

Mr. SAM JOHNSON of Texas. It is a rare day in Washington.

Mr. HOEKSTRA. Again I would like to express my appreciation to my two colleagues for sponsoring it and moving this bill forward. I think the reason we had such a great debate on the floor today is that Members on both sides of the aisle recognized that it was the right thing to do.

The end result is we have provided seniors the opportunity to continue doing what many of them want to do, which is to continue working because they love their jobs and in many cases they are in professions where they can mentor, train, and teach young people. This provides a wonderful avenue to keep those skills and those resources in the workplace. Congratulations to my colleague from Texas for spearheading this effort and getting it done. Now we will watch as we see what we can do to move it over to the other body.

Mr. SAM JOHNSON of Texas. I appreciate the support of the gentleman from Michigan (Mr. HOEKSTRA). I yield to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. There are a lot of parents of this bill. The gentleman from Texas is one of those parents. This is something that has been in the works with bills introduced for the last 15 or 16 years trying to correct an injustice.

It is interesting it has taken us this long. Then there is a unanimous vote to move ahead. When it is an injustice and it is moving ahead with fairness, then I think there is a general attitude in this Chamber when it is reasonable, when it is fair, when it is getting rid of something that is unjust, then it is very good.

I would just say there is another provision that I hope we can move ahead with in terms of fairness, in terms of encouraging individuals to work, and, that is, to increase benefits for individuals that, at age 65, decide to delay taking those Social Security benefits. And so if they wait a year, they should end up with more benefits. It is called delayed retirement credit. A provision of this bill that would make an 8 percent increase in benefits for every year was an amendment that I hoped to incorporate in this bill someplace along the line.

I talked to the White House, the President has agreed to it, the Democrats and Republicans have agreed to it. The actuaries at the Social Security Administration have suggested that it does not cost money because actually it might save money encouraging individuals that want to delay taking Social Security to have an increased benefit later on, to make it actuarially sound. Another point that I think is important in this issue is that widows eventually would have the higher benefit when they become widows. This kind of action, the kind of piecemeal

approach of sending one bill at a time to the President I think is the right policy decision, so you can measure the merits, the pros and cons of each policy. Again my congratulations and thanks to the gentleman from Texas for having this hour.

Mr. SAM JOHNSON of Texas. I appreciate those comments. Do you want to tell people what the percentage is right now, because you are not raising it very much.

Mr. SMITH of Michigan. Right now under the legislation as we amended it in 1983, it started at 2 percent per year increase after age 65, then it went to 4. This year it is going to 6 percent. The amendment that I have proposed would move it up to 8 percent, which is the actuarially sound amount. If you are going to live an average life span, then it is reasonable if you put off taking benefits and continue working, continuing paying the FICA tax to support Social Security, it ends up ultimately being somewhat of an advantage and so moving that 8 percent per year up until you are age 70 is a reasonable step to take.

Mr. SAM JOHNSON of Texas. But what you are saying, they will get their money back where they are not now.

Mr. SMITH of Michigan. Especially if you exercise and you live longer than the average, then you of course are going to get more than your money back. So everybody should exercise, all seniors should contribute to the workforce and contribute their talents, now they can do it under this legislation.

Mr. SAM JOHNSON of Texas. We can all live to be 100 and earn our Social Security benefits, right?

Mr. SMITH of Michigan. It is so interesting. I chaired the Social Security task force. The futurists for health care are suggesting that within 25 years, anybody that wants to live to be 100 years old would have that option.

□ 1600

Within 35 to 40 years, anybody that wants to live to be 120 years old will have that option. This is just another signal that everybody, especially younger people, better save now, so save and invest now, because who knows what medical technology is going to do.

Mr. SAM JOHNSON of Texas. Well, I thank the gentleman for joining us today. I would just like to say that I want to repeat that this legislation will take effect retroactively, from January 1 of this year, which is important to a lot of seniors. That means you can go to work right now.

Republicans agree, we have got to set in motion steps to reform Social Security overall. I think the gentleman is involved in some issues like that. I can think of no better way than by repealing the Social Security earnings limit as a start.

I always tell people, you know, I fought in two wars, Korea and Vietnam, for freedom; and I think that that entitles our seniors the freedom to earn the savings they have been putting away and paying for during their years of employment, year after year.

I think Nick probably agrees with me, America's seniors need, want, and deserve a penalty elimination. No more penalties. This is a day of freedom. I salute the gentleman and all America. Thank you.

Mr. SMITH of Michigan. Sam, everybody salutes you. You are a great American and a great veteran.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KUYKENDALL). The Chair reminds all Members that it is not in order in debate to refer to other Members by their first names.

A CRISIS IN THE JUSTICE SYSTEM IN AMERICA

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

Mr. OWENS. Mr. Speaker, today was a historic day; and I join my colleagues on the other side in celebrating the passage of the Senior Citizens' Freedom to Work Act. It is a great achievement. We all should be quite proud of it. I congratulate my colleagues. It was a bipartisan achievement, and we should all celebrate it and also take the next step. My colleagues on the other side of the aisle said we should take steps to reduce the Social Security tax as soon as possible, so I hope that that is going to be somewhere in the proposed budget proposals and appropriations proposals, that we will begin to take back, roll back, the increase in the payroll taxes.

The payroll taxes represent the largest increases in taxes over the last 2 decades. So we heard our colleagues on the Republican side say they think it ought to be rolled back. We want to endorse that wholeheartedly. Let us roll back the payroll tax and lower the taxes that people pay for Social Security.

The immortal words of Thomas Jefferson kept ringing in my ears as I listened to the debate today, "life, liberty and the pursuit of happiness," the right to life, liberty and the pursuit of happiness.

In affirming the fact that we want to take care of our senior citizens, we say we want to have more life, longer life, and we are all in favor of that. Life is sacred; and all over the world I think there is no ideology, no political philosophy at this point and no religion that condones irreverence for life.

Reverence for life exists everywhere. No political party anywhere in the world openly says that some people should be destroyed and others should be kept in existence anymore. Reverence for life is there. We hope that the reverence for life, although there might be a debate about when life begins, how early it begins, whether there is life as we know it in the womb, or afterwards, all of those debates are debates where we respect each other's opinions and ought to work that out. But certainly once a human being is here, reverence for that life ought to exist.

