

that makes those needed reforms to make it viable into the future, and addresses that much needed concern out there, an issue, again, which is very important in South Dakota and I am sure in the gentlemen's districts as well, dealing with prescription drugs and what we might be able to do.

Mr. CHAMBLISS. Madam Speaker, I thank the gentleman from South Dakota (Mr. THUNE) for his comments and his strong leadership, particularly in the area of agriculture where we work so closely together.

Madam Speaker, I yield to the gentleman from Kentucky (Mr. FLETCHER) to wrap it up. I know he has a couple points he wants to close with.

Mr. FLETCHER. Madam Speaker, this budget, as we have heard and been able to speak about tonight I think is really the work, and I have to give the gentleman from Ohio (Chairman KASICH) certainly a lot of credit for all the work he has done to work and even get an agreement with the Senate. We begin to work with an agreement with them. It is the culmination of that to making sure we save 100 percent of the Social Security, that we strengthen Medicare, that we set aside \$40 billion.

Because we believe that, now that we have saved the money, the taxpayers' money, that we have actually the revenue now to strengthen Medicare and to improve it with the Medicare prescription drugs we talked about, pay down the debt by 2013, promote taxes that are fair, and restore American defense and education.

We have passed several bills that have given back more local control, give 95 percent of the dollars back in the classroom, increase our funding for IDEA, those individuals with disability, continue to provide more resources back to the classroom with local flexibility and control.

Lastly, and I appreciate the opportunity to close, is that I sat here 2 years ago and listened to the President's speech, and he talked about family farms. He talked about wanting to support the family farms. I tell my colleagues our farmers are really hurting back in Kentucky. I know that the gentleman from South Dakota (Mr. THUNE) mentioned that.

We have got a problem. We have had it. The administration, the Clinton-Gore administration has certainly come after our burly growers. I understand why they have done that. We all are concerned about smoking and the health care interest of our youth. But they have provided absolutely no relief for our farmers back home. We have seen a 65 percent reduction in their incomes.

I am glad, with the gentleman from Georgia (Mr. CHAMBLISS) here, that we were able to put the \$7 billion or so, \$6 billion last year, that we can certainly increase crop insurance, that we have been able to, even with some supplemental payments, we were able to bring back \$125 million this year back to Kentucky alone to help our farmers.

As we look at this budget, I think it covers the full gamut. I think we have got an outstanding budget. I am just very happy and pleased to join my colleagues to say that this can strengthen our family farms, our education, for our senior citizens, and really provide a brighter future for our children. So I am very pleased to be here tonight to participate in this discussion on our budget.

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CONGRESSIONAL BLACK CAUCUS BUDGET

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

Mr. OWENS. Madam Speaker, we have heard two presentations, one by the Democrats and one by the Republicans, on the budget. We will have the budget on the floor tomorrow to vote on, and nothing is more important than the budget this week. But nothing is more important than the budget at any time.

The most important decisions we make in Washington are the decisions related to the budget and the appropriations process. The budget is the opening of the process which ends with the appropriations process. People should understand that we broadly categorize certain spending goals in the budget, and then it is the appropriations process that carries them through with the detailed expenditures.

I want to talk about the Congressional Black Caucus Budget, a budget for maximum investment and opportunity, which we will have on the floor tomorrow as an alternative to the President's budget and the budget of the majority Republicans.

Our budget is very important, and I am going to spend half my time talking about the priorities of that budget, the six priorities of that budget. But the seventh priority is the one that I want to begin with. The mission of our budget is clearly, the Congressional Black Caucus Budget, an advocacy budget. It advocates for those that are left out and forgotten, the poor in general, and more specifically African Americans and other neglected minorities.

We concur with three-quarters of the President's budget and his priorities. But we would like to emphasize certain kinds of things that get left out. So in each one of these seven areas, education, housing, health care, economic development and livable communities, foreign aid, welfare and low-income assistance, and juvenile justice and law enforcement, we have special kinds of priorities that we have within those categories. We would like to make certain that those do not get left out.

This presentation will start with priority number seven, which is a very unusual priority for the Congressional Black Caucus to focus on. That is juve-

nile justice and law enforcement. Law enforcement.

Now, I understand that in the Democratic alternative budget that is going to be presented tomorrow, there will be some recommended increases in the law enforcement budget, the Justice Department budget. But that is all about increasing at the investigative end, increases for the prosecutions in general.

There are a number of things that are going to happen in that proposed set of budget increases that we are not particularly concerned with. We would like to see the Justice Department capacity increased to handle some other kinds of pressing emergencies.

For example, we have an explosion of high profile corruption and malfunctioning of the criminal justice system across America. In Los Angeles, in Illinois, Louisville, Kentucky and New York, on and on it goes. Right now, we have these high profile cases that should attract the attention of all Americans. Certainly the overwhelming majority of Americans are concerned about these malfunctionings and this corruption.

Certainly in the case of Amadou Diallo and the verdict of a jury there in New York State, the capital, Albany, related to a case where Amadou Diallo was standing on his front step and was approached by four policemen, and they shot him to death. Forty-one bullets were fired.

□ 2145

He was hit 19 times, and some of the bullets show he was hit after he was on the porch. Nevertheless, those policemen were found not guilty of anything; not negligent homicide, not reckless endangerment, not guilty of anything. A survey taken a few days later showed that the overwhelming majority of the people of New York State were outraged. They disagreed profoundly with that verdict and felt that a great miscarriage of justice had occurred.

But on the other coast, in Los Angeles, we had a series of revelations over the last few months indicating that the police department has been carrying out corrupt practices for almost two decades; that there are people in the police department who routinely, routinely, have planted evidence on people of drug selling, evidence of various kinds, planted guns on people, beaten people, and shot people. And the Los Angeles government now is getting ready to pay out millions of dollars in response to court suits that are being brought on these matters, as well as many, many cases that will be overturned.

The lives of numerous individuals, thousands of individuals when we consider the families of the people who have been wrongfully convicted or harassed, beaten up, the lives of thousands of individuals are involved in this gross systemic ongoing set of miscarriages of justice.

In the State of Illinois we have a situation where there were 25 people on

death row, 25 people about to be executed. We were about to play God and take their lives. I am against the death penalty, but those who are for the death penalty certainly would not like to see innocent people executed. There was a special project conducted by some university students and they utilized the most advanced detective techniques, including DNA, to check to see whether these 25 people were really guilty or not. They were on death row. They had gone through the whole system. The district attorneys had brought cases against them, they had been prosecuted by public prosecutors, a judge had sat on the case, a jury heard the case, and now it was all over. They were on death row to be executed.

Under our constitution we guaranty the right to life, liberty and the pursuit of happiness. But if a person's life is taken, there is nothing else they are going to be able to do. They cannot pursue happiness. Liberty means nothing. A death penalty takes away that life. And of the 25 people who were on death row, 12 were found to be innocent. DNA evidence, about as conclusive as it gets, was used to prove that 12 of the 25 on death row were innocent. And I congratulate the governor of Illinois for acting after that, immediately, to say there will be no more executions until we straighten out this tangle.

Where is the criminal justice system going wrong? How did it produce an almost 50 percent error rate in a matter as serious as taking the life of an individual for the commission of a crime? Twelve of the 25 were innocent.

Let me see, I have mentioned Los Angeles and Illinois. Let us now go to Louisville, Kentucky. There was a killing of a young man by the Louisville, Kentucky, police. Two policemen were involved. The police commissioner, without telling the mayor, decided to give these two policemen a medal, awarded both of them a medal.

