

country, with people demanding and expecting more choices and more freedom and needing it to be flexible enough to deal with the changing economy and the changing world. Instead of setting up institutions and structures that may or may not—in most cases, they will not—meet the changing needs of our economy and our educational needs, to invest that money into the flexible family, if you will, into the family that in my community in Penn Hills, PA, maybe have very different needs as to what their child needs to be educated for, given the capability of the child, given what the economy is in the area, given what skills are necessary in the region, whatever it is, than someone in Birmingham, AL, who may have a very different set of skills needed, a very different community, very different needs, but allow that family to make that decision, give them the resources if they want to send the child to the public school and use that money to buy some software, or to buy a computer, or to buy other kinds of teaching aids, or to buy tutorial services, whatever it is, give them the flexibility to meet the needs of their child instead of putting more bricks in a school.

It is just common sense. It makes sense. It is so obvious on its face that, if we are going to do anything to allow the family and the individual student to have the flexibility to deal with this changing environment in education and our economy, it is the only direction we can take rather than put money into the old machine to just make it look nice and put more operators pulling the gadgets. I mean, it is just inconceivable that anybody thinks that is the answer to this dynamic educational marketplace that we have. We have a great opportunity here to show that we get it—that we in our hallowed Halls can walk outside and go into a community school to see what makes the difference in education is not nice buildings or small classrooms. Those are nice things. But it is committed families, committed teachers, and it is community involvement—someone going to a school where they can take part of something that is good for them, they can contribute to their well-being. That can only be done through families and giving them the resources to maximize their own children's future.

Thank you, Mr. President.

I yield the floor.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Sen-

ate stand in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 12:23 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

The PRESIDING OFFICER. The Presiding Officer, in his capacity as a Senator from Indiana, notes the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FAIRCLOTH. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CONDOLENCES OF THE SENATE ON THE DEATH OF FORMER SENATOR TERRY SANFORD

Mr. FAIRCLOTH. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 211, which I submitted earlier and is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 211) expressing the condolences of the Senate on the death of the Honorable Terry Sanford, former United States Senator from North Carolina.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. FAIRCLOTH. Mr. President, I note that all 100 Senators have joined me as cosponsors of this resolution.

This resolution is to honor a truly great American and a great North Carolinian, former Senator Terry Sanford, a man I knew since I was about 18, 19 years old. In fact, I joined him in managing the campaign for a candidate for Governor, a man named Kerr Scott, and with that election we changed the direction of politics in North Carolina.

We had a long friendship. As I say, it began with that campaign, and we went through many political campaigns together. He had a remarkable life. He managed two or three senatorial campaigns on which I had the pleasure of working with him.

Prior to that, Terry Sanford graduated from the University of North Carolina in the late thirties. During World War II, he was an FBI agent in the early part of the war, in the very beginning, but being an FBI agent was not exciting enough for Terry Sanford. He chose to join the 82nd Airborne and became an officer and a paratrooper. He was involved in five different battles during World War II, and he won the Bronze Star and the Purple Heart.

Terry Sanford was always a paratrooper. He was ready to go for it. He was ready to jump into the middle of whatever might be happening.

As I mentioned earlier, he managed and ran some political campaigns, but he was also a State legislator and took

great interest when he was a State legislator in developing the Port of Wilmington, NC, and established the ports authority for North Carolina.

He ran for Governor and won. He was Governor from 1961 through 1965, and never did a man have greater vision for a State than Terry Sanford had for our State. He was a leader in education, but not just education in the sense of teaching young people to read and write and the fundamentals of education. He certainly did that and promoted that. But far more, he promoted a school of excellence for those children who were far more gifted. Then he established a school of the arts, which now exists in Winston-Salem, NC, and is one of the foremost training and teaching institutions in the country for young people who are entering the arts from dancing to moviemaking. This school is there because of him.

Although he did not technically start the community college system, he did more than any Governor we have had since or before to promote the community college system in North Carolina with 59 campuses. He really brought it to fruition.