As we practice law enforcement, as we practice law enforcement we must all bear that in mind, that no one can be careless about another human being's life.

I am going to be on the floor discussing the Congressional Black Caucus alternative budget. I have said before that everything that we do in this Congress relates to the budget, and certainly the Social Security and the roll-back of taxes is one item that we shall propose in our Congressional Black Caucus alternative budget. We will be dealing with many other subjects, education, housing, health, health care, economic development, livable communities, foreign aid, welfare, low-income assistance, juvenile justice and law enforcement.

This last item, juvenile justice and law enforcement, was placed in the top priorities of the Congressional Black Caucus alternative budget preparation process by the gendewoman from Texas (Ms. JACKSON-LEE), who said it may not be a big budget item, she is not sure what form it is going to take, but we should address in this budget, which sets the tone for all that we are going to do this year, it will set the tone for the way the appropriations come out.

We are spending money, and in spending money we show what is most important to us. We ought to deal with the juvenile justice and law enforcement system, certainly from the point of view of African Americans and other minorities, because there has been a series of eruptions in the last year that have made it quite clear that America has a very profound problem when it comes to law enforcement for minorities.

The recent verdict in the trial of the four policemen who shot and killed Amadou Diallo is an indication of how profound that problem is. The verdict is not only outrageous because of the fact that it allows four armed policemen who shot down an innocent man standing in a doorway in the vestibule of his own home, it also is an outrage because of the fact that to cover up for those four men, a whole system went into place. The judicial system, the criminal justice system, collaborated in a coverup. We had very strange things happening.

This is a problem. There are rogue cops. There are extreme elements in the law enforcement profession. We see them all the time, from Waco to the Amadou Diallo shooting. We see it in Los Angeles, where policemen are confessing about 2 decades of placing evidence on people and pretending they are guilty, convicting them, and also beating them up and sometimes shooting them. All kinds of things are being confessed and uncovered in the Los Angeles Police Department.

We saw it in New Jersey, when finally the New Jersey State Police admitted they had an official policy of racial profiling. In Philadelphia some years ago we had the same problem of policemen who confessed after they were exposed of wrongfully placing evidence and people being convicted as a result.

We see it tragically in Illinois, where in Illinois the governor said there should be no more executions until we take steps to straighten out law enforcement and the criminal justice system so that innocent people are not placed on death row. Why did he do this? Because of 25 people who were on death row, indisputable evidence was generated to prove that 13 were innocent, 13 of 25 were innocent. That, said the governor, is more than he can take; and he decided he would no more be a part of the possibility that innocent people would die.

So we have in the whole Nation a pattern. We have 2 million people in prison in this Nation, and some people are proud of that. We are the only industrialized nation that has that kind of large number of people in prison. Most of those 2 million people in prison are people who are minorities. We have a problem that is nationwide. Amadou Diallo's case is not a New York case, and for that reason I come to the floor of the House to make certain that it gets the appropriate attention here in this forum.

Mr. Speaker, the polls are showing in New York State that the overwhelming majority of the citizens of New York think that there was a miscarriage of justice in the verdict on the Amadou Diallo trial. Black and white together demonstrated in the streets of New York against this outrage. Criminally negligent homicide was obvious, if not manslaughter. After all, 41 bullets were fired, 19 entered the body of Amadou Diallo, and some of those bullets were fired after the body was on the ground. There were bullet holes in his feet, indicating that he was lying prone and they were still shooting.

This problem of miscarriage of justice in the criminal justice system unfortunately is a nationwide problem, as I have just said, not just a New York problem. For that reason, we must insist that this Nation address the issue at this level.

We are violating human rights on a massive scale. The situation deserves

the immediate attention of the Congress of the United States. Acquittal of the officers who slaughtered Amadou Diallo is an outrageous miscarriage of justice, and it is a profound abuse of human rights.

The leadership of the Caring Majority now has a sacred duty to set forth and carry out for as long as necessary a comprehensive plan for justice for Amadou Diallo and all the related people who are victimized by an oppressive criminal justice system.

We want a permanent end to systemic police oppression and criminal justice system conspiracies throughout the entire Nation. Such a plan must include mass demonstrations, because only through mass demonstrations do we offer all citizens the opportunity to show their outrage. But beyond the direct action, there must be long-term legal, legislative and international diplomatic efforts to address this human rights abuse.

The criminal justice system in America allows itself to be contaminated by the extremists in law enforcement, by the extremists in the police profession. The rogue cops and the rogue agents are abetted by the fact that the system will not expose them.

When the rogue cops and the extremists commit crimes, or even violate ordinary procedures, immediately a coverup system goes into motion. An entire police department goes into motion to cover up the actions of a few, automatically, regardless of who they are.

Several of these police who shot Amadou Diallo had a record of being brutal and using excessive force. That record was not allowed to be discussed in the trial, one of the problems with the trial. Several of them had been involved in incidents that were of a racist nature. None of their past history could be discussed.

But all of it is relevant when you are seeking to determine which elements of the police department, which elements in the law enforcement system, are extreme and ought to be exposed. But instead of exposing them, respectful cops, people who are decent and know better, people who have a guilty conscience for years afterwards, go into motion. They call it the blue wall of silence. Automatically say nothing, do nothing to hurt your fellow policemen, and, in some cases, tell a lie, cover up.

One of the reasons Amadou Diallo was shot so many times was the fact that there is also an unwritten code which says that if you have an extreme situation like that, every cop must be involved who is on the scene. There were four, and, even though he was down and dead, all four had to shoot, because that way you had a situation where there was no innocent witness. Nobody could be innocent and be a witness to what happened against the others. That is an unwritten code, which

results in many times excessive shooting by police, large numbers of bullets being fired. The public is baffled, why did they do that? They did it so everybody would be culpable; nobody could be a witness.

When these extreme situations occur, judges become part of the process of coverup, district attorneys become part of the process of coverup. The rigged American criminal justice system has once more in the case of Amadou Diallo massacred the human rights of a powerless minority person.

