

drugs and gangs. He said, they are all three the same thing. They are drugs. Eighty-five percent of the murders, all the gangs, they are all narcotics. So we kept the three people in the HIDTA and I cut other people. But let me tell you, you transfer this to OCADEF or another agency from HIDTA, they are gone. We had a cooperation agreement with the United States. The Justice Department says about OCADEF, which is a wonderful agency and has a function, but it is Washington-run. It does not have a 50-50. I asked them about that. They would not guarantee that. They do not have a plan. They do not know why. They do not have any evidence that the HIDTAs are not working. In fact, we have a 5 percent reduction in drug use around the United States. All these things are working reasonably well. They cannot list one single HIDTA that they want to get rid of. What they want is control of the funds and HIDTA does not give them control of the funds because the HIDTAs have, in Chicago I think it is \$30 million invested from State and local and \$3 million from the Federal. That is a wonderful deal, if we could leverage \$3 million and get \$30 million and we are seeing this in market after market.

So what does the administration propose to do it? Gut it. Then the Byrne grants are there. That is a complete zero out. My drug task force in my district does not exist without a Byrne grant. That is what keeps it there. That is what has kept it there for the last 10 years. Every year they have to spend a limited amount of coming in here saying, please deal with the Byrne grants because we keep proposing it. Every year we put the Byrne grants down. This is the year to say, Look, we're not going to change this program. Stop proposing it. We're not going to change. But this year because they are doing Byrne grants simultaneously with the HIDTA changes, simultaneously with nationalizing the drug-free schools programs, simultaneously reducing the money going to State and local law enforcement for equipment, what you see is a national strategy that I never thought I would see out of my party, which is Washington knows best because you guys at the local level just don't cooperate right.

And then they are eliminating the meth hotspots program. This is a program that is not authorized, that is not developed. So how did it get to be \$35 million last year? I was told, well, these are earmarks and we don't like earmarks. Welcome to the real world. Congress does earmarks. I have been suggesting to them for several years, maybe, if it is a growing program and \$35 million is now coming through in earmarks, you ought to come up with a meth strategy, because maybe Congress is going to pass it again. My prediction is that meth hot spots will still be there because the number one thing of anybody who has a district with

meth is, I have got to go after this meth and I am going to go into the appropriations bill and I am going to earmark it because if the drug czar does not deal with it, if the Attorney General does not deal with it, if DHS does not deal with it, then I have to deal with it because nobody else has a strategy to deal with meth in my district. So the idea that they are going to zero out meth hot spots is a tad too cute for the budget. We are not going to eliminate the meth hot spots program. We have to figure out how to run a better antimeth program. We have to figure out if there are problems and making the HIDTAs more integrated with the national strategy and work with it. But democratic government and empowerment suggests that if you have got in the United States right now, every single police chief, every single anti-narcotics officer, we have checked, the head of the National Narcotics Officers Association has said, he does not know one person who is for the President's budget with this and he does not even know one narcotics officer in America who was asked.

At our hearing on this, the head of the National Narcotics Officers Association said this. The head of the Speaker's home HIDTA in Chicago said he had not been asked. A sheriff who heads the meth HIDTA in Missouri, who was recommended to us by our Republican whip, said he had not been asked. The head of the Baltimore-Washington HIDTA for this area said he was never asked. The vice chairman of the southwest border HIDTA, the police chief in Phoenix, said he had never been asked. If you do not talk to the southwest border, if you do not talk to the leadership's home HIDTAs, if you do not talk to a single narcotics officer in the United States, how do you have the gall to send us a budget to nationalize this?

It is really important that fellow Members of Congress send a clear message. We believe in State and local law enforcement cooperation with the Federal Government and that our antidrug efforts are working. We need a resounding vote for the success of this program and continue to improve it.

#### EDUCATION

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, today is May 17, 2005. On May 17, 1954, the United States Supreme Court issued a decision in the Brown v. Board of Education of Topeka, Kansas case. Last year we celebrated the 50th anniversary of this landmark case. I expect to be joined by some colleagues of mine from the Congressional Black Caucus tonight to again take advantage of this anniversary, the 51st anniversary, to highlight problems related to education. Not only education as related

to the African-American community, to minority communities or to poor communities but education in general needs more attention in America. Whatever activities there are that allow us to focus attention on education, they are very noble and worthwhile activities with a very useful purpose.

□ 2030

We need to spend more time focusing on the role that education plays in our society, and this is just one more occasion where we can do that.

I want to congratulate the people who participated last year in the 50th anniversary celebration. We had a marvelous array of people who joined in highlighting that landmark case's 50th anniversary: corporations, foundations, all kinds of groups participated in highlighting that landmark decision. I want to particularly congratulate the Library of Congress, which had an exhibit which ran from May 13 to November 13 last year, 2004, which was entitled, "With an Even Hand: Brown v. the Board At Fifty." It was a fantastic exhibit which laid out the story in great detail, a lot of inspirational background and facts.

On May 17, 1954, the decision was issued declaring that separate education for children is inherently unequal. The Court held that school segregation violated the equal protection and due process clauses of the fourteenth amendment. African American activists laid the groundwork to challenge the racial segregation in public education as early as 1849 in a case called the case of Roberts v. the City of Boston, Massachusetts. The Brown case was initiated later and organized by the National Association For the Advancement of Colored People, the NAACP, recruiting African American parents in Topeka, Kansas, for a class action suit against the local board of education. In 1952, Brown v. The Board was brought before the Supreme Court as a combination of five cases from various parts of the country; it was not just Brown, but four other cases altogether; and they represented nearly 200 plaintiffs at that time.

The NAACP, through Brown, sought to end the practice of "separate but equal" throughout every segment of our society. It was to be a landmark decision. From education we went on to transportation, dining facilities, public schools, and all forms of public accommodation. So it was a decision that benefited us across the board, and I think we ought to take a moment to note the fact that it brought to all of us, brought to the attention of all of us the role of the Federal Government in education. It highlighted the fact that there is a major role that the Federal Government has to play in education. The Federal Government has always shown an interest in education. There are examples which I will talk about later of early, very early actions taken

by the Congress with respect to guaranteeing that States carried out some educational function.