Again, although he did not start, technically, the Research Triangle Park, he and his administration were deeply involved in bringing it about and setting it on the path it has taken.

I mentioned he was a lawyer for many, many years and started a couple of very prestigious law firms. After his tenure as Governor, he became president of Duke University and served there for some 15 years. It was a great school, a great university when he went there, but the changes, the improvements, the expenditures, the endowment, the doubling of the medical center all transpired and took place under the leadership of Terry Sanford as president of Duke. It became an internationally recognized university under his tenure.

He came to the U.S. Senate and left an admirable record here with many initiatives that he sought and worked toward. One of them is something we are still working on today, and that is to ensure the future and fiscal stability of Social Security.

Senator Sanford was married to Margaret Rose, his wife of 55 years. They had two children, Terry, Jr., and a daughter Betsy.

North Carolina and the Nation are better places today for all of us to live in because of men like Terry Sanford and because of Terry Sanford and his vision and tenacity to carry it forward. The country will miss him, the State will miss him and I will miss him as a friend.

Mr. President, I believe I said this, but I will note that all 100 Senators have joined me in cosponsoring this resolution.

Are there any other Senators wishing to speak?

Mr. KENNEDY. Will the Senator yield?

Mr. FAIRCLOTH. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I join in expressing my sadness over the death of our former colleague, Senator Terry Sanford, and I commend the Senator from North Carolina for his eloquent statement. Senator Sanford was an extraordinary leader of many talents. He was an outstanding Member of this body, an outstanding educator, and an outstanding Governor of North Carolina.

Many of us had the privilege of serving with him in the Senate and of knowing him personally. We admired his great ability, his unusual eloquence, and his abiding commitment to the people of North Carolina and the nation.

In a sense, I inherited Terry Sanford from President Kennedy. He was one of the first Southern leaders to endorse my brother for President in the 1960 campaign. My brother had visited North Carolina as a Senator, and had been very impressed by Terry Sanford. I know the very high regard that my brother had for him as a voice of the New South, as a champion of education, and as a leader who understood the importance of bringing people together.

In July 1960, at a critical moment leading up to the Democratic Convention in Los Angeles, Terry Sanford endorsed my brother and then seconded my brother's nomination for President. It made an enormous difference. In a very real sense, Governor Sanford helped to lay the foundation for my brother's New Frontier.

Later, after serving with great distinction as Governor, Terry Sanford became a President himself—of Duke University, where he served for 16 years, and won world-wide renown as one of the pre-eminent educators of the century.

He won election to the United States Senate in 1986. All of us on both sides of the aisle held him in great respect—and in great affection as well. In so many ways, Terry Sanford was a Senator's Senator. He was fair-minded and warm-hearted, and he knew the issues well. Above all, he impressed us with the power of his commitment, the eloquence of his words, the remarkable moral authority of his leadership, and his dedication to excellence in all aspects of public service. We admired him for his statesmanship, and we loved him for his friendship. We will miss him very much. He was truly a profile in courage for our time.

I ask unanimous consent that an article from the New York Times of April 19 on Senator Sanford may be printed in the RECORD.

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

[From the New York Times, Apr. 19, 1998]

TERRY SANFORD, PACE-SETTING GOVERNOR IN 60'S, DIES AT 80

(By David Stout)

WASHINGTON.—Terry Sanford, who lowered racial barriers as Governor of North Carolina

in the 1960's, setting the style for a new kind of Southern politician, and later became a United States Senator and Presidential candidate, died today at his home in Durham, N.C. He was 80.

The cause was complications from cancer, said Duke University, where Mr. Sanford was treated and where he was president from 1969 to 1985.

Until his cancer was diagnosed in December, Mr. Sanford had taught government and public policy at Duke and practiced law. He was president of the university, in Durham, after serving as Governor and before his term in the Senate. Mr. Sanford was at various times a lawyer, a member of the North Carolina State Senate, from 1953 to 1955, and, in the early 1940's, an agent of the Federal Bureau of Investigation.