Amadou Diallo was, first, a hate crime victim of deadly profiling. Policemen going through a minority neighborhood see a man on the steps of his own home, in his own vestibule, and decide he might be a criminal. If that is not racial profiling, I do not know what is racial profiling. It never happens in white neighborhoods. It never happens. We have not had these outrageous extreme cases in white neighborhoods. Amadou Diallo was a victim of police profiling.

He was, secondly, the victim of a desperate police coverup, a coverup conspiracy which began when the police officers, who knew he was already helpless, all fired bullets into his body in order to guarantee that all four would be defendants and there would be no innocent witnesses. Like the blue wall of silence, this multiple assault technique is part of an unwritten code of coverup.

Additionally, Amadou Diallo was a victim of the government's failure to appoint a special prosecutor to try a unique case involving a police department which routinely works in collaboration with the Bronx district attorney's office. Now, we have made demands for years that in cases involving police corruption, police misconduct, a special outside prosecutor who does not work with those police on an ongoing basis ought to be appointed.

□ 1615

For the last 40 years we have made that demand, and it still goes unheeded. The prosecution's case in this trial, and the whole world saw it, and I want to congratulate the judge for at least one thing, he was willing to allow the trial to be on TV. Everybody could see the ineptness of the District Attorney's presentation. Now, we cannot believe that it was by mistake.

Finally, Amadou Diallo was a victim of bold manipulation of other vital components of the judicial system. A judge who was known for his predilection to defend police officers, known for that, who was ignorant of and insensitive to the civic and social environment in which Diallo was killed. The New York City environment, this judge in Albany, the capital of New York State, knew very little about it.

And then they recruited, in this change of venue, moving from New York City, the Bronx, to Albany, they

recruited a jury that was definitely unfamiliar with the New York City factors, and large numbers of Upstate people are hostile to the whole complex set of problems that New York City faces, hostile to New York City's complex problems.

Is that a jury of peers of the police? I do not think so. They do not live in Albany. Is it a jury of the peers of Amadou Diallo? Certainly not. But not by accident did all of this happen: The venue was changed, and a judge is selected who constantly asks the jury to see the case through the eyes of the police.

When we take the charge of the judge to the jury, we would have a classic case of a jury being assaulted repeatedly with statements which push them to a decision that was an unjust decision and a miscarriage of justice. Given the negative structuring of this case, its outcome was predictable.

Nonetheless, the caring majority of our community and the entire Nation, the shock, we are not evil enough to believe there is not a level of decency below which common sense and self-evident truths will not allow even the oppressive criminal justice system to sink. There might have been subtle factors that could be twisted to confuse a jury. However, manslaughter or negligent homicide were certainly one or two obvious crimes which they should have been convicted for.

There are difficult days and months and years ahead, but the leadership of the African-American community and other endangered minorities, because the same problem in New York City is a problem in the Hispanic community, it is a problem in the Asian community, these other minorities are equally endangered. All decent, caring citizens must not allow this outrage to continue. For as long as necessary, we must unite to persevere and unite to push for justice.

Let me just pause for a moment before I ask my colleague, the gentleman from New York (Mr. MEEKS), the gentleman from Queens (Mr. MEEKS), to join me. Let me just pause and repeat what I said before.

There are a set of demands that were made in connection with the Amadou Diallo killing. On Saturday, March 27, 1999, that is a little less than a year ago, a group of people in New York City met about the Amadou Diallo case. They drew up a set of demands at that time. I am going to read those demands, those 10 demands.

As I said before a few minutes ago, these ten demands which were set forth on March 27 of 1999 were demands, most of which had been repeated over and over again for the last 40 years. The characters change. There is a different mayor now, but previous mayors have been approached in the same way.

Mayor Giuliani in this case was asked to immediately implement the

recommendations of the Mollen Commission, which existed for a long time. They called a long time ago for the establishment of an independent investigative body with full subpoena power that had jurisdiction over police corruption and police brutality in New York City.

Twice the City Council of New York has passed legislation creating a body to monitor corruption, but the mayor has done everything in his power to block its implementation, the present mayor, 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.

Abner Louima was a Haitian immigrant who was lucky that he did not lose his life after having been grossly abused in the police station. Only the hard work of a hospital which was able to deal with the damage done to his internal organs saved his life, and he at least is alive today, but there are probably few police brutality victims who have lived after experiencing such horror.

The second demand made this time, and it has been made for the last 40 years, was that a civilian complaint review board be immediately appointed. We had one that was dismantled by this present mayor; that it be immediately reappointed, that it be strengthened and fully funded, so it can effectively investigate civilian complaints of police misconduct.

The civilian complaint review board has been on the table for 40 years. For 40 years this reasonable proposal has been frustrated and distorted, and we have had enough. There are members of our community that we have appealed to, not to get irrational, not to be emotional, do not become violent, do not do anything outrageous, that would injure and harm individuals or groups or the image of our city or the image of our neighborhoods.

Let us all be rational and reasonable. Let us understand that we are all disciples of Martin Luther King, and non-violence is the way to work out these kinds of problems. They are waiting for us to work them out. We have made these reasonable demands for 40 years, and for 40 years we have not been able to make any headway.

The third demand, the State legislature must pass legislation creating a 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.

This was a reasonable demand made by reasonable people, and they have ignored it. Only under great pressure,

only under great pressure did the last Governor, Governor Cuomo, appoint a special prosecutor in the horrifying Griffith case, where a man was chased to his death on a highway, but that was an exception to the rule. Why not as a rule do what is rational and reasonable; understand that the District Attorneys cannot effectively prosecute the police? They work with the police every day. They are not in a position to prosecute the police. There is a gross conflict of interest that we cannot overcome.

Item four, 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 officers.

I can only tell the Members that I know police officers who say that when this effort was made, under pressure, with one of the two teams that they pretended to introduce comprehensive training related to racial and cultural sensitivity, that it has been a big joke. The police force has laughed it into oblivion. They do not take it seriously because the command from the top does not make themselves take it seriously. This is a reasonable demand.

