

Michigan (Mr. ABRAHAM), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Missouri (Mr. BOND), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1900, a bill to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.

S. 1901

At the request of Mr. LEAHY, the name of the Senator from Illinois (Ms. MOSELEY-BRAUN) was added as a cosponsor of S. 1901, a bill to amend the Freedom of Information Act to provide electronic access to certain Internal Revenue Service information on the Internet, and for other purposes.

S. 1924

At the request of Mr. MACK, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of S. 1924, a bill to restore the standards used for determining whether technical workers are not employees as in effect before the Tax Reform Act of 1986.

SENATE RESOLUTION 188

At the request of Mr. MOYNIHAN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of Senate Resolution 188, a resolution expressing the sense of the Senate regarding Israeli membership in a United Nations regional group.

At the request of Mr. LUGAR, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of Senate Resolution 188, *supra*.

SENATE RESOLUTION 201

At the request of Mr. KEMPTHORNE, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of Senate Resolution 201, a resolution to commemorate and acknowledge the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

AMENDMENT NO. 2017

At the request of Mr. GLENN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 2017 proposed to H.R. 2646, a bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

SENATE RESOLUTION 210—DESIGNATING “NATIONAL MOSQUITO CONTROL AWARENESS WEEK”

Mr. WARNER (for himself and Mr. TORRICELLI) submitted the following

resolution; which was referred to the Committee on the Judiciary:

S. RES. 210

Whereas mosquito-borne diseases (including malaria, yellow fever, encephalitis, dengue fever, and dog heartworm) have historically been a source of human and animal suffering, illness, and death in the United States and worldwide;

Whereas excess numbers of mosquitoes also diminish enjoyment of the outdoors, public parks and playgrounds, hinder outdoor work, decrease livestock productivity, and reduce property values;

Whereas mosquitoes can disperse or be transported long distances from their sources (locally and internationally) and are, therefore, a public nuisance and health risk throughout the United States and the world;

Whereas since 1900, mosquito control professionals in the United States have recognized the need to develop and encourage effective and environmentally safe mosquito control activities in order to protect the health and welfare of the public, the environment, and wildlife;

Whereas the American Mosquito Control Association (referred to in this resolution as AMCA) was established on June 26, 1935, to provide a nationally organized network to help mosquito control professionals pursue these goals;

Whereas professional mosquito control based on scientific research has made great advances in reducing mosquito populations and the diseases that they transmit;

Whereas the AMCA is an active partner in the Pesticide Environmental Stewardship Program, working closely with the United States Environmental Protection Agency and the United States Department of Health and Human Services to reduce pesticide risk to humans, animals, and the environment while protecting human health from mosquito-borne diseases and nuisance attacks;

Whereas public awareness of the health benefits associated with safe, professionally applied mosquito control methods will support the efforts to reduce pesticide risk and protect human health as well as motivate the public to eliminate mosquito breeding sites on their own property;

Whereas educational programs are being developed to include school and civic programs in order to meet the need of the public for information about mosquito biology and control;

Whereas students are encouraged to pursue an interest in biological and health sciences, to participate in science fairs, and to learn about mosquito biology and contribute to the reduction of mosquito populations; and

Whereas “National Mosquito Control Awareness Week” would increase public awareness of the activities of the various mosquito research and control agencies within the United States and around the world and highlight the educational programs currently available: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of June 22, 1998 through June 28, 1998 as “National Mosquito Control Awareness Week”; and

(2) requests that the President issue a proclamation calling on the people of the United States to observe this week with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED

THE EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

MACK (AND D’AMATO) AMENDMENT NO. 2288

Mr. MACK (for himself and Mr. D’AMATO) to the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; as follows:

At the end, add the following:

TITLE —MEASURES TO ENCOURAGE RESULTS IN TEACHING

SEC. 01. SHORT TITLE; FINDINGS; AND PURPOSES.

(a) SHORT TITLE.—This title may be cited as the “Measures to Encourage Results in Teaching Act of 1998”.

(b) FINDINGS.—Congress makes the following findings:

(1) All students deserve to be taught by well-educated, competent, and qualified teachers.