On May 17, 1954, Chief Justice Earl Warren read the decision of the Court which stressed the importance of education in American life. This is going to read as if it was written yesterday. Chief Justice Warren said: "Today, education is perhaps the most important function of State and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the Armed Forces. It is the very foundation of good citizenship. Today, it is the principal instrument in awakening the child to cultural values and preparing him for later professional training and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity where the State has undertaken to provide it is a right which must be made available to all on equal terms. Today these words ring equally true as we prepare our children to live and compete in the global economy."

These are the words of Chief Justice Earl Warren in 1954. They show a great deal of profound insight and vision, and we are using the same language today and still having the same problem of convincing the American people, certainly those who make the big decisions about how we use our resources, that education should occupy the foremost place among our priorities for public activities.

I am going to later on deal with a case history involving my own State of New York, which directly runs contrary to statements made by Chief Justice Warren in 1954. In the great enlightened State of New York, which prides itself on leadership in so many other areas, the failure to provide a sound, basic education for the children of New York City is a major item of controversy that has been raging for the last 10 or 12 years. Today we are at a critical point where the Court has ordered the legislature to stop swindling the children of New York City and provide additional funding from State funds to make up for some of the failures of the past and to also continue providing the kind of education needed. That case I will come back to later as exhibit number one of what the problem in education is.

Regardless of whether we are talking about separate but equal, the lack of a decent education for minorities or the poor, or we are just talking about education in general, even the best education in America, the education offered in our best schools is inadequate; and every time we are measured against international standards, we are clearly falling behind. In the most pow-

erful Nation in the world, in the Nation that rightly deserves the role of leadership, we are endangering ourselves and our future by failing to pay attention closely to education.

The Congressional Black Caucus has consistently provided the impetus, been the conscience of the Congress on matters related to education. We have always made education the number one priority of the Congressional Black Caucus, and that is still true today under the leadership of the gentleman from North Carolina (Mr. WATT), who is the president of the Congressional Black Caucus.

The emphasis is on closing gaps between a lot of different kinds of activities and services in America, closing the gap between the African American community and the mainstream community; but education is particularly singled out as number one, the need to close the gap related to achievement and opportunity in education. So we have again advanced that. There was a Congressional Black Caucus alternative budget; and in that budget, the stress was placed on education.

We chose in that budget to highlight the fact that there is \$8 billion in the military budget for a missile system that most scientists and even military experts say is almost useless and never going to be fully completed, and that beginning with that \$8 billion, we should be transferring funds for some of our other objectives, certainly those related to the fact of an overblown military budget, to critical measures such as education. The best final analysis will be an educated population. It is the best defense today; it will be even truer tomorrow as we go forward.

The Congressional Black Caucus particularly singled out one bill that was introduced by a group of us under the leadership of the gentleman from Pennsylvania (Mr. FATTAH), which is called the Student Bill of Rights. The Student Bill of Rights has been introduced in several sessions, and it was reintroduced just recently on May 5 of this year. The Student Bill of Rights may be called accurately by many other names. In the past I have used the language, The Opportunities to Learn bill. The Student Bill of Rights means that the government has a responsibility to provide an opportunity to learn or to provide opportunities to learn in every way possible.

When we break down the general Student Bill of Rights proposition, it breaks down into the right to have the necessary resources to be educated. The right to have the necessary resources means that we must start with decent funding for teachers' salaries so that the people who are actually doing the teaching, who are most important in the process, are paid reasonable salaries, can expect to have reasonable careers, will stay and make use of the investment we place in them to teach children. And as the world becomes more complicated, these same people will have an incentive to stay with

their profession and get the additional education and be able to provide a more and more complex form of education.

So a bill of rights means an opportunity to learn. One of those opportunities has to be the opportunity for providing decent teachers and decent administration personnel and decent counselors. The whole apparatus of human resources for the school system comes first. But there are many other opportunities to learn which also must be taken care of.

The facilities. We need to have a decent place for teaching to take place. Yes, it is true that Aristotle, in the days of Aristotle and Plato and Socrates, they defined a school as being a log with a teacher on one end and the student on the other end. That was adequate. That is not adequate today in a world where we are trying to educate young people to play a role in this complex society of ours. We need laboratories. We need libraries. We need a physical infrastructure which houses all of this appropriately. That is as much a part of the opportunity to learn as anything else. A bill of rights for students means that that opportunity to learn should be there.

School construction is a vital part of the process. School construction and the failure to have adequate school construction has led to a situation where many, many teachers who are quite dedicated and people who want to remain in the school system leave the school system because, one, they are teaching in facilities which are outdated and make it difficult to teach; two, they are teaching in facilities which are endangering their health.

There are situations where the health of the children and the health of the teachers is endangered. Large amounts of asthma cases were found in certain areas in New York City. It has only been about 3 or 4 years since we eliminated the last coal-burning furnace in a school in New York. That took a drive and a whole campaign to highlight the fact that we still had coal-burning furnaces. Our high asthma rate often ran parallel, high asthma rates in children ran parallel to the schools with coal-burning furnaces. Teachers themselves were having respiratory problems and illnesses. So you cannot separate the physical facility from the whole process of education.

And, of course, most of our schools in a place like New York City and like New York City have very meager libraries. Elementary schools have rooms that are called libraries, but they are really not anything near the kind of libraries which are recommended by library professionals. The kind of libraries we will find in any suburban school we will not find in an elementary or junior high school within New York City and many other urban cities.

I use New York as an example because the case history there is very pertinent. The pattern of what has happened in New York City is a pattern of

what has happened all over the country. We have large concentrations of minorities and the poorest people in the cities, and that is where we have the worst education. Why? Because they are segregated? No. Even if you had maximum integration, we would still have the same problem, unless we deal with the problem behind the problem.

Why did we have segregation in the first place? Why did we need Brown v. Board of Education to end segregation? If the white power struggle insisting that we had segregated schools had been willing to raise the money and provide the resources to make every school for a nonwhite equal to the white schools, the issue probably never would have come up. It was the great disparity that existed between the schools for the African American students, the Hispanic students, and the poorest students of other minority groups, that great disparity which kept causing the problem.