Demand number four is a reasonable demand. Why is it not met? Why do they not respond to reasonable demands?

Demand number four, the New York Police Department should reflect the makeup of the citizen population it serves. New York City police officers should live in New York City. The State legislature should immediately pass a law mandating residency for city officers.

This is a reasonable demand. I ask Members, anywhere in America, is this an unreasonable demand? In most of our counties and cities throughout the United States there is a requirement that police officers and other civil servants live in the community. New York City is the exception. New York City is the exception even in New York State, where most jurisdictions require that their local police live in their jurisdiction, that they live in the city or county that they serve.

Why is New York City an exception? Because the power brokers in New York are such that they were able to force the State, to get the State legislature to pass laws which exempt New York City. They cannot do what other places in New York State can do. They cannot require a residency law.

The City Council of New York City has on several occasions passed laws which require police to live in the city; not to disrupt the lives of existing police officers and say, if you are a police officer now you have to move back into the city. No. It has been very generous, and they only require new recruits to.

Anybody coming into the police department as a new recruit must live in the city.

The City Council passed it, it has gone to the State legislature, and it refuses to pass it.

One of my close colleagues, Assemblyman Al Vann, has recently offered legislation again in the New York State Assembly. It has no chance of passing by the Republican-controlled Senate or being signed by the Governor.

This is a reasonable demand. This is the way it is done in most of America. Why cannot the power brokers, the mayor, the Governor of New York city and New York State, respond in a reasonable way to reasonable demands?

Demand number six, the police commissioner must also take specific and immediately 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.

This is a reasonable demand, that we have recruiting programs to get more minorities. The number of minorities in the police force has gone down over the last two decades instead of up. The number of minorities, Hispanic and black, are less now in the upper ranks than they were 10 years ago. We have obviously not had a sincere effort by the police department and the city administrations to meet this kind of reasonable demand.

Demand number seven, who can disagree with demand number seven, that the salary and benefits for police officers must be improved? Law enforcement officers are entrusted with extraordinary responsibilities and they should be compensated accordingly.

Traditionally, New York City police officers have certainly not been underpaid when compared to the surrounding suburbs, but now their pay is falling behind. We think that the recruitment problem of high-quality people, whether they are white or African-American or Hispanic, the recruitment of high-quality people is enhanced by maintaining decent salaries and benefits, and certainly the members of the police department do not disagree with us on that one.

However, we see no special effort to package the police benefits and salaries and the recruitment program in a way to attract more minorities to the present police structure.

Demand number eight, the police department's 48-hour rule, which delays the ability of the New York Police Department investigators to question any police officer charged with violations of New York Police Department rules and regulations, must be eliminated. They have 48 hours in which they cannot question a police officer in New York. If something goes wrong, he has 48 hours to get his story together. We cannot question him until the 48-hour period has elapsed.

Demand number nine, that 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. That is point number nine.

I must congratulate the mayor and the city administration for responding to point number nine. After the death of Amadou Diallo, at least there has been a restriction on the use of hollow point bullets. So we have ten demands, and one, there has been a reasonable effort made to try to comply with it.

Point number 10 is addressed not to the mayor of New York City, but to the Congress. 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.

The Justice Department is still too timid in its approach to the violation of civil rights and human rights of citizens across the country by police and the criminal justice system. These are reasonable demands, and when we tell our people in our districts, be reasonable, do not get too emotional, we are going to resolve this problem through nonviolent, legal, rational means, we are going to negotiate it through, as leaders we would like some response from the other side of the table.

The other side of the table not only includes Mayor Giuliani, in the case of New York City, not only includes Governor Pataki, but the whole power structure of New York, the businessmen and what we call the permanent government of New York.

□ 1630

Certain organizations and institutions sit there year after year as we make these demands and they put no pressure on to make certain that reasonable responses are made to reasonable demands. They are as guilty as the public officials who year after year, administration after administration, ignore these reasonable demands.

At this point, I would like to yield to the gentleman from New York (Mr. MEEKS), my colleague from Queens, who is also a member of the Task Force on Police Brutality of the Congressional Black Caucus.

Mr. MEEKS of New York. Mr. Speaker, I compliment my colleague, the gentleman from New York, (Mr. OWENS) for his very eloquent statement. As indicated, I am the cochair of the Congressional Black Caucus's Task Force on police brutality. And just late last year as a task force, we traveled and conducted four hearings around this country; one here in Washington, D.C.; one in New York City; one in Chicago, Illinois; and one in Los Angeles, California.

The theme of the testimony that we heard was the same. There seems to be a pervasive police mentality that is going on across this Nation that is very Bull Connor'ish, particularly in the African-American and Latino communities.

There was a cry throughout all of these hearings, and there were a number of other cities, major urban cities throughout this country that were crying for us to come to their cities too to conduct such hearings in which we would have heard the same type of testimony.

As a result of the Congressional Black Caucus and the gentleman from Illinois (Mr. CONYERS), the ranking member of the Committee on the Judiciary, and a number of organizations such as the American Civil Liberties Union, the National Council of La Raza, the National Urban League, and the National Association for the Advancement of Colored People, the time is right, based upon the debate that we just heard from the gentleman from New York, the time is right now for us in Congress to move and pass some aggressive legislation that will begin to address this police mentality that is Bull Connor'ish.

Mr. Speaker, it will also do something to bring people together as opposed to divide us. The gentleman from Illinois (Mr. CONYERS) is sponsoring a bill very shortly that all Members of this House need to join in support of called the Law Enforcement Trust and Integrity Act of 2000.

This bill will create a national minimum standard for law enforcement agencies to meet. It provides tools for developing better operations, enhances the tools and resources available to the Federal Government as well as individual citizens to investigate and stop police misconduct, and addresses a number of issues such as deaths in custody, racial profiling, and abuses by the Immigration and Naturalization and Customs Services that have traditionally plagued Americans of color.

The time is right. It is within our national interest to have an accreditation of law enforcement agencies. There are currently no national standards and, as a result, there are huge discrepancies between law enforcement agencies and policies dealing with everything from the use of force to handling of citizen complaints.

