historic task of making the world a safer place for coming generations—not through war, but through fashioning of durable agreements and institutions. We must not—and I am sure we will not—flinch at that challenge.

This is a rare opportunity that you and I have, to serve at a time when we are setting down a whole new institutional framework for the conduct of world affairs. It has not happened in 50 years; it is happening now. I pray we are as wise as our fathers and grandfathers and grandmothers and mothers were when they did the job at the end of World War II.

I thank the Chair for its indulgence and for listening to me. I appreciate it very much.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. SPECTER. Mr. President, we are, for the information of our colleagues, in a position soon to vote on three pending amendments, and I think a fourth amendment which will be offered by the distinguished Democratic leader, Senator DASCHLE. And we expect to proceed soon to the amendment to be offered by Senator DASCHLE. And as soon as that is done, we will be proceeding to rollcall votes on four amendments. The time should not be too extensive. I just give notice to my colleagues that that will be occurring in relatively short order.

Then following the votes we will proceed to debate on the Gorton amendment, and that will leave then two principal outstanding issues—the issue of school testing, where the parties have been negotiating and may be in a position to give us a final answer soon whether they could come to agreement or whether we will have to move ahead with Senate debate on that, and the issue with respect to the pending Nickles amendment. We will see what will happen on that, if we are in a position to move ahead there. I am not sure exactly what will occur there.

Mr. President, I have just been advised that Senator DASCHLE is engaged in a meeting that he cannot leave at the moment. So we will have to defer action on his amendment.

On behalf of the leader, I have been asked by staff, at the request of the majority leader, to propound this unanimous consent request. I ask unanimous consent that at the hour of 5 o'clock today, the Senate proceed to a vote on or in relation to the Murray amendment, No. 1118; to be followed by a vote on or in relation to the Wellstone amendment, No. 1087; to be followed by a vote on the Coverdell amendment, No. 1098. And I further ask unanimous consent that there be 2 minutes of debate equally divided prior to each vote. I ask, finally, unanimous consent that no amendments be in order to any of the previous amendments prior to the vote, and that the first vote be with the customary 20 minutes, and that each additional vote be—the first vote be 15 minutes, but we have the automatic extension of 5 minutes, and each subsequent vote be limited to 10 minutes, with the extension of 5 minutes, so they can expedite the vote process.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SPECTER pertaining to the submission of Senate Resolution 121 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

Mr. SPECTER. Seeing the hour of 5 o'clock having arrived, I yield the floor.

### AMENDMENT NO. 1118

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the Murray amendment.

Mr. SPECTER. I am advised, Mr. President, that Senator MURRAY is on her way. We do not want to use up her 2 minutes. She is on her way.

So I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

There will now be 2 minutes of debate equally divided on the Murray amendment.

Mrs. MURRAY. Mr. President, this body is about to go to a vote that is not one that is unknown to this Senate. It is regarding the welfare bill that was passed a year or so ago, an amendment that we offered at that time that was unanimously approved by this body and sent to the conference committee that merely allows a woman who is a victim of domestic violence a temporary waiver from the work requirements if she needs to get medical care or she needs to change her Social Security number so that she is not pursued by her abuser, or to put her children in a safe place so she is not worried about them and can work without being concerned about what happens to her children while she is at work.

It is a temporary waiver. It has been passed by the Senate three times. Not one Senator has spoken against it. Not one Senator has voted against it. But every time it goes behind closed doors in a conference committee it is pulled out.

That is what happens to abused women constantly. In the light of day, everyone is there to say, ''I support you,'' but when they go behind closed doors they are abused.

I call on the Senate to vote with a strong voice to the members of the conference committee. We want this amendment to remain in so women across this country, children across this country, communities across this country, and police who are required to come to the scenes of domestic violence incidents are safe once again.

I yield my remaining time to Senator WELLSTONE, who has been helpful in this debate and has been very good at working through this.

The PRESIDING OFFICER. The time of the Senator has expired so the Senator must seek unanimous consent.

Mr. WELLSTONE. Mr. President, I ask unanimous consent for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I am very pleased to have worked on this with Senator MURRAY going way back when. I think it is extremely important for the protection of many women and many children in all of our States. Our States are looking for clear direction from the Congress, from the White House, and from Health and Human Services.

This amendment is very important. I hope we will have a resounding, strong vote.

The Murray-Wellstone amendment is an amendment I think the Senate will be proud to support.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1118 of the Senator from Washington, Senator MURRAY.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from New Mexico [Mr. BINGAMAN] is necessarily absent.

The PRESIDING OFFICER (Mr. ABRAHAM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 228 Leg.]

YEAS—98

| | | |
|---|---|---|
| Abraham | Daschle | Inhofe |
| Akaka | DeWine | Inouye |
| Allard | Dodd | Jeffords |
| Ashcroft | Domenici | Johnson |
| Baucus | Dorgan | Kempthorne |
| Bennett | Durbin | Kennedy |
| Biden | Enzi | Kerrey |
| Bond | Faircloth | Kerry |
| Boxer | Feingold | Kohl |
| Breaux | Feinstein | Kyl |
| Brownback | Ford | Landrieu |
| Bryan | Frist | Lautenberg |
| Bumpers | Glenn | Leahy |
| Burns | Gorton | Levin |
| Byrd | Graham | Lieberman |
| Campbell | Gramm | Lott |
| Chafee | Grams | Lugar |
| Cleland | Grassley | Mack |
| Coats | Gregg | McCain |
| Cochran | Hagel | McConnell |
| Collins | Harkin | Mikulski |
| Conrad | Hatch | Moseley-Braun |
| Coverdell | Hollings | Moynihan |
| Craig | Hutchinson | Murkowski |
| D'Amato | Hutchison | Murray |

| | | |
|---|---|---|
| Nickles | Sarbanes | Thomas |
| Reed | Sessions | Thompson |
| Reid | Shelby | Thurmond |
| Robb | Smith (NH) | Torricelli |
| Roberts | Smith (OR) | Warner |
| Rockefeller | Snowe | Wellstone |
| Roth | Specter | Wyden |
| Santorum | Stevens | |

NAYS—1

Helms

NOT VOTING—1

Bingaman

The amendment (No. 1118) was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER. Mr. President, by way of scheduling, to inform Senators as to what we anticipate, as previously ordered, we have two more votes. We then intend to go to the amendment by the distinguished Democratic leader. And then we intend to go to an amendment by Senator GORTON. It is our hope that we will vote on those two amendments this evening, not too late. That will leave us with only two major matters remaining—the issue of testing, where we may be able to have an agreement, and the Nickles amendment.

The majority leader earlier said we would like to go to final passage tomorrow morning at 9:30, if we can clear those matters and after we have these two votes, and perhaps two more votes, so that we will conclude the rollcall votes not too late. And if there is any argument on the remaining matters, we will try to vote on them tomorrow morning at 9:30 and go to final passage at that time.

I thank the Chair.

AMENDMENT NO. 1087

The PRESIDING OFFICER. There will be 2 minutes, equally divided, on the Wellstone amendment No. 1087.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I thank both managers of the bill for their fine work on Head Start. But I think we can do better. If we reach the goal the President set forth, and we say that we are for really serving 1 million children, then the Head Start Association says we need an additional $535 million to do that. That would be 1 million children. I might add that if we are talking about the early years, 1 million children is but a tiny percentage of the children that could be served by this program.

So I think we could do better. This just says let's get it up to what the Head Start Association says they need to make sure that we cover the 1 million children that we say we are committed to covering. This $535 million would come from the Pentagon budget. There is plenty of waste in that budget that we can talk about.

I hope that this amendment will get a good strong vote.

MOTION TO WAIVE BUDGET ACT

Mr. WELLSTONE. Mr. President, I also move to waive the Budget Act. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There is 1 minute in opposition to the amendment of the Senator from Minnesota.

The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, fellow Senators, I made a point of order because the Wellstone amendment seeks to add $535 million to the Head Start Program. We have already added $325 million in agreement with the President of the United States. This is a priority item. We filled every priority the President sought. And we have increased it by a total of $325 million. That is one point.

Second, Senator WELLSTONE would like to take the wall that separates defense and domestic, and he would say the appropriators can appropriate $535 million less in defense by virtue of this amendment, which essentially takes the wall and spends $535 million of defense money for Head Start, which we have already fully funded as requested by the President.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to waive the Budget Act in relation to the Wellstone amendment No. 1087. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from New Mexico [Mr. BINGAMAN] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 27, nays 72, as follows:

[Rollcall Vote No. 229 Leg.]

YEAS—27

| | | |
|---|---|---|
| Akaka | Johnson | Moynihan |
| Boxer | Kennedy | Murray |
| Bryan | Kerry | Reed |
| Bumpers | Kohl | Reid |
| Durbin | Lautenberg | Rockefeller |
| Feingold | Leahy | Sarbanes |
| Harkin | Levin | Specter |
| Hollings | Mikulski | Wellstone |
| Jeffords | Moseley-Braun | Wyden |

NAYS—72

| | | |
|---|---|---|
| Abraham | Domenici | Landrieu |
| Allard | Dorgan | Lieberman |
| Ashcroft | Enzi | Lott |
| Baucus | Faircloth | Lugar |
| Bennett | Feinstein | Mack |
| Biden | Ford | McCain |
| Bond | Frist | McConnell |
| Breaux | Glenn | Murkowski |
| Brownback | Gorton | Nickles |
| Burns | Graham | Robb |
| Byrd | Gramm | Roberts |
| Campbell | Grams | Roth |
| Chafee | Grassley | Santorum |
| Cleland | Gregg | Sessions |
| Coats | Hagel | Shelby |
| Cochran | Hatch | Smith (NH) |
| Collins | Helms | Smith (OR) |
| Conrad | Hutchinson | Snowe |
| Coverdell | Hutchison | Stevens |
| Craig | Inhofe | Thomas |
| D'Amato | Inouye | Thompson |
| Daschle | Kempthorne | Thurmond |
| DeWine | Kerrey | Torricelli |
| Dodd | Kyl | Warner |

NOT VOTING—1

Bingaman

The PRESIDING OFFICER. On this vote the yeas are 27, the nays are 72. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to. The point of order is sustained and the amendment fails.

CHANGE OF VOTE

Ms. SNOWE. On rollcall vote No. 229 I voted yea. It was my intention to vote no. Therefore, I ask unanimous consent I be permitted to change my vote. This will in no way change the outcome of that vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The foregoing tally has been changed to reflect the above order.)

AMENDMENT NO. 1098

The PRESIDING OFFICER. There will now be 2 minutes of debate under the previous order equally divided in relation to the Coverdell amendment No. 1098.

Who yields time?

Mr. COVERDELL. Mr. President, I yield 1 minute to the Senator from Arizona.

Mr. MCCAIN. Mr. President, what is the regular order?

The PRESIDING OFFICER. The Senate is not in order. The Chair requests the Senate to please come to order so the Senator from Arizona may be recognized.

Mr. MCCAIN. Is the regular order the proponent or the opponent of the amendment?

The PRESIDING OFFICER. Each side has 1 minute.

Mr. COVERDELL. Mr. President, the amendment upon which we are about to vote—incidentally, I ask unanimous consent Senator SANTORUM be added as a cosponsor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senate will please come to order so the Senator from Georgia may be recognized.

Mr. COVERDELL. Mr. President, this amendment is endorsed by the American Meat Institute, the National Pathological Association and the National Cattlemen's Association. It deals with E. coli, it deals with research, it deals with education, and it deals with health.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, this amendment if carefully read directs ''the Secretary shall.'' It also directs ''the Secretary shall provide'' funding to detect and prevent colonization in live cattle, which is to only take place in Atlanta, GA. That is the place where this amendment is intended to apply. It flies in the face of everything I have stood for, and I have committed to demand recorded votes on what I believe are earmarked pork barrel projects.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I take some exception to the remarks of the Senator from Arizona.

The PRESIDING OFFICER. The Senate is not in order. the Senator from Georgia will withhold until the Senate comes to order. There is only 40 seconds remaining on each side.

Mr. COVERDELL. Mr. President, I rest my case.

The PRESIDING OFFICER. The Senator from Georgia has concluded. Does the Senator from Arizona have any further debate?

Mr. MCCAIN. Mr. President, I have no additional remarks.

The PRESIDING OFFICER. The question now is on agreeing to amendment No. 1098, an amendment in the second degree to amendment No. 1097. The yeas and nays have been ordered. The clerk will now call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from New Mexico [Mr. BINGAMAN] is necessarily absent.

The PRESIDING OFFICER (Ms. COLLINS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 91, nays 8, as follows:

[Rollcall Vote No. 230 Leg.]