The disparities were great when the schools were separate, and the unfortunate fact is that in 2005 those disparities still are great. You can go into any city, big city, and you will find several different classes of schools. You will find very good schools in some areas, and the poorest of schools in other areas, because of the fact that the problem is, the problem behind the failure of the education system in America is that the people with the power, those who make decisions in the Congress, State legislatures, in the city councils, in the executive offices of the President, the Governors and the mayors, those people who make the decisions and have the power to transform the school system do not really believe in public school systems anymore. They do not believe that they are vital.

When we believe things are important, we take action. We do not stand around and complain about how much they cost. We take the necessary action. When we wanted to put a man on the Moon, the extra billions of dollars that it took to put a man on the Moon was not an issue.

□ 2045

President Kennedy said we will go to the moon, and one President after another endorsed going to the moon and to outer space and on and on it goes, because we consider that important.

It is important, because it had a military objective if nothing else. At that time it had a military objective, and we were driven very much by the fact that the Soviet Union beat us into outer space. The Soviet Union sent Sputnik up circling the globe at a time when Congress and our executive branch said that the Federal Government should not be involved in education, that it is a matter for States, and the States would be offended if we got involved.

They looked at the situation and saw that the way the Soviet Union beat us

into outer space was to build a system of scientific education. We produced a massive number of scientists and engineers who could do the job. So we had the Defense Education Act. Many Members of Congress are too young to remember. The Defense Education Act was the first great forward movement of the Federal Government into education.

The Defense Education Act provided funds down to the elementary, secondary level, and up to the colleges, to improve education in the areas of math and science. And if you do that, of course it helps to improve education overall, because the resources provided for education in math and science can be then transferred to other areas, and education would benefit overall.

Later on under Lyndon Johnson, it became more codified in terms of understanding that this Nation was embarking upon a venture in history which required a massive amount of people who had education. So Lyndon Johnson, of course, came forward with the Elementary and Secondary Assistance Education Act, which provided funding for the schools on the basis of helping the poorest schools, the recognition that if there was a fear that the Federal Government would take over education at the local level, then we should proceed only to help those local education agencies that had problems with poverty, they could not afford to educate all of their students, so the poorest districts were the beneficiaries of the Elementary and Secondary Education Act.

Title 1 is a major title under that, and that is still true today. Title 1 is primarily focused on the poorest schools. No Child Left Behind, which encompasses Title 1 now, focuses primarily on the poorest schools. So it is understood that the Federal Government has a role to play in education, it is understood that no nation at this point in history can survive unless it pays a great deal of attention to its education system.

There is an immediate threat that we are feeling economically already in the area of high-tech education, where we thought we will always be the leader, we will have the most people who are scientists and engineers in the information industry area, that always no one can catch us there and keep producing better and better technicians and scientists and our manufacturing operations and design operations would always be ahead of the rest of the world.

We still are ahead of the rest of the world. We still are. But there is a great problem that has already been introduced at the lower levels where you cultivate the programmers, the technicians, the first level scientists. They are finding in all of the information industries that they can get cheaper personnel at the same education level or even at higher education levels by going overseas to places like India and Pakistan, and the Chinese are learning English very rapidly themselves.

The most renowned university in the area of science and engineering and information industry now is not Massachusetts Institute of Technology, it is a university in India that is recognized in the world as being the leader in the field of science engineering that has overtaken and left MIT behind.

That is just one indication of what is happening in the world because there are people who clearly understand. But the people who make decisions in our Congress and in our State legislatures do not seem to want to understand. We want to spend billions of dollars more for missile systems that do not work, billions of dollars more for jet planes that already nobody can catch. I mean, we already have planes that nobody can keep up with anyhow, no other force, no other nation is manufacturing planes of the caliber of the ones that we have, but we want to go forward and do new ones.

We want to go and fight a war in Iraq, solving a problem that had to be solved in the worst and most expensive way. And last week we just voted another \$82 billion dollars for the war in Iraq, bringing the total up above \$300 billion.

So we are setting priorities, but the wrong priorities. No nation, no matter how powerful it is, and how rich it is, can endure by wasting its resources in the way that we are presently wasting ours. Instead of investing our resources in our people and our infrastructure, and our own Nation, we are wasting our resources in numerous ways and one of them of course is the war in Iraq which is a war that we certainly can never ever win.

The war in Iraq's best conclusion, peace, will mean that the Shiites, who are the predominant population, will take over. If you have democracy, they will have the votes, and they will take over, which is wonderful, democracy should work. Whoever is in the majority should be there.

It just so happens that the Iraqis are right next to Iran, which is a Shiite nation overwhelmingly ruled by Shiites, and they have their own agenda, which is not friendly to our Nation. So we are going to hand them some partners and hand them a nation as a result of our blundering in Iraq, trying to solve a problem with force that had to be solved in some other way.

But, let me return to the celebration, the recognition of this day as the day where the landmark decision of the Supreme Court, *Brown v. The Board of Education* was decided, and say again that it highlights a turning point.

It forced the issue up to the national level. And we are still struggling with that today. As I said before, the Congressional Black Caucus has followed through and continued to put it on a front burner before the Nation. We are the foremost advocate for education reform. We are willing to spend the money necessary for education. We are willing to take it away from wasteful expenditures in places.

And the concrete piece of legislation is our Bill of Rights, which I will talk about in more detail in a minute. But in the last alternative budget, the Congressional Black Caucus alternative budget, under Function 500, education and training, we alone had large significant increases for education.

School construction we said should be increased by \$2.5 billion, at least. You really need to spend more like \$10 billion a year for the next 10 years to just get our schools back to a reasonable level so that local and State governments can then take care of them.

There is a great deal of lack of resources at the State and local level, unlike ever before. Our State and local governments are broke. All of the more reason why our Federal Government, which has the most money, all funds are local, we do not make any money here in Washington really, we print something we call money but it is all based on what happens at the local level. All taxes come from the local level. People live some place in the Nation, who pay their income taxes, and their other taxes, and that generates what runs our Government.

So all taxes are local. The money does not belong to the Federal Government. And we should have a greater voice in spending the money for the priorities that benefit the greatest number of people at the local level, not for a military machine that is somebody's dream, a Star Wars dream, a military machine that is out of control, very poorly planned, could not even fight the limited war that it undertook in Iraq.

