

I was not able to pay tribute to him along with my colleague, Representative HENRY GONZALEZ, and I just wanted them both to know, and I hope to extend my remarks in the RECORD, how much I appreciate their leadership for the Nation. Mr. KENNEDY has been long known as an advocate for the least of those and particularly as he has helped in dollars to assist those seniors without the resources to give them good heating in the winter and air conditioning in the summer, and that is a tough place to be in. So I thank him for his leadership, his kindness, his recognition that the voiceless need a voice.

And then there is nothing more to be said about our senior leader in the Texas delegation, HENRY GONZALEZ, who has for years been a fighter on equal opportunity and home buying in America. He, too, has lifted up those who are voiceless. He is a giant of a person with kindness and dignity, and we wish him well, and we wish my good friend, JOE KENNEDY, well as they retire from this body.

Mr. Speaker, I want to talk about what we can do in these last waning hours, and that is why I am here today, because certainly there are many issues in my district. We have just faced flooding about a month or so ago, and many of my constituents are trying to rebuild their homes. There is a great need for modernization of our schools, and so there is a lot that we, as Members of Congress, could be doing in our local communities. But I would like to assure you, Mr. Speaker, that we can actually do some good here.

There is no reason, Mr. Speaker, why we cannot pass the school modernization legislation that allows us to rebuild our crumbling schools so that schools like those in my district whose roofs are falling in, the wiring is not good, we can actually bring tax relief locally by providing tax credits for those constituents who are putting in bonds in order to rebuild their schools. We can do that.

Mr. Speaker, we can have a real actual collaboration on the census. We understand that sampling is documented by the National Academy of Sciences, the National Foundation of Sciences, which indicate that sampling is the best and accurate way to count the 2000 census. We can still do that, Mr. Speaker.

And frankly I think that we can answer our constituents on the question of a good Patient Bill of Rights. We can do that. We can balance the rights of physicians and patients. We can overcome the burden of HMOs who tell you that you cannot get the service at this emergency room or you cannot continue with this doctor. We can do that, Mr. Speaker.

We can help the home health care agencies. We can tell them that the interim payment system that is brutalizing them, keeping them from keeping our seniors in their homes with their children and protecting them a way

from the hospital system or the nursing home, we can get a better system for those small agencies, and I am determined to do so.

And finally, Mr. Speaker, something I would like to talk about that I know America can do because America is a land of equality and good conscience and good-faith. We can pass the Hate Crimes Protection Act. Matthew Shepard should not die in vain, and neither should James Baird, and I believe that we who believe, who are believers, as well as those who want to offer the secular reasons for doing so, even if you may disagree with the beliefs that you think Matthew Shepard represented, he is a human being, and he was killed because of his sexual orientation and because of his difference.

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James Baird was killed and dismembered, beheaded in Texas, because he was black. There is no reason why we cannot pass a Hate Crimes Protection Act of 1998 that protects the disabled, it protects you if your religion is different, if your race is different, if your gender is different, if your sexual orientation is different.

We have had some 21 members of the gay lesbian community killed in this Nation because of their difference, and 10,000 hate crimes in this Nation. One person who testified in our hearings in the Committee on the Judiciary said very clearly, "I am not gay, but because it was perceived that I was gay, I was brutally beaten."

Do we want to have a Nation that fights China on human rights grounds, that fights countries in Africa on human rights ground, and yet not stand up and be counted here on the basic human decency of not beating somebody so brutally, hitting them over the head that you crush their skull, leaving like a scarecrow on a fence?

This is not about Wyoming. This is not about the good people of Wyoming or the good people in Texas or the good people in Ohio or the good people in Washington, DC. It is about a Federal standard that insists on human decency. It is about the fact that we have only 40 states that have passed their laws, that Wyoming has defeated hate crimes laws three times, that Texas hate crimes laws were so weak that we could not even prosecute those who dismembered Mr. Baird, and we may have a problem prosecuting those in Wyoming.

Let us do the right thing and pass the hate crimes protection act and all the other good initiatives that the American people want.

MAKING EDUCATION DECISIONS AT THE LOCAL LEVEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

Mr. FOSSELLA. Mr. Speaker, I think it is appropriate at this point to rewind

the tape a little bit to earlier this year in this very chamber where the President came before the Congress and the American people and requested billions of dollars in additional spending and billions of dollars in additional taxes.

Now, I believe fundamentally that trust and credibility are something that we try to contract with the people who send us here, the ability for us to go back home and tell the people back at Staten Island or Brooklyn that we are fighting to do the right thing here in this country and this Congress. And I believe, and I think a lot of the colleagues on this side of the aisle believe, that the American people are taxed too much; that too many people go to work each and every day and do not see enough come back in the form of their paycheck.

Now, indeed too much money goes to the Federal Government and not enough comes back to the people in Staten Island, the ones that I represent. Obviously what has happened is the Republican majority in the last several months has fought for much needed tax relief and fought for the elimination of the ridiculous marriage penalty tax, whereby millions of American couples are penalized through the Tax Code for being married. That means they pay an additional fee over and above what they should pay just because they are married.

In addition, there are a lot of small business owners around this country who want good health insurance, but they can only deduct approximately 45 percent of that health insurance. What that means essentially is the Federal Government takes that money in place of good health insurance, affecting many of the small business owners' decisions when it comes to the uninsured and providing health insurance for their families. This Congress offered 100 percent deductible to be imposed next year. Not to mention the fact we are trying to stimulate our economy by allowing our economy to grow, and that means getting the money out of Washington and allow people, whether it is in Staten Island, San Francisco, anywhere across the country, to reinvest the money, to save money.

Basically, folks, it is the freedom to spend your money as you see fit and not here in Washington. And we fought month after month, and what happened? The President threatened to veto it and killed the tax relief that was so desperately needed from so many people across this country.