Mr. Sanford was Governor from 1961 to 1965, a time when civil rights demonstrations were frequently met with violence. In a speech on Jan. 18, 1963, he called for an end to job discrimination against blacks and announced the creation of a biracial panel, the North Carolina Good Neighbor Council, to work toward that end.

"Despite great progress, the Negro's opportunity to obtain a good job has not been achieved in most places across the country," Mr. Sanford said. Opening more opportunities would be good for the state's economy, he said, but there was a far more compelling reason. "We will do it because it is honest and fair for us to give all men and women their best chance in life," he said.

By today's standards, those words seem unremarkable. But in January 1963, when Gov. George C. Wallace of Alabama delivered his "segregation forever" inaugural address, Mr. Sanford's stand for civil rights was seen as particularly courageous for a governor from the old Confederacy.

Mr. Sanford established himself as one of the most liberal Southern governors—too liberal, in the eyes of some constituents—as he named black people to high state positions, pushed state lawmakers to raise more money for schools and started a state anti-poverty program that was a forerunner to President Lyndon B. Johnson's War on Poverty.

In some ways, Mr. Sanford was a contradictory politician. He seemed to have good timing but bad luck. He had shrewd instincts, yet he seemed to lack burning desire. His changes of mind and heart confounded ally and rival alike.

Mr. Sanford was an early supporter of John F. Kennedy's quest for the Presidency, and so enjoyed easy access to the White House in the early 1960's. The President's personal secretary, Evelyn Lincoln, later wrote in a book that President Kennedy had told her he was thinking of Mr. Sanford as his running mate for 1964.

His own liberal programs notwithstanding, Mr. Sanford preached the virtues of "state responsibility," if not states' rights, as an antidote to creeping "big Federal Government." Under state law, Mr. Sanford could not succeed himself as Governor.

He tried for the White House in 1972 and in 1976, while he was president of Duke University, offering himself as a candidate for those disenchanted with the political system and those who were part of it.

Mr. Sanford, who had declared his support for school integration, was beaten in the 1972 North Carolina Democratic Primary by Governor Wallace of Alabama. That humiliating loss in his home state effectively ended his candidacy.

Four years later, Mr. Sanford ran for President again but dropped out early. He said he had found it impossible to gain enough news coverage and to raise enough money, and that he was sick of campaigning.

In 1986, having left Duke, Mr. Sanford ran for the Senate. When President Ronald Reagan made several appearances on behalf of his opponent, Mr. Sanford knew better than to criticize a President. So he suggested instead that North Carolina did not need a "go-along Senator." Mr. Sanford won a narrow victory.

In the Senate, Mr. Sanford gained a reputation for intelligence, personal decency and, in one celebrated instance, indecision. In 1987, after President Reagan had vetoed an \$87.9 billion highway bill, Mr. Sanford changed his mind three times: first voting simply "present" on a vote to override the veto, then voting to sustain the veto and finally, under tremendous pressure from other Democrats, switching again and voting to override it. His vote made the count 67 to 33, the precise margin required to override.

"Nobody in the Senate thinks I caved in," he said later.

In fact, his colleagues on both sides of the aisle were saddened at seeing him buckle.

"He's a gentleman," said Senator Alfonse M. D'Amato, Republican of New York. "Maybe that's his problem. He's such a beautiful man."

In 1992, Mr. Sanford appeared at first to be in good position for reelection, but he was hospitalized with a heart problem during the campaign. His opponent, Lauch Faircloth, a former Democrat and one-time friend, tried to tar him with the brush of liberalism. And Mr. Faircloth deftly made an issue of Mr. Sanford's health by publicly wishing him a speedy recovery.

Mr. Faircloth's narrow victory ended Mr. Sanford's political life, one that had begun when he was 11: in a 1928 parade in his hometown, Laurinburg, N.C., Terry Sanford carried a sign for Alfred E. Smith, the Democratic Presidential candidate.