But getting back to the Congressional Black Caucus alternative budget. School construction, we proposed to spend \$2.5 billion more. That is \$2.5 billion more than zero. We are spending almost nothing on school construction now. We have some funds in the budget for charter schools. Charter schools are a favorite of the majority party, the Republicans like charter schools.

The President likes charter schools. So they went contrary to their own philosophy, because the philosophy and the rationale that they have used is that we should not get involved in funding school construction, because that is a local and State matter. But if you like charter schools, as they do, they are willing to go right ahead and fund charter schools at the State and local level because they like charter schools.

But the funding for charter schools is a small amount too, I assure you. No Child Left Behind, which is the encompassing Federal education program, Title 1 and all others, we propose another \$12 billion for No Child Left Behind.

Elementary and secondary school counseling, we impose vocational education, \$1.5 billion more. In that same area of Function 500, related to education is job training. Adult education, we propose great increases there.

Head Start we propose a \$2 billion increase. Head Start has over and over

again been certified and cited by numerous scientists, numerous scientists, I mean education scientists, numerous experts as being a very successful program. And yet we keep chopping away at it, evaluating it to death, and finding excuses not to fully fund Head Start. \$2 billion increase in Head Start would still not fund all of the children who were eligible, but it would move us in that direction.

I might add that Head Start is not a program for minorities. Head Start is a program for poor children. And as a result, I would wager that at least 50 percent of the children who are served by Head Start now are not minorities, they are from the mainstream, they are poor. And it is important to have Head Start for them as it is for anybody else.

Individuals with Disabilities Education Act, we propose \$2 billion. What is that? That is part of special education. Special education has become quite a problem at the local level, because the Federal Government has mandated that special education must be provided as a right to any child with disabilities. We mandated it. At the time that law was authorized and mandated, we said we would pay 40 percent of the costs. But we have never paid 40 percent of the cost. We are up to about 12 percent of the cost of special education.

So what we do is we mandate this, they must do it at the local level. It puts a strain on the local education agency's budget, and hostility is generated toward people with disabilities or children with disabilities as a result of the extra costs that is necessary to educate children with disabilities. We propose a \$2 billion increase as we move toward the original authorization of 40 percent of the total cost.

Historically Black colleges and universities, we propose a \$500 million increase there. Hispanic-serving institutions, \$400 million increase. TRIO. TRIO is a program which helps to prepare youngsters for college and helps those who are in college to get off to a good start. We have found that in the year 2005, in the last few years, enrollment in colleges is going down rapidly among minority and poor students. We do not need enrollment going down, because in the final analysis, for a complex society the way you increase the pool of educated people is not by educating those who are normally going to be educated anyhow, the rich and the middle class are normally going to find ways to be educated. They always have. But as the demands on our society become greater for more educated people and more people, more education at different levels, you know, a plumber, a plumber's helper, all kinds of people need greater knowledge than they needed 20 years ago. If you do not educate that class, you are not meeting the needs of a modern society.

□ 2100

So the pool has to continue moving. The pool has to grow; and if you do not

grow the pool, you are failing to build for the future.

Our children will spit on our graves when they look at how we have squandered so many billions of dollars on meaningless activities while our education system crumbled. They will wonder what happened to this generation, what were those men and women in Congress doing, where were their heads, how dumb were they, how stupid they were at looking at the situation and understanding the implications of where the world is going.

They will wonder why we chose to waste \$300 billion on Iraq, a war which has been discredited by the fact that the President led us into it with a group of false assumptions, a war which we cannot win, a war which only hands the Iraqi nation over to Shiites which control Iran right next door. The kingdom of Iran will be expanded as a result of the end of this war.

We had a situation which backfired on us totally. They will wonder why we did it, why we were so dumb. Everybody makes decisions, whether they are in Congress or local legislatures and State legislatures or in the White House. Everybody who makes decisions should be held accountable. We are expected to have the information we need in order to go forward. So if our population in general is not wise or is greedy and they want massive tax cuts instead of expenditures for necessary infrastructure services, expenditures for education, if they are unaware of the implication of what is happening right now in China, what is happening in India and Pakistan, to say nothing of the Soviet Union, which is overlooked, we assume that the Soviet Union is standing still, but the massive education system of the Soviet Union has been cranked up again, and the Russians, the young Russians, are learning English rapidly, too.

We are concerned about Social Security. A displacement of our young working population will take place on the level of a tsunami. It will be so massive in about 10 to 20 years that we will just never know what hit us because outsourcing will be so much cheaper than hiring people who live and work in the country and pay taxes in the country.

Outsourcing to the Soviet Union, to India, to Pakistan, to China is a very interesting phenomenon. The Chinese have a Communist government still. They do not pretend they have a democratic government. They are Communists, and there were times when the business community of America, every businessman would foam at the mouth and go crazy if you mentioned communism or Communists having some kind of advantage. Yet our business community has embraced this Communist authoritarian, totalitarian regime fully, wholeheartedly because they can get a few extra pennies from the relationship, because they can profit greatly.

They have a program called Guided Capitalism, mongrel capitalism; but at

the top of it, you have a totalitarian, authoritarian group that is no different from the Communists who were there 50 years ago. They have enlightened ideas about economics. They are smart enough to know that they can build their economy on the backs of the American people and the American economy. They are even loaning us a great deal of money now to take care of our deficit. They are very bright people. After all, they have been in existence for more than 2,000 years as a unit. They have been operating together so they have the ability to see all of this and to proceed with these kind of machinations, which overwhelm this Nation and is not surprising; but we are smart enough, it seems to me, to wake up, and we must wake up, to the fact that the first threat of China is the educational threat.

When I was in grade school, I remember very vividly and was impressed by the fact that China was such a huge nation. It has always been a huge nation with a huge population, but the geography books kept repeatedly saying that China is a backward nation. The word "backward" sticks in my mind. China is a backward nation, but Chinese are backward people. Some kind of assumption in a young mind, you think, well, do they walk backwards. What does backward mean? Well, it was a racial slur. It was saying that they are inferior, the Chinese; but we know now if we did not know before that there are no inferior human beings on the planet.

Education makes the difference, and when you have a government like China's, even though it is a totalitarian, Communist, authoritarian government, it places a high priority on education. It knows that gaining a large amount of power over a short period of time is directly related to the number of people they educate.