(2) More than ever before, education has and will continue to become the ticket not only to economic success but to basic survival. Students will not succeed in meeting the demands of a knowledge-based, 21st century society and economy if the students do not encounter more challenging work in school. For future generations to have the opportunities to achieve success the future generations will need to have an education and a teacher workforce second to none.

(3) No other intervention can make the difference that a knowledgeable, skillful teacher can make in the learning process. At the same time, nothing can fully compensate for weak teaching that, despite good intentions, can result from a teacher’s lack of opportunity to acquire the knowledge and skill needed to help students master the curriculum.

(4) The Federal Government established the Dwight D. Eisenhower Professional Development Program in 1985 to ensure that teachers and other educational staff have access to sustained and high-quality professional development. This ongoing development must include the ability to demonstrate and judge the performance of teachers and other instructional staff.

(5) States should evaluate their teachers on the basis of demonstrated ability, including tests of subject matter knowledge, teaching knowledge, and teaching skill. States should develop a test for their teachers and other instructional staff with respect to the subjects taught by the teachers and staff, and should administer the test every 3 to 5 years.

(6) Evaluating and rewarding teachers with a compensation system that supports teachers who become increasingly expert in a subject area, are proficient in meeting the needs of students and schools, and demonstrate high levels of performance measured against professional teaching standards, will encourage teachers to continue to learn needed skills and broaden teachers’ expertise, thereby enhancing education for all students.

(c) PURPOSES.—The purposes of this title are as follows:

(1) To provide incentives for States to establish and administer periodic teacher testing and merit pay programs for elementary school and secondary school teachers.

(2) To encourage States to establish merit pay programs that have a significant impact on teacher salary scales.

(3) To encourage programs that recognize and reward the best teachers, and encourage those teachers that need to do better.

**SEC. 02. STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.**

(a) AMENDMENTS.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

- (1) by redesignating part D as part E;
- (2) by redesignating sections 2401 and 2402 as sections 2501 and 2502, respectively; and
- (3) by inserting after part C the following:

**“PART D—STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY**

**“SEC. 2401. STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.**

“(a) STATE AWARDS.—Notwithstanding any other provision of this title, from funds described in subsection (b) that are made available for a fiscal year, the Secretary shall make an award to each State that—

“(1) administers a test to each elementary school and secondary school teacher in the State, with respect to the subjects taught by the teacher, every 3 to 5 years; and

“(2) has an elementary school and secondary school teacher compensation system that is based on merit.

“(b) AVAILABLE FUNDING.—The amount of funds referred to in subsection (a) that are available to carry out this section for a fiscal year is 50 percent of the amount of funds appropriated to carry out this title that are in excess of the amount so appropriated for fiscal year 1999, except that no funds shall be available to carry out this section for any fiscal year for which—

“(1) the amount appropriated to carry out this title exceeds \$600,000,000; or

“(2) each of the several States is eligible to receive an award under this section.

“(c) AWARD AMOUNT.—A State shall receive an award under this section in an amount that bears the same relation to the total amount available for awards under this section for a fiscal year as the number of States that are eligible to receive such an award for the fiscal year bears to the total number of all States so eligible for the fiscal year.

“(d) USE OF FUNDS.—Funds provided under this section may be used by States to carry out the activities described in section 2207.

“(e) DEFINITION OF STATE.—For the purpose of this section, the term ‘State’ means each of the 50 States and the District of Columbia.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1999.

**SEC. 03. TEACHER TESTING AND MERIT PAY.**

(a) IN GENERAL.—Notwithstanding any other provision of law, a State may use Federal education funds—

(1) to carry out a test of each elementary school or secondary school teacher in the State with respect to the subjects taught by the teacher; or

(2) to establish a merit pay program for the teachers.