Now, they have gone through a process, I think, of being checked out, with disciplinary hearings, and steps have now been taken, but they were given a medal and the mayor was not informed about this. They were just given a medal, two medals, by the commissioner. And the mayor, rightfully so, felt that that was an outrage to do that for something that, one, was questionable, but to do it without his approval, without his involvement, was a usurpation of his authority, and it was making a statement about his position on this kind of action that clearly was in defiance of his policies.

So the mayor of Louisville, Kentucky, fired the police commissioner. And right now we have almost a coup taking place in Louisville, Kentucky. The police are marching through the streets indicating that they are really in command. The police that should be under civil authority are refusing to acknowledge that the mayor is the final authority; that the man who is elected, who hired the commissioner, had the right to fire him.

The problem is if we allow a police state mentality to develop in a small group, that spreads to the larger group, and pretty soon we are the victims of police state actions. I cannot remember any time that a whole police force has defied their chief executive, the mayor of a city, and gone out and thrown down the gauntlet. They are refusing to protect the citizens. They spend their time in demonstrating their strength.

It is illogical to allow the criminal justice system to become corrupted. What we have in America is a small percentage of police, the extremists, the fanatics, and sometimes they are racists, who commit crimes and acts of misconduct that by themselves are outrageous but we say, after all, it is only a small percentage of a total police department. The problem that all America should be concerned with is the way the rest of the police department goes to work to cover up, to protect and to nurture the fanatics and the extremists and the racists.

There is the so-called blue wall of silence, where no matter what is done they will protect them. And anybody that tells the truth will be isolated and browbeaten and harassed to the point where they will have to leave the force. The code of conduct in police departments all across the country is that the truth is not to be told if it will get one of their colleagues in trouble. So it makes the whole system corrupt. As we go up the chain of command, the officer at the top, including the commissioner, becomes involved in a pattern of cover-up. If the pattern of cover-up and protection is there, it means that the officers who are at the extreme end begin to have more and more people join them, more of their kind come on to the force because they have protection of the system.

I have talked about Los Angeles, Illinois, and Louisville, Kentucky. In Louisville, Kentucky, it is the police marching to take over the city, a coup by the police department against the city government. In New York, where the overwhelming majority of the people have indicated their outrage in the Amadou Diallo shooting, we now have another shooting of a young man named Patrick Dorismond, who lives in my district. He was killed. The mayor and the commissioner are behaving as if they want to stage a coup and take over the city against the majority. The majority are outraged, but they insist on behaving in ways that protect and encourage and nurture that small percentage of extremists in every police department.

The mayor has made outrageous statements about the last killing. Patrick Dorismond, a constituent of mine, his family lives in my district. Patrick Dorismond was in Manhattan, leaving work as a guard. He was a uniformed guard. He left work and went to a bar nearby. He left the bar and was hailing a taxi to get home when an undercover policeman approached him attempting

to entrap him in a drug sale. The undercover policeman asked him if he had some drugs to sell. He wanted some drugs.

This same undercover police team had already made eight or nine arrests that night. They just wanted to bolster their statistics and make ten collars that night, so they approached one more, Patrick Dorismond. Patrick Dorismond was outraged as he was being approached and asked for drugs. An argument ensued and the backup policeman came on the scene to support his partner who was in the argument. He shot Patrick Dorismond to death.

Patrick Dorismond is dead and the two policemen say it was an accident. Most unfortunate; it was an accident. And the Mayor of the City of New York, Mayor Guiliani, ordered the commissioner, told the commissioner to immediately release the criminal record of Patrick Dorismond. Patrick Dorismond, at 13, had had some kind of encounter with the police. The laws of the State of New York say that the record of a juvenile should be sealed. Not only did they disobey the laws of the State of New York and open sealed records, but they also broadcast them all over the Nation.

Patrick Dorismond had had a run-in with the police when he was 13, like a lot of 13 year olds may have a run-in with the police. Patrick Dorismond had had two arrests as an adult for disorderly conduct. So happens that Patrick Dorismond wanted to be a policeman. So the two disorderly conduct arrests that he had had as an adult, plus the arrest that he had had as a juvenile, would not have disqualified him from becoming a policeman. They were not that serious. But the mayor has chosen to make Patrick Dorismond look like a criminal by putting these things together. And he has fooled no one.

The whole city is outraged again. It is double outrage after the Amadou Diallo verdict. Now comes Patrick Dorismond, with the mayor and the commissioner engaging in a blatant way in a cover-up. I mean, they are encouraging and setting the parameters for the cover-up in this case.

The system has gone to work to deal with some extreme activities on the part of individual policemen. There were other cases, of course, besides Amadou Diallo. There was Abner Louima, who was sodomized with a broomstick in a police precinct. Abner Louima almost bled to death. In fact, the hope was, by the policeman who had so injured him, that he would die, but, unfortunately for the policeman, he lived.

Fortunately, there were complaints made by the family, and they got through to a reporter and he got to a hospital and he survived. And the whole case broke as an exposure of what had gone on in that precinct. Most of the police in that precinct would not tell the truth. The blue wall

of silence went into effect immediately and nobody saw anything. Abner Louima had to endure a horrible experience, and they tried to pretend that nobody held him down while the guilty police officer committed that crime.

Fortunately, the Federal Government stepped into the situation and, from the beginning, showed a great interest and prosecuted the policeman for violating the civil rights of Abner Louima. Abner Louima is not dead, fortunately. He is probably injured for life. He will never function normally again. But there was a trial and, after almost a year of denying that any crime had been committed, the blue wall of silence was at work concocting stories about Abner Louima having engaged in homosexual activity and that is how his guts were erupted or torn inside him. All kinds of concocted ridiculous stories were manufactured, until finally in the Federal trial, in Brooklyn, the perpetrator confessed that he had done it, and was found guilty, of course, by his confession.

□ 2200

However, even after confessing, he wanted the world to believe he did it all by himself and nobody else saw it, wanted to protect his colleagues, and came back to court to testify in a second trial, a conspiracy trial.

The conspiracy trial related to Abner Louima was probably more important than the trial which convicted the man who perpetrated the heinous act against Abner Louima. Because the conspiracy trial goes to the heart of the problem.

The heart of the problem is the fact that the colleagues of the perpetrators, the colleagues of the extremists, of the fanatics, of the racists cover up for them. They pretend they saw nothing, they heard nothing, the system, in effect, to cover up for the crime committed against Abner Louima. His relatives went to the police station the next day, and they were threatened and told to get away from there or they would be arrested.

All kinds of horrible things happened before this case began to rise and surface in such a way that the police department had to admit that a great crime had been committed and they had to go to work to do something about it.

But when the Federal Government entered the case early and began to question the police officers, the blue wall of silence went into effect. So they took a very important step in trying four of those officers for conspiracy to cover up. Because that is the heart of the problem. The system has to be changed. The system has to be attacked.

The Federal Government at this point has also completed a study of the pattern of activity in New York City with respect to the stop-and-frisk and the way they police minority neighborhoods.

What does this have to do with the budget? Let me go back for a moment

and say that all those people out there who were upset about the Amadou Diallo verdict, and there were many people, there was a spontaneous set of demonstrations. High school kids, without any tutelage or planning, left their schools and demonstrated in the streets. College kids demonstrated, white and black. There was no group that did not show their outrage.