Osama bin Laden, why are we so fearful of Osama bin Laden? Because Osama bin Laden is not some fanatic out there with a beard in the wilderness. Osama bin Laden is an engineer. Osama bin Laden is a well-educated man. The 19 murderers who crashed their planes into the World Trade Center and the Pentagon and headed for this Capitol, they were educated. The financing structure for al Qaeda is a very well-orchestrated financial structure. They are using experts. They are taking advantage of every weakness in America, every weakness in the developed nations, as well as the developing nations, too, of course.

We had earlier here tonight a presentation by one of my colleagues about the drug industry and the way in which the Afghan warlords are still being financed and the way in which the Islamic extremists are still being financed by drugs. Who is buying the drugs? Who are they manipulating in this situation but the developed nations?

So what I am saying is that at this point in history it would be wise for us

to take note of *Brown v. The Board of Education* as an important time to each year examine where we are in education in general.

Segregation was the first problem, but the problem that caused segregation is still a major problem of education in America. The problem that caused segregation was the refusal of the power structure, those people who control the resources and the money, to provide the funds to equally fund and create equal education. If equal education had been created, if they had built schools in the black community which were as good as schools in the white community, if they had had salaries for the black teachers which were the same as the salaries for the white teachers, the administrator structure and everything else, you probably never would have had an issue being made out of segregation. But the very heart of the inequality is the failure and the refusal of people in power to use the resources for those who have no power and who have little power.

The failure in our big cities is that we have people in our big cities who are suffering because they have very little power. The people who are making decisions, the mayors, what we call the permanent government, the businessmen behind the scenes are who decide which candidates they are going to finance. Usually they place the highest on cutting taxes, keeping taxes low. It does not matter what the needs are. They used to be willing to sacrifice the school system and have an inferior education system, but now they are beginning to cut into the firemen and the police, and any public activity is now on target since they have gotten a taste of what tax cuts can do.

It is monumental greed that can only be counteracted by leadership, people elected, and people elected should have time to study the situation. People elected should be accountable to our children and our grandchildren about what kind of society we are building, and we should let the people who are greedy and selfish and do not want to pay another penny in taxes as a first instance, make them understand that they care about their children, they care about their grandchildren. We are like every other living thing in this world on this planet.

Our offspring, the continuation of our species, is a major concern of ours, a major motivation of ours; and when we take our resources and refuse to develop them, to promote a structure which is going to support the development of a society for our children and our grandchildren, we are doing them a great disservice.

Everybody talks about education. Everybody should be concerned about education. Education is very complicated and folks are trying to oversimplify it all the time.

The story of the blind men who were feeling an elephant and each one came to a different conclusion because of the part of the elephant they felt, they as-

sumed that that could define the elephant. Well, in the case of education, it is just blind men feeling a dinosaur. There are so many different parts. It is so complicated until we should not oversimplify. We should not expect easy answers.

If a missile system can be tested again and again and each time it fails and one of its missiles explodes accidentally it is 18 to \$20 million and we are willing to live with that, we should live with experimentation in our schools. We should live with systems that are not evaluated or up for evaluation every 2 years, but are given a chance to succeed.

In the New York Times today, May 17, 2005, research finds a high rate of expulsions in preschool. Kids in preschool are being expelled from school at a higher rate than children in the normal pattern from 1st grade to 12th grade. We have a difficult problem here. It is an increasing problem. Some say, well, we have got more kids in school so we have got different backgrounds. But basically, we have a problem taking place at the pre-kindergarten level which has already shown itself in the early grades and in junior high school and high school.

We have an excitement gap. We have children who live in a very electronically hyped world. They have television, all kinds of devices and gadgets. They go to school and it is too dull, and some of the brightest kids are some of the first who act out. It means that it is just one more area where more resources have to be put in instead of expelling kids, which is ridiculous. We should be finding ways and doing whatever is necessary to make sure that they are there.

I said before that the Indians, Pakistanis, a number of developing nations understand the need for education in order to develop their societies, their economies; but a greater threat still and more immediate threat I started to talk about and did not complete, and that is educating people who are extremists and people who hate our way of life, the people who are ready to die in order to destroy us. They are educating them, also. They know that a human being can be taught to become a brain surgeon, a bomb maker who then can be taught to effectively man a machine gun or fly a plane into the World Trade Center. Human beings have that capacity.

So you have what you call a network of madrassas. Ever heard the term madrassas? It is a new term. After 9/11 we discovered that there are schools in places like Pakistan and Afghanistan and Saudi Arabia and a number of other places where they are learning not just science, math and religion; but they are learning how to hate and learning how to be willing to sacrifice themselves if necessary against the infidels.

So you have a massive number of people at various levels who are seen as resources. If we do not see our own population the same way, everybody as a

resource for our goals, then we are going to also experience some of the same kind of problems internally that we are facing externally.

By that I mean you are going to have youngsters who live in America, who come to the American system, who hate America, who hate in general, who are willing to take up any kind of cause and fervently pursue it in some kind of suicidal venture. Yes, we can always defeat them and always have a strong Navy and Army and Marines, but we have to pay a very costly price if we do not understand that every human being deserves to be developed and should be developed for the benefit of the Nation, and his mind and his skills should be shaped in a way which benefits and not cut them off and ignore them and let them become driftwood.

□ 2115

We are increasing our expenditures at a much more rapid rate in our prison system than in our education system. We are willing to pay \$20,000 to \$25,000 a year to incarcerate an individual. We are the Nation now in the world with the largest number of people in prison, more than 2 million and climbing. It used to be mostly men, now we have an increase in the number of women who are in prison. That is a statement about the wrong way to educate, the wrong way to proceed in developing our population.

Mahatma Gandhi said, when he went to visit a big nation, a big city, he said where are your exploited people? Who is oppressed? And he was told by the mayor and leaders of the place at the city, we have no oppressed. He said, oh, yes, you do. Take me to your prisons and I will show you who are oppressed. Take me to your prisons, and the people there, the types of people there will be an indication of who is oppressed in your society.

Take me to your prisons and you will find African American males way out of proportion to their numbers in the population. You will find Hispanic males way out of proportion to their numbers in the population. Take me to your prisons and you will find \$20,000 to \$25,000 a year being spent on those individuals while we complain in New York City about spending \$8,000 a year on children in the schools of New York.