(b) DEFINITIONS.—In this section, the terms “elementary school” and “secondary school” have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

**KENNEDY AMENDMENT NO. 2289**

Mr. KENNEDY proposed an amendment to the bill, H.R. 2646, supra; as follows:

Strike section 101, and insert the following:

**SEC. 101. LOAN FORGIVENESS FOR TEACHERS.**

(a) FINDINGS.—Congress makes the following findings:

(1) Our Nation is witnessing a 10-year rise in the elementary and secondary school age population. Between the fall of 1996 and the fall of 2006, total elementary and secondary school enrollment will rise from a record 51,700,000 to 54,600,000, a rise of approximately 3,000,000 children. Elementary school enrollment is projected to grow by 2 percent, from 37,300,000 to 38,100,000, while secondary school enrollment is expected to rise by 15 percent, from 14,400,000 to 16,500,000.

(2) In addition to the enrollment increases, many of the Nation’s elementary and secondary school teachers working in 1998 will begin to reach retirement age. According to the National Center for Education Statistics data, between one-third and one-half of all elementary and secondary school teachers are 45 years old or older. Qualified, experienced elementary and secondary school teachers will be leaving the profession at a time when the demand for the teachers is at the highest level in our Nation’s history.

(3) There is a lack of qualified elementary and secondary school teachers in specific geographic and content areas. More than one-half, 56 percent, of secondary school students taking physical science courses are taught by teachers who have no background in physical science. Twenty-seven percent of secondary school students taking any level mathematics course are taught by teachers with no mathematics background. Students in inner-city schools have only a 50 percent chance of being taught by a qualified mathematics or science teacher. States that have large percentages of classes taught by teachers without a background in a particular subject area, such as Tennessee (26.5 percent), Florida (26.4 percent), Louisiana (26.2 percent), and Maryland (25.6 percent), demonstrate the need for increased numbers of elementary and secondary school teachers with the necessary qualifications.

(4) Our Nation must address the need described in paragraph (3) to ensure a qualified elementary and secondary school teacher for every child in every elementary and secondary school course.

(b) PURPOSE.—The purpose of this section is to create a Federal student loan forgiveness program to attract individuals to careers as elementary and secondary school teachers.

(c) LOAN FORGIVENESS FOR TEACHERS.—Part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) is amended by inserting after section 428J (20 U.S.C. 1078-10) the following:

**“SEC. 428K. LOAN FORGIVENESS FOR TEACHERS.**

“(a) PROGRAM AUTHORIZED.—The Secretary is authorized to carry out a program of assuming the obligation to repay a loan made, insured, or guaranteed under this title (excluding loans made under section 428A for any new borrower after July 1, 1998, who is employed as a full-time elementary school or secondary school teacher—

“(1) in a school served by a local educational agency that is eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); or

“(2) who teaches mathematics, science, foreign language, bilingual education, or any other area that the State educational agency determines to be an area for which there is a shortage of qualified elementary school or secondary school teachers.

“(b) LOAN REPAYMENT.—

“(1) IN GENERAL.—The Secretary shall assume the obligation to repay—

“(A) 15 percent of the total amount of loans incurred by the borrower under this title, not to exceed \$1,200 per year, for each of the first two years the borrower meets the employment requirement described in subsection (a);

“(B) 20 percent of such total amount, not to exceed \$1,600 per year, for each of the third and fourth years the borrower meets such requirement; and

“(C) 30 percent of such total amount, not to exceed \$2,400, for the fifth year the borrower meets such requirement.

“(2) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the refunding of any repayment of a loan under this title.

“(3) INTEREST.—If a portion of a loan is repaid by the Secretary under this section for any year, the proportionate amount of interest on such loan which accrues for such year shall be repaid by the Secretary.

“(c) REPAYMENT TO ELIGIBLE LENDERS.—The Secretary shall pay to each eligible lender or holder for each fiscal year an amount equal to the aggregate amount of loans which are subject to repayment pursuant to this section for such year.

“(d) APPLICATION FOR REPAYMENT.—

“(1) IN GENERAL.—Each eligible individual desiring loan repayment under this section shall submit a complete and accurate application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Loan repayment under this section shall be on a first-come, first-served basis and subject to the availability of appropriations.

“(2) CONDITIONS.—An eligible individual may apply for repayment after completing each year of qualifying employment. The borrower shall receive forbearance while engaged in qualifying employment unless the borrower is in deferment while so engaged.