YEAS—91

| | | |
|---|---|---|
| Abraham | Feingold | McConnell |
| Akaka | Feinstein | Mikulski |
| Allard | Ford | Moseley-Braun |
| Baucus | Frist | Moynihan |
| Bennett | Gorton | Murkowski |
| Biden | Graham | Murray |
| Bond | Grassley | Nickles |
| Boxer | Gregg | Reed |
| Breaux | Hagel | Reid |
| Brownback | Harkin | Robb |
| Bumpers | Hatch | Roberts |
| Burns | Helms | Rockefeller |
| Byrd | Hollings | Roth |
| Campbell | Hutchinson | Santorum |
| Chafee | Hutchison | Sarbanes |
| Cleland | Inhofe | Sessions |
| Coats | Inouye | Shelby |
| Cochran | Johnson | Smith (NH) |
| Collins | Kempthorne | Smith (OR) |
| Conrad | Kennedy | Snowe |
| Coverdell | Kerrey | Specter |
| Craig | Kerry | Stevens |
| D'Amato | Kohl | Thomas |
| Daschle | Landrieu | Thompson |
| DeWine | Lautenberg | Thurmond |
| Dodd | Leahy | Torricelli |
| Domenici | Levin | Warner |
| Dorgan | Lieberman | Wellstone |
| Durbin | Lott | Wyden |
| Enzi | Lugar | |
| Faircloth | Mack | |

NAYS—8

| | | |
|---|---|---|
| Ashcroft | Gramm | Kyl |
| Bryan | Grams | McCain |
| Glenn | Jeffords | |

NOT VOTING—1

Bingaman

The amendment (No. 1098) was agreed to.

Mr. COVERDELL. Madam President, I move to reconsider the vote.

Mr. HARKIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1097, AS AMENDED

The PRESIDING OFFICER. Without objection, the underlying amendment, as amended, is agreed to.

The amendment (No. 1097), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

EXPLANATION OF ABSENCE

Mr. AKAKA. Madam President, I was absent on the recent vote on the motion to table the Sessions amendment. Had I been present, I would have voted aye to table the Sessions second-degree amendment No. 1125. My vote would not have changed the outcome of the vote. This morning I was issued a new legislative pager to announce rollcall votes. Unfortunately, the pager was not properly programmed and did not function when the vote was called.

I thank the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Madam President, I think we are making some good progress now. Those three votes move us much closer to being able to get to final passage.

I see the manager of the bill is here. I have been talking to the Democratic leader and I need to converse a few moments more with the manager of the bill. We are hoping maybe we can take up another amendment and get a vote in a relatively short period of time, and then after that we are working on getting some time agreement on a couple of issues. Depending on how much time is needed, then we would probably—if it is going to be a lengthy period of time, we would probably have those votes in the morning, at 9:30, one or two of them, as we come in. But we are still working through how much time is needed for debate and the time agreements. As soon as we get that all worked out we will notify the Members.

It is our plan now, I think it is safe to say, that the next major amendment we would like to take up is Senator DASCHLE's amendment and have a vote. I assume that would not take too long. At that point we hope to be able to give the Members an idea about what the remainder of the night would be and what would be the votes, if any, tonight or the first votes in the morning.

I believe we have a 20-minute time agreement on the amendment of Senator DASCHLE.

Before we begin on that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1116, AS MODIFIED

Mr. DASCHLE. I have an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 1116, as modified.

Mr. DASCHLE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I want to commend Senators SPECTER and HARKIN for the commitment they have made to educational funding levels that are represented in this bill. They certainly have demonstrated, I think, the extraordinary need for investment in education in ways that we have not seen in recent years. I am very grateful for their leadership and their responsiveness to many of these issues. The overall funding level for education is now well over the level requested by the President.

There still is some unfinished business that needs to be addressed, and this amendment addresses two very significant concerns. I am introducing, with Senator KENNEDY, this sense-of-the-Senate amendment to draw attention to two places where, in our view, more action is needed to fulfill the budget agreement agreed to earlier this year.

This amendment will call on Congress in the form of a sense-of-the-Senate resolution to authorize and increase Pell grant funding to support both independent and dependent students and, second, to fund a child literacy initiative at $260 million for this fiscal year.

I don't think there is much disagreement that Pell grants are an indispensable source of college aid for low- and middle-income students, but the current eligibility rule shortchanges too many students today. The current needs analysis system expects independent students, those whose eligibility is not linked to their parents' income, with incomes of $10,000 or higher to make such a large contribution that they receive little or virtually no help at all from the Pell Grant Program today.

Furthermore, many of these students will not be helped by the tax credits enacted earlier this year. So the rules need to be changed so that students with low incomes can get help if they need it, students that don't have families, students that are working, students that have a marginal level of income that put them right in the middle between those eligibility criteria that would favorably affect them at the low end and those eligibility criteria having to do with tax credits at the high end.

Similarly, the current rules governing the Pell Grant Program are discouraging dependent students, those whose parents' income are considered in determining eligibility, from getting part-time work. Students who have low incomes and who try to help out with their college expenses should still be eligible for some level of assistance.

The President has proposed that we modify the rules to ensure that more of the students in these circumstances have the opportunity to qualify for

Pell grants. As many as 250,000 students will be helped if the President's proposal is enacted as he proposed it. These are young people who are just getting started in life who want an education, but now their Government is denying them assistance. That simply isn't right, and we should resolve to fix it.

So I hope this amendment will send a message to the authorizing committee and the conferees to this bill that we think this provision is important and worth reconsideration. I hope that we will closely consider the issues facing these students and act on it in this bill, and in a more substantive way in other legislation as it presents itself to the Senate.

The second part of the amendment addresses a vital issue for the country, and that is literacy. We have an undeniable problem in this country. Forty percent of the Nation's fourth-grade children cannot read today at the basic level. Low achievement in reading is a national crisis, and it demands immediate attention. Children are at higher risk of falling behind in school and eventually dropping out because of it. It is important not only to these children, but for the future of this country that we address this problem head on. We can't afford to leave any child behind as we head into the next century. That is why we have to provide the full amount, the $260 million agreed to in the budget, and live up to our commitment if, to address this critical issue of child literacy. We must show that we are willing to respond to what we have said is our commitment this year.

We are falling short in that regard and this is our only opportunity to revisit the question and really ask ourselves if, indeed, we are facing up to this challenge, to this crisis, if, indeed, we want to see literacy to be a higher priority as we consider education. What will we do to address it budgetarily? We can only hope that we live up to the budget agreement we passed just a month ago.

So I hope that, on an overwhelming basis, we can support this amendment and send the message both on literacy, as well as on assisting those independent college students that we are going to live up to our words and our expectations with regard to the budget and the commitment we have made to them to give them the kind of education they deserve and need in society today.

I am asking for a rollcall vote simply because I think it is imperative that we be forceful and as certain about this issue and demonstrate the broad bipartisan commitment about these issues that I believe exists within the Chamber tonight.

So, Madam President, with that, I reserve the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Madam President, I strongly support Senator DASCHLE's sense-of-the-Senate amendment and its two key provisions—that Pell grants should be funded at a total of $7.6 billion, and that a child literacy initiative should be funded at $260 million in the 1998 fiscal year.

I also congratulate Senator SPECTER and Senator HARKIN for their leadership in making education a priority in the bill. Education is a national priority and we need to do all we can to make sure that education is accessible and affordable for all Americans of all ages and all income levels. This amount is a significant step toward achieving that goal.

Pell grants are an indispensable source of college aid for low- and middle-income students. But too often, the current eligibility rules shortchange too many students.

Single, independent students at public 4-year institutions are not eligible for a Pell grant if their annual income is over $10,000. At that low-income level, many of them will not benefit from the tax credit for college expenses recently enacted in the budget law. So fair eligibility standards for Pell grants are especially important for these students.

A similar problem faces parents trying to pay for college for their children. Current law penalizes college students who work part time to help pay the cost of their education, by reducing their eligibility for Pell grants. We should be encouraging students to work, not take out additional loans, so that they do not graduate under a mountain of debt.

The budget agreement contained a clear commitment to allocate $700 million to improve the needs analysis formula for Pell grants. The House bill provides only $500 million to meet this commitment, and the Senate bill contains no funds at all for this needed change. A strong, bipartisan vote in favor of the Daschle amendment is our best hope of achieving the reform we need in the conference because the House of Representatives, with their figures, have some disposable resources that will be available. A strong vote in the Senate will be a clear indication of a strong, bipartisan effort to channel those funds into this needed area.

The second provision of the amendment reiterates the budget agreement's promise to provide $260 million for a child literacy initiative this year. The Senate should be strongly committed to seeing that legislation authorizing the initiative is enacted as soon as possible.

Forty percent of the Nation's fourth grade children cannot read at the basic level. Low achievement in reading is a national crisis, and it demands immediate attention. President Clinton is right to focus on this critical problem, and Congress should respond. It makes no sense to delay the appropriation.

Both of these items have been considered over a considerable period of time in the discussion on the budget resolution and, basically, we are conforming this appropriation bill to what was agreed on in the budget resolution by Republicans and Democrats. We believe that there is a very, very important reason and justification in prioritizing these funds, in these two very particular areas, when this legislation goes to conference.

So I urge my colleagues to support the amendment. I hope we will have an overwhelming vote of approval to insist that the conferees find a way to pay for these two essential reforms in education. It will be a clear indication that education, and particularly for the independent students and also in the area of reading, have the wholehearted support of the Senate, and it will be a clear instruction that those functions should be given the priorities that I think all of us in this body and the American people think they should receive.

Mr. KYL. Mr. President, I rise in support of the Daschle amendment expressing the sense of the Senate in support of Pell grants. I would say to my colleagues, however, that I think we have already achieved what is intended here when the Senate considered my amendment last week.

Even though my amendment to increase Pell grant funding was not adopted, the Senator from Pennsylvania, the distinguished chairman of the Labor-HHS appropriations subcommittee, assured the Senate that, to the extent the committee could yield to the Pell grant number in my amendment and the House bill—a figure that was $528 million higher than in the Senate's Labor-HHS bill—Senate conferees would do so.

Let me read back Chairman SPECTER's remarks from the RECORD:

> I might say to my colleague from Arizona that with the additional arguments he has advanced today in a very cogent way, to the extent we can yield to the House figure, we will try to do so when we get to conference.

Mr. President, in many ways, the vote on the Daschle amendment should be an easy vote for Members of the Senate. It expresses support for the very important Pell Grant Program, but does not say where the increased funding will come from. It is not binding on the Senate.

By contrast, it was my amendment last week that expressed more than non-binding support. It would have provided the actual dollars to extend Pell grant eligibility to additional categories of needy students, including independent students without dependents.

I am sure it is not the minority leader's intent to merely add the cost of that expansion to the budget deficit—to the debt that our children and grandchildren will ultimately have to repay. But if education is as high a priority as we all believe it is, we ought to be willing to put funding for Pell grants ahead of other programs. That is what I attempted to do last week

with my amendment to fund Pell grants with offsets from the LIHEAP Program.

I can understand that some people did not agree that LIHEAP should be cut. Those who believed LIHEAP was a higher priority than education and Pell grants voted against my amendment. But then why not identify some alternative source of funding?

Mr. President, I have a letter from the chairman and ranking member of the authorizing committee—a letter that was sent to Chairman SPECTER and Senator HARKIN—pledging that, if the additional Pell grant money were provided, the Labor and Human Resources Committee would work to authorize the increase in assistance for independent students. I ask unanimous consent that the text of the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON LABOR AND HUMAN RESOURCES,
*Washington, DC, July 21, 1997.*

Hon. ARLEN SPECTER,
*Chairman, Subcommittee on Labor, Health and Human Services and Education.*
Hon. TOM HARKIN,
*Ranking Member, Subcommittee on Labor, Health and Human Services and Education.*

DEAR ARLEN AND TOM: We are writing to express our strong support for increased funding for the Pell Grant Program. Increasing the maximum Pell Grant to $3,000 should be the top funding priority for all of the higher education programs. It is also very important to increase assistance for certain categories of independent and dependent students participating in the Pell Grant Program.

The 1992 amendments to the Higher Education Act established a new Federal Needs Analysis Methodology to be used for the Pell Grant Program. The new methodology resulted from the integration of two existing formulas. In reconciling the differences, Congress attempted to minimize the impact on the current distribution of Pell Grant recipients and award amounts.

Unfortunately, single, independent students without dependents and dependent students with earnings have been hurt by the new formula. We believe some modest changes to the needs analysis formula would significantly improve the Pell Grant Program. Specifically, the income protection allowance provided for these two groups of students needs to be increased. The income protection allowance for single, independent students without dependents is too low to reflect actual living expreses. With regard to dependent students, we believe an increase in the income protection allowance will provide an incentive for students to work, rather than borrow to finance their education.

Concerns about the eligibility for these two groups of students for Pell Grant awards have been raised both at Higher Education reauthorization hearings as well as through letters from students across the country. At many campuses, the average age of the student population is over twenty-five. These students are studying to improve their skills for the job market or are starting in new fields as a result of business closures and downsizing. Pell Grant assistance is often vital to their ability to pursue a new career.

