny Davis, Eva Clayton, Sheila Jackson Lee, Carolyn Kilpatrick, Chaka Fattah, Harold Ford, Jr., Eddie Bernice Johnson, Charles Rangel.

PUBLIC SCHOOLS EMERGENCY RECOVERY PROGRAM—CONGRESSIONAL BLACK CAUCUS EDUCATION BUDGET TASK FORCE

Item	President's 2001 request	CBC Public Schools Emergency Recovery Program	Increase requested	Comments and recommendations
I. PROGRAMS AUTHORIZED OR PROPOSED IN ELEMENTARY AND SECONDARY EDUCATION ACT				
Class Size Reduction	\$1.75 Billion	Same as President however; Schools in Education Disaster Areas must be served first.	0	The undesirably high pupil-teacher ratio is the prevailing pattern in the poorest districts.
School Construction and Renovation (Classrooms to reduce class sizes)	\$1.3 Billion Direct Appropriations	\$3.6 Billion (All must be allocated to Education Disaster Area Schools).	\$2.3 Billion	Oldest and most unsafe schools; largest number of trailers; most overcrowding in poorest areas.
Community Technology Centers	\$100 Million	\$700 Million (to provide a Center for each Education Disaster Area without competitive grant process).	\$600 million	At least one million per year for 200 "Education Disaster Areas" for a three year start up period.
Teacher Recruitment	\$98 Million	\$198 Million	\$100 Million	Crash program with subsidized training and incentives to guarantee supply of certified teachers.
21st Century Community Learning Centers	\$1 Billion	\$2 Billion	\$1 Billion	Tutoring Afterschool, Saturday School, Summer School.
Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP)	\$325 Million	\$400 Million	\$75 Million	Tested option to increase early student motivation in conjunction with other innovations.
Safe & Drug Free Schools	\$650 Million	\$750 Million	\$100 Million	A tested working program needing more resources.
Teacher Improvement	\$1 Billion	\$1.5 Billion	\$500 Million	A high priority component.
Technology Literacy Grant	\$450 Million	\$550 Million	\$100 Million	Needed to operate in concert with Community Technology Centers.
Migrant Assistance Programs	\$410 Million	\$510 Million	\$100 Million	Needed to combat special problems in rural EDA's.
Reading Literacy Grants	\$286 Million	\$386 Million	\$100 Million	It is important to saturate the entire environment with learning opportunities.
Comprehensive School Reform Demonstrations	\$190 Million	\$2.69 Billion	\$2.5 Billion	This is the major account for planning, administration, innovations and evaluation.
Magnet Schools Assistance	\$110 Million	\$210 Million	\$100 Million	School integration is still a significant obstacle in many EDA's.
II. PROGRAMS AUTHORIZED OR PROPOSED IN HIGH EDUCATION ASSISTANCE ACT				
Pell Grants	Maximum Award-\$3,500 \$8.3 Billion Total Appropriation.	Maximum Award-\$3,700 \$9.3 Billion Total Appropriation.	\$1 Billion	Additional funds targeted for high school graduates who reside in Education Disaster Areas (EDA's).
Technical Assistance and Resource Centers for HBCU's	New Program	\$100 Million	\$100 Million	Necessary in order to maximize HBCU participation.
Historically Black Colleges and Universities-Undergraduate Program (HBCU-UP)	\$10 Million	\$20 Million	\$10 Million	Expansion of a successful initiative.

PUBLIC SCHOOLS EMERGENCY RECOVERY PROGRAM—CONGRESSIONAL BLACK CAUCUS EDUCATION BUDGET TASK FORCE—Continued

Item	President's 2001 request	CBC Public Schools Emergency Recovery Program	Increase requested	Comments and recommendations
Louis Stokes Alliances for Minority Participation (LSAMP).	\$26.5 Million	\$126.5 Million	\$100 Million	Cross coordination will produce additional funding.
The HBCU Research University Science and Technology Program (T.H.R.U.S.T.).	New Program	\$20 Million	\$100 Million	Address areas where the greatest number of teachers must be educated.
Title Hispanic Serving Institutions	\$20 Million	\$100 Million	\$80 Million	Vital role in recruitment and training of Hispanic teachers.
Research Extension for 1890 HBCU Land-Grant Colleges and Universities.	New Program	0 Million	\$20 Million	For Biotechnology, Environmental and Agriculture teacher training.
III. PROGRAMS AUTHORIZED OR PROPOSED IN OTHER JURISDICTIONS				
Rangel-Johnson School Modernization	\$25 Million (Interest payments only)	Same as President (For all other schools outside Disaster Areas).	0	This slower process requiring starting credit or legislative action is not suitable for "emergencies".