Included in these new uniform standards would be early warning programs, civilian review procedures, traffic stop documentation and procedures, administrative due process requirements and training. The bill also provides for law enforcement development plans, management schemes, managements like the new management standards will deal with administrative due process, residency requirements, as the gentleman from New York (Mr. OWENS) was talking about, compensation and

benefits, use of force, racial profiling, early warning programs, and civilian review boards.

It will deal with training of law enforcement agencies and it will require standards in the areas of the use of lethal and nonlethal force dealing with law enforcement misconduct, including excessive force, racial profiling, and how police officers communicate with the public.

Recruitment: Law enforcement agencies will also be required to look at policies relating to recruitment and hiring a diverse force that is representative of the communities they serve. They develop valid job-related educational and psychological standards and initiatives to encourage residency and continuing education.

Oversight: Law enforcement agencies will be required to look at how they handle citizens' complaints with the potential establishment of civilian review boards and the implementation of early warning programs and administrative due process. There will be administrative due process procedures. There will be enhanced funding to combat police misconduct; enhanced authority in practice and pattern investigations.

There will be a study of deaths in custody. There will be a deprivation of rights under the color of law, a national task force on law enforcement and oversight.

An immigration enforcement and review commission should be established, as well as Federal data collection on racial profiling.

These are some of the items that will be covered in this bill that the gentleman from Illinois (Mr. CONYERS) will be coming out with very shortly called the Law Enforcement Trust and Integrity Act of 2000.

Let me move to the terrible situation, which is just a symptom of what is taking place across America, and that is the matter in regards to Amadou Diallo. I know some say that there was a jury and the jury was an integrated jury, but that is not all that matters in this particular case. What does matter, and I say this as a former prosecutor and an attorney, I know that a judge can charge one in to make one's case, or charge one out to lose their case. In listening to the charges of this judge, I knew immediately thereafter that tragedy and a miscarriage of justice would be had.

I find that a decision by the appellate division, which changed the venue of this case, which virtually denied Mr. Diallo the opportunity of having this case judged by his peers, and even the police officers who were police officers of the City of New York, there should have been members of the jury from the City of New York. The changing of venue, in my opinion, was a miscarriage of justice.

What matters is that this jury, being from Albany, was not acquainted with

the pattern and practice of police violence against minority communities in New York City. It simply cannot be that an innocent person standing at his own doorway, minding his own business, was shot down in a firing squad fashion and those who committed this act are not guilty of anything. Not even reckless endangerment.

Hundreds of millions of people around the world, who laud the virtues and the superiority of the American system of justice, can now see some hypocrisy of America's claims, particularly when it comes to people of color. All New Yorkers, indeed all Americans can also see this. And we see it, I see it, and some of the other hypocrisy of the mayor of the City of New York.

When a verdict suits the mayor, he praises the court system. But where a decision is contrary to what he wants, he calls judges and jurors silly and irresponsible.

We and our constituents will never forget that this mayor approved the creation of the Street Crimes unit that is over 90 percent white, no diversity, and that the mayor allowed it to operate under the slogan, "We own the night."

We should note with alarm the jubilation by many members of the police department in precincts around this city. Also note that it has been reported that the judge, after the verdict, went to a celebration party with the lawyers of the defendants. Imagine. Judges, police officers celebrating and forgetting that an innocent, unarmed man was killed.

Those who celebrate dismiss the death of Mr. Diallo and him as an innocent man make a mistake saying this will erase the unwarranted acts of a firing squad. Do those jubilant people believe that they made policing easier? That this is the way to garner the respect of New Yorkers? I submit not. I submit it is a Bull Connor'ish type mentality.

Have they forgotten that in New York City that a majority of the New Yorkers that they swore to defend and protect are, in fact, people of color? The killing of Amadou Diallo and the acquittal of the four police officers unfortunately follow a practice and pattern of police relations with the black and Latino community that has been in effect for a very long time.

Clearly, reforms are necessary and must be instituted with speed, courage, and determination. But it is clear that the administration of the New York City Police Department and the command structure there are incapable of instituting meaningful reforms without Federal intervention.

The City of New York is hurting today. There is an open wound there. That wound was caused by the decision that sends a message that the police can in fact fire 41 bullets at an unarmed man of color as he enters his

home. A healing of these wounds can only happen if the Justice Department conducts a thorough investigation of the violation of Mr. Diallo's civil rights.

In addition, as I said this morning, they must relentlessly evaluate and find just solutions to the patterns and practices of the New York City Police Department. If New York City is to heal, the message must be that all human life is valuable. The Justice Department is the only doctor that is available that can help us heal the wound of the City of New York.

I say to the rest of the citizens of New York, we must come together and arm ourselves with the ballot and go out this November, and every November thereafter, like we have never done in the history of this country. I yield back to the gentleman from New York.

Mr. OWENS. Mr. Speaker, I thank the gentleman from New York (Mr. MEEKS), who is also cochair of the Congressional Black Caucus Task Force on Police Brutality. I just want to repeat for all, before I yield to the gentleman from New York (Mr. TOWNS), my second colleague from New York, I want to repeat that the fact that we are talking about the verdict that the majority of New York City and New York State citizens consider to be a miscarriage of justice. We are talking about the fact that 10 reasonable demands that have been made for the last 40 years which, if they had been heeded, would have gone a long ways toward preventing what happened in the Amadou Diallo case.

We are talking about the fact that there are extremist elements in police departments, in law enforcement agencies. The rogue cops and the extremist elements, however, are aided and abetted by the cover-up procedure that takes place, from the commissioner and the mayor on down, when something goes wrong.

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The criminal justice system goes into motion to cover up these cases. Our appeal is to meet those 10 demands in the case of New York City. We will go a long ways toward seeing to it that this never happens again.

We also appeal for national action. Tomorrow, members of the Congressional Black Caucus will be meeting with the Justice Department to talk about their duty to intervene in this case, to follow through on the legislation that already exists, which enables them to investigate whether or not the civil rights of Amadou Diallo were violated. If they were violated, they can prosecute these same four policemen on the violation of the civil rights of Amadou Diallo.