The current House Appropriations Subcommittee mark for independent students is about $500 million, subject to authorization. The amounts provided for the Pell Grant program by the House fall below the levels included in the bi-partisan budget agreement. We urge that the Senate subcommittee provide the full amount of approximately $700 million so that needs analysis adjustments for independent students without dependents and for dependent student with earnings can be made. We are aware that there are difficult decisions to be made, and addressing these needs should not be done at the expense of an increase in the Pell Grant maximum or other education programs.

We believe that we need to continue our investment in education at all levels in order to strengthen our economic and technological competitiveness. Our support for students today through the increase in the income protection allowance for independent students without dependents and for dependent students with earnings will lead to a stronger economy and a better future for the country.

If this request for funding is granted, we will work to ensure that our Committee makes the necessary changes to authorize this increase in assistance for these students. Thank you for your consideration.

Sincerely,

JAMES M. JEFFORDS,
*Chairman,*
*Committee on Labor and Human Resources.*
EDWARD M. KENNEDY,
*Ranking Member,*
*Committee on Labor and Human Resources.*

Mr. KYL. As I noted before, Chairman SPECTER has already indicated that he will move toward the higher numbers for Pell grants in conference. And the Labor Committee has indicated that it will act on the necessary authorization. So I think we have already accomplished what is intended here in the Daschle amendment. Nevertheless, since this represents another opportunity to express support for Pell grants, I will support it. However, I do hope that the conference committee will offset the increase from savings in other programs, and not just add the cost to the deficit.

The PRESIDING OFFICER. Who yields time?

Mr. DASCHLE. Madam President, if there is no other Senator seeking to debate the matter, I suggest we yield back all remaining time, and I ask for the vote.

Mr. LOTT. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Without objection, all time is yielded back. The question is on agreeing to amendment No. 1116, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from New Mexico [Mr. BINGAMAN] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 3, as follows:

[Rollcall Vote No. 231 Leg.]

YEAS—96

| | | |
|---|---|---|
| Abraham | Ashcroft | Biden |
| Akaka | Baucus | Bond |
| Allard | Bennett | Boxer |
| Breaux | Graham | McConnell |
| Brownback | Gramm | Mikulski |
| Bryan | Grams | Moseley-Braun |
| Bumpers | Grassley | Moynihan |
| Burns | Gregg | Murkowski |
| Byrd | Hagel | Murray |
| Campbell | Harkin | Nickles |
| Chafee | Hatch | Reed |
| Cleland | Hollings | Reid |
| Coats | Hutchinson | Robb |
| Cochran | Hutchison | Roberts |
| Collins | Inouye | Rockefeller |
| Conrad | Jeffords | Roth |
| Coverdell | Johnson | Santorum |
| Craig | Kempthorne | Sarbanes |
| D'Amato | Kennedy | Sessions |
| Daschle | Kerrey | Shelby |
| DeWine | Kerry | Smith (NH) |
| Dodd | Kohl | Smith (OR) |
| Domenici | Kyl | Snowe |
| Dorgan | Landrieu | Specter |
| Durbin | Lautenberg | Stevens |
| Enzi | Leahy | Thomas |
| Feingold | Levin | Thompson |
| Feinstein | Lieberman | Thurmond |
| Ford | Lott | Torricelli |
| Frist | Lugar | Warner |
| Glenn | Mack | Wellstone |
| Gorton | McCain | Wyden |

NAYS—3

| | | |
|---|---|---|
| Faircloth | Helms | Inhofe |

NOT VOTING—1

Bingaman

The amendment (No. 1116), as modified, was agreed to.

Mr. GORTON. I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GORTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Madam President, I ask unanimous-consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Madam President, the majority leader and the minority are working on a unanimous-consent agreement for the order to proceed with several more amendments tonight. Amendment No. 1122, of which I am the primary sponsor, will be the first of those amendments, and I am authorized to ask we call up amendment No. 1122 and begin the debate. It will be interrupted by the majority leader when he is prepared to offer a unanimous-consent agreement.

AMENDMENT NO. 1122, AS MODIFIED

Mr. GORTON. I ask unanimous consent amendment No. 1122 be placed before the Senate.

The PRESIDING OFFICER. Without objection, the amendment is now pending.

AMENDMENT NO. 1122, AS FURTHER MODIFIED

Mr. GORTON. Madam President, I am sending a modified amendment to the desk, and I ask unanimous consent it be considered in place of the amendment that is before the Senate now.

Mr. JEFFORDS. Reserving the right to object, I wonder if the Senator would be so good as to explain what the modifications are.

Mr. GORTON. Yes. This amendment changes the one we talked about yesterday only in that it has the distribution of the amount of money going to title I based on the total number of eligible title I students in each district rather than the total of all students in each district.

Mr. JEFFORDS. I withdraw my objection.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1122), as further modified, is as follows:

On page 85, after line 23, insert the following:

SEC. ____. (a) Notwithstanding any other provision of law, the Secretary of Education shall award the total amount of funds described in subsection (b) directly to local educational agencies in accordance with subsection (d) to enable the local educational agencies to support programs or activities for kindergarten through grade 12 students that the local educational agencies deem appropriate.

(b) The total amount of funds referred to in subsection (a) are all funds that are appropriated for the Department of Education under this Act to support programs or activities for kindergarten through grade 12 students, other than—

(1) amounts appropriated under this Act—

(A) to carry out title VIII of the Elementary and Secondary Education Act of 1965;

(B) to carry out the Individuals with Disabilities Education Act;

(C) to carry out the Adult Education Act;

(D) to carry out the Museum and Library Services Act;

(E) for departmental management expenses of the Department of Education; or

(F) to carry out the Educational Research, Development, Dissemination, and Improvement Act;

(G) to carry out the National Education Statistics Act of 1994;

(H) to carry out section 10601 of the Elementary and Secondary Education Act of 1965;

(I) to carry out section 2102 of the Elementary and Secondary Education Act of 1965;

(J) to carry out part K of the Elementary and Secondary Education Act of 1965;

(K) to carry out subpart 5 of part A of title IV of the Higher Education Act of 1965; or

(L) to carry out title I of the Elementary and Secondary Education Act of 1965; or

(2) 50 percent of the amount appropriated under title III under the headings ''Rehabilitation Services and Disability Research'' and ''Vocational and Adult Education''.

(c) Each local educational agency shall conduct a census to determine the number of kindergarten through grade 12 students served by the local educational agency not later than 21 days after the beginning of the school year. Each local educational agency shall submit the number to the Secretary.

(d) The Secretary shall determine the amount awarded to each local educational agency under subsection (a) as follows:

(1) First, the Secretary, using the information provided under subsection (c), shall determine a per child amount by dividing the total amount of funds described in subsection (b), by the total number of kindergarten through grade 12 students in all States.

(2) Second, the Secretary, using the information provided under subsection (c), shall determine the baseline amount for each local educational agency by multiplying the per child amount determined under paragraph (1) by the number of kindergarten through grade 12 students that are served by the local educational agency.

(3) Lastly, the Secretary shall compute the amount awarded to each local educational agency as follows:

(A) Multiply the baseline amount determined under paragraph (2) by a factor of 1.1 for local educational agencies serving States that are in the least wealthy quintile of all States as determined by the Secretary on the basis of the per capita income of individuals in the States.

(B) Multiply the baseline amount by a factor of 1.05 for local educational agencies serving States that are in the second least wealthy such quintile.

(C) Multiply the baseline amount by a factor of 1.00 for local educational agencies serving States that are in the third least wealthy such quintile.

(D) Multiply the baseline amount by a factor of .95 for local educational agencies serving States that are in the fourth least wealthy such quintile.

(E) Multiply the baseline amount by a factor of .90 for local educational agencies serving States that are in the wealthiest such quintile.

(4) Notwithstanding paragraph (3), the Secretary shall compute the amount awarded to each local educational agency serving the State of Alaska or Hawaii by multiplying the base line amount determined under paragraph (2) for the local educational agency by a factor of 1.00.

(e) If the total amount of funds described in subsection (b) that are made available to carry out subsection (a) is insufficient to pay in full all amounts awarded under subsection (d), then the Secretary shall ratably reduce each such amount.

(f) If the Secretary determines that a local educational agency has knowingly submitted false information under subsection (c) for the purpose of gaining additional funds under subsection (a), then the local educational agency shall be fined an amount equal to twice the difference between the amount the local educational agency received under subsection (d), and the correct amount the local educational agency would have received if the agency had submitted accurate information under subsection (c).

(g)(1) Notwithstanding any other provision of law, the Secretary of Education shall award the total amount of funds made available under this Act to carry out title I of the Elementary and Secondary Education Act of 1965 for fiscal year 1998 directly to local educational agencies in accordance with paragraph (2) to enable the local educational agencies to support programs or activities for kindergarten through grade 12 students that the local educational agencies deem appropriate.

(2) Each local educational agency shall receive an amount awarded under this subsection that bears the same relation to the total amount of funds made available under this Act to carry out title I of the Elementary and Secondary Education Act of 1965 for fiscal year 1998 as the number of children counted under section 1124(c) of such Act for the local educational agency for fiscal year 1997 bears to the total number of students so counted for all local educational agencies for fiscal year 1997.

(h) In this section—

(1) the term ''local educational agency'' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965;

(2) the term ''Secretary'' means the Secretary of Education; and

(3) the term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

Mr. GORTON. Madam President, I spoke to this amendment at length on two occasions and intend to do so again tonight, but as a matter of deference to my many friends on this side who want to speak on the amendment and to many of those on the other side who wish to do so and to go on to other business, I will reserve my principal argument until the end.

Suffice it to say this is an amendment designed to see to it that the individual school districts in the United States be permitted to spend the great bulk of the money that we appropriate, in this case somewhat over $11 million, as they see fit rather than with respect to hundreds and thousands of pages of detailed regulations that are the bane of almost every school district in the country.

The fundamental philosophical question is just this: Do we believe that individual school districts and parents and teachers know best how to handle education in their own communities, or do we believe those fundamental decisions are best left to bureaucrats here in Washington, DC? I believe the former. The opponents to this amendment believe the latter.

With that, I yield the floor to allow other Members who wish to speak to the amendment.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH of Oregon. Madam President, I am pleased to rise as one of the cosponsors of Senator GORTON's amendment. Many here, including the Presiding Officer, spent the last year campaigning, and, frankly, I made education one of the cornerstones of my campaign.

Everywhere I went there was frustration at the local level about Federal redtape, bureaucracy, burdens and costs that were imposed upon our common desire to educate our children. I said over and over again that I believed in local control. Now it is time to put to the truth what we said in how we will vote.

I am proud to cosponsor this with Senator GORTON because it does exactly what we ought to be doing.

Madam President, this amendment focuses the area of education on reform, returning the control of our education dollars back to where it belongs, at the local level. This amendment simply block grants the funds from the Department of Education for K through 12 and gives it to local schools.

As my colleague, Senator DOMENICI, stated, we keep adding regulations, adding programs, adding money. But when we get to the end of the equation, we end with a negative result and subtracting from education.

This amendment gives us the opportunity to give schools the flexibility to improve the quality of education at the local level, to improve the basic skills of reading, writing and arithmetic.

Madam President, this is an opportunity for us to do the right thing, not only by reducing the bureaucracy that exists in our school education system, but to provide our schools with the flexibility and the funding to achieve a higher standard.

I urge my colleagues to support this. I urge government at all levels, who care about education, to do so by showing, in an affirmative way, that our interest is in an educated child, our interest is not in adding to well-funded bureaucracies. I urge support of this amendment.

I yield the floor.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. McCONNELL. Madam President, I have listened with considerable interest to the comments of my friend and colleague from Washington with regard to his amendment. I would like to make certain that I understand what he seeks to do.

I say to my friend from Washington, is the Senator from Kentucky correct that the Gorton amendment, with the exception of IDEA, I gather—or is that still excepted?

Mr. GORTON. With the exception of IDEA impact aid, and a few other smaller categoric aid programs.

Mr. McCONNELL. Would it essentially distribute the balance of Federal educational funds for elementary and secondary education to the school districts of America?

Mr. GORTON. It would.

Mr. McCONNELL. And would it be safe to say that, in all likelihood, the school districts of the Commonwealth of Kentucky would receive more Federal assistance under the amendment of the Senator from Washington than they currently receive?

Mr. GORTON. I cannot answer that question categorically. I can say that we have something over $11 billion in this appropriations bill, which would be distributed pursuant to this amendment. Because at the present time the administrative costs —the sand in the wheels—amounts to about 15 percent of all of the money that we as taxpayers send to Washington, DC, that goes to the Department of Education, before it gets back, the total distribution to the school districts of the United States will be more than a billion and a half dollars more than it is at the present time, which means—just in simple mathematics—that a great bulk of school districts will end up getting more money. Moreover, that 15 percent doesn't include the amount that the State superintendents of public schools take out of most of these categorical aid programs for their part of the administration at the present time, further enhancing the amount of money that will get to each individual school district.