We sent a letter to the President discussing these two items. The letter reads as follows:

We respectfully request a meeting with you as soon as possible. With the end of the 106th session only a few days away, this is an emergency. The members of the Congressional Black Caucus are convinced that we are at a pivotal point in the life of public education, and we are at a critical point in the history of our Nation. For the first time in many decades we have a Federal budget surplus, and we anticipate a significant surplus every year for the next 10 years. We have a window of opportunity to make positive budget decisions this year. These budget decisions will set a pattern for the next 10 years. In the context of the present era of abundance, the abandonment of failing public schools would be a shameful tragedy.

We asked the President to examine our proposal, and most of all we wanted the President to make certain that in the process of the end game negotiations, he must keep on the table the school construction proposals.

Finally, we have made a statement which says what I have said before, that all of these proposals that have been developed by Democrats are exemplary and we endorse them. Our proposal for a public schools recovery program that was attached in the letter to the President takes into consideration all those proposals.

For example, Vice President AL GORE proposes to allocate \$115 billion for education reform over the next 10 years. The CBC proposal that we sent to the President proposes that this process be started by committing the first \$10 billion this year and to direct that to the worst schools.

Democratic Leader GEPHARDT proposes the hiring of a million teachers and the initiation of a universal preschool program over the years.

The CBC proposes to utilize minority colleges and universities to begin a large-scale teacher recruitment and staff development program now. The pilot programs for universal preschool also should begin immediately and the first universal preschool program should be in the education disaster areas that we talked about.

President Clinton's initiatives on school construction of course are absolutely necessities, and we contend that the first initiative should go toward

the poorest areas. The CBC contends that the first Federal construction repair funds should go to areas where new preschool programs cannot be opened and class sizes cannot be reduced due to a lack of physical facilities.

In order for the class size reduction program to work, you need more and better physical facilities.

Mr. Speaker, I also add the letter to the President of October 11, 2000, and the appeal to President Clinton, the statement issued in a press conference on October 18, 2000.

Finally, I commend to you the fact that there are four very good pieces of legislation on the table right now which relate to school construction. I would like to introduce for the RECORD School Construction Bills Introduced During the 106th Congress, these four particular bills.

SCHOOL CONSTRUCTION BILLS INTRODUCED DURING THE 106TH CONGRESS

Amends Title XII of the Elementary and Secondary Education Act of 1965 to provide grants to improve the infrastructure of Elementary and Secondary Schools (H.R. 3071). Provides \$110 billion over ten years for elementary and secondary school construction, reconstruction, renovation, or modernization for information technology of such schools. Federal grants go to schools with a demonstrated need based on the condition of the facility the age of the facility and the needs related to preparation for modern technology. The Secretary can allocate to each state an amount that bears the same ratio to such appropriated amount as the number of school-age children in such state bears to the total number of school-age children in all the states. (Sponsor: Congressman Owens, Referred to the House Committee on Education and the Workforce).

Public School Modernization Act of 1999 (H.R. 1660). Amends the Internal Revenue Code to provide; a limited credit for qualified public school modernization bonds; for qualified school construction bonds and qualified zone academy bonds and establish limits and allocation formulas for such bonds; and corporations, a limited specialized training center credit (Sponsor: Congressman Rangel, Referred to the Committee on Ways and Means, and the Committee on Education and Workforce).

Public School Repair and Renovation Act of 2000 (H.R. 3705). Amends the Elementary and Secondary Education Act of 1965 (ESEA) to establish a new title XII, Public School Repair and Renovation, which authorizes Federal financial assistance for the urgent repair and renovation of public elementary and secondary schools in high-need areas. Provides \$1.3 billion for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years (Sponsor: Con-

gressman Clay, Referred to the House Committee on Education and the Workforce).

Classroom Modernization Act of 2000 (H.R. 4766). Amends the Elementary and Secondary Education Act of 1965 to authorize the appropriation of funds to assist states and local educational agencies with the expenses of Federal education statutory requirements and priorities relating to infrastructure, technology, and equipment. Provides \$1.5 billion over five years for Charter Schools (Sponsor: Congressman Goodling, Referred to the House Committee on Education and the Workforce).

In conclusion, we are about to end the 106th Congress. We have a golden opportunity. We have on the table a proposal now that could make a breakthrough in the critical area of school construction. We would like to see hard hats all across America building schools. The time has come to build schools. That is the first step. We want to improve education. Let us make certain that the facilities are there, the equipment is there, let us go forward to meet the challenge of a new cyber-civilization and keep America in the leadership of the digital economy.

Education comes first. Brain power is the most important force in the world today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GREEN of Texas (at the request of Mr. GEPHARDT) for today after 1:50 p.m. on account of official business.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. MASCARA (at the request of Mr. GEPHARDT) for today after 11:00 a.m. on account of business in the district.

Mr. OSE (at the request of Mr. ARMEY) for today after 1:00 p.m. and for the balance of the week on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHOWS) to revise and extend their remarks and include extraneous material:)

Mr. SHERMAN, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. SHOWS, for 5 minutes, today.