“(e) DEFINITIONS.—For the purpose of this section the term “eligible lender” has the meaning given the term in section 435(d).

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,600,000 for each of the fiscal years 1999 and 2000.”.

**D’AMATO (AND MACK)  
AMENDMENT NO. 2290**

Mr. COVERDELL (for Mr. D’AMATO, for himself and Mr. MACK) proposed an amendment to amendment No. 2288 proposed by Mr. MACK to the bill, H.R. 2646, supra; as follows:

Strike all after the first word, and insert the following:

**STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.**

(a) SHORT TITLE.—This section may be cited as the “Measures to Encourage Results in Teaching Act of 1998”.

(b) FINDINGS.—Congress makes the following findings:

(1) All students deserve to be taught by well-educated, competent, and qualified teachers.

(2) More than ever before, education has and will continue to become the ticket not only to economic success but to basic survival. Students will not succeed in meeting the demands of a knowledge-based, 21st century society and economy if the students do not encounter more challenging work in school. For future generations to have the opportunities to achieve success the future generations will need to have an education and a teacher workforce second to none.

(3) No other intervention can make the difference that a knowledgeable, skillful teacher can make in the learning process. At the same time, nothing can fully compensate for

weak teaching that, despite good intentions, can result from a teacher's lack of opportunity to acquire the knowledge and skill needed to help students master the curriculum.

(4) The Federal Government established the Dwight D. Eisenhower Professional Development Program in 1985 to ensure that teachers and other educational staff have access to sustained and high-quality professional development. This ongoing development must include the ability to demonstrate and judge the performance of teachers and other instructional staff.

(5) States should evaluate their teachers on the basis of demonstrated ability, including tests of subject matter knowledge, teaching knowledge, and teaching skill. States should develop a test for their teachers and other instructional staff with respect to the subjects taught by the teachers and staff, and should administer the test every 3 to 5 years.

(6) Evaluating and rewarding teachers with a compensation system that supports teachers who become increasingly expert in a subject area, are proficient in meeting the needs of students and schools, and demonstrate high levels of performance measured against professional teaching standards, will encourage teachers to continue to learn needed skills and broaden teachers' expertise, thereby enhancing education for all students.

(c) PURPOSES.—The purposes of this section are as follows:

(1) To provide incentives for States to establish and administer periodic teacher testing and merit pay programs for elementary school and secondary school teachers.

(2) To encourage States to establish merit pay programs that have a significant impact on teacher salary scales.

(3) To encourage programs that recognize and reward the best teachers, and encourage those teachers that need to do better.

(d) STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.—

(1) AMENDMENTS.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(A) by redesignating part D as part E;

(B) by redesignating sections 2401 and 2402 as sections 2501 and 2502, respectively; and

(C) by inserting after part C the following:

**"PART D—STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY**

**"SEC. 2401. STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.**

"(a) STATE AWARDS.—Notwithstanding any other provision of this title, from funds described in subsection (b) that are made available for a fiscal year, the Secretary shall make an award to each State that—

"(1) administers a test to each elementary school and secondary school teacher in the State, with respect to the subjects taught by the teacher, every 3 to 5 years; and

"(2) has an elementary school and secondary school teacher compensation system that is based on merit.

"(b) AVAILABLE FUNDING.—The amount of funds referred to in subsection (a) that are available to carry out this section for a fiscal year is 50 percent of the amount of funds appropriated to carry out this title that are in excess of the amount so appropriated for fiscal year 1999, except that no funds shall be available to carry out this section for any fiscal year for which—

"(1) the amount appropriated to carry out this title exceeds \$600,000,000; or

"(2) each of the several States is eligible to receive an award under this section.

"(c) AWARD AMOUNT.—A State shall receive an award under this section in an amount that bears the same relation to the total amount available for awards under this sec-

tion for a fiscal year as the number of States that are eligible to receive such an award for the fiscal year bears to the total number of all States so eligible for the fiscal year.

"(d) USE OF FUNDS.—Funds provided under this section may be used by States to carry out the activities described in section 2207.