I want to close by just quickly highlighting the Bill of Rights that I talked about that the Congressional Black Caucus sees as its centerpiece in its effort to maintain a high profile for education matters. As I said, the bill was reintroduced on May 5, 2005 by the gentleman from Pennsylvania (Mr. FATTAH) and numerous other sponsors. Among its findings is stated: A high-quality, highly competitive education for all students is imperative for the economic growth and productivity of the United States, for its effective national defense, and for achievement of the historical aspiration to be one nation of equal citizens. It is therefore

necessary and proper to overcome the nationwide phenomenon of educationally inadequate or inequitable State public school systems in which high-quality public schools serve high-income communities and poor-quality schools serve low-income, urban, rural and minority communities. That is finding number one.

Finding number two. There exists in the States an ever-widening educational opportunity gap for low-income urban, rural and minority students characterized by the following: Highly differential educational expenditures among school districts; continuing disparities within the States in students' access to fundamentals of educational opportunity; radically differential educational achievement among public school districts within the States; and on and on it goes adding up to eight major findings that are part of the introduction to the Bill of Rights, H.R. 2178.

Mr. Speaker, at the conclusion of this special order I will submit for the RECORD the findings of the Bill of Rights for Education, as well as other items relating to this topic.

Finally, Mr. Speaker, I would like to conclude with the case history that I mentioned before, the case in New York City which points out exactly, in a specific example, what is wrong with our education system in America.

We have a rich State like New York. It is not a poor State at all. We have a huge budget. We spend large amounts of money on numerous items that could be considered optional and luxuries. We are now embarking on the building of a great stadium in Manhattan for one football team, the Jets, and for the Olympics, and the city proposes to put \$100 million in, and the State will put \$100 million in. They say the rest will be paid for by the Jets' ownership. But all estimates are that before it is over the city and State will put in more like \$5 billion in order to make it work. We are selling valuable real estate at pennies on the dollar, on State-owned property upstate. The Governor recently gave away a major property for \$30,000, and on and on it goes. The money is there but the will and the power is not there to use the money for education.

In New York City, a case was brought more than 10 years ago by a group called the Committee for Education Equity, CFE. That committee won the case at the first level. Justice Leland DeGrasse ordered that the State must spend \$5.6 billion in operating funds over the next 4 years. In addition to the State aid it was giving the city already, it had to give additional aid, and \$9.2 billion in capital funds over the next 5 years to bring them up to par.

Why is this necessary? Because for the last 30 years the New York City students have been receiving less money per pupil than students in the rest of the State, and this is to correct an inequity, an injustice. It took the courts to do this. But the judge ruled it

and the case has been thwarted and avoided for the last 3 or 4 years by the Governor of the State.

The Governor first appealed the case, and so it went to the appellate division of the New York State court system. That is the next level. The appellate division overturned the original judge's decision; said he was wrong, you do not need additional money because in New York State all you need to do is to provide an 8th grade education for students to be able to come out of school, get a decent job and function in the society that we have at this point. All you need is an 8th grade education is what the appellate decision decided.

Fortunately, the court system has checks and balances and there was one higher level above the appellate division which looked at the decision of the appellate division and said it was nonsense, and they supported the original decision by the original judge. So it went back to the judge to make the decision which he has made, ordering the State in 90 days, 90 days was some time ago, to come up with a plan to comply with the court order.

So the Governor appealed it again and he got a stay on the order on the basis of the fact that this one had particular figures in it, and so it has been sent back to the appellate division. Let me just sum up. The same level of the judicial system which decided that all you need in New York City and the State is an 8th grade education 2 years ago, they now have the case back in front of them as a result of the machinations of our Governor. And so I sent a letter to the Governor, to the Attorney General, to the Speaker of the Assembly of the State of New York, and to the majority leader of the State Senate and asked them all to please obey the law.

There is a question about the power of courts around here. We are having big discussions here in Washington about selecting judges, and we think in the final analysis sometimes we have had bad decisions; other times we have had beneficial decisions. But either way our court system is a magnificent system with a set of checks and balances built in, and the kind of effort being made in the Senate now to take away the minority's right to have a meaningful role in the selection of judges is going to jeopardize this.

But, presently, the courts are there and they ought to be obeyed. They ought to be obeyed. Sometimes judges order our legislatures to do things, and when they do not do them they fine the legislature so much per day for every day that they do not comply. There have been examples of this. And other times there are State governments and legislatures that have ignored courts and the courts have done nothing about it.

An historic example of Andrew Johnson being ordered by the Supreme Court of the United States to let the Cherokee Nation alone and not drive them off their land in Tennessee. Andrew Johnson ignored the Supreme

Court, and of course nothing was done about that. So we have a problem which needs to be clarified in law in our society. The courts ought to be obeyed. You go to the courts as a last resort.

So I wrote this open letter to Governor Pataki, the Attorney General, and the other people where I said please obey the law. New York's highest court has ordered the State of New York to provide New York City schools an additional \$5.6 billion in operating expenses over 4 years, and \$9.2 billion in facilities funding over 5 years to ensure that the city's children have their constitutional right to the opportunity for a sound basic education. And I go on and on to say that the case has been lingering; it has been 262 days since the court deadline was passed, and we would like some action.

Mr. Speaker, I will enter this letter to the Governor of New York State, Governor Pataki, for the RECORD, because it is an example of the kind of case which pinpoints the fact that the children of our Nation, the parents of our Nation, the people who care about education in our Nation are at war with a group of leaders and decision-makers who are the major problem. They do not want to understand in many cases, they do not understand in some cases, but they are the major impediment to the building of an educational system which will cost money. It will cost resources.

Folks talk about we are spending so much more than we used to spend. When Pearl Harbor was attacked, the United States owned only four vehicles, four cars. No airplanes for the President. Look where we are now in terms of our military apparatus, our governmental apparatus. The government moved on and the United States of America moved on. We produced what we needed for World War II. We won the war because we cared about it. It was vital. We went to the moon because we cared about it. It was vital. We can do anything we care about if it is vital.