Today, on the steps of New York Police Plaza, a press conference took place of businessmen, businessmen and labor leaders, rabbis, civil liberties leaders, urban league, a press conference took place where they all together condemned the latest activities of the mayor with respect to exposing the criminal record of Dorismond as a 13-year-old child and taking a position in defense of the killing of Patrick Dorismond before the facts were examined thoroughly.

Our constituents in New York are very upset, outraged, demanding action from their leaders. Our constituents are demanding action against these gross misjustices.

Fortunately, none of these spontaneous responses have been violent. We keep telling people it does not pay to go out in the streets and burn anything down or conduct riots. As leaders, we have been successful in making people understand that negative and unproductive set of conduct that should not be followed. However, they turn to us and say, What are you going to do? What about it?

Well, I want to say it does relate to the budget here. Because in our budget, item number 7 is the juvenile justice system. We want more money put into the Federal criminal justice system, juvenile justice, adult justice, law enforcement in general. We want more money put in.

We also have a bill that will require more funds in the Justice Department. That bill was put in by the gentleman from Michigan (Mr. CONYERS) 2 weeks ago. And I would like to let everybody know out there, the constituents, that we are not standing still, we are taking certain kinds of actions. This bill, the Law Enforcement Trust and Integrity Act, is going beyond what we have done already.

We have gone to the Justice Department. We have gone to the deputy of Janet Reno. We made our appeals there. We have gone through those motions on these particular cases, especially Amadou Diallo. And we have now gone to the Justice Department about Patrick Dorismond. In Brooklyn, the U.S. Attorney in that district, the Eastern District, now has had a discussion on that. So we are taking action at the level that we think we can take the most relevant actions.

We have accreditation of the bill that the gentleman from Michigan (Mr. CONYERS) has introduced, the Law Enforcement Trust and Integrity Act, which will require additional funding by the Justice Department if they carry out these points.

I will just quickly summarize what the bill says. The bill calls for the accreditation of local law enforcement agencies not to operate so loosely. They should have a set of procedures and standards, a training regiment which does not allow for inexperienced people to be set loose on the street with guns in their hands but make certain that they have had thorough training not only in the use of force but also an understanding of the community that they are patrolling.

This bill authorizes the Department of Justice to work cooperatively with independent accreditation law enforcement and community-based organizations to further develop and refine these accreditation standards.

Second point: Law enforcement agency development programs. The bill authorizes the attorney general to make grants to local States and governments to develop programs, such as civilian review boards, early warning and detection programs, which have proven effective in many jurisdictions, and many kinds of activities which would help develop a greater rapport between police and the community.

Administrative due process procedures. The bill requires that the attorney general study the prevalence and impact of any law, rule, or procedure which interferes with prompt and thorough investigations of abuse.

In New York City they have the 48-hour rule. The police department, the Police Benevolent Association, their union negotiated an agreement where no policeman who is involved in an excessive use of force case can be interrogated before 48 hours. Forty-eight hours must pass before they have the right to interrogate a policeman who is involved in some incident related to excessive use of force or the firing of a gun even if it resulted in the killing of an individual.

Item four in the Law Enforcement Trust and Integrity Act sponsored by the gentleman from Michigan (Mr. CONYERS). It enhances the funding of the Civil Rights Division in the Civil Rights Department. It authorizes appropriations for expenses for ongoing investigations of pattern and practice of abusive investigation by the Justice Department.

Item five in the pattern and practice investigations: It enhances the authority to bring private cause of actions limited only to declaratory and injunctive relief when there is a pattern and practice of discrimination.

Item six: Deprivation of rights under color of law. The bill amends section 242 of Title 18 of the Code to expressly define "use of force" and "nonconsensual sexual conduct" as deprivations of rights under color of law.

Item 7: The study of deaths in custody, referring back to the Illinois case. The bill amends the Code to require assurances that States will follow guidelines established by the attorney general for reporting deaths in custody.

National Task Force on Law Enforcement Oversight. The bill requires the Department of Justice to establish a task force to coordinate the investigation, prosecution, and enforcement efforts of Federal, State, and local governments in cases related to law enforcement misconduct.

Immigration Enforcement Review Commission. The bill creates a commission to investigate civil rights complaints against the INS and Customs Services with authority to make policy and disciplinary recommendations.

It is very interesting that, in New York, several of the cases that have taken place have related to immigrants. Amadou Diallo was an immigrant from Africa, the country of Guinea. Patrick Dorismond is a Haitian American. Abner Louima is a Haitian American.

I know this is only a coincidence because I have lived in New York for 42 years and there is a long list of victims of excessive force, negligent homicide, that were not necessarily immigrants.

Eleanor Bumpers was a grandmother who was shot down in her living room. Claude Reece was a 13-year-old who lived in a housing project in my district. Clifford Glover was 11 years old and was shot in the back. Randolph Evans was shot point-blank by a policeman who used a defense in court called psychomotor epilepsy. I have never heard that term before; and since that case, that trial, I have never heard it since. Well, the jury found the policeman not guilty because he had had a seizure of psychomotor epilepsy and he could not stop his hand from raising the gun and pointing to young Randolph Evans's head. He walked off scot-free.

So there have been a long list of deaths, of police killings and police brutality which did not deal with immigrants. But it just happens that recently the focus has been, by accident I think, on immigrants. So an Immigration Enforcement Review Commission is very much in order.

Item 10: Federal Data Collection on Racial Profiling. The bill requires the Justice, Treasury and Interior Departments to collect data concerned with personal characteristics of individuals targeted for investigation, etcetera.

The bill establishes civil and criminal penalties for retaliation against law enforcement officers who in God's faith disclose, initiate, or advocate on behalf of a civilian complainant in actions alleging police misconduct and creates private cause of action for retaliation.

These are 11 of the points that are emphasized in the Law Enforcement Trust and Integrity Act. Many of them will require additional funding. My colleague the gentlewoman from Texas (Ms. JACKSON-LEE) has added to that some other provisions that will require additional funding in the budget. She wants a budget increase to deal with the Weed & Seed program. She wants to address juvenile delinquency preven-

tion with certain projects, a program to reintegrate great young offenders, and a program to reduce youth gun violence.

So in our seventh category, juvenile justice and law enforcement, in our budget, we are addressing some of the issues that are of great concern to my constituents back in New York. CBC, the Congressional Black Caucus, wants to support these issues in every way. Tomorrow we will deal with a budget which does that.

In addition to that, I think it is important to note that we are proposing and, in fact, I proposed at a meeting of the Brooklyn African American Clergy and Elected Officials, consisting of 96 members, on March 3, 2000, I proposed the following in reaction to my constituents and all those who are outraged and want some leadership, I proposed we have a declaration against surrender to this kind of activity.

We will not surrender to police abuse and a policeman state mentality. We will not surrender to a mayor and a commissioner who insist on protecting the extremists and the fanatics who constitute only a small part of the police department.

This declaration of surrender reads as follows: "We, the undersigned leaders of the caring majority, pledge to unite in solidarity against continuing oppression by the extremist law enforcement establishment and the collaborating criminal justice system. With unrelenting fervor, we pledge to provide continuous leadership for the following actions and activities:

(1) negotiations to achieve the 10 demands for police and criminal justice reform set forth on March 27, 1999, almost a year ago.

A coalition of leaders from all parts of the city met at Local 1199 in the heart of the city, and we drew up a 10-point plan on misconduct and brutality. These 10 points cover the need for civilian review board which has real teeth. It covers the call for a special prosecutor to be appointed in cases involving police brutality or police homicide. It calls for a residency law for New York City.