Even having said that, I say to my friend from Kentucky, I believe the most important single element in this bill, from the point of view of having money spent on children's education, is the removal of the huge numbers of requirements to meet the qualifications for hundreds of different categorical aid programs, which now come out of even the money that gets to the school districts, who must hire all kinds of administrators to see to it that the money is spent in this federally determined, uniform category. One school district superintendent, reported to me by one of my friends, has said something that is consistent with what I hear from my own State: ''We get about 10 percent of all of the money we spend on schools from the Federal Government, but 60 percent of all of the forms we have to fill out, 60 percent of all the time we have to use, is spent accounting for that 10 percent.''

So it is hard for me to imagine a school district anywhere in the country that is going to have less money to spend on the education of its children under this amendment than it does at the present time, and the overwhelming majority of them will have far more.

Mr. McCONNELL. Further, I ask my friend from Washington, a State like Kentucky, which frequently is ranked among the lowest 10 States in variety of categories, including poverty, would a State like that under the distribution formula in the amendment of the Senator from Washington also be likely to gain additional assistance over and above what is anticipated would be saved by a reduction in administrative costs here in Washington?

Mr. GORTON. Yes. I am quite certain that Kentucky would—with the exception of the modification that we made with respect to title I, where the proportions will be identical next year to what they are in the present year. We have a slight poverty-based preference in this bill. We divide the 50 States —or the 48 States other than Alaska and Hawaii—into five categories, and the 10 richest States have their allocation multiplied by .9, the 10 poorest States by 1.1, and the States in between by 1.05, 1.0, or .95, respectively, so that the student in the poor State gets a greater degree of aid than the student in a rich State.

Mr. McCONNELL. I thank my friend from Washington.

Madam President, I think the explanation of the distinguished Senator from Washington makes it quite clear that support for his amendment would mean more money for the school districts of my State of Kentucky and substantially fewer regulations with which they would have to comply.

It seems to me, Madam President, as education moves into the position of No. 1 on the interest chart of the American people, it is our responsibility here at the Federal level to think of ways that we can further enhance American education and help those who are really doing the job, which are obviously the local school districts and the parents of our country.

So I commend the Senator from Washington for a superb amendment and indicate my enthusiastic support for the Gorton amendment. I urge my colleagues, when we finally have a vote, to resoundingly support a proposal that clearly will benefit the school districts and the children of America.

Madam President, few would dispute that one of the primary concerns of American families today is the quality of education that our children receive. I am sure that other Members of the Senate have heard from concerned parents as I have. They don't understand why instruction in the most basic skills has fallen to the wayside, and they fear that a rudderless education will leave their children adrift and unprepared for the future.

Nearly everyone involved in education today—parents, teachers, administrators, and legislators—wants to improve the quality of learning in America. But the quest for education reform will only be successful if the classrooms—the classrooms—have the money they need to implement change and follow-through on the academic programming our children need.

When the Senate approves funding for education, most of our constituents believe—and trust—that those moneys are going directly to their child's school. But, the numbers show that this is not the case. An examination reveals that out of $100 billion in Federal education support, local schools received only $13 billion. Let me repeat—$13 billion of $100 billion. Where is this money going? It's supporting paper-pushing and concept discussions in the Washington, DC education offices of adults while our children starve for learning aides and chalk at home.

Senator GORTON's amendment to S. 1061 seeks to help our children by actually providing their schools with the funds we assign to them. This amendment consolidates selected Federal education funds for kindergarten through 12th grade and sends the money directly to school districts. State and local education agencies can then use these additional funds to design and operate the quality education programs families are begging for. It does not change the administration of funds for special education, professional development for teachers, adult education, education research, the national writing project, impact aid, and other similar programs.

This amendment will not undermine education in America. It seeks to strengthen a teetering educational system by focusing our resources on the construction of a firm foundation—strong schools. I am confident that Kentucky communities can use these funds to better their future. Local educators must negotiate through a teeming swamp of administrative rules and regulations in order to meet the day-to-day needs of their students. They need flexibility to implement change and determine what works. The Gorton

amendment provides the first key step to stronger schools across America—funding children's education not layers of repetitive bureaucracy. I urge my colleagues to join me in support of the Gorton amendment and its promise to help our Nation's schools fulfill their commitment to our children and communities.

Mr. HAGEL. Madam President, I take the floor this afternoon to talk about an issue that we have debated in this body all week, an issue that is as important to our Nation as these young pages who sit among us today and the future of this country, as any issue that we debate.

The issue of education is the foundation of the future of our country. At a time when our schoolchildren—over 50 million—across America are returning to school, including my 6-year-old daughter, Allyn, who started first grade last week at Great Falls, VA, elementary school, it is appropriate that we talk about education not just in terms of amendments to the appropriations bill, but we talk about education in a way that is relevant to our young people and to our future. We will continue to debate education, as we should, because not only does every home in America show, as it has shown over the years, that education is the No. 1 issue on the minds of our citizens—and well it should be—but because we spend billions of dollars on education, K through 12 and beyond.

This morning's Washington Times had two very interesting articles, one talking about the American Federation of Teachers and President Sandra Feldman discussing why our young people are not being educated.

If I might, Madam President, allow me to read the first paragraph of a story that appeared in the Washington Times this morning.

The practice of promoting students to the next grade before they are ready is ''rampant across the country,'' according to American Federation of Teachers President Sandra Feldman.

It is a very lengthy article. Madam President, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Sept. 10, 1997]

SCHOOLS PROMOTE REGARDLESS OF MERIT—TEACHERS FEDERATION CALLS FOR STANDARDS

(By Carol Innerst)

The practice of promoting students to the next grade before they are ready is ''rampant across the country,'' American Federation of Teachers President Sandra Feldman said yesterday.

While no school district explicitly endorses social promotion, most have an ''implicit policy'' encouraging it because they place limits on holding students back, she said.

''That is a clear message to promote socially,'' Miss Feldman said at a newsmaker luncheon at the National Press Club, where the teachers federation released a national study on student promotion policies.

Citing examples, she noted that students in Orange County, Fla., can be held back only once in elementary school, and in New Orleans they can be retained only twice. Houston restricts retention to once in kindergarten through fourth grade and once in fifth through eighth. Other districts forbid holding back students with limited English or learning disabilities.

Simply holding students back isn't the answer either, she said. Many students are retained each year, and most do not receive the special help they need to catch up.

An estimated 15 to 19 percent of U.S. students are retained each year. In many large, urban districts, more than 50 percent of the students who enter kindergarten are likely to be retained at least once before they graduate or drop out.

The report, ''Passing on Failure: District Promotion Policies and Practices,'' examined promotion policies at 85 school districts, including the 40 largest districts nationwide.

Locally, the study looked at public schools in the District and Montgomery, Prince Georges, Anne Arundel and Fairfax counties.

D.C. policy is ''unclear as to who has the final authority for promotion decisions in all grades,'' the report says. It states that a student may be retained for a maximum of two years.

Prince Georges has no formal promotion policy. In Montgomery County, the principal has the final authority in promotion decisions in all grades, but there are limits on retention and for special education students.

Parents are the final authority on promotion decisions for elementary students in Anne Arundel County, the principal has the final say for junior high students and the policy is not clear at the high school level.

Fairfax County policy does not specify limitations on student retention. Promotion is based on grades for elementary and junior high students. The criteria is not clear for high school students.

Among the study's general findings:

- Some districts limit the number of times a student can be retained, prohibit retention in specific grades or set age limits to move older students along.
- Student progress often is judged according to vague and varying criteria, as in Nevada's Clark County schools where a promotion requires only that a student's ''progress should be continuous and student advancement through the curriculum should be according to the student's demonstrated ability.''
- Teachers play only an advisory role in promotion decisions.
- Only 15 percent of the districts mention tutoring, and 13 percent call for alternative programs and strategies such as transitional classes or extended instructional time for students who are held back. Half the policies mention summer school.

Solutions to the problem, according to Miss Feldman, involve creating rigorous grade-by-grade standards for students and ensuring that all elementary teachers are proficient in teaching reading, catching and helping struggling students early in their school careers.

''Without common standards, teachers' grades appear arbitrary—and therefore negotiable,'' she said. ''This undermines students' motiviation to work hard in school. Teachers who uphold high standards can find themselves under a lot of pressure to change grades or just pass kids on.''

Mr. HAGEL. Madam President, another story in the Washington Times this morning talks about the Governor of Minnesota, Arne Carlson, who was in town yesterday, it says:

. . . to spread the word on how he finally made school choice a reality in his State by finding an alternative to politically unpopular vouchers.

It goes on. I ask unanimous consent that this be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Times, Sept. 10, 1997]

CARLSON SHARES SCHOOL-CHOICE SUCCESS STORY—MINNESOTA GOVERNOR LOST BATTLE FOR VOUCHERS BUT WON SUPPORT FOR TAX BREAKS

(By Nancy Roman and Carol Innerst)

Gov. Arne Carlson was in town to spread the word on how he finally made school choice a reality in his state by finding an alternative to politically unpopular vouchers.

Mr. Carlson said yesterday that vouchers—government education dollars that follow children to public or private schools—are the best route to school choice, but he stressed that tuition tax credits and deductions are achievable now.

At several gatherings, he told GOP policymakers and reporters how the Minnesota Legislature, controlled by Democrats, overwhelmingly defeated his voucher proposal in 1995, so he put together a $150 million package of tax incentives for Minnesota parents seeking alternatives to public schools.

''Vouchers were a lost battle, so we revamped, went to the tax side and put together a plan,'' Mr. Carlson said in a message he hopes will resonate with the public and policy-makers as Congress prepares to debate several school-choice measures.

The results in Minnesota was overwhelming support for Democrats, Republicans, rich, poor, blacks and whites for a dollar-for-dollar tax credit for families earning less than $33,500 and a tax deduction for educational expenses of up to $2,500 for families earning more than that.

Mr. Carlson said the trick was making sure to offer something for everyone, including suburban and rural voters and the parents of public school students.

The strategy confounded the teachers unions, which historically ''opposed virtually everything'' having to do with school choice, he said at a luncheon at the Heritage Foundation. ''A lot of people, including Democrats, got very tired of this 'no, no, no' position of the unions.''

The Minnesota plan, which goes into effect next year, allows a family to use the money for educational efforts ranging from a summer language program to a math tutor to the purchase of a home computer.

Technically, the education credit cannot be used to pay for private school tuition, but private schools can easily shift their accounting to use the credits for approved expenses such as books and transportation.

''It's a tantalizing strategy,'' said Jeanne Allen, the president of the Center for Education Reform, a clearinghouse on national choice issues. ''But each state has to figure out its own political realities.

''There's no correlation for the District. In places with no history of tax credits, it's a tough call. In many areas, there's a need for full tuition to follow children, and the District would be one.''

Paul Steidler, senior fellow at the Alexis de Tocqueville Institution, regretted that Mr. Carlson had to ''back off'' on vouchers but found the governor ''inspiring'' for his tenacity against Democratic lawmakers and the vast resources of the teachers unions.

Equally impressed, house majority Leader Dick Armey of Texas invited the governor to Washington this week to talk to fellow Republicans.

''All too often school vouchers can be thought of as a conservative notion,'' Mr.

Armey said. ''We are finding that the idea has great appeal across the political spectrum.''

Mr. Carlson said that after his defeat on vouchers he assigned two staff members to work full time on a plan offering educational choices to parents and having the political support to make it viable.

Tax breaks across the economic spectrum were the answer.

''The bulk of the public raised their eyebrows,'' Mr. Carlson said.

But as tests revealed that half the children in Minneapolis and St. Paul were dropping out, a third of the state's eight-graders failed a basic reading test and a fourth failed a math test, he said, the public realized something had to change.

Mr. HAGEL. Madam President, as we pick up newspapers daily across this country we don't talk of great success stories for the most part about our American education system. We talk about failures. That will be a self-fulfilling prophecy if we allow our newspapers to be consumed with what is wrong with our public educational system without focusing on not only what is right, because there are many things right with our system, but how we fix them. How do we make American education better? It is easy to criticize. But how do we make it better? It is not just money. We know that. Quite honestly, it is more important than money. There is not a parent in this country who doesn't understand that.

We need to look beyond the technicalities and the small details of the Gorton amendment, or any other amendment to the appropriations bill. We need, and we will continue, to debate a much bigger question that gets to our Nation's philosophy, our basic philosophy on education.

Who should control what our children learn and what our teachers teach? The Federal Government? I don't think so. No, I don't think so. That is not the role of the Federal Government. Our Founding Fathers gave us the answer very clearly. We need to look no further than article I and amendment 10 of the U.S. Constitution, which reserve the authority for education to the States, to the people—not to the Federal Government.

Education should be between parents, teachers, and local school boards—not the Department of Education, not the President, not the Congress, but the school boards, the teachers, the parents.