We also would like national action in this Congress. My colleague, the gentleman from New York (Mr. MEEKS), has said that the gentleman from

Michigan (Mr. CONYERS) will be introducing a bill which is called the Law Enforcement Trust Integrity Act of 2000.

We would like to see a response from the entire Congress. This is a matter for the caring majority. All decent citizens should want to see to it that there are no further miscarriages of justice; all decent citizens who want to see to it that the rogue cops, the extremist elements of law enforcement, are isolated.

Mr. Speaker, beyond that, we want to let it be known that we are going to organize and appeal to the United Nations that the pattern of the violations that exist throughout the entire Nation, which ranges from Amadou Diallo's killing to the Los Angeles Police Department's confessions of gross brutality and miscarriages of justice to the fact that we have 2 million people in prison, most of whom are minorities, to the police profiling of the New Jersey State troopers, on and on it goes.

And we would like to raise this debate to a higher level and have the rest of the world look at the violations of human rights in America. Already Amnesty International has said that New York City has a pattern of police oppression which violates human rights.

I would like to yield to the gentleman from New York (Mr. TOWNS) who is from the 10th Congressional District.

Mr. TOWNS. Let me thank the gentleman for taking the time out. And I agree with the gentleman, this is something that needs to be done, and certain things need to be said.

I would also like to congratulate and thank my colleague, the gentleman from New York (Mr. MEEKS), for the work that he has done in the area of police brutality, because, as you know, throughout this Nation, the problem of police brutality is something that we must begin to address.

I am really sad today. My heart is heavy, because when I think about what is happening in this Nation, even in the city that I am from, when I think about senior citizens, a lady 93 years old said to me that you cannot even trust the police.

I think on that note, the police department should support the Law Enforcement Trust Act, because I think that the police officers that are on the force that are doing what is right should recognize that those that are doing things that are not right also creates a kind of negative stigma for the whole department and for policemen everywhere.

I think that law enforcement authorities should support the Law Enforcement Trust Act. We have had too many situations where minorities, men of color and women of color, have been shot. You could call the roll.

I mean, in New York I was just sitting there thinking in terms of Eleanor

Bumpers, in terms of what happened to her, and Michael Griffin, then Randy Evans, I could go on and on, and, of course, Amadou Diallo.

All of these are names of people that have been killed by the police department. And we have not done a whole lot to correct this over the years. We have too many people who you talk to who have horror stories about the police.

You can talk to people on the street. People stop me all the time to tell me what happened to them. So profiling, let us face it, we might as well take our heads from out of the sand and from behind trees, and realize the fact that this is something that exists and let us now come together and work toward it.

We need to make certain that we have a program put in place that is going to monitor these kinds of issues, because when you have people talking about it on a regular basis, even at church they talk about the kinds of things that the police department is doing.

The people are now afraid of the police department, that is how bad things have gotten. And I think that those policemen of goodwill understand that and should now come forth and say yes, I really feel that something needs to be done, and it needs to be done now.

The Justice Department I think now has to step in, because of the tactics that have been used by the unit, in terms of street gang units, street police units. I think that a street crime unit, the kind of tactics that they are using, I think that the Justice Department should take a look at it, because all of these people that I talk to cannot be wrong.

If you just walk the streets of New York, in terms of the communities of color, they will tell you what the police are doing; how they were stopped and how they were asked all of these different questions. And the only reason that the person stopped them is because they happened to be of color.

I think the time has come in the United States of America where we must address that. Now, I know that it is not all police officers, and I don't want to stand here and indict all of them; but I think it is enough for us to stop at this point in time and begin to address it.

To the gentleman from New York (Mr. MEEKS) and those who are having police brutality hearings around this Nation, I think that you must continue until the message is heard all over that something needs to be done, and that the things that are going on with the street crime unit and all of these things that people are complaining about must be addressed.

I do believe that if we pay enough attention and we stop for a moment, we can do something about it. Too many

people have been left with tears as a result of what has happened with the police department. It is always "I thought they had a this," "I thought they had a that."

I mean, I can tell you about the story of Randy Evans. No weapon. Police officer just shot him.

I think that we need to understand that we have to address those issues. We have to do it as quickly as possible.

Let me close by saying simply this to my colleagues, the gentleman from New York (Mr. OWENS), the gentleman from New York (Mr. MEEKS), and the gentleman from Michigan (Mr. CONYERS), who is also offering up the Law Enforcement Trust Act, I think the time has come to do that. I think that we can no longer afford the luxury of sitting back.

I think when we go to the Justice Department, we need to go with a clear message, in fact, that the street crime unit must be investigated, that tactics must be investigated. This kind of stuff should not go on in a civilized society.

So at this time I would like to yield back to the gentleman from New York (Mr. OWENS) and say to him I really appreciate the work that he is doing.

Mr. OWENS. Mr. Speaker, I want to thank the gentleman from the 10th Congressional District in Brooklyn, New York (Mr. TOWNS). He mentioned Randolph Evans as an example of the police slaughter that has gone on over the last 30 years. Randolph Evans was a young man standing in a crowd on the grounds of a housing project. There was some kind of disturbance. The police officer walked up, he put a gun to his head, and shot him in front of a whole host of witnesses.

There was no defense for that. So they came up with a defense at the trial that the police officer suffered from psychomotor epilepsy. Psychomotor epilepsy. I have never heard the term since then. But he was acquitted as a victim of psychomotor epilepsy. He had taken the life of a young man, and he was acquitted. This shows my colleagues why we were so outraged many years later to find 41 shots being fired at Amadou Diallo.

The gentleman from the 10th Congressional District of Brooklyn and I also share another problem. In the New York Times yesterday there is a report of "High Infant Mortality Rates In Brooklyn" and how they mystify experts. In Brownsville, which is in my district, in Bedford-Stuyvesant, which is mostly in the district of the gentleman from New York (Mr. TOWNS), there is an alarming increase in the number of babies who are dying at birth. While all across the Nation there seems to be a decrease, there is an alarming increase in these two communities. It so happens these two communities are communities that have the largest number of welfare recipients in New York City. The third community

suffering also is in the Bronx, a large number of welfare recipients.

The enforcement of the new Welfare Reform Act in New York City by Mayor Guiliani has been harsh and brutal. There is no mystery here. Mothers are suffering because of the harsh and brutal way in which the Welfare Reform Act is being implemented.

They are suffering from the lack of care. They are suffering from the fact that it is more difficult to get housing. It is more difficult to get help for their children. They are suffering because there is not enough day care.

So I started this discussion by saying that, whenever I come to the floor, I want to discuss the budget that we are getting ready to prepare, because the budget sets the tone for everything else we do and is important here in the House of Representatives.

The budget will guide the discussion leading to the appropriations process. The way we spend money tells the world what we think is important. We must spend money on better health care for these youngsters so at the beginning of their lives they have a chance.

We have a problem at the end, a problem with respect to young people like Amadou Diallo, Randolph Evans, and others. We do not want them to be cut down in the prime of their lives by irresponsible and reckless police officers. The rogue police officers, the extremist police officers must not be aided and abetted by the police department and the mayors and the governors and the judges. They must expose and isolate these rogue extremist elements within the application and law enforcement area throughout the Nation.

Thomas Jefferson said, "You have the right to life, liberty, and the pursuit of happiness."

I congratulated the Congress when we started. Today we took a great step forward. We moved the cap on the earnings of senior citizens. We recognize that a long life should be rewarded. Every step should be taken to make that long life as pleasant as possible. But at the end of life or in the middle or in the beginning, it is all important and equal amounts.

We want to, all three of us, declare that for all those people in our districts and the rest of New York City and throughout the State and anywhere else in the country, we want to know what action you are going to take. We have told you we call for these demands to be met. We are appealing to the Justice Department to intervene.

We are going to take the case in some form to the United Nations. There was a demonstration on Saturday before the United Nations. That is just a beginning, because there are gross violations of human rights throughout the entire Nation.

We also are going to call for an activity and an action in which everybody

can participate. We are going to call for an April week of caring majority nonviolent outrage. We had a day of outrage once in New York City. They know what that means. We are calling for an April week of caring majority nonviolent outrage where all of the citizens of New York, black and white, can express themselves. That effort will be followed by demands that the negotiations be met.

In the last 40 years, more than 50 outrageous killings of New York City citizens by the police have gone unpunished. From the children, Clifford Glover, and Randolph Evans, to grandmother Eleanor Bumpers who was killed in her own living room, mental patient Gideon Bush, and immigrant Amadou Diallo, the careless actions of individual policemen have been supported and excused by a collaborating judicial system and by the establishment press and media, by the power brokers, and the governors of New York City.

We declare that the caring majority of New York City will no longer surrender to these gross injustices. We are going to take action until they yield on our reasonable demands.

Mr. Speaker, I include for the RECORD the article in the New York Times that appeared February 29, 2000, which talks about the "High Infant Mortality Rates In Brooklyn Mystify Experts" as follows:

[From the New York Times, Feb. 29, 2000]
HIGH INFANT MORTALITY RATES IN BROOKLYN
MYSTIFY EXPERTS

(By Jennifer Steinhauer)

In central Brooklyn—where storefronts are boarded, housing projects stand in defiant opposition to the boom times, and the hospitals are more or less broke—babies are dying at rates that the city as a whole has not seen in nearly two decades. And they die, in some cases, at a rate double what the federal government has set as the infant mortality goal for the nation.

Often, they die months before they were meant to be born, their bodies a tangle of minute bones and skin, weighed in grams rather than pounds. Some never see their mother's faces; they are gone right after birth. Others leave the hospital with a shopping bag of drugs and a mother overwhelmed by her own myriad problems, and do not make it to their first birthday.

While the infant mortality rate in New York has fallen steadily in the last decade, it has fallen much more slowly in neighborhoods like Bedford-Stuyvesant and Brownsville, neighborhoods with considerable populations of new immigrants.

In New York City in 1988, babies less than a year old died at a rate of 6.8 per 1,000 which is slightly better than the national average, 7.2. Bedford-Stuyvesant, however, has one of the highest rates in the country, 14 per 1,000, a 20 percent increase over 1997. The last time the average rate of infant mortality was that high in New York City over all was 1983.

That the number is on the rise at all is startling. It stands against the national trend even in cities with severe social problems, like Washington, where the rate is 12.5 per 1,000.

In Brownsville, the story is much the same; the rate slides up and down each year,

averaging about 10 deaths per 1,000 babies in the last five years. While the disparity between children of black and white mothers has always been stark, there is evidence that the gap is closing elsewhere in the city. The infant mortality rate in the Tremont section of the Bronx, for example, is 8.1, a 54 percent decrease from 1988.

The figures have so concerned the city's health commissioner, Dr. Neal L. Cohen, that he has made reducing infant mortality one of his top priorities for this year.

There seems to be no clear answer to why the same neighborhoods stand out year after year, and why some would buck the downward trends. Experts seem to agree that even when the resources exist—prenatal care at low cost, hospitals willing to deliver babies, government-subsidized infant formula and food—it is still profoundly difficult to get many pregnant women through the doors.

"It is perplexing question," said Dr. Katherine La Guardia, who runs the ambulatory obstetrics and gynecology clinic at Brookdale University Hospital and Medical Center in Brownsville. "A huge amount of effort has gone into improving prenatal care, but we still don't know how one reaches the most unreachable."

Those are the mothers who are addicted to drugs, who are H.I.V. positive, unemployed or living in New York as illegal immigrants. Women who fit those descriptions often avoid going to see doctors before they give birth out of fear, experts said, that their babies will be taken from them or that they will be deported. Others are discouraged by family members, who do not believe in prenatal care or are suspicious of the entire medical system.

"The question is, how do we make women less afraid to get care," Dr. La Guardia said.

Other mothers want prenatal care but cannot get it because they live too far from a health clinic or hospital, or have small children and no one at home to care for them while they make the trek to the doctor.

There are also anomalies that cannot be readily explained. For instance, neighborhoods with a high concentration of immigrants from the Caribbean seem to report the highest infant mortality figures. "What is interesting about Bedford is that 42.1 percent of the women are foreign-born," said Dr. Tanya Pagan Paggio, an associate professor of medicine at the City University of New York.

"This is important because when you look at other places in the city where there is a high level of foreign-born, infant mortality rates are closer to 6 percent," Dr. Paggio said. "In Bedford, there are a lot of Caribbean people. And we know that Jamaican women have a 9.4 per 1,000 rate, Haitian women have about 11 per 1,000 and rates among women from Trinidad and Tobago are also high. You have to wonder if these women have access to service they need."

Robin Bennett is desperate not to let her baby become another sad statistic. At 23, she is pregnant with her fourth child, a baby with a heart condition. One son is in foster care, and the other lives with her mother. Her daughter, who is 18 months old, lives with Ms. Bennett in a government-subsidized apartment in Bedford-Stuyvesant.

Her problems are as complicated as they are numerous: her apartment is full of bugs that bite her baby, she said, adding that one of her children was a result of a rape. Her mother, who has AIDS, is her main line of support.

"Sometimes I cry at night because I wonder if the stress in my life gave this baby her

hole in her heart," Ms. Bennett said. She finds herself gravitating to Brooklyn Perinatal Network, an organization that tries to keep babies like Ms. Bennett's from dying by shepherding women into prenatal care, advocating for them on housing issues and giving other social support.

In fact, a lack of access to housing, nutritious food and adult support may contribute to infant mortality as much as poor medical care, many experts say.

"Prenatal care has probably been overstated," said Dawn Misra, an associate professor at the Johns Hopkins School of Public Health and an expert on infant mortality. "If you look at a program like Healthy Start, you see it is a broader initiative with resources like food, social support and other things like smoking cessation clinics, which is import because smoking may lead to low-birth-weight babies, and low birth weight is the leading cause of infant mortality."

When Bedford-Stuyvesant lost a majority of its financing in 1997 for Healthy Start, a federal program intended to help poor women have healthy babies, the infant mortality rate shot up, said Ngosi Moses, who runs the Brooklyn Perinatal Network. "When resources became scarce, those rates rose," Ms. Ngosi said. "This shows you when money is put into the community, good things happen, and when the money is pulled out, they go out."

The \$6.8 million that was spread over 22 programs in the early 1990's now has to cover 94 programs.

Brownsville is a neighborhood that a decade of economic expansion seems to have left untouched, where Healthy Start does not even exist. Rows of private homes are boarded up, and stores are scarce, save for a few of the dollar-bin variety.

The number of people, especially women, who are infected with the AIDS virus is "astounding," Dr. La Guardia said.

In most hospitals in the city, it is almost a given that a mother will leave the maternity ward with a healthy baby in her arms. In Brownsville, it is often just short of a victory.

Dr. La Guardia and her boss, Dr. Martin Gimovsky, who heads the obstetrics department at Brookdale, spend their days trying to unravel the histories and medical problems of the poor women who come through its clinics and labor and delivery floor each day. Many have never had a day of prenatal care.

On a recent Wednesday afternoon, during Dr. Gimovsky's clinic for women with high-risk pregnancies, dozens of women crammed into a waiting room. Almost all of them had had children before, including the recently homeless woman with AIDS who did not know her due date and had had virtually no prenatal care.

"You've gained weight," the resident said reassuringly.

"Well, I'm living somewhere now, so I am much more relaxed," said the woman, who would not give her name.

Cynthia Martinez, who has three children and is pregnant with a fourth, still calls her first baby, the one who was stillborn, by her name, Cynthia Michelle. "She is 10 now," she said. The baby stopped moving at 7 months, and by the time Ms. Martinez delivered her, the doctors told her she was dead.

Distraught, Ms. Martinez said that she grabbed the baby of the woman she shared a room with when it was brought in for a feeding and refused to let her go. "I just kept saying, 'You can't take this baby from me,'" Ms. Martinez, 24, said, "I guess I thought she

was mine. My mother told me that God had taken one from me but would give me more."

Few patients at Brookdale, one of the city's most financially strained hospitals, pay the full price of their care, if they pay at all. Many are covered by the Prenatal Care Assistance Program, a state-financed program for poor pregnant women.

"We work with the patients no one wants," said Dr. Gimovsky, a plump and congenial doctor, who jokes easily with the teenage girls who fill the cramped clinic space. He recruited Dr. La Guardia by likening her work to that of the Peace Corps. "You don't make any money at this," he said cheerfully, "but this is what I want to do with my life."

Although the infant mortality rates in Brownsville are historically lower than in Bedford-Stuyvesant, the March of Dimes earmarked the neighborhood for a \$152,000 program to try to get more services to women. It is also pushing legislators in Albany to raise the maximum income women may earn and still qualify for prenatal care.

Dr. La Guardia has been at Brookdale for only a few months. Unlike Dr. Gimovsky, she is businesslike, almost stern, and deeply weary over the hospital's dire fiscal situation.

"I am still in shock," she said. Money would permit the hiring of more doctors and nurses. Ultrasound machines, standard equipment in any Manhattan obstetrics office, are scarce. A portable ultrasound, the latest in technology, is unheard of.

"Clearly, there are more dollars that need to be funneled into this area," Dr. La Guardia said. "You wonder if there is any hope."

SENIOR CITIZENS' FREEDOM TO WORK ACT PASSED TODAY

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

Mr. ROYCE. Mr. Speaker, the Social Security earnings limit is a very outdated provision in the Tax Code. In fact, it goes back to the Great Depression. It was designed at that time to open up more jobs for young people during the Great Depression. The idea was that this would force seniors out of the workforce by putting this special earnings limit on them. But today in this era of low unemployment and in this era of much longer life spans, seniors should be welcome to stay in America's workforce.

What we did today in this House is to pass a bill that repeals this penalty on senior citizens who make the choice to continue to work. This was long overdue. Our seniors have worked their entire lives to build our country into what it is today. It is wrong for the Government to force them to choose between contributing to society or receiving their full Social Security checks.

In my home State of California alone, there are more than 161,000 seniors affected by the Social Security earnings test that were penalized by that test.