Most of the country requires policemen to live in the city or the county. Most of the counties in New York State require policemen to live in the city or county. But not in New York City. The legislature exempts New York City from that requirement despite the fact that the city council and the people of New York want a residency law to guarantee that they get police that have a greater comprehension of the people that they are serving and the cultures that make up New York City.

□ 2215

On and on it goes. There are 10 demands here drawn up March 27, 1999. The problem with these demands is that for the 40 years that I have been in New York, most of these demands have been made repeatedly over and over

again every time there has been some excessive use of force or misconduct among the police. The time that I have been in New York, for 40 years, there have been three commissions to investigate corruption and excessive use of force. They all come up with the same recommendation. Nothing gets done. For that reason, we are insisting that we negotiate again. We like to go to our constituents and say we are reasonable people, we are leaders who do not under any circumstances want our constituents to resort to violence. We want to proceed in a nonviolent way, in a reasonable way to try to get these so-called intractable problems that seem not to be solvable, to get something done. So we want to negotiate these 10 demands. We want to ask the mayor to negotiate again, but beyond the mayor we want the fathers of the city, we have a phrase in New York called the permanent government of the city. In a lot of the cities and towns across the country, there is a permanent government, the business people, the civic leaders, a group of people who really behind the scenes, if you do not have their approval, if elected officials do not have their approval, they cannot survive, they cannot exist. There is a combination of financial contributions as well as the press being on your side, indignation of people in high places who have the bully pulpit. They can govern in certain ways. We think that they are guilty in New York City of not weighing in and doing more over the years to rein in the excessive police abuse that continues to erupt again and again in New York City. So we want to negotiate with them as well as with the mayor and the governor. That is point one in this Declaration Against Surrender.

We want to, point two, take the necessary actions to achieve intervention in the Diallo case by the Justice Department and the prosecution of the four police defendants for the violation of the civil rights of Amadou Diallo. Four policemen have already been found innocent of anything, including reckless endangerment or negligent homicide, nothing, totally innocent, just as the people who beat up Rodney King in California were found innocent. Despite the fact that you had a videotape of them surrounding him and beating him, they still found the perpetrators innocent. The Federal Government had to go in and try those same people on a charge of violation of civil rights of Rodney King. We have asked and we are pressing hard to get the Justice Department to try the people who killed Amadou Diallo on the basis of the violation of the civil rights of Amadou Diallo, a victim of police profiling. Nowhere in the history of New York City have you had a person standing on his front porch shot down by the police. Only racial profiling gone mad and seeing any black as a threat could have conjured up an image of Amadou Diallo as being a danger to society or to the four policemen who

shot him in self-defense, they say, because they thought he was reaching for a gun when he pulled out his wallet. Probably, being a foreigner, he knows the first thing you do when you are confronted by the law is show your papers, show your papers and identify yourself. We think that we have a good case and that the Justice Department will move, we hope, to prosecute these defendants for the violation of Amadou Diallo's civil rights. We are trying to tell our constituents that this is a society where ultimately there is justice for all. If you cannot get justice for all at the city level or the State level, then there is finally the Federal Government which will guarantee that there will be justice for all.

Our third point here is an appeal to the United Nations to secure an objective review of the violations of minority human rights in the United States as evidenced by the following. Violations of minority rights in the United States are out of control. Too many people in high places are not excited about the fact that they are out of control. Why? Because, one, there is a national pattern, a national pattern of systemic police brutality with recurring unjustified homicides. Two, death penalty laws which result in a disproportionate number of minorities executed, a disproportionate number of minorities executed and a high probability of innocent victims on death row. I gave you the case of Illinois where the death row inmates who were innocent were fortunate enough to have a local university project conduct an exercise using the latest detective techniques including DNA, and they found 12 of 25 of the people on death row to be innocent. The next point, widespread officially sanctioned racial profiling. The next point, exposures of massive long-term corruption and illegal arrests in police departments. The next point of great racial disparity in sentencing. Great racial disparity. We have several studies which show that a black person and a white person accused of the same crime going through the same similar investigative procedure standing before a judge, the racial minority will get a tougher sentence, a higher sentence. Disparity in sentencing. Finally, the imprisonment of 2 million persons, most of whom are poor and members of minority groups. In the United States there are now about 2 million people in prison. Prisons have become a major industry. You can invest in prisons. If you invest in prisons, they do not pay off unless you have inmates. You are paid according to the number of inmates. There is something grossly unjust about this kind of system. There is something grossly unjust about so many people in prison. The highest number now of any of the industrialized nations are imprisoned in the United States of America. Almost half of them are imprisoned for non-violent offenses related to drugs. There is something wrong with the system. We complain on the floor of this House,

we have many bills which have made matters worse sponsored by the Republican majority. We complain. Nothing happens. An appeal to the United Nations may be where we have to go in order to get some attention focused on these gross abuses.

Finally, in this Declaration Against Surrender, we the undersigned leaders of the caring majority pledge to sponsor periodic "Weeks of Outrage" with citywide nonviolent actions including civil disobedience. Such Weeks of Outrage will be periodically sponsored until our just demands are met. Going back to point one, the demands we ask to be negotiated, we will not sit still and let those demands be treated with contempt nor ignored. We intend to have Weeks of Outrage starting with an April Week of Outrage which is in the process of being planned. There is a call for an April Week of Caring Majority Nonviolent Outrage.

The Declaration Against Surrender continues by saying that in the last 40 years, more than 50 outrageous killings of New York citizens by the police have gone unpunished, from the children, Clifford Glover and Randolph Evans, to grandmother Eleanor Bumpers, mental patient Gideon Bush, and immigrant Amadou Diallo, the callous actions of individual policemen have been supported and excused by a collaborating judicial system, by the establishment press and media, by the power brokers and the permanent governors of New York City. We declare that the caring majority of New York City will no longer surrender to these gross injustices.

Mr. Speaker, I submit the statement related to the Declaration Against Surrender for the RECORD.

DECLARATION AGAINST SURRENDER

We, the undersigned Leaders of the "Caring Majority" pledge to unite in solidarity against continuing oppression by the extremist law enforcement establishment and the collaborating criminal justice system. With unrelenting fervor we pledge to provide continuous leadership for the following actions and activities:

Negotiations to achieve the ten demands for police and criminal justice reform set forth on March 27, 1999.

Necessary actions to achieve intervention in the Diallo case by the U.S. Justice Department and the prosecution of the four police defendants for the violation of the Civil Rights of Amadou Diallo.

An Appeal to the United Nations to secure an objective review of the violations of minority human rights in the United States as evidenced by: a national pattern of systemic police brutality with recurring unjustified homicides; death penalty laws which result in a disproportionate number of minorities executed and a high probability of innocent victims on death row; widespread officially sanctioned racial profiling; exposures of massive long-term corruption and illegal arrests in police departments; a great racial disparity in sentencing; the imprisonment of two million persons most of whom are poor and members of the minority groups.

Sponsorship of periodic "Weeks of Outrage" with citywide nonviolent actions including civil disobedience. Such "Weeks of Outrage" will be periodically sponsored until our just demands are met.

We, the undersigned Leaders of the "Caring Majority" invite all citizens everywhere who deem themselves as members of the "Caring Majority" to unite with us in the "Declaration Against Surrender".

Submitted by Congressman Major Owens and Approved by the Brooklyn African American Clergy & Elected Officials (March 3, 2000).