Terry Sanford was born on Aug. 20, 1917. His father was a merchant and his mother a schoolteacher.

He graduated from the University of North Carolina at Chapel Hill in 1939. After a brief stint in the F.B.I., he joined the Army in 1942. That year, he married Margaret Knight of Hopkinsville, Ky.

Besides his wife, he is survived by a son, Terry Jr., of Durham; a daughter, Elizabeth, of Hillsborough; two sisters, Mary Glenn Rose of Pennsylvania, and Helen Wilhelm of Bern, Switzerland, and two grandchildren.

As an Army private, Mr. Sanford served as a paratrooper, taking part in the invasion of Southern France and later in the Battle of the Bulge, for which he received the Bronze Star and a Purple Heart.

After the war, mustering out as a first lieutenant, he received his law degree from the University of North Carolina at Chapel Hill and became active in the North Carolina Democratic Party.

Whether working for himself or on behalf of other Democrats, he was known as a tireless campaigner, and a cool one. While he was running for governor, the pilot of his small plane seriously misjudged a short landing strip and came within inches of touching down in a cornfield.

Unruffled, Mr. Sanford stepped out and, grinning, helped several ashen reporters down the steps.

"Start picking corn, boys," he said before walking away.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

The Chair would note there are just 32 seconds or so remaining before the vote.

Mr. BAUCUS. I thank the Chair.

Mr. President, I want to join my friends and colleagues in paying tribute to Terry Sanford. I did not serve on

any committee with Terry, but in the few years that we served together, he immediately struck me as a wonderful man, a good man, with a ready smile, a very thoughtful, very wise, very good, very deep person, the kind of Senator that not only North Carolina, I know, is very proud of, but the kind of Senator that I think most Americans would want their Senator to be.

I cannot, as I am standing here thinking of Terry Sanford, think of another person whom I respected more and loved more and appreciated more, going through all the history, Research Triangle of North Carolina, the Governor, president of Duke University. But the main point I want to make is, working with Terry personally, and talking with him, and working through issues, he was a man who will be very difficult to replace. And, as I said, I can think of no Senator whom I would hold in higher esteem or regard than Terry Sanford.

The PRESIDING OFFICER. Without objection, the resolution and preamble offered by the Senator from North Carolina are agreed to.

The resolution (S. Res. 211) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 211

Whereas Terry Sanford served his country with distinction and honor for all of his adult life;

Whereas Terry Sanford served his country in World War II, where he saw action in 5 European campaigns and was awarded a Bronze Star and a Purple Heart;

Whereas as Governor of North Carolina from 1961-1965, Terry Sanford was a leader in education and racial tolerance and was named by Harvard University as 1 of the top 10 Governors of the 20th Century;

Whereas as President of Duke University, Terry Sanford made the University into a national leader in higher education that is today recognized as 1 of the finest universities in the United States; and

Whereas Terry Sanford served with honor in the United States Senate from 1987 to 1993 and championed the solvency of the social security system: Now, therefore, be it

Resolved, That the Senate—

(1) has heard with profound sorrow the announcement of the death of the Honorable Terry Sanford and expresses its condolences to the Sanford family, especially Margaret Rose, his wife of over 55 years; and

(2) expresses its profound gratitude to the Honorable Terry Sanford and his family for the service that he rendered to his country.

SEC. 2. TRANSMITTAL.

The Secretary of the Senate shall transmit an enrolled copy of this resolution to the family of the Honorable Terry Sanford.

Mr. FAIRCLOTH. The preamble and resolution have been agreed to?

The PRESIDING OFFICER. That is correct.

Mr. FAIRCLOTH. I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2017

The PRESIDING OFFICER. The Senate now turns to the amendment No. 2017 offered by the Senator from Ohio. Under the previous agreement, there will be 2 minutes of debate equally divided followed by a vote on that amendment.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Mr. President, I think this Nation of ours came to be what it is, more than anything else, for one reason, and that is public education in this country was not what it had been in Europe. It had not been just for the kids from the castle. It had not been just for the rich kids or the wealthy young people. It had not been just for those who were politically well connected, who knew somebody.