I am one Senator who wants to stop the flow of taxpayers' money, parents' money, coming to Washington, and it resides here, and all the smart people in Washington sort out for all the children of America—more than 50 million—what they should know and what teachers should teach. I want to stop that.

One, among many, reasons why I support the Gorton amendment is that I want to give the money back to the States, back to the people, back to the local school boards and the teachers. They can better spend it. They can reward teachers. They can improve our schools. They can help our students. Who understands it better than the people who are there? I trust the people. I trust our teachers. I trust our school boards. I don't trust Government. I don't trust Government to educate our young people. Who cares most about making sure that children get a good education? Who cares most? Well, of course, the parents care most, and the teachers care most.

All parents—all parents—should have the opportunity to choose where their children go to school. It shouldn't be just for rich people. The parents pay the bills. We seem to forget that dynamic in Washington. The taxpayers, the parents of the children, pay the bill for education; for everything. Why then do we take the opportunity away from the people who pay the bill from applying their money where they think their children can get the best education? That makes sense to me.

Another reason is that I support efforts by my colleague from Georgia, Senator PAUL COVERDELL, to allow parents to use money they have saved in educational savings accounts for K through 12 education. What in the world is wrong with that? Not only does logic dictate that that makes sense, but it seems to me that it is fundamental to America. Education standards should be set locally, not imposed by the Federal Government.

We need to motivate our children to learn. We need to motivate our children to learn, not just take tests. There has been some debate lately on national testing and school standards. We are confusing the issue here by shifting the emphasis from learning to testing. We have it backward. The emphasis should not be on testing; it should be on learning. The motivation should be learning and not testing. If we institute national testing, our teachers will teach to the test. Of course, they will. Who wants to be a teacher in a school with a low standard on national testing? So if you figure out what the test is and what the testing process is and what the questions are, then you teach to the test. That is wrong. That doesn't prepare our young people.

It is time that we stop making our teachers jump through the hoops that they have been jumping through with these senseless and burdensome paperwork responsibilities and free them up to do what they can do better than anybody, and that is teach our children. Let's help our teachers teach our children. It is a novel idea. Anyone who has talked to teachers in any State, in any town, or in any community has heard all the horror stories of amounts of time they spend on wasteful, unproductive paperwork. That is time that could be spent teaching our children. We need to prepare our children to compete in a global economy in the 21st century. Just preparing them to pass a test will do nothing to ensure they have the knowledge and the skills, the abilities, to compete in a very competitive new century.

For example, if we let students off the hook in math by letting them use calculators for the most basic of problems, they will never learn, they will never grasp the logic and discipline gained through exercising good mathematics skills.

There is nothing wrong with calculators, but let us start with the basics first. Everybody knows why we have trigonometry and geometry and the advanced mathematical courses. Very few will ever use that in their professions, but it is about discipline. It is about learning. It is about pain in your mind and using your brain. Any fool can pick up a calculator. That is not what education is about. That kind of thinking, that kind of training will be vital, if we do it right, throughout the lives of our young people for what they will need to succeed in a very competitive global economy.

Where I am from in Nebraska, we call that thinking. We call that thinking. If our young people cannot read and write, they do not know much about science and math and have limited knowledge of history, economics, and geography, what chance do they have to succeed in the next century? Very little.

Preparing our children for the next century is not the job of the Federal Government. My goodness, we have not been able to balance our budget for over 30 years. That is not our job. It is the job of parents and teachers and local school boards working together to ensure that all of our children have the very best education possible and ensuring that all of our children have an opportunity to attend the school of their choice.

That is what this is about. Our Founding Fathers knew very clearly what they were doing when they determined that education should be a local issue.

It is time we get back to the fundamental principles and basics that made this a great nation. We are a great nation today not because of our Government, not because of our systems, but because of our people. Our people have, through their wisdom, through their common sense, through their hard work, their discipline, made the right choices for over 200 years. And basic to all those choices has been how you educate your children. There will be much debate, as there should be, in this Chamber over the next few days, weeks, months, and years on our philosophy about education, but let us not forget where it all resides. It resides at the local level with the parents, with the teachers, with the schools.

I wish to go on record supporting the Gorton amendment. I wish to also go on record supporting the Coverdell bill and the philosophy of local control for education.

I thank the Chair and I yield the floor.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I am very pleased to be able to join my colleague from the State of Washington this evening in support of and as a cosponsor of his amendment to allow resources, money, tax dollars to get to the young people of this country in a way that seems so easy and so simplistic and, yet, so right, because I suspect that the Presiding Officer, myself, and everyone on this floor believes in, and we are collectively supporters of, public education.

I happen to be a member of the Republican leadership, and I have worked hard over the last several years to make sure that education funding is one of our party's top priorities and that we, along with everyone else who serves here, are seen to be strong supporters of public education. And we do that by expanding programs where the need is, by increasing dollars, by looking at priorities. That is what we should be doing.

As a member of the Appropriations Subcommittee on Labor, Education and Human Services, I have worked to make sure that that kind of rhetoric gets translated into increases in Federal funding for education, and I am pleased that this year's bill—the one that we are currently debating—has such increases in it.

In other words, what we are doing here in the Senate is something we should be doing because the American public has asked us to do it—to examine our priorities, balance the budget, and redirect our resources and, in doing so, placing education as one of those enhanced priorities. Yet, despite all of the increases in spending, I find that teachers and parents in my State and across the Nation have not yet been able to see an improvement in their schools. There is still a high level of frustration, especially at the parental level, with the quality of education that our young people get, the method by which they are educated, and the whole combination of the environment that we call our public school system. They want to know—and I want to know—where the money goes, how the money gets spent. Why do we have a lot of people at different levels of the administrative process making decisions when, in fact, we have elected officials at the local level and professional educators who should be allowed to make the largest block of those decisions?

Now, in many instances, the Department of Education can't tell you where the money went. It doesn't get lost, it just gets administered. The fact is that between the time we appropriate it and the time a student feels the impact of it, anywhere from 15 percent up to 25 percent of the money gets lost at the Federal and State administrative levels. The Gorton amendment cuts to the chase. It basically asks us to be true to the very arguments we have placed time and again in our town meetings and in our citizen gatherings in every State, and that is, we want local control and we want the money to get to the local level. Yet, in our desire to fund public education, we are constantly working at—if I can use the word—new schemes, new processes by which the money moves through. And in the end, as I say, as much as 25 percent doesn't get there.

As the Senator from Washington was mentioning a moment ago—and he didn't mention my name, but I was the one visiting with him the other evening in relationship to an administrator in my State. After I toured his school, he said, ''You know, Larry, the Federal programs that we have just seen, some of them are very good and well meaning and are providing very valuable service to our young people, but there is a problem.'' I said, ''What is that problem?'' He said, ''Well, 60 percent of the paperwork that my school has to do . . .''—and he means all of the paperwork—''. . . is spent on approximately 10 percent of the money we get, and that 10 percent is Federal money. That is about one-and-a-half staff people in time involved in the paper shuffle to get 10 percent of the money, because the programs are there and the projects are there. So they are bound to go after them.''

By the way, that individual is not in the classroom teaching. That individual is sitting in an office filling out forms to identify with the Federal dollar. We all support education, but how will increases in spending make a difference if the money gets lost in the process or gets diminished dramatically in the process, at a time when we are trying to balance the budget and sort out the differences in very limited resources, trying to empower our taxpayers by letting them keep more of their hard-earned money, and still wanting to spend more on education because the public believes it is necessary, and so do we? So why can't we think of a better way to do it, instead of the schemes and the systems and the bureaucracies, when we have people who are elected at the local level, charged and empowered with the responsibility of educating young people and professionally trained educators who are there to do it, and yet the Federal system and the State systems tells them how to do it, where to do it, why to do it, and when to do it. The Gorton amendment says in a very clear way that there is a better way. Title I has been corrected, and it is important that it be corrected. The idea of funding has been exempt. Impact aid should be exempt because that speaks to the Federal presence in a given school district, a Federal presence of employees that oftentimes don't pay tax dollars by the nature of Federal property they might be on, be it a military base or an Indian reservation. And because there is a Federal presence it is important that that money be selected.

Senator GORTON has exempted that. But what he has said—and importantly so for the rest of it—is create an equitable formula, allow the Secretary of Education to be the administrator of that formula, and pass the Federal dollars straight through to the local school districts, and each school might choose how to spend that money just a little bit differently. But they would choose it on a priority based on what was needed in that community and in that school district instead of pursuing the paper chase because there was a Federal program. And, we can get the money, but we really do not need that particular project in this district. But it is there, and we ought to apply for it because it will help fund a piece of this teacher's salary, and we can have them educate in the standard curriculum program along with the special program.

That is, of course, exactly what happens. And those are the dynamics involved. That is why Senator GORTON has brought to the floor what I think is a very clean and simple idea. We are all for public education. This amendment is about public education. It is for public education. It dramatically increases the ability to get the $11 billion that we spend in public education to the teacher, to the school board member, and to the administrator but, most importantly, directly to the student.

In fact, the Senator, who is the primary sponsor of this, believes that it increases the amount that goes to the students by well over $1 billion. I suspect we are going to hear arguments tonight: Well, but, but; How about; maybe, and This program is so valuable. Of course, that is the standard argument because that is the bureaucracy that has built up over the years, and we become defensive about it, if we are a creator of it, or an administrator of it.

But what we are saying here tonight is let us pass the money through the Department of Education directly to the schools, to the students, to the educators, and to the administrators, and save 15 percent in administrative costs at the Federal and the State level, increase the finite resource dollar spent by well over $1 billion to the student, and be proud of the fact that we are strong supporters of public education but recognizing the fact that there are the professionals at the local level who know what they are doing and we are simply empowering them with more resources to do it.

I am proud to be a cosponsor of the Gorton education amendment. I hope my colleagues will join with us at the time of passage in voting for it.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The distinguished majority leader.

UNANIMOUS-CONSENT AGREEMENT

Mr. LOTT. Mr. President, there has been a concerted effort on all sides to work out a unanimous-consent agreement. I think it is a fair one in view of the time—and the amendments—that we have spent on this important appropriations bill, the Labor-Health and Human Services and Education bill.

We have an agreement here now that I think will allow us to complete all action on the bill before noon tomorrow. Then it would be our intent at that time to go to the Interior appropriations bill. In the middle of the afternoon we would probably go to FDA reform. There would be at least an hour of debate by Senator KENNEDY, followed by others certainly, and then we would have probably a cloture motion, and we would return to Interior appropriations.

That is not a part of the UC. There are a lot of contacts still being made on behalf of Senators on both sides of the issues involved in Interior appropriations. But I believe we have the FDA reform time, and general understanding of what we will do there.

But I just wanted to give Members some idea of what we hope our schedule will be tomorrow beyond this agreement.

I ask unanimous-consent that time on the Nickles amendment, No. 1081, be limited to 30 minutes equally divided in the usual form, and following the debate the Craig second-degree amendment, No. 1083, be agreed to, and that no other second-degree amendments be in order.

I further ask that the time on the Gregg amendment, No. 1070, as modified, be limited to 30 minutes, equally divided in the usual form, and, following the debate, the second-degree amendment, No. 1071, be withdrawn, and no other second-degree amendments be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I ask unanimous consent that following the debate on the Gorton amendment, No. 1122, the amendment be laid aside, and, at 10 a.m. on Thursday, the Senate proceed to vote on or in relation to the Gorton amendment, to be followed by a vote on or in relation to the Nickles amendment, to be followed by a vote on or in relation to the Gregg amendment, to be followed by third reading and final passage of S. 1061.

So we have stacked votes beginning in the morning at 10 on the amendments that are listed here, and on final passage.

Mr. FORD. Mr. President, will the distinguished majority leader consider the 2 minutes equally divided for debate just prior to the vote?

Mr. LOTT. Mr. President, certainly we should do that. I should have included that in our unanimous consent, as is always the case when we stack votes like that. We will have 2 minutes equally divided before each vote so that Members will know exactly what the substance is.

Mr. FORD. The majority leader has always been generous with that portion of it. I apologize for bringing it up.

Mr. LOTT. That is fine.

Mr. FORD. We want to be sure. So that is part of the UC agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I further ask that, following the passage of S. 1061, on Thursday the Senate begin consideration of S. 830, and there be 1 hour under the control of Senator KENNEDY and 1 hour under the control of Senator JEFFORDS, and, following the filing of a cloture motion by the majority leader, S. 830 be placed back on the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. FORD. Reserving the right to object, Mr. President, I wonder if the leader has the language of the modification on testing? If not, I would be constrained to object unless he could modify his agreement with respect to the modification.

Mr. LOTT. Mr. President, in response to that reservation, I understand that the efforts are still underway to get agreement on the exact language. It is hoped that we will be able to get some agreement. I understand the White House is involved in that discussion, and Senators from both sides of the aisle are I think making some progress. But if that does not come to a head, I would modify then—let me put this part of the consent.