10-POINT PLAN ON MISCONDUCT AND BRUTALITY

FOLLOWING ARE THE PROPOSALS ISSUED BY A BROAD COALITION OF POLITICAL LEADERS AND COMMUNITY ORGANIZERS IN RESPONSE TO THE SHOOTING OF AMADOU DIALLO: MARCH 27, 1999

1. Mayor Giuliani must immediately implement the recommendations of the Mollen Commission, especially the call to establish an independent investigative body with full subpoena power that has jurisdiction over police corruption and brutality in New York City. Twice, the City Council has passed legislation creating a body to monitor corruption, but the Mayor has done everything in his power to block its implementation—first by veto and then, when the Council overrode his veto, by tying the matter up in court. The Mayor must also implement the recommendations (from both the majority and dissenting reports) of his own Task Force, that he appointed in 1997 in the wake of the shocking Abner Louima incident.

2. The Civilian Complaint Review Board must be immediately reconstituted, strengthened and fully funded so that it can effectively investigate civilian complaints of police misconduct.

3. The State Legislature must pass legislation creating a permanent special prosecutor for police brutality and corruption in New York. In conjunction with this, the State Attorney General must create a special unit on police misconduct and should issue an annual report documenting instances of misconduct throughout the state.

4. The Police Department must develop a comprehensive training program, developed in consultation with outside experts, to school its officers in racial and cultural sensitivity and must also implement a rigorous process of in-depth psychological screening of its recruits and officer.

5. The New York Police Department should reflect the makeup of the citizen population it serves—N.Y.C. police officers should live in New York City. The State Legislature must immediately pass a law mandating residency for city officers.

6. The Police Commissioner must also take specific and immediate steps to recruit more minorities and women to serve as police officers and develop a plan to increase promotion opportunities for women and minority officers.

7. The salary and benefits for police officers must be improved. Law enforcement officers are entrusted with extraordinary responsibility and they should be compensated accordingly.

8. The Police Department's "48-hour" rule, which delays the ability of N.Y.P.D. investigators to question police officers charged violations of N.Y.P.D. rules and regulations, must be eliminated.

9. The weapons, ammunition and tactics used by the department must be assessed and periodically reviewed, not only to measure effectiveness, but to protect the safety of innocent New Yorkers. The use of hollow point bullets should be discontinued immediately.

10. Congress must call on the Justice Department to honor its commitment to monitor and issue annual reports documenting instances of police misconduct throughout the country. This promise was made in the wake of the Rodney King incident and has yet to be acted upon.

**Demands Cited in the Major Owens
Declaration Against Surrender**

**DECLARATION AGAINST SURRENDER—
CONGRESSMAN MAJOR OWENS**

**Call for an April Week of Caring Majority
Non-Violent Outrage**

THE DECLARATION AGAINST SURRENDER

In the last forty years more than fifty outrageous killings of New York citizens by the police have gone unpunished. From the children, Clifford Glover and Randolph Evans, to grandmother Eleanor Bumpers, mental patient Gideon Bush, and immigrant Amadou Diallo, the callous actions of individual policemen have been supported and excused by a collaborating judicial system; by the establishment press and media; by the power brokers and the permanent governors of NYC. We declare that the Caring Majority of NYC will no longer surrender to these gross injustices.

THE TARGETS AND THE GOALS

—The Caring Majority Must Be Empowered To Realize How Strong They Are

—City Hall Must Be Made To Understand The Ultimate Power Of The Caring Majority

—The Police And The Power Brokers Must Be Made To Understand The Limitations Of Their Control

—Reasonable Demands Must Receive A Respectful Response, Serious Negotiations And Meaningful Legislation Action

Our primary goal is to provide leadership for the following:

Negotiations to achieve the ten demands for police and criminal justice reform set forth on March 27, 1999.

Necessary actions to achieve intervention in the Diallo case by the U.S. Justice Department and the prosecution of the four police defendants for the violation of the Civil Rights of Amadou Diallo.

An Appeal to the United Nations to secure an objective review of the violations of minority human rights in the United States as evidenced by: a national pattern of systemic police brutality with recurring unjustified homicides; death penalty laws which result in a disproportionate number of minorities executed and a high probability of innocent victims on death row; widespread officially sanctioned racial profiling; exposures of massive long-term corruption and illegal arrests in police departments; a great racial disparity in sentencing; the imprisonment of two million persons most of whom are poor and members of minority groups.

Sponsorship of periodic "Weeks of Outrage" with citywide nonviolent actions including civil disobedience. Such "Weeks of Outrage" will be periodically sponsored until our just demands are met.

The list of the ten demands set forth on March 27, 1999 are attached at the end of this Call Statement.

STRATEGY AND TACTICS

Using non-violent principles and techniques the purpose and mission of the "Week Of Outrage" is to provide every outraged citizen with an opportunity to publicly express that outrage and bear witness to the fact that the "Caring Majority" of New York City will not surrender to the oppression of the police establishment and the collaborating criminal justice system.

For each of five days in all five boroughs Action Groups shall simultaneously assemble at several strategically selected protest sites within each borough for a citywide total of no less than fifteen sites. The non-violent soldiers at each site shall rally, march, conduct civil disobedience or engage in any other pre-planned non-violent activity. The absolute necessity is that citywide actions take place simultaneously in order to demonstrate the lack of capacity of the

police to control citizens who are righteously indignant and organized. New York City belongs to the people and each day's coordinated mass actions will deliver the message of this forgotten truth.

In order to maximize citizen participation and conserve resources the primary strategy for the assembled Action Groups shall be to march through key streets and intersections in ways that take command of the thoroughfares and public places. Civil disobedience with pre-planned arrests shall be carefully targeted. Most of each operation will be merely the assertion of the right to assemble—and for this activity no one can be arrested.

The decision-making structure for the "Week Of Outrage" shall be lean, decentralized and flexible. There shall be an overall "Caring Majority" citywide Coordinating Committee and each borough shall have a Borough Coordinating Committee. Each Action Groups must choose its own Captains and Marshals. Action Group must have representation at all planning sessions and must accept a set of Caring Majority Non-Violent Principles and Procedures; however, approval of specific and detailed action plans will not be mandated.

The Week Of Outrage War Plan

To drive home the self-evident truth that the City belongs to the people and that the police and the power brokers can only operate with "the consent of the governed", five days of coordinated citywide actions are necessary.

On Sunday prior to the first day of activity Meditation and Evaluation Rallies will be held in each borough to finalize the week's master-plan.

On Monday the important first day of action must be launched on a test scale in order to pinpoint problems and weaknesses.

On Tuesday an attempt will be made to raise the level of activity and to maximize the repetition of the most effective actions.

On Wednesday the peak of participation will be reached.

On Thursday and Friday variations and innovations in activity will be maximized.

The Daily Outrage Action Schedule

In accordance with the Daily Outrage Action Plan that has been agreed on during a Meditation and Evaluation Rally on the night before, Action Groups must assemble each morning at the designated protest sites. At the designated sites actions must begin simultaneously throughout New York City.

Morning Actions must be conducted in ways that maximize participation by local residents. In selected neighborhoods within each borough, demonstrators must assemble without notifying the police in advance.

Transitional Activities must move the masses to a designated citywide central protest site in Manhattan. This means that local morning actions should end by 1 P.M. in time for the citywide high visibility action of the day to begin by 3 P.M.

Afternoon Action will be conducted at a designated site of high visibility and great traffic vulnerability in the heart of the City. Without engaging in civil disobedience the number of participants must be great enough to stop the business-as-usual activities of the business community.

Evening Meditation and Evaluation Rallies shall be conducted in each borough. A review of strengths and weaknesses must take place and clear directions be given for the next day's Outrage Action Schedule.

THE WEAPONS AND RESOURCES

A non-violent crusade must be an organized mobilization which understands how to best utilize its weapons and resources:

Mobile Cell Phones must be available in large numbers to maximize communication

at all times. A set of vital numbers will be compiled.

Cameras of all kinds must be recruited to record incidents, especially the actions of the police. Each Action Group must have a Camera Unit responsible for coverage of the action from the periphery out of the reach of possible confiscation by the police.

Bull Horns must be spread through each large group.

Marshalls and Captains must be thoroughly trained to keep order, and to contain and isolate the agents of sabotage.

A Legal Unit with at least one law student or paralegal must be attached to each Action Group.

An Emergency Unit with at least one person capable of administering first aid must be a part of each Action Group.

THE CEASE FIRE AND EVALUATION

At the end of the "Week Of Outrage" a cease fire will be called for an indefinite period of time while the following factors are evaluated:

—Has the pressure of the week's actions forced the Mayor, the Governor and the other significant power brokers to respond to the stated demands?

—Has the one week crusade raised the level of awareness and strengthened the resolve of the "Caring Majority" to fight for justice?

—Are the ranks of the "Caring Majority" expanding in all segments of the City's population?

—Can future similar "Weeks of Outrage" be sustained with existing resources?

—What strengths and weaknesses in the operation have thus far been identified?

—What are the adjustments in structure with respect to decision-making and leadership which need to be made?

—Can the one week crusade be effectively turned off with the capacity to resume at a later date?

Mr. Speaker, the rest of my presentation is also concerned with the budget. I wanted to deal thoroughly with point seven. Point seven is juvenile justice and law enforcement. This is our seventh priority in the Congressional Black Caucus budget. Let me go back and deal with item one. Housing, health care, economic development, livable communities, foreign aid, welfare, low-income assistance, those are all important, but item one is education.

In the remaining time I have, I would like to talk about our emphasis on education. The caring majority budget begins with the following introduction. We call our budget the Congressional Black Caucus Budget, a Budget for Maximum Investment and Opportunity.

"Carrying forward the great Democratic Party traditions of Franklin Roosevelt's New Deal, Harry Truman's Marshall Plan and health care proposals, Lyndon Johnson's Great Society that produced Medicaid and Medicare. As advocates for the Democratic Party mainstream philosophy, the Congressional Black Caucus sets forth this budget for maximum investment and opportunity.

"As we prepare the year 2001 budget, we are blessed by the long warm rays of the sun of a coming decade of surpluses. Compassion and vision are no longer blocked by the specter of budget deficits. The conservative estimate is

that there will be a \$1.9 trillion non-Social Security surplus over the next 10 years. Using simple logic, we should be able to program about \$200 billion for year 2001 as this window of opportunity opens." Program it means it may be in some tax cuts. It might be in investments in education. It could be in increases in jobs and training for welfare workers. There are a number of ways it can be programmed.

I was pleased to hear that the Blue Dog budget, I do not know why they call themselves Blue Dogs but the conservative Democrats they are, the conservative Democrats are almost in agreement with what we are proposing on education. I will get back to that in a few minutes.

"Investment for the future must be our first priority. Maximizing opportunities for individual citizens is synonymous with maximizing the growth and expansion of a U.S. superpower economy. It is the "age of information," stupid. It is the time of the computer and digitalization. It is the era of thousands of high level vacancies because there are not enough information technology workers. With enlightened budget decisions we can at this moment begin the shaping of the contours of a new cyber-civilization.

"If we fail to seize this moment to make investments that will allow our great Nation to surge forward in the creation of this new cyber-civilization, then our children and grandchildren will frown on us and they will lament the fact that we failed not because we lacked the fiscal resources but our failures, our very devastating blunder was due to a poverty of vision.

"We are the custodians of unprecedented wealth in a giant economy. But midget minds and tiny spirits have seized control and the only big sweeping idea being generated during this budget discussion is the negative Republican proposal for a monster tax cut for the wealthy. At a time when positive generosity is possible, such a proposal maximizes great selfishness."

Let me just repeat that. "We are the custodians of unprecedented wealth in a giant economy. But midget minds and tiny spirits have seized control and the only big sweeping idea being generated during this budget discussion is the negative Republican proposal for a monster tax cut for the wealthy. At a time when positive generosity is possible, such a proposal maximizes great selfishness."

I want to criticize my Democratic colleagues. They have no sweeping, big proposals when that is what we need at this time. In the area of education, we need a big, sweeping proposal. It is pretty clear that education is the key to the future of this Nation. It is the key to our building a cyber-civilization.

Mr. Speaker, I submit the introduction of the Congressional Black Caucus budget consisting of an introductory statement and a statement of a set of principles and assumptions for the RECORD.

THE CONGRESSIONAL BLACK CAUCUS BUDGET: A BUDGET FOR MAXIMUM INVESTMENT AND OPPORTUNITY

Carrying forward the great Democratic Party traditions of Franklin Roosevelt's New Deal; Harry Truman's Marshall Plan and Health Care Proposals; Lyndon Johnson's Great Society that produced Medicaid and Medicare; as advocates for the Democratic Party mainstream philosophy the Congressional Black Caucus sets forth this Budget for Maximum Investment and Opportunity.

As we prepare the year 2001 budget, we are blessed by the long warm rays of the sun of a coming decade of surpluses. Compassion and vision are no longer blocked by the spectre of budget deficits. The conservative estimate is that there will be a 1.9 trillion dollar non-social security surplus over the next ten years. Using simple logic we should be able to program about \$200 billion dollars for year 2001 as this window of opportunity opens.

Investment for the future must be our first priority. Maximizing opportunities for individual citizens is synonymous with maximizing the growth and expansion of the U.S. superpower economy. It is the "Age of Information" stupid! It is the time of the computer and digitalization. It's the era of thousands of high level vacancies because there are not enough Information Technology workers. With enlightened budget decisions we can at this moment begin the shaping of the contours of a new Cyber-Civilization.

If we fail to seize this moment to make investments that will allow our great nation to surge forward in the creation of this new Cyber-Civilization then our children and grandchildren will frown on us and lament the fact that we failed not because we lacked fiscal resources, but our failures, our very devastating blunder was due to a poverty of vision.

We are the custodians of unprecedented wealth in a giant economy. But midget minds and tiny spirits have seized control and only the big sweeping idea being generated during this budget discussion is the negative Republican proposal for a monster tax cut for the wealthy. At a time when positive generosity is possible such a proposal maximizes great selfishness.

The preparation of this Budget for Maximum Investment and Growth was guided by the set of principles and assumptions set forth in the statement below:

1. We accept the general direction of the President's Budget and the House Democratic Caucus. "Families First" is a motto we wholeheartedly endorse; however, more resources must be directed toward working families and the unique problems of African American families.

2. We view the projection of a 1.9 trillion dollar surplus over a ten year period as an overriding factor for the basic decisions to be made for the FY 2001 Budget. Common sense dictates that we approach this first year of the decade of budget surpluses with proposals for the most advantageous uses of one-tenth of the projected surplus.

3. Investment in the CBC designated priorities shall be our number one concern. We support a moderate plan to pay the national debt; however, the President's blueprint moves too far and too fast with debt reduction at the expense of investment.

4. The protection of Social Security, Medicaid and Medicare are among the highest priorities of the CBC; however, investments in the education and training of the present and future workforce will provide greater guarantees for the solvency of Social Security and the sound financing of health care than any other policies or actions under consideration.

5. In budgeting for each function, the CBC accepts the principles of a balanced budget, however, increases in CBC priorities must not be inhibited by present budget caps and conventional assumptions. We assume that there is waste in several key areas which may be transferred to enhance better investments for the future. We also assume that there are excessive revenue expenditures to continue corporate welfare which may be eliminated to increase funding for our designated priorities. And finally, we assume that one-tenth of the projected ten year surplus must be factored into the development of this budget for maximum opportunity and investment.

6. The CBC accepts the basic thrust of President Clinton's proposal for the distribution of the surplus; however, the CBC will insist that the emphasis in priorities must be shifted. At least 10 percent of the surplus should be devoted to investments in programs for education and a second 10 percent should be allotted for investments which benefit working families and for safety net programs.

7. Tax cuts, which must be taken from the 80 percent of the surplus which remains, are not a high priority of the CBC; however, since the current political power equation dictates the inevitability of a White House approved tax cut, the CBC must insist that the tax cuts not exceed the percentage of the surplus which is allocated for CBC priorities.

8. Within the priorities earmarked by the President's budget, in each function, the CBC will strive to target some portion of the proposed allocations to the special needs of working families, the poor and the African American Community. New market opportunities and minority contract set-asides must apply across the board—and special units should be funded to implement and facilitate the targeting of CBC designated constituents.

9. Budget allocations for necessary programs that currently do not exist are encouraged. The proponents must also later develop legislation for authorization as part of the process to sell the ideas and convince the President to place the item on his priority list at the time of the end-game negotiations. Proposals for new methods of proposal solicitation, peer review, technical assistance, etc. are also in order.

10. The currently stated CBC FY 2001 Priorities are: Education, Housing, Health, Economic Development and Livable Communities, Foreign Aid, Welfare and Low Income Assistance and Juvenile Justice and Law enforcement. Some additions or subtractions from these categories are possible; however, they will remain as the basic frame-work for CBC Budget and appropriations demands for the entire session of the 106th Congress. Members preparing budget functions should also consider promoting tactics and strategies which support the CBC's ongoing advocacy of these dollar allocation positions.

To focus specifically on the most important item, education, everybody agrees that it is the number one priority. I wonder why everybody agrees. Every elected official agrees because we all read the same polls. We have been reading the polls for some time now. For the last 5 years, education has ranked among the top five priorities of the American people. Finally this year it has been the number one priority. Above concerns about Social Security, above concerns about crime reduction, the number one concern of the American public is education. So every party, every elected official has

responded. Why is the response so feeble when the demand is so great? There are 53 million children out there in our American public schools. Yet the response is so feeble to their needs that we have up to now in the last 5 years appropriated not a single penny for school construction. Why is our response so feeble on a basic item like school construction?

□ 2230

Is there a need for school construction? Our own General Accounting Office said 6 years ago that we needed \$110 billion at that time, 6 years ago, in order to just maintain a physical infrastructure for the students in school at that time, without projecting what was coming.

There have been tremendous increases in the number of school children who are attending public school in the last 6 years, so the problem has been compounded. But our feeble response has been on the Republican side, the Republican majority, zero, zero for construction. There is some kind of inbred instinctive reaction against the word "construction."

I hear many of my Republican colleagues say well, the Federal Government is not responsible for education, should not be responsible for school construction.

The Federal Government is not responsible for roads and highways and sidewalks, but we have appropriated, we have approved, authorized \$218 billion for roads and highways and mass transit over the next 6 years.

There is nothing in the Constitution that says we should deal with highways and sidewalks and mass transit, but we are doing it. The highway system was not projected in the Constitution but we did it, we are doing it. Many other activities undertaken by the Federal Government are not mandated in the Constitution. It is a need we feel the Nation has and we rise to meet that need.

We have great concern with defense. In all the budgets other than the Congressional Black Caucus budget there are proposals to increase the amount of defense. The President started with a huge increase for defense, and beyond that the Republicans want to add \$17 billion more for defense.

The Democratic Blue Dogs, conservatives, want to add money for defense. What will it gain us if we spend billions of dollars to perfect and to create more of these high-tech military systems if we do not have the people who can run them?

The last great aircraft carrier that was launched in the United States was 300 personnel short. They had places for 300 people more and they could not find them because the high-tech systems on that aircraft carrier required a certain level of intelligence that would allow one to be trained in a certain way and a certain amount of exposure to previous training related to computers and the digital world.

The world is going that way and we are rapidly pushing it that way. We are in the leadership. Our military technology is in the leadership above all. Who created the Internet? It was the American people who financed the Internet through the Defense Department. Our military created the Internet. There would be no Internet if it had not been for the genius of the people in the military who saw the need for that kind of system and began that system.

So how are we going to operate this 21st Century military fighting machine unless we have more young people who have the appropriate training and education? No matter where one goes, they are going to find a need for more and better trained people. One cannot accomplish that if they refuse to construct decent schools, renovate schools. It is not just a matter of wiring the schools so that they can have computers and maybe hook up to the Internet, taking advantage of the fact that we have a thing called the e-rate which will give them a discount on the use of the Internet. It is not just a matter of that. It is a matter of they cannot even achieve in the basic areas of reading, writing and arithmetic if they are in schools that are unhealthy, unsafe and not conducive to learning.

In New York City we have 200 schools that still have furnaces that burn coal. We subject children in New York City to the fumes of a coal-burning school to pollution in the air. We also have an asthma epidemic in New York City that goes on year after year. Is it surprising that we can take a map and the asthma epidemic is at its greatest in the areas where there are the coal-burning schools?

One coal burning school has 500 students, and 100 of those students have serious respiratory illnesses and asthma, and half the teachers in the school also have serious respiratory illnesses, those who chose to stay. A lot of them left the school, which brings us to another problem. We are focused on the fact that there is a great teacher shortage looming. It is already in effect in New York City. One-third of the teachers are not certified because they cannot get certified teachers so they have to use uncertified teachers. So we have a problem already. Many other big cities have the same problem but it is going to get worse and the cities and the suburbs and everywhere will be without teachers unless we do something to make up for this great coming retirement of massive numbers of teachers.

There are all kinds of programs being proposed but the simple matter of creating working conditions where those who are teachers will stay in the profession and those who are not teachers will look at what is going on and come in is a first step. One must have a decent place to work. Why should a teacher, a young person, want to study and become a teacher when he has other alternatives that are safer? Why

go into a school where they have a coal-burning furnace? Why go into a school where the top floor has been abandoned because of the fact that it leaks so and the walls are crumbling; no matter how they try to fix it, it is just not going to work? They need a new school. Why go into a school where there are 35 students in a classroom where classes are being held in the hallways and closets and in some cases they have converted the boys' and girls' rooms into classrooms? Why teach under those conditions? Why work under those conditions? Why ask any young person to have that kind of dedication in the United States of America, the richest country that ever existed on the face of the earth?

We are able to provide. There is no reason why we cannot provide decent school buildings. But school construction, as I said, meets a zero when it comes to the Republican majority.

The President over the last few years has proposed a program which was zero in appropriations but at least it was a program which proposed that a setup be created whereby school boards and local education agencies or State governments or local governments could borrow money to build schools, up to \$25 billion nationwide, and the Federal Government would pay the interest on the bonds. That was the President's proposal, to pay the interest on the bond of \$25 billion and the Federal Government, if that program went into effect, over a 5-year period and all the \$25 billion was spent, the Federal Government would be contributing over a five-year period \$3.7 billion to school construction, to the problem of school infrastructure.

Now, the General Accounting Office has said in 1995 we need \$110 billion just to keep our present schools going. We are proposing in the Congressional Black Caucus budget that we spend \$10 billion this year, next year and for the whole 10 years in this decade. Ten billion dollars would be \$100 billion for school construction.

If we have a \$1.9 trillion, let us round it off, about \$2 trillion expected in surpluses above and beyond the Social Security surplus, if we have \$2 trillion and that is a conservative estimate, then we are proposing that only 5 percent of that be used for school construction. Is that an unreasonable proposal in a nation where the people have indicated again and again that they view education as a highest priority? Is that an unreasonable proposal when some of the surveys and polls have gone even further to ask people, among the priorities within education, what do they think is most urgent?

One poll showed overwhelmingly people said fix the schools, we need to fix up the schools. Fixing up the schools means in some cases repairing existing schools that can be fixed. Fixing up the schools in some cases means modernizing the school, dealing with asbestos problems and being able to wire the school so they can have computers and

get on the Internet. Fixing some schools and some problems in areas means they want new security measures taken and they need to have some capital items taken care of in terms of security. In most cases, fixing up schools means they need to build some new schools. Ten billion dollars per year is proposed.

I have a bill which would authorize that by using provisions in the Elementary and Secondary Education Act. We will be marking up the Elementary and Secondary Education Act, the rest of it, next week, I am told, in our committee. I am on the Committee on Education and the Workforce and the chairman of the Committee on Education and the Workforce is one of those people adamantly opposes spending a dollar for school construction, but he is in favor of education being cited as a number one priority.

The Republican candidate for President, Mr. Bush, is in favor of education action by the Federal Government because he understands it is a number one priority. He is going to have a great education program but he has ridiculed the idea of spending money for school construction. In fact, in a very strange dialogue, I heard him say on television we should not spend money on school construction; bricks and mortar are not important.

The Democratic candidate, AL GORE has said he is willing to mount a program of \$115 billion for education reform over the next 10 years. He is moving in the right direction. How much of that will be committed to school construction? That is my question.

I have here a hard hat that I carry around as a symbol of where we need to go. We need to let the builders of America take over to end this number one problem. One cannot solve any of the problems in education until they deal with the problem of physical infrastructure. We are winning, though, because the President moved beyond his proposal for bonds and interest and he put \$1.3 billion in the budget for immediate repairs. We are winning.

I understand the Republicans have also agreed to the bond proposal. We are winning. They need to hear from the American people that not only is education a priority but number one in education is school construction.

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MTBE, A PROBLEM FOR THE WHOLE NATION

The SPEAKER pro tempore (Mr. KUYKENDALL). Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, on January 16, 60 Minutes broadcast into the homes of millions of Americans an important story about water quality. A chemical additive is used to improve a car's performance and clean the air. It has seeps into groundwater supplies throughout the Nation. It makes water

stink. It causes water to smell and taste like turpentine, and the U.S. Environmental Protection Agency thinks it may cause cancer.

This chemical is methyl tert-butyl ether, MTBE.

Mr. Speaker, here is a sample of MTBE in this vial. If I smell this, oo-wee, this stuff smells bad. I will say something else. It takes only one teaspoon of this stuff to make an Olympic-sized swimming pool smell and taste like this sample, like turpentine.

This little vial here contains several teaspoons of MTBE. 60 Minutes reported that MTBE-contaminated water is being found all across the country, in places like Santa Monica, Albuquerque, Denver, Dallas, among other places.

Water wells in Long Island and New Jersey are contaminated with this stuff. One could say, okay, I can see how it got into the water there. A lot of MTBE is used in those markets.

Well, I want to say something. It is not only a problem in those high-use areas. Last month, Iowa's Department of Natural Resources issued a report that showed that 32 percent of groundwater samples had MTBE levels of at least 15 micrograms per liter.

What is worse is that 29 percent of the groundwater samples had MTBE concentrations above the level at which EPA issues a drinking water advisory. Think about this. There is no MTBE sold or used in Iowa today. Yet 29 percent of groundwater samples in Iowa qualify for a Federal drinking water advisory due to contamination of this product.

So how can that be? Well, probably some of it is residual from years before when an MTBE might have been used in my State.

□ 2245

But much of MTBE comes from cars just driving through Iowa or maybe from two cylinder engines spewing MTBE blended gasoline.

These few teaspoons of MTBE will contaminate several Olympic-sized swimming pools. Let us assume that this vial contains 2 ounces of MTBE. It probably contains less. But for the sake of argument, let us say it is 2 ounces. To comply with the oxygenate requirement of the Clean Air Act, MTBE must be added at a volume of 11 percent.

In a large sport utility vehicle with a gasoline tank capacity of 25 gallons, this means that approximately 128 of these vials are being carried around in sport utility vehicle gas tanks. If that sport utility vehicle gas tank were to empty into a lake, that amount of MTBE would contaminate about 375 Olympic-sized pools.

To further demonstrate the potency of this chemical, those 128 vials of MTBE would render 71.5 million gallons of water undrinkable. And MTBE moves through water very quickly. It is incredibly difficult and expensive to remove.

Mr. Speaker, we must address this issue now. What is the problem? Why do we not just ban MTBE? Well, this is where the issue of clean air arises. When I mentioned that MTBE makes fuel burn cleaner, this is because it adds oxygen to the gasoline.

The Clean Air Act amendments of 1990 established what is called the Reformulated Gasoline Program to address poor air quality in the Nation's most polluted cities. To achieve cleaner air, Congress required refiners in reformulated gasoline areas to blend 2 percent by weight of an oxygenate into their gasoline.

Now, this practice has produced significant air quality improvements throughout the Nation by dramatically reducing harmful automobile emissions; therefore, we simply cannot remove MTBE without replacing it with another oxygenate.

Some have recommended eliminating the oxygen requirement altogether, arguing that will solve the MTBE problem, that would trade air quality for water quality, and that is not an acceptable solution, nor is it necessary.

Nonetheless, on Monday, the administration released a set of legislative principles regarding the problems associated with MTBE. They recommended that Congress do the following: First, phase out or eliminate MTBE. I think that is a good idea. I am glad the administration has finally decided to take an official position on this issue.

Their second point, ensure air quality gains are not diminished, and I say right on. The reformulated gasoline program of the Clean Air Act has produced terrific reductions in automobile emissions. I am glad that the administration decided to take an official position on environmental positions.

Third, the administration said replace the 2 percent by weight oxygen requirement with a 1.2 percent by volume renewable fuels standard. Now, this is where I have some concerns.

The administration identified MTBE as the problem and also committed to ensuring air quality, but then it abandons the program which has produced air quality benefits for millions of Americans, the oxygen requirements of the Clean Air Act.

I want to read to you a quote from testimony submitted to the Committee on Commerce on May 6 by Bob Perciasepe, assistant administrator of air and radiation at the EPA who said, quote, ozone has been linked to a number of health effect concerns, ozone. Repeated exposures to ozone can make people more susceptible to respiratory infection, result in lung inflammation and aggravate preexisting respiratory diseases, such as asthma. Other health effects attributed to ozone exposures include significant decreases in lung function and increased respiratory symptoms, such as pain, chest pain and coughing.

Mr. Perciasepe continues, quote, reformulated gasoline is a cost effective way to reduce ozone precursors, such