"(e) DEFINITION OF STATE.—For the purpose of this section, the term 'State' means each of the 50 States and the District of Columbia."

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 2, 1999.

(e) TEACHER TESTING AND MERIT PAY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State may use Federal education funds—

(A) to carry out a test of each elementary school or secondary school teacher in the State with respect to the subjects taught by the teacher; or

(B) to establish a merit pay program for the teachers.

(2) DEFINITIONS.—In this subsection, the terms "elementary school" and "secondary school" have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

**HUTCHISON AMENDMENT NO. 2291**

Mr. COVERDELL (for Mrs. HUTCHISON) proposed an amendment to the bill, H.R. 2646, supra; as follows:

At the end, add the following:

**TITLE —EQUAL EDUCATIONAL OPPORTUNITY**

**SEC. 01. EQUAL EDUCATIONAL OPPORTUNITY.**

Subsection (b) of section 6301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7351) is amended—

(1) in paragraph (7), by striking "and" after the semicolon;

(2) in paragraph (8), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(9) education reform projects that provide same gender schools and classrooms, as long as comparable educational opportunities are offered for students of both sexes."

**NOTICES OF HEARINGS**

**COMMITTEE ON LABOR AND HUMAN RESOURCES**

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a joint hearing of the Senate Committee on Labor and Human Resources and the House Committee on Education and the Workforce will be held on Wednesday, April 22, 1998, 10:30 a.m., in SD-106 of the Senate Dirksen Building. The subject of the hearing is "Proposed Individuals With Disabilities Education Act Regulations." For further information, please call the committee, (202) 224-5375.

**COMMITTEE ON LABOR AND HUMAN RESOURCES**

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a joint hearing of the Subcommittee on Public Health and Safety, Senate Committee on Labor and Human Resources and Subcommittee on Health and Environment, House Committee on Commerce will be held on Thursday, April 23, 1998, 2:30 p.m., in SH-216 of the Senate Hart Building. The subject of the hearing is The Gift of Life: Increasing

Bone Marrow Donation and Transplantation. For further information, please call the committee, (202) 224-5375.

**AUTHORITY FOR COMMITTEE TO MEET**

**SUBCOMMITTEE ON YOUTH VIOLENCE**

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Youth Violence, of the Senate Judiciary Committee, be authorized to meet during the session of the Senate on Monday, April 20, 1998, at 10:30 a.m. to hold a field hearing at the Court of Common Pleas, Juvenile Court, 16th floor, 800 Broadway, Cincinnati, OH 45020 on: "Juvenile Courts of the 21st Century: Violent & Repeat Offenders."

The Presiding Officer. Without objection, it is so ordered.

**ADDITIONAL STATEMENTS**

**FROSTBURG STATE UNIVERSITY'S CENTENNIAL ANNIVERSARY**

● Mr. SARBANES. Mr. President, I rise today to commemorate one of Maryland's finest state institutions, Frostburg State University, on the occasion of its Centennial Anniversary.

Since its founding in 1898, Frostburg State University has been a primary component of the greater Frostburg community. Although small towns are often identified merely as extensions of the school in their midst, it is more the case that Frostburg State is a true extension of the town of Frostburg. In fact, the people of Frostburg themselves raised the funds that were used to buy the land on which the institution is located. This symbiotic relationship is one in which the Frostburg community provides the support system for the school and in turn, is enriched by the school and its students.

This unique relationship dates back to when the University was a small local teacher training institution named the State Normal School at Frostburg. Upon completing their training, students often stayed in the area and taught at regional elementary schools. This tradition of community participation continued as the school evolved into a State Teachers College in 1935 and finally, a multipurpose institution, Frostburg State University, in July of 1987, becoming a member of the University of Maryland System the following year.

While the commitment to teacher training remains at the core of Frostburg State's mission, the University has expanded its curriculum significantly to include the arts and sciences, professional and pre-professional programs, and graduate programs including business, psychology and biology training. Enrollment has grown from an initial class of 57 to over 5,200, and the University's degree program now requires four years of study.