I modify the consent to reflect that, if the Gregg amendment, as modified, is not the agreed-upon text between the two leaders, then this consent agreement will be null and void.

Mr. FORD. Mr. President, I have no objection under those circumstances.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Mr. President, then in light of this agreement, there will be no further votes this evening, and at 10 a.m. on Thursday, four back-to-back votes will occur. Also, for those Senators interested in the Gorton education amendment, that debate will be occurring this evening. The debate on the Teamsters issue and the testing issue will occur between 9 a.m. and 10 a.m. followed by, of course, the stacked votes.

I do want to say, Mr. President, that I appreciate the effort by Senator GORTON. I agree with the statements I heard being made by Senator CRAIG. And the idea is to get education back to the people, back to the local level, back to the parents, and the children, the teachers and administrators. Let them make the decisions of how best to spend their allocation of these Federal funds. I believe they will make the right decisions, and it will be a way to help improve education in America. It is one thing to test. But we know that our children are not doing as well as they should be. What we should be focusing on is greater parental involvement in education, and in the decisions affecting that education at the local level. This amendment would do it.

I heartily endorse the Gorton amendment.

I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I ask unanimous consent to add my name as a cosponsor of the Gorton amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, every once in a while a vote comes along that is a defining vote. I am sure that to a lot of people the Gorton amendment looks like a fairly simple, straightforward concept. And that concept is that we are spending a lot of money on education at the Federal level. Yet, if one looks at the 30-year history of that expenditure, Federal spending and Federal control have expanded and we have crowded out parental involvement, and the quality of American education by almost any measure has declined.

This has created a dilemma on the part of many Members of Congress. Congress and bureaucrats dictating local education priorities and programs is failing. Yet those who are concerned about education have loathed the idea of reducing the amount of resources committed by the Federal Government for a purpose that they support.

So we have been in an endless debate where everybody admits that what we are doing is failing. And, yet, we continue year after year adding more money for the very programs that we have all concluded are failing because we want to show that we support education.

For example, one of the provisions of the bill before us that I strongly oppose is bilingual education. This program has become a vehicle to keep people dependent on a language other than the language of opportunity and commerce in America. It begins to produce a society where people who do not learn English are isolated. Yet, in this bill we have a 36-percent increase in funding for bilingual education. That is the dilemma.

How can we see the money is spent efficiently, if, in fact, we want to improve the quality of education? The Gorton amendment solves the problem by eliminating the dilemma.

The Gorton amendment will spend every penny on education that this bill calls for. For poor students, it maintains the same allocation for title I.

We have already dealt with the education of disabled persons. That is outside the purview of this debate. We have recently reformed that program. It is not included.

Impact aid is given on the basis of the number of Federal employees who are working in facilities that do not pay local taxes. That is a property tax supplement. Impact Aid is not included. But nearly all other K–12 educational funding at the Federal level is included in the Gorton amendment.

So what the Gorton amendment essentially says is this: Take the amount of money that is currently being spent by Washington bureaucrats and congressional politicians and give it to the school systems. But take away all of the mandates as to how it is to be spent, and let local teachers, local parents, and locally elected school board members decide how this money is spent.

I think conservatively it has been estimated that over $1 billion of additional spending will get through the massive web of bureaucracy, through that maze of grants and applications and bureaucratic oversight, and get to the students. I think that number is a gross underestimation.

So this is one of those votes that really defines where we stand.

Those who vote against this amendment are voting to continue a system that for 30 years has failed the children of this country, that has increasingly dictated education policy in Washington, DC, where bureaucrats and Congressmen set priorities in education and where parents are basically excluded from having a real voice in how their Federal tax money is spent and often how their State and local tax money is spent. Those who oppose the Gorton amendment are saying let's protect the status quo. Let's continue a program where Washington knows best.

Those who support the Gorton amendment are saying, look, we want to commit the money, but rather than letting Washington bureaucrats and Washington politicians decide how it is being spent, let's let local teachers, local parents, local administrators, and locally elected school board members take this money and use it in a way that maximizes the rate of return in terms of quality education that we get.

I think for years to come, people will be able to look at this vote and determine where people stand on this fundamental issue. Do you believe Washington knows best on education? Well, obviously many do. But if they do, they believe it is in spite of 30 years where the record has shown a clear failure as Washington has dictated more and more of the spending on primary and secondary education in America.

It seems to me it is very difficult based on empirical evidence to suggest that the current program really works. What the Gorton amendment says is let local people set priorities in education. The American people overwhelmingly in poll after poll believe that. I am confident that local parents in my hometown of College Station, TX, local teachers, locally elected school board members love their children at least as much as we do.

I remember once engaging in a debate with someone from the Department of Education in the early 1980's, and I made what I thought was the convincing point. I said I may be ignorant, I may not know curriculum, I may not have a Ph.D. in education, but I do love my children more than you do, to which this very sweet lady said, ''No, you don't.'' And I said, ''Then what are their names?'' She loved them but not enough to know their names.

So I am confident that people in my hometown care more about the quality of education their children receive than we do. I am convinced that if we give them the same money we are giving them now but we let them decide how to spend it, they will do a better job.

It is not going to do us much good to have the Department of Education or some surrogate create a test to give students, then discover that our schools are failing to teach our children. We already know that. Nothing is more documented in the country than the fact that public education is failing, especially in the big cities. The question is what are we going to do about it?

The Gorton amendment says let us in a very simple way fundamentally begin to change the equation. It is only the first step. If we give the money directly to the school system, then you have to ask, what do we need all these bureaucrats for? Perhaps next year we can go back and take the money we are spending on all the people who administer these programs and give that money to the school system and thereby greatly multiply our efforts.

So I am proud of this amendment. I think this is a defining amendment. I think how you stand on this amendment basically says whether you believe that Washington knows best or whether you believe that local parents, local teachers, locally elected school board members know best and care most. I do not have any doubt about the answer to that question. That is why I am for the Gorton amendment. I hope it will pass.

I yield the floor.

Mr. D'AMATO addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. D'AMATO. Mr. President, I rise in order to offer support for the principles outlined in the legislation submitted by my friend from the State of Washington, Senator GORTON. This amendment begins to bring about some very needed reform to give youngsters in our public education institutions, particularly so many in our large metropolitan areas and our inner core cities, the needed reforms that are long overdue.

What we are saying is that we want to see to it that the money gets into the classroom, that we empower good teachers to teach, that we give to the local districts the opportunity to direct the resources they need.

The amendment combines all of the Federal funds devoted to education, with several large exceptions, into block grants. The Secretary of Education is then required to distribute the consolidated funds directly to each school district through a formula outlined in the bill. Now, under this innovative approach, the Federal funds will be distributed directly to school districts, and it will be used in classrooms and no longer will Washington bureaucrats be dictating how schools use scarce resources. We need to empower local educators, and more importantly, parents and teachers, with the ability to bring the kind of education to youngsters that has been lost to many for so long.

I feel very strongly that we have to maximize resources and to return to citizens the ability to give educational opportunity to their children. It is clear that this country has now begun a long overdue debate on the future of public education, and I strongly believe that we need fundamental reforms that will give to our children what they need and deserve.

I have proposed five fundamental reforms which I hope we can make part of our educational mission, not necessarily by legislation, but as guiding principles.

First, you cannot give youngsters an educational opportunity unless we get violent and disruptive juveniles out of the classrooms so that teachers can teach and good students can learn.

A little over a week ago there was an article in the New York Times about crime in the schools, and according to New York City Chancellor Rudy Crew, last year there was a total of 22,615 reported—I say ''reported'' because we don't know how many were unreported—incidents including one murder, 221 sexual assaults including rape, and nearly 1,000 other physical assaults. That is outrageous. We are talking about schools that are supposed to be sanctuaries and havens for our children. How can teachers teach good youngsters with that taking place? Yet in district after district, State after State, we find parents unable to secure for their children a safe environment. Disruptive juveniles are permitted to stay in the classroom and create chaos to keep others from getting the education that they deserve. How can good teachers teach in those kinds of circumstances?

Second, talking about good teachers—and there are many, many—how do we reward good teachers when they are all treated the same? It is about time we rewarded outstanding teachers for their good performance with merit pay. What do we hear in response to that? I hear the president of the teachers' union say, ''We are opposed to merit pay.'' Imagine, opposed to giving merit pay to good teachers.

Instead, what the union does is protect its own perks without making determinations about rewarding good teachers. We have outmoded tenure systems in State after State. In my State, the teachers' union protects incompetence, notwithstanding that the school board associations have begged, have pleaded, have said give us renewable tenure, tenure for 5 years so that we can review someone's performance. Now we lock in incompetence. We reward it. You have unions that are more interested in protecting the perks and the privileges of their members, not rewarding outstanding teachers, those teachers who come in early, those teachers who work with our youngsters, those teachers who stay after school, who give additional thought, who are inspirations—and there are so many. No, they are not rewarded with merit pay, but incompetents are protected.

We need to give parents more control over their children's education, and that means letting parents choose which public school in their own school districts their children can attend. Bring about competition. Do not assign, particularly working poor families, to the worst of public education systems without the choice or without the ability or without the financial means to give their children an educational opportunity, but give them choice.

By the way, in areas where this has been effected, it has worked. It has worked in East Harlem, and it can work elsewhere. In fact, there are at least four other examples of New York districts that are experimenting with similar interdistrict programs, and they work. It will let us empower parents to make educational choices for their children, and particularly those who are not of great affluence.

Finally, we need to put our children first and stand up to those special interests, which are teachers unions that are more interested in pay and perks than they are in good education for our children, and reward those teachers who are excellent and should deserve that recognition. I am strongly supportive of the principles of this amendment.

I have to ask my good friend and colleague, though, Senator GORTON, what, if anything, in the bill will see to it that the districts that will be receiving these moneys will not be impaired and that they will get at least as much in terms of funding under this proposal as they received in the past? I think that is a very important element.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, the statement by my friend and colleague from New York on educational policy is greatly to be commended. He set out a vision that I think is a magnificent one for parents and students and teachers and all interested in education all across the United States.

As he pointed out, this amendment is not directed at all of those goals by any stretch of the imagination but is focused on the goal of trusting to a far greater extent than we have in the past the wisdom of the parents and the teachers and the administrators and local school board members in each of the thousands of school districts in the United States with respect to what best can advance the education of the students for which they are responsible.

The principal goal of my amendment is to remove these thousands of pages of regulations and detailed supervision, frequently on a one-size-fits-all basis, directed from on high here in Washington, DC, at urban, rural and suburban school districts all across the United States.

Already, this amendment has been improved by suggestions by the Senator from New York and others with respect to title I. And he has now asked the question that was asked by the Senator from Kentucky in a slightly different form—each Senator, while he or she has strong general ideas, also represents particular constituencies in the particular State—as to whether or not it is possible to see to it that as we move into this situation we do not have States that are huge losers as well as winners.

It is my opinion—it is the reason that I introduced this amendment—that every school district in every State in the United States should be a winner in two ways. First, because so much less money has to be spent on administration that more dollars would actually get down to individual students; but, second, because these mountains of regulations and impositions from the Federal Government on local school districts will be removed, the use of the same number of dollars would be far more effective in the ultimate educational result.

But, since that is much more important than the formula, the Senator from New York has said, ''Can't we hold harmless each of the States, at least?'' I think we can only do it by States, because now so much of this money doesn't go to school districts, it goes to the States. The States distribute it. And, on reflection, I think he is right. I think he is correct in that.

So, I will ask the indulgence of my colleagues to send one more modification to the desk. Before I send it to the desk I think I just simply ought to read it for their approval. It would be that:

> Notwithstanding any other provision of this section, the total amount awarded to local education agencies in each State under this section shall not be less than the net dollars that State would have received absent the provisions of this section.

What does that mean? That means that roughly 85 percent of the money, the money that now gets out of Washington, DC, would be distributed just as it is at the present time. The other 15 percent, or the great bulk of that 15 percent that is no longer needed for all of the bureaucrats writing and enforcing these regulations here, would go in the way in which the rest of the amendment describes.

I think probably that makes even more forceful the point that I have made from the very beginning of this debate, that its primary goal is to see to it that we allow the decisions about the way the money is spent to be made by the people who are actually spending it and actually providing the education. My own opinion is that's far more important, even, than the billion-plus dollars that would be distributed to the various States because of the smaller expenses of administration. I think this meets with the suggestion the Senator from New York made, and I would like to ask for his comments on it.

Mr. D'AMATO. It certainly does. Mr. President, once again, I want to commend Senator GORTON for his willingness to look at a problem that he has worked on for a long time, in terms of solving it, and having that flexibility of recognizing that there are complexities and ways to deal with this. I applaud the modification that the Senator has indicated he is willing to make because we now assure against the argument that, ''Oh, this may cost us money.'' Indeed, I think what the implementation of his legislative proposals will demonstrate is that not only do you get at least the amount of money that we are talking about now, but absent the red tape, absent the administration—both from Washington and at the local levels, that schools are burdened with, hours and hours, and thousands of people nationwide who are just working on filling out forms and sending them back and forth—those wasted hours and resources can be used and directed much better to meet the educational needs that our youngsters have. We are talking about empowering the local districts, parents, and good teachers to utilize these scarce resources.