We do not understand how vital education is and that is our central problem. The leadership, including the Members of Congress, have to come to grips with the problem that we are failing the generations to come by not providing an adequate education structure. The ruling in *Brown v. Board of Education* set off a domino effect which has built the knowledge that the Federal Government does have a role. It has a major role, and we must stop trying to thwart that role but cooperate with it in order to build a better Nation.

Mr. Speaker, at this point I will conclude and submit for the RECORD those documents I referred to earlier:

(a) FINDINGS—The Congress finds the following:

(1) A high-quality, highly competitive education for all students is imperative for the economic growth and productivity of the United States, for its effective national defense, and for achievement of the historical

aspiration to be one Nation of equal citizens. It is therefore necessary and proper to overcome the nationwide phenomenon of educationally inadequate or inequitable State public school systems, in which high-quality public schools serve high-income communities and poor-quality schools serve low-income, urban, rural, and minority communities.

(2) There exists in the States an ever-widening educational opportunity gap for low-income, urban, rural, and minority students characterized by the following:

(A) Highly differential educational expenditures among public school districts within States.

(B) Continuing disparities within the States in students' access to the fundamentals of educational opportunity described in section 112(a).

(C) Radically differential educational achievement among public school districts within the States, as measured by the following:

(i) Achievement in mathematics, reading or language arts, and science on State academic achievement tests and measures, including the academic assessments described in section 113(b)(1).

(ii) Advanced placement courses offered and taken.

(iii) Scholastic Aptitude Test (SAT) and ACT Assessment scores.

(iv) Dropout rates and graduation rates.

(v) College-going and college-completion rates.

(vi) Job placement and retention rates and indices of job quality.

(3) As a consequence of this educational opportunity gap, the quality of a child's education depends largely upon where the child's family lives, and the detriments of lower quality public education are imposed particularly on—(A) children from low-income families; (B) children living in urban and rural areas; and (C) minority children.

(4) Since 1785, the Congress of the United States, exercising the power to admit new States under article IV, section 3 of the Constitution (and previously, the Congress of the Confederation of States under the Articles of Confederation), has imposed upon every State, as a fundamental condition of the State's admission, the following requirements:

(A) One, and sometimes two, square-mile lots in every township were to be 'granted and . . . reserved for the maintenance and use of public schools'.

(B) '[S]chools and the means of education [are to] be forever encouraged'

(C) 'State conventions [were to] provide, by ordinances irrevocable without the consent of the United States and the people of said States . . . that provision . . . be made for the establishment and maintenance of systems of public schools which shall be open to all children of said States'.

(See Ordinances of May 20, 1785, and July 13, 1787; Act of March 3, 1845, 28th Cong. 2d Sess., 5 Stat. 789, Chap. 76 (admitting Iowa and Florida); Act of February 22, 1889, 50th Cong., 2d Sess., Chap. 180 (admitting States created from the Dakota Territories); and the Acts of Congress pertaining to the admission of each of the States.)

(5) Over the years since the landmark ruling in *Brown v. Board of Education*, when a unanimous United States Supreme Court held that 'the opportunity of an education . . . where the state has undertaken to provide it, is a right which must be made available to all on equal terms', courts in 44 of the States have heard challenges to the establishment, maintenance, and operation of educationally inadequate or inequitable State public school systems. (347 U.S. 483, 493 (1954)).

(6) In 1970, the Presidential Commission on School Finance found that significant disparities in the distribution of educational resources existed among public school districts within States because the States relied too significantly on local district financing for educational revenues, and that reforms in systems of school financing would increase the Nation's ability to serve the educational needs of all children.

(7) In 1999, the National Research Council of the National Academy of Sciences published a report entitled 'Making Money Matter, Financing America's Schools', which found that the concept of funding adequacy, which moves beyond the more traditional concepts of finance equity to focus attention on the sufficiency of funding for desired educational outcomes, is an important step in developing a fair and productive educational system.

(8) In 2001, the Executive order establishing the President's Commission on Educational Resource Equity declared, 'A quality education is essential to the success of every child in the 21st century and to the continued strength and prosperity of our Nation. . . . [L]ong-standing gaps in access to educational resources exist, including disparities based on race and ethnicity.' (Executive Order 13190).

[From the New York Newsday, May 3, 2005.]

STATE REFUSES TO OVERTURN CFE STAY

(By Wil Cruz)

A state Appellate Division panel Tuesday refused to overturn a stay in Gov. George Pataki's appeal of a court order giving city schools billions of dollars in additional funding.

The court also said it would hear the appeal of State Supreme Court Justice Leland DeGrasse's order in October.

DeGrasse ruled earlier this year that city schools need an additional \$5.6 billion in operating funds over the next four years and \$9.2 billion in capital funds over the next five years to bring them up to par.

The Campaign for Fiscal Equity, which filed suit in 1993 accusing the state of short-changing city schools, had asked that the stay be lifted.

"Even though the stay was not lifted, we're gratified that the court granted our motion to expedite review of the case," Michael Rebel the group's executive director, said of the planned October hearing.

Pataki has maintained that in issuing his order, DeGrasse overstepped his judicial boundaries and failed to address accountability measures.

"Justice DeGrasse's ruling ignores important, fundamental, separation-of-powers principles and requires the state to spend too much and reform too little, so it's appropriate that it be reviewed by a higher court before taking effect," Kevin Quinn, a spokesman for Pataki, said in a statement Tuesday.

The Campaign for Fiscal Equity pushed to have the stay lifted in hopes of having the issue resolved in time for the upcoming academic year. Yesterday's decision eliminates that possibility.

AN OPEN LETTER TO GOVERNOR PATAKI ON  
LAW & ORDER FOR EDUCATION

April 19, 2005.

DEAR GOVERNOR PATAKI: I call on you to OBEY THE LAW. New York's highest court has ordered the State of New York to provide New York City schools an additional \$5.6 billion in operating expenses over four years and \$9.2 billion in facilities funding over five years to ensure the city's children their constitutional right to the opportunity for a sound basic education.

To properly shape the character and enhance the moral fiber of our children we beg

you, Governor Pataki, to show respect for law and order. You are an important role model in the lives of the youth of New York State. The spectre of public officials refusing to obey a court order baffles and discourages law-abiding citizens. We have been taught to believe that in America the courts have the power to render justice when all other avenues have closed. New York City students have been denied their fair share of funds for decades and now the courts have ordered that this injustice be corrected.

It's been 262 days since the CFE court deadline!

Governor Pataki, you have further deprived our kids by defying/appealing a court order to fairly fund our schools. The law clearly states the responsibility for giving a sound basic education to our children lies with New York State. As a public servant who has served for twenty-three years on the House of Representatives Education Committee, and prior to that, eight years on the Education Committee of the New York State Senate I want to stress the importance of this vital law and order moment in the history of New York State. After years of legislative deals, which resulted in great inequalities, the court has proclaimed justice. Along with other elected officials we urge you to OBEY THE LAW.

Please OBEY THE LAW. Set an example for our students, for our communities. Show them everyone must OBEY THE LAW.

Yours For Improved Education,

MAJOR R. OWENS,

*Member of Congress.*

#### CAFTA

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized for a period not to exceed 60 minutes.

Mr. BROWN of Ohio. Mr. Speaker, nearly a year ago, President Bush signed the Central America Free Trade Agreement, a one-sided plan to benefit multinational corporations at the expense of American workers, U.S. workers, and Central American workers, businesses, small farmers, a whole bunch of us in all those countries, both in Central America and here.

Every trade agreement negotiated by the Bush administration, every trade agreement passed by this Congress since George Bush took office, Singapore, Chile, Morocco and Australia, every one of those trade agreements was voted upon in Congress within a couple of months of the time President Bush signed the agreement. CAFTA, the Central American Free Trade Agreement, some call it the Central American Free Labor Agreement, and you will understand that in a moment, has languished in Congress for nearly 1 year without a vote because this wrong-headed trade agreement offends both Republicans and Democrats.

Just look at what has happened with our trade policy in the last decade. In 1992, the first year I was elected to Congress, we had a trade deficit in this country of only \$38 billion. That was in 1992. Last year our trade deficit was \$618 billion. It went from \$38 billion, and a dozen years later \$618 billion. It is hard to argue that our trade policy

is working with that kind of gargantuan swelling budget deficit.

Opponents to the Central American Free Trade Agreement know in fact it is simply an extension of the North American Free Trade Agreement, which clearly did not work for our country. It is the same old story. Every time there is a trade agreement, the President says it will mean more jobs for our Nation. The President says it will mean more manufacturing in the United States. The President says it will mean better wages for workers in the developing world, and as their standard of living goes up they buy more things from the United States.

Yet, with every trade agreement, from NAFTA through China, through every other trade agreement, those promises from the President fall by the wayside in favor of big business interests that simply send U.S. jobs overseas and export cheap labor abroad. According to President Bush, Senior, every billion dollars in trade, surplus or deficit, translates into 12,000 jobs.

□ 2130

So if you have a \$2 billion trade surplus, you have a net increase in your country of \$2 billion, times 12,000 jobs. You have a 24,000 job surplus increase if you have a \$2 billion trade surplus.

But instead, we had a \$38 billion trade deficit 12 years ago. Today we have a \$618 billion trade deficit. So according to the way that President Bush Sr. figured out what these trade agreements mean, that means a job loss of 7.3 million jobs to our Nation.

You can see pretty much what that meant because many of those jobs, a large number of those jobs, are manufacturing jobs. Look at the red. The red here means greater than 20 percent manufacturing job loss in our Nation in only the last 6-or-so years. You can look at almost all the Northeast, much of the Midwest, all the textile manufacturing from the South, steel and auto manufacturing here, and steel in these areas, textiles in these areas, in State after State after State. You see this kind of manufacturing job loss.

So we are going to do more of these trade agreements so we see more manufacturing job loss? That is what the Central American Free Trade Agreement is all about. In the face of growing bipartisan opposition, and make no mistake about it, the Central America free labor agreement, Central American Free Trade Agreement, call it what you want, that agreement is dead on arrival when it comes to this Congress because large numbers of Democrats and Republicans oppose this agreement.

That is why the President, unlike all of the other trade agreements which were voted on almost immediately upon the President's signature, that is why this trade agreement has been languishing for 1 year. For 11 months and 20-some days, it has not been voted on. But this year the administration is trying every trick in the book to pass

the Central American Free Labor Agreement.

For instance, the administration is linking CAFTA to helping democracy in the developing world. Defense Secretary Rumsfeld, Deputy Secretary of State Zoellick, both said the Central American Free Trade Agreement will help in the war on terror. Figure that out.

Ten years of NAFTA, 10 years of the North American Free Trade Agreement, has done nothing to improve border security between the United States and Mexico. That argument simply does not sell. The North American Free Trade Agreement did nothing for border security. We saw this kind of job loss since NAFTA, this kind of trade deficit since NAFTA, from \$38 billion 12 years ago to a \$618 billion trade deficit last year.

So the President's people tried to argue, tried to link the passage of CAFTA to making the world safe against terrorism. That did not work, so now just last week the United States Chamber of Commerce flew on a junket the six presidents from Central America and the Dominican Republic around our Nation hoping they might be able to sell the Central American Free Trade Agreement. Again they failed.

But they sent these six presidents to Cincinnati, to Los Angeles, to Albuquerque, back to Washington where they had a Chamber of Commerce reception at their very fancy headquarters, but that did not work because those six Central American presidents are not strong believers in CAFTA themselves.

The Costa Rican president, for instance, announced his country would not ratify CAFTA unless an independent commission determines that the agreement will not hurt the working poor of his country.

Understand what CAFTA is all about. The average income for an American is about \$38,000. The average income for a Honduran or a Nicaraguan is less than one-tenth that. So think about that. A \$38,000 average income for an American. And on that income many Americans can buy a washer and a dryer, and can begin to purchase a home, perhaps. Many Americans can buy a car and begin to put away in some cases a little money for a child for college or at least borrow some money and get them to college.

But on \$2,000 or \$3,000 an average wage in Honduras or Nicaragua, they are not going to buy cars made in Ohio and washing machines made in the U.S. or steel from West Virginia or software from Seattle. They are not going to be able to buy prime beef from Nebraska. They are not going to be able to buy textiles or apparel from Georgia. The fact is that this trade agreement is not about the U.S. selling products to Central America. It is about U.S. companies looking for cheap labor and outsourcing those jobs to Latin America. That is why we have this kind of