In this country, education came to be for every single person, and that grew as a national interest. It was implemented then for the K-12, as we know it now, through the States and localities and communities across this country. They formed local school boards, and we have school districts. Now every single State has a requirement for public education.

We did not preclude other people who had parochial school ideas for their children, or whether they wanted to send their kids to boys schools or girls schools or a special interest of some kind, from forming those schools and from sending their children to those schools. But we looked at the public responsibility as being to the public schools that gave a good education to every single young person in this country.

Ms. LANDRIEU. Mr. President, I would like to lend my strong support to the efforts of my colleague from Ohio, Senator GLENN. Our colleague from Georgia has introduced a bill which he claims will improve savings for education. Unfortunately, the evidence from economists seems to disagree with him. The average American family would save only \$37 under Senator COVERDELL's approach.

The reason for this is simple to understand. In order to experience real economic benefit from a tax free savings plan, the principle and interest must stay untouched for significant periods of time in order to have a chance to grow. With H.R. 2646, parents would be allowed to deposit up to \$2,000 into an educational IRA, which is a significant increase over the \$500 they are currently allowed to contribute. However, Senator COVERDELL would also allow these families to withdraw funds from the education accounts for the annual costs of elementary and secondary education. So in essence, you would have families depositing \$2,000 into an educational savings account,

accruing some limited tax savings, and withdrawing it the next year.

Under this scenario, there are no long terms savings, no accumulated interest and none of the real benefits that we are attempting to create with these educational IRAs. That is why I am so pleased with the approach taken by my friend, JOHN GLENN. Through Senate Amendment 2017, families would be able to contribute more to their tax free savings accounts, however, it would be reserved for higher education expenses. By increasing the contribution limit to \$2,000, Americans can all reap the benefit of increased savings for education. They will see their principle grow with compound interest and Congress will preserve the true intention of this newly created IRA.

Mr. President, I ask unanimous consent that this table be printed in the RECORD.

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

SAVINGS GROWTH THROUGH COMPOUND INTEREST

Year	Less than—			
	\$10 per week at 6% yield	\$10 per week at 12% yield	\$40 per week at 6% yield	\$40 per week at 12% yield
1	530	560	2,120	2,240
2	1,091	1,187	4,367	4,748
3	1,687	1,889	6,749	7,558
4	2,318	2,676	9,274	10,705
5	2,987	3,557	11,950	14,230
6	3,696	4,544	14,787	18,178
7	4,448	5,649	17,794	22,599
8	5,245	6,887	20,982	27,551
9	6,090	8,274	24,361	33,097
10	6,895	9,827	27,943	39,309
11	7,934	11,566	31,739	46,266
12	8,941	13,514	35,764	54,058
13	10,007	15,696	40,030	62,785
14	11,137	18,139	44,551	72,559
15	12,336	20,876	49,345	83,506
16	13,606	23,941	54,425	95,767
17	14,952	27,374	59,811	109,499
\$8,500	\$14,952	\$27,374	\$34,000/\$59,811	\$109,499

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time in opposition?

Mr. GLENN. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The Senator from Ohio is recognized for an additional minute.

Mr. GLENN. Mr. President, what my amendment would do is say we could keep the \$2,000 that is in the bill now, but we would move that just to be used for post-12th grade education. In other words, we move from \$500 up to \$2,000, but we say it cannot be used for private schools, for private school vouchers, and so on.

I think when we start down this track, we start toward the ruination or start opening the door, a toe in the door, for a ruination of our public school system. I want the finest public school system we can have. Voting a voucher system or taking public money off to support private schools is not the way to go about it. I urge support for my amendment.

The PRESIDING OFFICER. Who yields time in opposition?