It is literally finding over $1.5 billion. That is what the import of the Senator's message is here, giving that kind of resource; and, more important than just the money, is the tools to direct how these moneys will best be used, the resources to give the best education to youngsters—maybe determine in certain areas they need more computers, maybe in another area they need more books, maybe in another area there are some remedial requirements that are necessary. Whatever it is, those decisions should be made by the parents, by the educators, by the local superintendents, by the local districts, and not on high from Washington and not burdened with all kinds of reporting requirements that do nothing to educate our kids.

So, if the Senator goes forward with that, I commend him for his initial undertaking and for the fact that he has demonstrated that he has a willingness to meet the needs of the entire educational community and see to it that the resources get there, and that no one can make the argument, ''Oh, in my school district our children will not get the resources that they are entitled to, or they will get less.'' This modification that he suggests will assure that. I am deeply appreciative of his sensitivity; more important, of his leadership in this important area.

There is no area more vital. Our public educational institutions, on the elementary level, have been suffering mightily throughout this country, particularly in the large metropolitan areas and our inner core cities, since so many working families are deprived of choice, are deprived of opportunity, are deprived of giving their youngsters a good education that we have had in the past.

I might make one comment. I am struck by the deterioration in our public schools, again: Because of disruptive students—you can't get them out

of class; you should be able to get them out of class—because we have not given and empowered good teachers with the kind of recognition and good pay that they need, because we have protected incompetents with outmoded tenure laws, because we stripped away the ability to make choices.

When my dad was in elementary school 75 years ago, when he first entered elementary school—and it was even a little more than that, almost 80 years ago—he didn't speak a word of English. His mom and pop had just come to this country. They lived in a ghetto, in a poor community. No one spoke English there. When he went to grammar school he flunked English right throughout. But he had teachers who were dedicated, willing, who persevered. And they were interested in giving those youngsters who came from all kinds of diverse backgrounds the best education. Let me tell you, disruptive kids—and they had disruptive kids—were not tolerated, nor their conduct.

As a result of that, over a period of time, going to summer school and with help, he graduated, went on to a State teachers college. He majored in English because the people who worked with him were an inspiration to him. That is the story of so many of our grandparents and parents, who had that great educational opportunity in our public schools. That is an opportunity that all too often, in too many of our communities, is lacking. It is one that we have an obligation to fight for and to bring about. We have to empower local educators, local decisions, parents, so the good children can get that opportunity that was available many years ago and unfortunately, in too many cases, is not available now.

So I commend the Senator for his excellent amendment and his initiatives and look forward to working with him.

Mr. KENNEDY. Mr. President, I strongly oppose the Gorton amendment because it hurts students and goes against the Nation's commitment to helping poor and educationally disadvantaged students who need our strong support. It also undermines the partnerships that have been created by Federal, State, and local education agencies to improve all schools for all children.

We all agree that education is a local responsibility. But the States and the Federal Government are important partners in helping to improve education for all children. We all need to work together to improve the Nation's public schools.

This amendment rejects that basic principle. It shifts Federal dollars away from the neediest communities to the wealthier ones. It destroys carefully crafted and widely supported Federal programs. And it undermines the States' roles as vital partners in improving the achievement of all students.

This amendment would strip the States of their ability to integrate Federal funds with innovative State programs and State standards. Most of the small portion of Federal funding that is retained by the States under current law—only 6 percent—supports technical assistance and training for local school districts that do not have the expertise, resources, or desire to conduct such training themselves.

Currently, Federal funds are offering a helping hand to local school districts in meeting high priority responsibilities important to the Nation as whole. The funds help schools and school districts improve reading and math skills of disadvantaged students, help teachers get the extra skills they need to teach all children to higher standards, help communities create safe and drug-free schools, and help communities modernize their schools. This amendment would take away Federal funding for these crucial, targeted purposes to help children who need it most, but who are often short-changed under current State and local law.

Contrary to arguments made by proponents of the amendment, Federal education laws are more flexible and school-friendly than ever before. States and local education agencies are working in closer and more effective cooperation. The result is that schools are doing a better job of helping all children meet higher standards of achievement. The Federal-State-local partnership in education isn't broken and the amendment can't fix it. Congress should be doing all it can to strengthen that partnership, not destroy it.

As a nation, we have made a commitment to help all students have the opportunity to get a good education. We have a responsibility to make sure that public tax dollars are well spent. This amendment provides no accountability for how these dollars are spent. Reforming the Federal role in education does not mean abdicating that role.

This amendment is the wrong direction for the Nation's children and the wrong direction for education. It is not an attempt to offer a helping hand to local schools. It is simply a thinly veiled attempt to dismantle the Federal role in education.

We should support efforts to improve education for all students, not undermine them. I urge my colleagues to oppose the Gorton amendment.

Mr. HARKIN. Mr. President, the amendment fundamentally alters the distribution of Federal education funds by converting a poverty based formula to a general aid formula. This is major change in Federal education policy and there has not been a single hearing on the impact or advisability of such a change.

The Senator from Washington said it is his goal to get more money into the classroom. However, I wonder how there can be any such assurance since his amendment eliminates the requirement that Federal funds must supplement and not supplant existing education funds. We all know that dollars are fungible and there is nothing to prevent a state from merely reducing State Support for education and spending more money for other worthy things like roads and bridges.

The 1994 reauthorization of the Elementary and Secondary Education Act provided schools with greater flexibility, especially with respect to title I. These changes are working.

As Federal lawmakers, we have a responsibility to make sure the Federal dollar is well spent. This amendment undermines the provisions of the 1994 reauthorization of the Elementary and Secondary Education Act to improve accountability of Federal education programs.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Two mechanical matters. First of all, I ask unanimous consent that Senators DOMENICI, ABRAHAM, CRAIG, and SMITH of Oregon be added as cosponsors, if they are not already cosponsors of the modified amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODIFICATION TO AMENDMENT NO. 1122

Mr. GORTON. Second, I send the modification I just discussed to the desk and ask unanimous consent it be included.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The modification to the amendment (No. 1122) is as follows:

Insert between lines 22 and 23 on page 6: (h) notwithstanding any other provisions of this section, the total amount awarded to local education agencies in each state under this section shall not be less than the net dollars that state would have received absent the provisions of this section. Old subsection (h) relettered subsection (i).

Mr. D'AMATO. Might I ask I be also included as an original cosponsor.

Mr. GORTON. I make that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. D'AMATO. I thank the Senator.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my colleague from Washington, Senator GORTON, for an outstanding amendment. Every once in a while we will vote on an amendment that will make a significant difference in our lives and the lives our families, and this is just such an amendment. This is an amendment that says local school boards, local school districts and parents will be making decisions instead of Washington, DC.

I remember when we debated welfare reform and I asked my staff: How many Federal welfare programs do we have? I was thinking maybe we had 60 or something. It turned out we had 350-some Federal welfare programs. They were stacked on top of each other and, frankly, people could qualify for any number of programs, multiple programs.

Then I remember we started talking about education. I asked somebody how

many programs do we have and how much money are we spending in education? And my staff sent me back: Well, there's hundreds of programs and we spend almost $100 billion.

I thought, ''Well, I don't really think that's the case. We don't spend that much in the Department of Education. And we don't spend that much—I know we have other education programs in other agencies, but surely that is an exaggeration. Maybe that was something that some right-wing Rush Limbaugh group or somebody made up.'' So I asked the question and we did some homework and we got some information from CRS.

This is a listing of all the Federal education programs. It is a big list. There are 788 Federal education programs. I don't care how bright anyone is, there is no one person who can keep track of all these programs. These are all Federal education programs.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point—not this lengthy list, because I don't want to charge the Government that much—but a little summary of the list by departments, programs, and funding; and also by category; the listing and the amount of money spent on Federal education programs.

I ask unanimous consent to have these printed in the RECORD at the close of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. NICKLES. To outline just a little bit, the Department of Education has 307 education programs and spends a little over $59 billion. The Department of Health and Human Services has 172 Federal education programs, that costs $8.6 billion. The Department of Labor has 21 at a cost of $5.4 billion, and I can go on down the list but we have had it printed in the RECORD. It is a total of 788 programs; a total cost of almost $97 billion a year. I found that hard to believe, and I served on the Budget Committee for years and thought I knew a little bit about Federal budgeting. But I started looking at these figures, and they are astronomical.

Mr. President, we have had this information printed in the RECORD. I hope my colleagues will pay a little attention to it. I hope as a result of that they will realize there is no way in the world that we, on the Federal level, from Washington, DC, can micromanage 788 programs.

The amendment of the Senator from Washington says let's let the local school boards do it. Let's put this money, with a few exemptions—impact aid and a couple of other exceptions that maybe really have Federal cause—let's exempt them. But for the most part, let's take the balance of them, 788 programs, and put that money together and turn it over to the local school boards and to the parents and to the teachers where they can really do some quality education. They know what works. Frankly, what works in Oklahoma may be different than what works in New York, what works in Arizona.

So I think my colleague from Washington has an outstanding amendment. I hope and urge my colleagues to support it. I hope it will be adopted tomorrow morning.

I complement him for his outstanding work and hope this amendment passes. I believe, if it passes, it will make a very positive contribution towards improving education throughout this country.

I yield the floor.

EXHIBIT 1

FEDERAL EDUCATION PROGRAMS BY CATEGORY

| Category | No. of Programs | Funding |
|---|---|---|
| Construction | 9 | $627,096,000 |
| Education Research | 14 | 841,534,000 |
| General Education | 52 | 684,250,501 |
| K12 | 181 | 25,920,623,342 |
| Libraries | 9 | 249,869,103 |
| OMB 1&2 | 33 | 577,929,000 |
| Professional Development/Teacher Training | 60 | 731,528,342 |
| Postsecondary | 259 | 44,765,196,759 |
| Preschool | 17 | 5,770,992,000 |
| Research | 27 | 1,711,255,000 |
| Social Services | 42 | 6,790,978,287 |
| Training | 79 | 8,178,372,048 |
| Set Asides | 6 | 19,719,038 |
| Total | 788 | 96,869,343,420 |

DEPARTMENTS, PROGRAMS AND FUNDING

| Department | No. of Programs | Federal dollars |
|---|---|---|
| Appalachian Regional Commission | 2 | $2,000,000 |
| Barry Goldwater Scholarship Program | 1 | 2,900,000 |
| Christopher Columbus Fellowship Program | 1 | 0 |
| Corporation for National Service | 11 | 501,130,000 |
| Department of Education | 307 | 59,045,043,938 |
| Department of Commerce | 20 | 156,455,000 |
| Department of Defense | 15 | 2,815,320,854 |
| Department of Energy | 22 | 36,700,000 |
| Department of Health and Human Services | 172 | 8,661,006,166 |
| Department of Housing and Urban Development | 9 | 81,800,000 |
| Department of Interior | 27 | 555,565,000 |
| Department of Justice | 21 | 755,447,149 |
| Department of the Treasury | 1 | 11,000,000 |
| Department of Labor | 21 | 5,474,039,000 |
| Department of Transportation | 19 | 121,672,000 |
| Department of Veterans' Affairs | 6 | 1,436,074,000 |
| Environmental Protection Agency | 4 | 11,103,800 |
| Federal Emergency Management Administration | 6 | 118,512,000 |
| General Services Administration | 1 | 0 |
| Government Printing Office | 2 | 24,756,000 |
| Harry Truman Scholarship Foundation | 1 | 3,187,000 |
| James Madison Memorial Fellowship Program | 1 | 2,000,000 |
| Library of Congress | 5 | 194,822,103 |
| National Aeronautics and Space Administration | 12 | 153,300,000 |
| National Archives | 2 | 5,000,000 |
| National Institute for Literacy | 1 | 4,491,000 |
| National Council on Disability | 1 | 200,000 |
| National Endowment for the Arts/Humanities | 13 | 103,219,000 |
| National Science Foundation | 15 | 2,939,230,000 |
| Nuclear Regulatory Commission | 3 | 6,944,000 |
| National Gallery of Art | 1 | 750,000 |
| Office of Personnel Management | 1 | 0 |
| Small Business Administration | 2 | 73,540,000 |
| Smithsonian | 14 | 3,276,000 |
| Social Security Administration | 1 | 85,700,000 |
| State Department | 1 | 0 |
| United States Information Agency | 8 | 125,558,000 |
| United States Institute for Peace | 4 | 3,371,000 |
| United States Department of Agriculture | 33 | 13,339,630,410 |
| U.S. Agency for International Development | 1 | 14,600,000 |
| Total | 788 | 96,869,343,420 |

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

Mr. GORTON. Mr. President, I see no overriding reason to extend this debate. I want to thank the large number of my colleagues who have come to the floor, many of them greatly to their inconvenience, during the course of this evening to speak in favor of my ideas, and the significant number who, at one time or another during the course of the last 3 days, have spoken on it at other times.