Now we see an attempt to divert attention away from the issue at hand, and, yes, it becomes under the guise of education. Who could not stand in this well and say we do not want to improve education? We have been fighting for years to try to improve education, at least I know back on Staten Island. But there is a philosophical and fundamental difference as to who is best able to make those decisions.

Now, I stand firm and I stand strong to say the people on Staten Island, the

parents and the teachers and the principals and the administrators back home are in a better position to make those decisions than bureaucrats here in Washington. All they want to do is send billions more to fund those bureaucrats, to fund the big government, instead of sending the money back home.

We have tried to make progress over the years, but the defenders of the status quo who love more government and bigger government and more bureaucrats at the expense of the children and the families, all they can do is say "no" and divert attention.

Education savings accounts, empowering parents with the flexibility to make the decisions best for their children passed this House. Vetoed by the President. Opportunity scholarships for the students of the Washington, DC school system. To the chagrin of the people on the other side who say it is taking money away, no, in fact, it was not. That is not true. It was money over and above what we were sending to the Washington, DC school system to go to the poorest students who were trapped in the horror of the Washington, DC school system. An opportunity for 2,000 students. The President vetoed it.

More money to the classroom. Ninety-five percent of the Federal money that now finds its way too often in Washington, we were sending it back home to Staten Island and Brooklyn, to the classroom where it is needed most. What happened? A threatened veto. Killed by the President in the White House.

Who can argue with empowering parents, sending more money to the classroom, providing flexibility for local teachers and administrators and local school districts? I will tell you who can argue with that; the people who wanted to divert attention away from doing the people's business, divert attention away from the fact that all they want to do is make the government in Washington bigger and bigger, and take the freedom and liberty away from the people back home in Staten Island and across this country.

I believe strongly that the American people are tired of that record and want to see tax relief and better education options.

EDUCATION POLICY THAT MAKES SENSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. LEE) is recognized for 5 minutes.

Ms. LEE. Mr. Speaker, as we near the final days of the legislative session, I rise to express my real disappointment with the lack of attention that this Republican Congress has given to public education. Democrats have, month after month, put forth education initiatives to improve our public schools and to provide opportunities for all of our students. We offered an amendment

to reduce class size in primary schools to 18 children per class. It was opposed by Republicans. On two occasions we put forth legislation to allow local school authorities to build new schools and to modernize classrooms. We were not talking about Federal authorities, but we were talking about local school authorities to be able to build and modernize these classrooms. These initiatives were rejected by the Republicans.

These are only two examples of the long list of important education initiatives that Republicans have defeated this year. Even worse, they continue to propose counterproductive policies, such as school vouchers and tax incentives for private and religious schools. These efforts undermine public education.

Now, we know that a strong educational system provides students with the necessary background, skills and training to survive and to be productive members of this society and the world community.

We have also learned that education is the best form of crime prevention. A California-based think tank recently released a study showing that crime prevention efforts are more cost effective than building prisons. Of all crime prevention methods, education is the most cost effective method of crime prevention. Yet, rather than invest in education, Republicans would have us funnel more money into prisons.

We see money flowing into sources such as constructing new prisons, as if we need to prepare for the inevitable incarceration of our children. There are now plans on the drawing board to construct prisons within the next 10 to 12 years counting on children who are now 10 years old to fill them.

This is wrong. In fact, the lack of investment in education actually contributes to the enormous incarceration rate. Nineteen percent of adult inmates are completely illiterate and 40 percent are functionally illiterate. Nationwide, over 70 percent of all people entering state correctional facilities have not completed high school. In our juvenile justice system, youth at a median age of 15 read on average at the same level as most nine-year-olds.

So it is imperative that we begin to refocus on education and building schools, instead of building prisons. With children attending classes in trailers, being subjected to unheated and sometimes unsafe buildings, or packed together 35 in a classroom, it is no wonder that too many students are not learning and receiving the healthy start they need to succeed in the competitive fast-paced working world.

Education is the key to our investment in the future. We should be constructing new classrooms, building after school facilities and strengthening important programs like preschool and after school programs, not concentrating on more centers for incarceration. By attending to students' academic, physical and emotional

needs, we can prevent the experiences of neglect and abandonment that can lead to misbehavior and even criminal activity.

Investing in education makes sense. It makes sense for our national budget, it makes sense for the safety of our communities and it makes sense for the well-being of our children. It is my hope that in the final hours of negotiation and debate, that this Congress can pull together and give the remaining public education initiatives the priority they deserve. We owe at least this much to our students.

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

(Mr. DAVIS of Virginia addressed the House His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. MICA. Mr. Speaker, I ask unanimous consent to take the time previously allotted to the gentleman from Virginia (Mr. DAVIS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

SCANDAL IN WASHINGTON CONCERNING PUBLIC EDUCATION

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

Mr. MICA. Mr. Speaker, I would like to talk about scandal in Washington. The scandal in Washington really is what the Democrats and the former majority party did to public education in 40 years.

In 40 years, when they controlled the House and the other body, they nearly destroyed public education. If you ask anyone, any teacher, any high school principal or elementary principal in our public schools what is wrong with our schools today, they will tell you, very simply, it is not just a need for more teachers and better teachers, it is a question of some fundamentals.

We have lost control of our classrooms, they will tell you. There is no discipline in the classroom. Why is there no discipline? Because the liberal policies of the other side for 40 years has eroded the principles of discipline, the power to the teacher, the power to the local school board, the power to the parent. That is one of the major problems facing our public schools today. So the scandal is what they have done to public education in the United States.

Let me tell you about the other scandal that they have committed in education. The scandal is they have created a bureaucracy that is unparalleled