I am prepared now to summarize the reasons for favoring the amendment, to defer to Senator JEFFORDS from Vermont, who will oppose the amendment, and perhaps take the opportunity to close very briefly and to announce, as I understand it, there is no further business to come before the Senate this evening except for a little wrapup which I will undertake.

The Senator from Oklahoma spoke about a study that I believe was prepared by a very thoughtful Member of the House on the total number of Federal education programs, and the number approaches almost 800. He also spoke of almost $100 billion that were spent on these programs. That is a longer list and a larger amount of money than is involved in this amendment because, of course, it includes higher education, it includes preschool education, like Head Start, and it includes a number of education and training programs managed by departments other than the Department of Education.

I think that many of those programs could be and should be equally integrated into the formula that I have posed here, but I simply lacked the ability to analyze each of those 760 or 788 programs. So what we have done is to take the principal kindergarten through 12th grade programs administered by the U.S. Department of Education, with the exception of the Individuals With Disabilities Education Act, which we debated very thoroughly in the Senate a few months ago, impact aid and a few other programs which don't fit well into this formula, and to say that instead of continuing dozens of narrow, categorical aid programs to education, each managed by its own bureaucracy not just here in Washington, DC, but in State capitals and in school district offices all across the country, each with its own requirements, each presenting to school districts the risk that they may inadvertently spend some of the money on an educational purpose other than that outlined in the statute, and consolidating all of them into one appropriation which will total something over $11 billion and stating that once each State has received the net amount of money that it would get under present law, that all of the money will be distributed not to State education agencies, but to local school districts on the basis of the number of students each of those school districts serve, with some slight preferences for school districts in poorer States and with the changes I have already described in title I.

One of the goals of this amendment, Mr. President, is to see to it that our school districts get more money, and get more money they will, because close to 15 percent of all of the money that we appropriate at the present time stays in administration in Washington, DC, or close to Washington, DC. More of it sticks in our State capitals with the administrators of school programs in each of those States, not so much because the State capitals want to stick it there, but because they have to meet the multitudinous requirements in Federal statutes and regulations. And much more of it must be spent by school districts, not on education, but on complying with these hundreds of pages of statutory and administrative requirements.

So if this amendment is adopted, school districts will have more money to spend on educating children in an aggregate amount of well over $1 billion, and I suspect probably $2 or $3 billion out of the $11 billion. But I think more important than even the extra money is the freedom that we will give to the people who are actually providing our children with their education: their teachers, with the contributions that come from active and concerned parents, the principals and other administrators of our schools, the elected school board members who almost, without exception, serve without pay. They will be empowered by this legislation to determine in each case how best to meet their educational goals, how best to meet standards imposed by the States or, in some cases, by the Federal Government, general standards of how well people should be educated, not detailed standards of how money should be spent.

So, in summary, seeing my friend and colleague from Vermont here, I simply want to present the issue in these terms: Do we believe that fundamental educational policies and procedures are best determined by those who are closest to the students—their parents and teachers and administrators—or do we believe that those policies are best determined on the floor of this U.S. Senate or by the bureaucrats of the U.S. Department of Education? To the extent that we hold the latter belief, of course, this amendment is unacceptable. I don't think that that belief is warranted. I don't think it is shared by other than a relatively small minority of the American people. In a free country, in a free society, we trust the people, and that's exactly what this amendment proposes to do.

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I rise in opposition to the amendment. I know the intentions of the Senator are certainly the best in wanting to assist our local governments in having a better handle on their educational situation. However, I want to point out several problems with the amendment. I will also say that, given the modifications that have been made, my opposition, as far as the energy involved, has been diminished substantially. Now, we are now talking about only $4 billion, whereas originally the figure was closer to $12 billion.

Even with those modifications having been made, I still want to raise my colleagues' understanding of what this amendment does.

A lot of the discussion has been about doing away with Federal involvement, but what the amendment really tends to do is to turn over to local governments functions that are now handled by the States. With the modifications, this is somewhat less the case.

As a Republican, I have the feeling that the States are better able to control, to help, and otherwise assist local schools than is the Federal Government. This amendment shifts some responsibilities back to the local governments, but also shifts a great bulk of it back to the Federal Government. For that reason, I am a little bit ambivalent as to how serious I consider this amendment.

I would like to point out one thing that does alarm me, as someone who believes that the States should have more control over things, and that is the fact that the control that we give back to the local governments is very precarious. If you read the amendment, the amendment says:

> Notwithstanding any other provision of law, the Secretary of Education shall award the total amount of funds described.

I will recount a problem I once had. I had a wonderful amendment to reorder the Nation's priorities in energy. I worked with the committee that handled energy. They adopted all my points, and I thought I had a great victory. Then they said, ''Gee, Jim, all we did was change one word in the amendment.''

I said, ''What was that?''

They changed ''shall'' to ''may.''

Now, if you were to take your language here and change ''shall'' to ''may,'' then the Secretary of Education would have complete control of all these funds. It leaves us in a precarious situation when, with one word, you can change the total impact of this amendment.

As far as the full impact now, as I mentioned earlier, when you take out title I, you take out a huge, huge chunk of money. When you add to that the programs which were excluded from the original amendment, such as IDEA and 50 percent of voc-ed and several other programs, you end up with this amendment affecting a mere $4 billion of the roughly $20 billion made available under this bill for elementary and secondary education programs. So my vigor has diminished substantially.

But let me also point out that, without any guidelines to the local governments, funding for those programs which are included in the amendment and which is now targetted to try to help special bodies of individuals—Indians or whomever else—can be used in any way whatsoever.

I remember back when we had revenue sharing. What an embarrassment that turned out to be. I was a great one for revenue sharing: Send it back to the local governments. We found that, instead of doing the things we thought they would do with it, they built skating rinks, fish ponds and others things. So we said, ''Gee, we better take it back.''

I wish I had that much confidence that local governments would make the optimum use of general Federal funds for education. However, they have tight budgets. In my State, almost every town in the State is having a problem with its education budget because of its impact on property taxes.

There is nothing in the amendment about a maintenance of effort. You don't have to use the funds for additional education programs. You can take that money and replace the tax funds now being used. You don't have to improve your schools at all. You can just merely reduce the property taxes to the people in the community. I bet you, if we pass this and it becomes law, that a few years from now we will find out almost all the money went to property tax relief.

The problems of education are at the local level. They are not at the Federal level. They are at the local level. We argue about how much the Federal Government should influence the decisions of local governments, but what we have to do is give the local governments the ability, through professional development and assistance from the States, to try to make sure that they are living up to the obligation of educating our children.

In this Nation right now, 51 percent of the kids who graduate from high school graduate functionally illiterate. We are way in the back, almost last among the more developed nations, in math. We have right now 190,000 jobs in the information-technology area alone for which we can't find people who have the skills to fill them. In Europe and Asia, those skills are taught in high school.

Is giving money back to localities going to make a difference? I don't believe so. So I am afraid what we have here is a well-intentioned amendment which could backfire completely by a change in one word.

Let me also say that, although this amendment will not get enacted because it is veto bait, imagine yourself back home after you have voted for this amendment. You are out there, you are debating your opponent, and you say you are in favor of this amendment. He then brings up the amendment and reads it, without knowing the implications: ''Notwithstanding any other provision of law, the Secretary of Education shall award all the money.''

You can argue, but you know how it is trying to argue in a political situation by saying that the language is not really what it meant; that's what it says.

So, I just think we are not going to accomplish anything of any great dimension in terms of the intent of the amendment—to give the local communities more flexibility with spending. We have cut the States out, and we have a direct linkage now between the Secretary of Education and every local school district—with language just open, ripe for being changed from ''shall'' to ''may'' if we should ever lose the majority here.

Reluctantly, I have concluded that this amendment would be a very serious mistake if we were to pass it.

I yield the floor.

Mr. GORTON. Mr. President, I believe my friend and colleague from Vermont has stated the arguments on his side forcefully and eloquently and has illustrated, as I hope I have, the fundamental philosophical differences over this amendment, over any amendment that is even remotely similar to this.

The Senator from Vermont believes that a large number of educational priorities ought to be set here in the Congress of the United States by the Secretary of Education and the people who work in his department. Certainly there is an appropriate theory in this country that that is true, that the U.S. Department of Education ought to be able to impose significant controls over State departments of education and even more detailed controls over every school district in the United States, and that in the absence of such requirements not only will money be wasted but the quality of the educational product will be depreciated, will be less.

I don't know that there is much out there in the educational field that indicates any huge degree of success on the part of this top-down set of educational priorities. But nonetheless, it is possible to make such an argument.

My argument, and this is where the Senator from Vermont and I disagree, is that I believe informed parents, informed teachers who are in the classroom every single day of their professional lives, informed and dedicated administrators and school board members, most of whom are elected to nonpaying jobs, not only have an interest in the quality of education that they supply to their children, their students, the young people in their community, but that they are better able to determine how the money they have from whatever source is spent toward those ends than can we here, or anyone in a Washington, DC bureaucracy.

As a consequence, this amendment says get rid of the regulations that apply to the programs that are covered by it, distribute the money directly to the school districts that are providing education and let them spend it as they will.

At one level, of course, that does bypass State education entities in order that they not spend any of the money or hold any of it back, but it does not prevent any State education entity from saying you have to instruct the mathematics, history, whatever they wish to do, to set a curriculum, much of which is set by the States.

It just says with Federal money, the Federal Government is not going to tell you how to spend it. It is as simple as that.

We are not talking about local governments. The phrase in this amendment is ''local education agencies.'' By and large, though not entirely, single-purpose school districts.

To say what this really means is that people in these local communities will immediately take the new money and not spend it on education but do something else with it or provide property tax relief, in my view, evidences a great lack of trust in the fact that our citizens care about the education of their children.

I think we know from all of the surveys in which we engage, from all the speeches we make, from all the people we listen to, that our citizens care very deeply about the education of their children, and to say if we do not force them to spend money in particular ways here in Washington, DC, they will not spend it at all, that they will ignore our kids, is without any evidence, in fact, in the real world.

Much of this money is getting through to these school districts right now. I differ with the Senator from Vermont on how much we are talking about. We have not, by any of the changes of this amendment, taken out impact aid, disability education, or 50 percent of local education. They were never in the first version.

With respect to title I, we have not taken it out. We just have a somewhat different distribution formula. The same number of dollars is involved now as when I first discussed it earlier. The point, roughly 85 percent of this money is somehow or another getting at least down to the State level at the present time. Added money that school districts will get will be the money we save in administration here and in State capitals. I am convinced it will all go into the education of our children. But the number of dollars, the additional dollars, even if they can be measured, will not be nearly as important as the removal of Federal regulatory detail.

The Senator from Idaho described the situation in one of his districts, which I believe is pretty close to universal: 10 percent of the money comes from the Federal Government and 60 percent of the rules. That is a terrible imbalance. We would like to get rid of almost all of those 60 percent of the rules and power our school districts, power our teachers, and power our parents and see whether or not they cannot do a somewhat better job than the rather poor job we have done so far ourselves.

I yield the floor.

AMENDMENT NO. 1090 WITHDRAWN

Mr. GORTON. Mr. President, on behalf of Senator MACK, I ask unanimous consent amendment No. 1090 be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1110

Mr. GORTON. Mr. President, I ask unanimous consent the pending amendments be set aside and the Senate turn to consideration of amendment No. 1110 to S. 1061.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1110, AS MODIFIED

Mr. GORTON. Mr. President I send a modification to the amendment to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (1110), as modified, is as follows:

On page 9, line 11, strike ''$3,292,476,000'' and insert in lieu thereof: ''$3,288,476,000''.

On page 10, line 18, strike ''$216,333,000'' and insert in lieu thereof: ''$212,333,000''.

On page 12, line 11, strike ''$84,308,000'' and insert in lieu thereof: ''$88,308,000''.

Mr. GORTON. This amendment provides $4 million to the Department of Labor for the administration of the welfare-to-work job training program authorized and funded in the recently enacted Balanced Budget Act of 1997.

The administration had requested $6.2 million but the level was reduced in the amendment because of concerns raised by the Finance Committee.

The additional funds are fully offsetted.

The amendment has been cleared on both sides. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1110), as modified, was agreed to.

## MORNING BUSINESS

Mr. GORTON. I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appoints the following Senators as members of the Senate delegation to the Canada-United States Interparliamentary Group during the 1st session of the 105th Congress, to be held in Nova Scotia and Prince Edward Island, Canada, September 11 through 15, 1997:

The Senator from Washington [Mrs. MURRAY], Vice Chair; the Senator from Maryland [Mr. SARBANES]; and the Senator from Hawaii [Mr. AKAKA].

## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday,