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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Lord of all life, You have given us the hours of this day to work for Your glory by serving our Nation. Remind us that there is enough time today to do what You want us to accomplish. Release us from that rushed feeling when we overload the agenda with things which You may not have intended that we cram into today. Help us to live on Your timing. Grant us serenity when we feel irritated by trifling annoyances, by temporary frustration, by little things to which we must give time and attention. May we do what the moment demands with a heart of readiness. Give us the courage to carve out time for quiet thought and creative planning to focus our attention on the big things, on those important things that we must decide and eventually vote on with a decisive vote. Help us to be silent, to wait on You, to receive Your guidance. May the people we serve and those with whom we work sense that, in the midst of the strain and stress of political life, we have had our minds replenished by listening to You. In the name of our Lord. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from Washington State is recognized.

SCHEDULE

Mr. GORTON. Mr. President, this morning the Senate will immediately resume consideration of H.R. 2646, the Coverdell A+ education bill. Under the previous order, this Senator will be recognized at 9:30 a.m. to offer an amendment with respect to block grants. Members who have remaining amendments to the Coverdell bill are encouraged to come to the floor to offer and debate those amendments. Senators are reminded that any votes ordered this morning with respect to pending amendments will be stacked to occur at approximately 3 p.m. Further votes will occur throughout today's session as we attempt to complete action on this important piece of legislation.

Mr. President, this is the message from the majority leader, and I want to emphasize the last point. It is his intention that we finish all amendments and debate on final passage of this bill before the end of the session today. So those who have amendments should come to the floor and offer them in order, after the debate on my own is complete.

Now, Mr. President, I ask recognition in order to present an amendment.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ALLARD). Under the previous order, the leadership time is reserved.

EDUCATION SAVINGS ACT FOR PUBLIC AND PRIVATE SCHOOLS

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 2646, which the clerk will report.

The assistant legislative clerk read as follows:

A 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.

The Senate resumed consideration of the bill.

The PRESIDING OFFICER. Under the previous order, the Senator from Washington, Mr. GORTON, is recognized to offer an amendment regarding block grants, on which there shall be 30 minutes equally divided.

The Senator from Washington.

AMENDMENT NO. 2293

(Purpose: To provide for direct awards of education funding)

Mr. GORTON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Washington [Mr. GORTON], for himself, Mr. FRIST, Mr. HAGEL, Mr. MACK, Mr. COVERDELL, Mr. HELMS, Mr. SMITH of New Hampshire, Mr. DOMENICI, Mr. NICKLES and Mr. CRAIG, proposes an amendment numbered 2293.

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

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. GORTON. Mr. President, I ask the following Senators be listed as original cosponsors of the amendment: Senator FRIST, Senator HAGEL, Senator MACK, Senator COVERDELL, Senator HELMS, Senator BOB SMITH, Senator DOMENICI, Senator NICKLES, and Senator CRAIG.

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

Mr. GORTON. Mr. President, last fall during the debate of the Labor, Education appropriations bill, I introduced an amendment to consolidate more than a dozen Federal aid programs for education from kindergarten through 12th grade into a single block grant, with the block grant going to each individual school district across the United States. The amendment had

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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three goals: To see to it that each school district receive more money than it does at the present time by sending directly to the school districts money now kept by the Department of Education for administrative purposes and money kept by State educational agencies for administrative purposes. The second goal was to reduce the flood, the blizzard, of paperwork imposed on all of our school districts across the country with respect to dozens, perhaps even hundreds, of separate programs directly or indirectly aimed at the education of our children between kindergarten and 12th grade. And the third and philosophical reason for the amendment was the belief that the professional educators, the parents, and the elected school board members in each State and school district in this country had the education of their children close to their hearts and really knew, in each community, more about what the children of that community required in connection with education policy than did any person in Washington, DC, whether a bureaucrat in the Department of Education or a U.S. Senator in this body.

Perhaps the most difficult conclusion for any of us here to reach is that maybe we don't know as much as do people at home about the immediate problems and challenges that they face in a wide range of areas—in this case, most particularly, education. So it was an attempt to allow 10,000 flowers to bloom, to allow each individual school district far more discretion than it has at the present time to determine where Federal aid could best be used. After all, we only come up with 6 to 8 percent of the money that our schools spend. We don't have a right to come up with 50 or 60 percent of the rules and regulations and forms with which our schools must contend. That burden lessens the ability of teachers to teach and administrators to administer and school board members to set policies.

Somewhat to my surprise, that amendment was passed by a vote of 51 to 49. It was objected to, partly on substantive grounds and partly on procedural grounds. It had not been the subject of hearings. The House of Representatives was uncomfortable with it. The President was opposed. And it was eventually dropped in the conference committee on that appropriations bill. Since then, however, it has been a matter of major discussion among school officials all across the United States. It has been the subject of hearings here in the U.S. Senate, conducted by my distinguished friend and colleague, Senator FRIST from Tennessee, on a bipartisan basis. I have spent countless hours talking to educators on the subject and listening to both their praise and to their concerns. As a consequence, this amendment is somewhat changed from the previous amendment. This amendment will last for 5 years, but its effective date will be delayed in order to give the people of each State a very real choice in the way in which they receive their Federal aid for education.

We heard the representative of at least one State school superintendent say that he liked the present system. We heard several State school superintendents say how much more they could do with the money dramatically to reform education policy if the money came to each of the 50 States, to their Governor or to their superintendent of schools. Many of the outside intellectuals and academics in the field of education feel that it is at the State level that true education reform is taking place.

We hear from many school board members—I hear from many of them in my home State and so do other Members—that they liked my original proposal to get rid of both bureaucracies and allow each individual school district to make these decisions.

So this amendment gives each State a choice. The State legislature in the next year may elect to continue the present system, it may elect to take the money at the State level going through whatever educational establishment that State has established, or it may elect, either positively or by taking no action, to allow the money to go directly through to school districts.

Senator FRIST will offer a second-degree amendment allowing that choice to be rescinded to change the amendment I think friendly to the proposition.

As a consequence, we will be able to determine whether or not the proposal I made last year is a significant benefit to education, whether the best system is one in which each State makes its own choices, much as we have done with respect to welfare reform, or whether the present system is best, because there will be States that make each of these three decisions.

I hope that this will turn this proposal into a bipartisan proposal. I am not sure why anyone should oppose that triple option allowing a different way of doing things. Only if we regarded the present education system as perfect should we reject an experiment of this sort.

The second objection, the second apprehension that was close to universal, was the proposition that if we went to a block grant, if we combined all of these ideas into a block grant, Congress would immediately lose interest in education and the block grant would inevitably decline and that the money wouldn't be there for schools. I believe the interest in education here to be high enough so that that would not have taken place, but the concern was very real.

In responding to that concern, we have set authorization levels for the 5 years during which this experiment will take place, each of which rises modestly in each of those years consistent with the balanced budget agreement and the projections of the freeze under which discretionary spending will operate. This proposal says that if in any year we don't meet that authorization level, the whole experiment falls and ends, and we go back to the present system. We have guaranteed not only a continuation of effort, we have guaranteed a modest increase in that effort over the years.

Finally, we have a hold harmless under which school districts say that no school will receive less money if they elect one of the two systems other than continuing the status quo than they would have received otherwise, with the distribution of title I money based on the number of title I eligible students fundamentally, bilingual money based on the number of bilingual students fundamentally, and a distribution of the balance on the basis of the prosperity and poverty of a given State.

I think we have something very positive for education here, a system that will get more money into the classroom, will allow more experimentation, will allow us to find out whether the present system is the best system we can come up with or a State-based system or a local-based system.

At this point, Mr. President, I urge my colleagues of both parties to look at this very carefully, not to judge it necessarily on the basis of the way in which they judged last year's proposal but to judge it on the basis of whether or not they have a sufficient trust in their own elected school board members, elected by the same people who elect us, to make better judgments, in some cases, about their schools than we can make here on a one-size-fits-all basis in Washington, DC.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I rise to oppose the Gorton amendment. I listened with great interest to the Senator's presentation, as I did the last time we debated this issue. Of course, we understand now that if the States want to go out to their taxpayers and raise taxes and to vote those taxes to any of the points that the Senator desires, they have every right to do so, and there is nothing that any of us are doing here that would prohibit them from doing it.

The fact is that the resources which are being provided here and which the amendment is directed to are the resources that are being raised at the Federal level and have been targeted to those aspects of our educational systems that have been identified as being meaningful in terms of our national interest and our national purpose. The Senator's amendment effectively eliminates the Drug-Free Schools Program. That would be included in his block grant, but the funding would not be there.

Maybe parents are speaking to the Senator from Washington and saying they don't like a drug-free program in their schools, but parents in my State are saying they like it and they hope it will be enhanced.

They talk about dispute resolutions that are being developed in various schools. They don't want that program emasculated or effectively destroyed. It does not reach a level of priority in the Gorton amendment.

When I go around my State of Massachusetts, particularly after all of the publicity that was received in the international competition about where the United States stood in areas of math and science, they are not saying cut out the Eisenhower Math and Science Education Training Program. They are asking me, ''Do we have in our schools qualified teachers in math and science, and what are you going to do in your higher ed bill to try to have enhanced math and science qualified teachers who are going to teach our children in our schools?''

Too many of the teachers who are teaching in the schools in my State—and in every other State, I might add—are not qualified to teach in their particular courses. One of the most effective programs is math and science under the Eisenhower program. That doesn't exist in the Gorton amendment.

Maybe people are going around and saying to their Senators that math and science training and additional enhancements for our teachers is something in which they are not interested. But I do not hear that in Massachusetts. I do not hear that.

We have support for programming that is going to enhance academic achievement and accomplishments to raise the bar. One of the most important transitions we have seen in terms of education policy is to free ourselves from dumbing down academics, from social promotions in the various schools, and setting high academic standards. The provisions that exist in Federal law would be virtually eliminated by the Senator's amendment. I do not find parents in my State saying, ''We are not interested in establishing higher academic standards in our schools.'' That is eliminated.

If, in particular, communities do not choose to take advantage of these programs, they do not have to take advantage of these programs. But why deny the people in my State the opportunity to take advantage of it if it is desired in the local community and the State makes that determination of priority? It is a partnership today. It is a partnership, but they effectively are denying it under the Gorton block grant resolution.

Mr. President, our role is extremely limited. We provide maybe 7 cents out of every dollar that is extended locally—maybe 6, 7, 8 cents. A chunk of that goes into nutrition programs. A good part of that is the title I programs, additional help and assistance in terms of IDEA, a small part in terms of the bilingual program and a few others, such as the math and science programs. In the Eisenhower math and science training, it is about $360 million, but it is a very good qualified program. And for the life of me, I do not understand where this demand is coming to vitiate that and eliminate those programs.

If a particular community wants to innovate and create and try to do all these other kinds of matters that the Senator talks about, then let them go ahead and do it, let them go ahead and do it. But these programs have been targeted, been basically developed with strong bipartisan support, I might add, or they would not be on the books. We have had strong bipartisan support in terms of the safe and drug-free schools.

We have had it with regard to the Eisenhower training programs, math and science training programs. They will be reinstated when we are dealing again with the Higher Ed Act, with strong bipartisan support. Effectively, we are saying, without a day of hearings, with a very limited debate here for 30 minutes—a few hours in the last session of Congress—that we are effectively emasculating all of these programs.

It is not sound education policy, and I think it is unwise policy for us to be considering at this particular time. We ought to be looking and evaluating each of these programs one by one. If they are having a heavy administrative burden, we ought to examine that and address that. That is why we are commending the work that has been worked out with Senator DEWINE, Senator WELLSTONE, Senator JEFFORDS, and others in our committee for consolidating various work training programs, 126 work training programs in six different agencies to eliminate those administrative costs and to try to do it in a way as to protect the function but eliminate a lot of the administrative costs.

We have been involved in the last several years with waiving various rules and regulations in States and in educational districts, which is working out. And we can do that, selectively and effectively. We welcome the opportunity to do so. We have had evaluations, and they are effective. We welcome the opportunity to work with Members here. The leader in that effort was Senator Hatfield of Oregon, who is a leader in education as well as an attempt to try to give the focus of limited Federal funds to areas which have national purpose and national accord.

Finally, Mr. President, we do not have accountability under the Gorton amendment. We hear a great deal about trying to have greater accountability so we know what are going to be the results of investments of scarce Federal funds. We do not have that in the Gorton amendment. We do not know what is going to happen when that money goes out into these various communities. There may be some feel-good measures that people feel good that they are able to try to move various resources around in different directions, but we do not know what the outcomes are going to be. You do not have the accountability.

So finally I just say that we have a relationship at the Federal, State, and local community levels in terms of education. It is a partnership. I think it is fair to review that partnership. It is fair to examine various programs and what is effective in that partnership. But we raise money at the Federal level for national purposes, safe and drug-free schools. We made that a part of our war on drugs in this country.

It is a matter of national policy. We said we want, as a national policy, to have drug-free schools. That is effectively eliminated in this program. We said we want focus and attention on math and science in our schools, and we developed a program that if initiated in the local communities on a competitive basis will provide those resources. That program is eliminated.

We have said as a matter of national policy that—and just about everyone agrees with that—we ought to raise the bar in terms of academic achievement and accomplishment. Let us go ahead and do that. And we have an agreement by parents. They are enthusiastic about it. And that is going to be eliminated under this program.

Mr. President, this is not an advance. It is rearranging the deck chairs, but we are not enhancing the academic opportunities for children in this country with this amendment. And I hope that it will not be accepted.

Mr. President, how much time do we have on this side?

The PRESIDING OFFICER. You have 5 minutes 40 seconds.

Mr. KENNEDY. I withhold the balance of the time.

The PRESIDING OFFICER. Who seeks recognition?

Mr. GORTON. Mr. President, those deck chairs, as I remember, were sitting on the deck of the Titanic. It is already going down.

I ask unanimous consent that Senator ASHCROFT be added as a cosponsor to the amendment.

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

Mr. GORTON. Mr. President, I am saddened by the response of Senator KENNEDY. This amendment was revised very substantially after consultation, wide consultation with people thoughtfully interested in education.

By the terms of the amendment, any State that wants to continue the present system and thinks it is best may do so, any State that wants to operate its Federal aid through its State educational entity may do so, and any State that thinks that education will best be conducted at the local level will be permitted to do so. How that destroys programs or hurts education is beyond my understanding.

In January, Dr. Carlotta Joyner of the General Accounting Office came before the Senate budget task force and said in three areas of education 15 Federal departments and agencies administer 127 at-risk and delinquent youth programs; 11 Federal departments and agencies administer more than 90 early childhood programs; and

9 Federal departments and agencies administer 86 teacher-training programs.

Twenty programs are consolidated into this block grant for those States that wish it. It takes about one-third of all of the money that the U.S. Department of Education spends on education from kindergarten through 12th grade. To say that once we reduce the rulemaking functions of the U.S. Department of Education we are going to destroy education is to say that neither State education agencies nor local school districts nor superintendents nor teachers either know what they are doing or care about what they are doing.

That is simply wrong. They know more and they care more because they are right there with our children. If it does not work, it will go out of existence. Any State that does not want it does not have to take it. I believe this is an amendment that ought to be adopted unanimously. I regret the opposition of the Senator from Massachusetts. What we are doing is improving education and getting more dollars into the classroom, not less.

Mr. President, I yield such time as he wishes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. DOMENICI. Two?

Mr. GORTON. I yield the Senator 1 minute. Sorry.

Mr. DOMENICI. Mr. President, I rise to congratulate both Senator GORTON and Senator FRIST. Senator FRIST conducted a series of hearings in his Budget Committee task force from which came much of the factual information and evidence of the great need for reform in the programs that are now in the Gorton amendment.

Frankly, I think what has happened is some are still looking at last year's Gorton amendment and assuming that is the bill before us. This is about one-third of the Department of Education's programs, a little over $10 billion out of a little over $30 billion. So one-third of it will be block granted.

But the point of this amendment this year for those who thought we were going to in some way dismantle the programs nationally, this bill has options in it so if anybody wants to stand up and say these Federal programs are the greatest thing and the States love them and the school boards love them and they participate wholeheartedly and they are effective, they can say that. It really isn't true, but they can say that, and we can stand up and say, well, fine, if they are that good, obviously, the States and school boards across the land will choose the option to keep them just like they are and let the Federal Government run them. The healthy part of this is it is going to be a wonderful experiment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DOMENICI. I ask unanimous consent I be permitted to speak for 1 additional minute and it not be counted against Senator GORTON's time.

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

Mr. DOMENICI. This will be a wonderful experiment, for if, indeed, some States choose to remain under the bureaucratic programs that in many cases do not even fit the needs, and in many cases States do not even participate because they are so far from what the needs are, if they want to, they keep the programs. And then a number of States may go the other route, it will be marvelous for Americans to be able to see, in about 5 or 6 years, which approach helped the kids more, which approach got more education dollars into the classroom on a day-by-day basis, addressing the major problems that the school boards and State school boards find to be the real areas of need at the State level.

I think it is time to let States make that choice. Let us see which one works best—categorical strings attached, Federal programs that frequently miss the mark, or the approach that Senator GORTON has. I am delighted to be a cosponsor.

I yield the floor.

Mr. DORGAN. How much time remains?

The PRESIDING OFFICER. The Senator from North Dakota has 5 minutes 40 seconds and the manager has 1 minute.

Mr. DORGAN. Let me make a couple of comments.

First, I think the Senator from Washington, Senator GORTON, is a thoughtful legislator and I have agreed with him on a number of education policies, including last year his fairly controversial amendment on IDEA. I supported him on that and I thought his amendment was the right amendment.

This is an area in which there is just some philosophical disagreement. Let us be honest, there are some—I don't think the Senator from Washington is among them, or perhaps the Senator from New Mexico—there are some who very much believe the Federal Government should not be involved in education in the elementary and secondary education at all.

The Republican Party platform in 1996 said, ''This is why we will abolish the Department of Education and end Federal meddling in our schools.'' I am not suggesting that is what this amendment does, but philosophically there are people, and a fairly significant number in your party, who really believe there should not be a Federal Department of Education, who believe that these programs represent meddling, and it ought to all be done at the local level.

My point is this: There have been certain national priorities that we have tried to address with the programs that we have developed for elementary and secondary education at the Federal level. By far the bulk of funding for elementary and secondary education is at the local level. They run the schools; they finance the schools. If we were to decide, ''Let's not care about how these moneys are spent that go to State and local governments from the Federal Government for elementary and secondary education,'' I would say then let's not be a tax collector here. That is what we would be. If we say we don't care how the money is spent, we will collect the money and throw it back there, all we end up being is a tax collector to add extra money for elementary and secondary education. In that case I say, raise the money at home. Why pass around an ice cube? All that does is mean you get less money back when you do it that way, so just raise the money at home. Don't do it at all. Just suggest there aren't national programs of national interest or national need.

Some of us here believe very strongly that what we have done with the Department of Education and the kind of ''gap funding'' we have provided for certain title programs and other programs of some national importance and national interest and national need have advanced the issue of education in this country. It doesn't mean we have tried to run the school systems. We haven't and shouldn't and won't. It does mean that a number of these things we have done nationally strengthens the schools. It fills in areas of national need on issues of national importance that otherwise would not have gotten done.

Again, I have great respect for the Senator from Washington, but I will oppose his amendment simply because I happen to think that what we have done in creating a Department of Education and in providing some directed gap financing for programs that represent national interest and national need—drug-free schools program being one, for example, and many, many others that are very important that I think have strengthened education in this country.

I understand there will be a second-degree amendment offered here and that will allow a few more minutes of discussion. But let me just say again, I think this stems just from some philosophical differences. I respect those on the other side who say, ''Well, you can spend this money better at home.'' I say, if that is the case that there shall be no national purpose and no national interest with respect to some of these issues, let us not have tax collectors in Washington raising the money here and taking it away before they send it back home. Just have the folks back home raise all the money and spend all the money.

If you believe there are certain things that are worthy—including programs like title I and so many others—that have advanced education in this country and been very helpful, not intrusive, but very helpful, to State and local governments who run our elementary and secondary school systems, if you believe that, then I think you support what we have done to improve it and strengthen it.

I yield back the remainder of our time. My understanding is there will be offered a second-degree amendment.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Washington.

Mr. GORTON. Mr. President, my friend from North Dakota makes two arguments. One, a philosophical argument against the abolition of the Department of Education, based on the philosophy that there is a function of the Department of Education in Washington, DC. That, however, is not an argument against this amendment since this amendment does not abolish the Department. It takes only about one-third of the money that it is spending in K through 12 education.

The second argument the Senator from North Dakota makes is that it is absolutely essential for the success of our educational efforts that there be very strict rules coming from the Department of Education to every school district in the United States. That would be a forceful argument if we had been a tremendous ''signal'' success in these policies. Nothing indicates that we have been. It is one of the reasons we are debating education policy here today.

What I proposed is an opportunity to try three experiments: Continue the present system, allow the States to do it, or allow local school districts to do it. I remain puzzled that anyone should say that we are so successful today that we can't experiment, we can't change. Let's try for a while three different systems and see which one works the best. Competition always ends up with the best results.

I yield back the remaining time.

The PRESIDING OFFICER. Time on the amendment is expired.

AMENDMENT NO. 2294 TO AMENDMENT NO. 2293

(Purpose: To provide for direct awards of education funding)

Mr. FRIST. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 2294 to amendment No. 2293.

Mr. FRIST. I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. FRIST. I understand we have 15 minutes on either side.

The PRESIDING OFFICER. The Senator is correct.

Mr. FRIST. Mr. President, I rise today in support of the Gorton amendment and also rise to explain the amendment which I just submitted.

As has previously been referred to this morning, I have had the opportunity over the past 6 months to chair the Senate Budget Committee task force on education. During that series of seven hearings that we held, I listened very carefully to a number of witnesses. Both Democrats and Republicans alike came before our committee and discussed the nature of the Federal role in education. The terms that were used and the picture painted was that we had this sprawling endeavor, that is duplicative in many ways, that has not been focused to the degree that any of us would like, which in turn, in many ways, has tied the hands of the education establishment, has tied the hands of State communities and local communities and local school administrators and teachers and principals and parents. We have heard it again and again.

I applaud Senator GORTON for building upon his amendment from last year. The amendment that we see today, which I think goes a long way toward accomplishing the goals as recommended by the task force to consolidate—not eliminate, but consolidate—the various efforts we have at the Federal level to accomplish what we want to accomplish; that is, to educate the young people, K through 12 today. We have not been successful in the past. We all know that. That has been demonstrated again and again.

The amendment that I introduced today makes the Gorton amendment, I believe, even stronger. Under the Gorton amendment, a State must choose within a 1-year time period and pursuant to a majority vote in their State legislature and with the concurrence of the Governor, one of three options. Again, the beauty of this amendment is that there are three options. After the initial selection under the Gorton amendment, a State can only change that selection one time and only after a 3-year period.

My amendment would simply allow a State which has chosen to remain in the current system—again that is the beauty; if a State elects not to change under the Gorton amendment, they don't have to change—if a State does say we will stay exactly as we are today, continue the categorical program that they have today, under my amendment they will be able to opt any time over the next 4 years to go into one of the block grant programs.

That is the extent of my amendment. In addition, we heard from States like Kentucky that have biennial State legislatures, and it gives them the opportunity to make that decision after they next meet, since the underlying amendment had this 1-year time limit. The real theme to the Gorton amendment is the flexibility that is given to localities—flexibility for individual localities and individual States to decide for themselves, based on their own priorities, based on their own identified needs, how to best spend their education dollars.

My amendment builds on that flexibility, allowing States to decide, and they are given more choice. The need for consolidation could not be clearer today. We know that over the last 20 years we have had stagnant student performance in science, mathematics, and reading. We have seen that data again and again. Our task force looked at the Federal role in education, and we found this sprawling, unfocused effort that did suffer from a programmatic reluctance to ask the fundamental question: What works and what doesn't work? There is something inherent in the program that prevented us from asking that question, until today.

We saw these huge charts that take the 500 Federal programs, or 2,900 programs of the Department of Education, and we saw these overlapping, intertwining, well-intended programs that have lacked the focus, have lacked the streamlined consolidation approach, and they have not worked. What the Gorton amendment allows us to do is choose a system, not change it all for two block grants of about $10 billion, to choose based on your individual needs what might work for you.

We have already tabled, over the last 2 days, a school construction program. We will debate other amendments that create a program for dropout prevention, to create new programs. The beauty of the Gorton amendment is that we give the States and the localities the money, and if they have a problem with dropouts, they can identify that program and use the money there. If they don't have a problem, they don't have to use it there. For technology development, we give the States and the localities the option to decide how to spend that money.

It is not a partisan issue. People have tried to make it, both in the media and sometimes on the floor, Republicans versus Democrats. We listened carefully in our task force to the Democratic officials from the Chicago school system. They extolled the virtues of flexibility. That is what the Gorton amendment is all about. They said that the flexibility in much of their own program's success in reforming the Chicago system can be—it draws back to that use of block grants, which has that flexibility. They said to our task force: ''We know the system, and we believe we know the things that it needs to have in order to improve.'' They continued: ''So the more flexibility we have with Federal and State funds, the easier it is to make those changes.''

Florida's commissioner of education went on to say: ''We at the State and local level feel the crushing burden caused by too many Federal regulations, procedures, and mandates. Florida spends millions of dollars every year to administer inflexible categorical Federal programs that divert precious dollars away from raising student achievement. Many of these Federal programs typify the misguided, one-size-fits-all command and control approach.''

Those were the words of Florida's commissioner of education.

We also heard that the Department of Education has indeed made some progress in eliminating some regulations and consolidating programs. Secretary of Education Riley reported that the Department eliminated 64 programs. But then we heard 2 weeks later from the General Accounting Office that the Department still oversees 244 separate individual programs. Given that the Department and the Secretary are moving in the direction of streamlining and consolidation, it is really confusing to me why the Department and the administration oppose the Gorton amendment, which does just that; it consolidates, it does not eliminate the Department of Education, it does not eliminate the targeted populations; it consolidates and allows individual communities to best choose how to use those same amounts of dollars.

Accountability was mentioned. It is a red herring. The Gorton amendment very specifically provides for accountability to both the Federal Government and to those people who really care the most. I am absolutely convinced that the people who really care the most are the parents of those children in those schools. The Gorton amendment very specifically requires public involvement in planning a strategy for the use of block-granted funds and an accounting to the public of the results once the funds are used. Accountability is specifically addressed.

Targeting. We heard about the title I population. That is specifically spelled out in this amendment. There is no weakening of the targeting nature of the Federal funding of things like title I. It is interesting to note that the Gorton amendment does not do this. In fact, 100 percent of title I part A funds would flow directly to the local education agencies—100 percent. There is no cutting there. Under the Gorton amendment, 100 percent of the funds would be used by the schools in the classrooms, not with that administrative overlay, administrative cut taken off to be spent here in Washington, DC. No; this makes sure that the targeted populations receive the funds in the classroom.

The premise behind both my second-degree amendment and the Gorton amendment is flexibility. States and localities will have the flexibility to decide for themselves how to best use education dollars, not the U.S. Congress' well-intended layering on of program on program, not the administration's budget proposal sent to us in which there were eight new education programs. Another four have been proposed here in the last 2 days. No; we want those moneys, that accountability, that flexibility to be carried out at the local level.

The task force heard testimony of numerous witnesses. We heard from Susan Gendrich, who runs a wonderful public school in Murfreesboro, TN, called Cason Lane Academy. We heard that the real beauty, the reason they have been able to accomplish so much, is because they were given the flexibility to have remedial schoolwork in the afternoons by using unused funds that otherwise would have gone to something they did not need.

Yes, let the States and the localities exercise some creativity. That is where the innovation actually is. Again, remember, in the last 20 years we have been stagnant in school performance. What we have done through 500 programs, spending $100 billion a year, has not improved education in our public schools. Let's give them an option. That is what this is, an option to keep what you have, to go to a block grant program. Our current approach is simply not working. Let's try a new approach, something novel, and return decisionmaking authority to those closest to our students—the States and the localities.

Mr. President, I urge adoption of the FRIST amendment, and I reserve the balance of my time.

I yield 5 minutes to the Senator from Missouri.

How much time remains?

The PRESIDING OFFICER. Four minutes 42 seconds.

Mr. FRIST. I yield 4 minutes to the Senator from Missouri.

Mr. ASHCROFT. Mr. President, I rise to commend Senators GORTON and FRIST for what I believe to be a very important step forward in providing the basis for educational achievement by students. Sometimes I think in all the debate we have about education, we get worried about one group of individuals who might manage funds here and one group who might manage funds there, and whether or not this would be directed by this group or that group. The ultimate objective of our program in education is student achievement. We want students to develop, as a result of our educational efforts, the capacity to grapple with the issues of the next century. We ought to ask ourselves on a regular basis, How is that best done? How do we elevate the capacity and the performance of the students? What is it that gets that done best?

Well, I think this particular effort on the part of the Senator from Washington and the Senator from Tennessee recognizes two or three important principles in student achievement. First, nothing is more directly correlated to student achievement than parental involvement. The more influence we give to parents, to community leaders, and to the role models who are right around those students in shaping the students' opportunities, the more likely those students are to achieve. Study after study shows that when parents are involved, when schoolteachers and community officials are involved, when the culture around the student is involved in decisionmaking and they get active in the schools, that is when achievement goes up.

Now, this block grant approach is going to move toward the parents, toward the communities, toward the students, toward the cultural leaders who surround the students, and give the right to make and the opportunity to make decisions that they believe will best motivate and enhance the capacity of students to achieve. It is very, very important.

Second, I believe that it is very difficult to make intelligent decisions for the whole country under the rubric of a single prescription. There are a lot of health problems in the United States. But if we were to say we were going to prescribe a single wonder drug, I think people would wonder about it. They know they would like to be able to go to their doctor to decide what is wrong with them, what their problems are, and to get a prescription that would really make a difference to them. I think when we give the capacity to deploy resources to State and local school agencies and we don't tell them what sort of prescription there has to be but we allow them to use the resources to best achieve what is needed in that area, we provide the basis for student achievement for actually delivering through the educational process what it is we need to deliver.

I visited a school in southwest Missouri just this last year. Both State and local governments had so many strings on what they said money could be used for that they could not do what needed to be done. They needed to build new classrooms. They were laboring under a requirement that they had to spend so much of the money for teacher's salaries. They wanted to be able to do teacher's salaries. But they first needed classes. Because it was a high growth area, they were trapped between needing to get the classrooms first, for which they could not spend the money, and having to spend the money for teachers. They couldn't use the teachers until they had the classrooms.

We really need to free the people who care the most about America's future—they are parents, community leaders, school leaders, teachers, and administrators at the local level. We need to free them to be able to deploy resources effectively.

There is a myth in Washington; that is, that we can make something where one size fits all. The truth of the matter is one size fits none.

These amendments are fundamentally beneficial amendments which will help Americans develop and shape better schools for their children in which students achieve.

I thank the Senator from Tennessee.

The PRESIDING OFFICER. Who yields time?

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, once again I think we have a philosophical difference here. I don't see that parents, teachers, schools, and local officials are not free now. They are certainly free now to develop their own programs, raise their own money, and

run their own schools. They do that. They are free to do that. They do it every day in every way.

The local school in my hometown of 300 people is run by the local school board. They raise the money in the local tax district. The school board hires the teachers. They decide with the State government about the curriculum. They are perfectly free to do that, and do it every day.

The Senator from Washington indicated this is not a debate about abolishing the Department of Education. He is absolutely correct about that. This, however, represents a seed from the same garden. That is why I mentioned that in the 1996 Republican National Party platform it says: ''That is why we will abolish the Department of Education and Federal meddling in our schools.''

It is a seed from the same garden that says, by the way, if there is any money going back from the Federal Government, let's make sure that there is no purpose for that money; let's make sure it goes back in the form only of general aid and not some kind of assistance, as has historically been the case for compensatory education for poor children.

One-half of the Federal money that has been spent since 1960 for elementary and secondary education has been spent for compensatory education for lower-income children. It has been remarkably successful.

Once again, let me emphasis that we don't run and never will run the local school districts, and we don't finance the local school systems. This is kind of gap financing for certain things that we have considered a national purpose, among which, as I mentioned, is compensatory education for lower-income children, but other areas as well.

Let me mention just a couple of them: The School-to-Work Program, the Safe and Drug-Free Schools Program. What if, for example, this amendment passes, and it is decided that in 45 States, while we have said there ought to be a national priority on the Safe and Drug-Free Schools Program, and here is the money for it, 45 States say, ''Well, sorry. It is not our priority. That is not our priority. We are not going to do that.'' Yet, we keep sending the money, and we have 45 States in which there is not a safe and drug-free schools program.

My question to the Senator from Tennessee and the Senator from Washington is: Why would we want to keep spending the money in that case? Why would we want the Federal Government to become a tax collector for local school districts for no national purpose? They have said, ''We want your money, but there is no national purpose served in having a safe and drug-free school program.'' I don't think that makes any sense.

I say just do this through the front door. If one really doesn't want the Federal Government to be involved in these programs, just end the financing for the programs.

What we are suggesting here is not—the Senator from Washington is correct—abolish the Department of Education, although I certainly think there are plenty who want to do that. But I think the American people probably would not approve of that. So it is the kind of an approach that says, ''Well, let's simply abolish the purpose for the money but continue to provide the money.'' I just do not understand that.

The Senator from Missouri made a general point about education. Let me say that I agree with what he said about education. Education works in our local schools all across this country when you have a teacher that is a good teacher, when you have a student who comes to school willing to learn, and when you have a parent involved in that education. Those three elements are critical and necessary for education to work. There is no question about that.

We debated yesterday the question of the priority of school construction to see if there could be some incentive to promote further investment in school construction. That was not the priority yesterday. There needs to be other discussions. Regrettably, I wish it was. But that is also a rather important point. That child must go through the classroom door of the classroom that is a good classroom in good repair and not overcrowded.

I mentioned a week ago that I was at the Cannon Ball school—at an Indian school, a public school, and a public school district—and a second grader named Rosie Two Bears, she is going to school this morning in a school that is not in good repair. You can have all the other things that work, and then to have classes where one teacher is teaching two classes back and forth at 50-minute intervals with kids with desks that don't have a half an inch between them, because there is not room with 140 kids and 40 staff people in a building that is 90 years old, part of which is condemned, and they have two bathrooms and one water fountain for 180 people, that is not in good repair. Does that school need substantial investment to make sure this second grader named Rosie who goes to school has the same opportunity that your kids and my kids do? Absolutely.

We have a lot to do, and a lot of challenges.

This issue, however, is not about the general financing of elementary and secondary education, because we do not do that. The general financing and the management of our elementary and secondary education system is done at home. That is where it ought to be done. We have, however, in recent decades indicated there are some basic issues of national purpose to be served by creating a title I program, a vocational education program, and a safe and drug-free schools program. That represents national interests and a national purpose that you would hope to see attained at every school district in every State all across this country. Some say, ''Well, let's just retreat on this issue of national purpose. Let's just back up on this issue of national importance.'' The Senator from Washington last year when he offered his amendment included, for example, title I in vocational education. He did not include it this year. I am pleased to see that because, frankly, it seems to me that if you just look at what has happened to the success of these programs you can't help but conclude that what we have done, while not perfect, has been enormously important in the lives of a lot of students, especially poor students in every school district in this country.

The General Accounting Office recently found that the targeting of the Federal education programs to those with the greatest financial need has been very successful.

In fact, they say for every dollar the Federal Government provides to a student, in general, it provides $4.73 to an impoverished student.

What that means is what we have tried to do has largely worked to try to fill in some gaps to say that where there is not adequate funding locally and where we have a sense of national purpose about something that we know needs to be done, we are going to try to fill in that gap.

It seems to me to say that we are going to retreat on that and say what we are going to send back now will just be general aid—I say the right approach for that is, if you are going to retreat altogether, just say we will not be sending categorical aid because we do not sense a national priority or a national purpose or a national interest and therefore we won't send the money either.

Or, alternatively, you can end up deciding there is no national purpose here and we will not support the national interest in these programs, safe and drug-free schools being an example, but we will continue to be a tax collector and will collect the taxes and then send the money back. Gee, I think the folks back home would be much more impressed with a straightforward approach to this alternative, which I don't support, in which we say we do not support the programs and we will not collect the money for it; you do what you will back home.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee has 29 seconds remaining.

Mr. FRIST. And the other side?

The PRESIDING OFFICER. Six minutes 22 seconds.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. In my 29 seconds, let me make it very clear that the Gorton amendment continues to target title I, the student. The disadvantaged students still get the money, still get the programs. The difference is that 100 percent of the money gets down to the classroom where it is needed.

The Gorton amendment has as its underlying theme flexibility and accountability, the two things that we have heard again and again are necessary to accomplish our goals of educating students. We are not doing a good job. Our education system is not successful. When we compare ourselves in the 12th grade to science students all over the world, out of 21 countries only 2 do worse than us. It is not successful.

This bill preserves choice. It gives options: No. 1, to continue to receive this $10 billion in Federal funds under the current system with the same regulations, no change. You can choose that. Or your second choice: Have those Federal funds sent directly to the local school districts minus the Federal regulations. Or choice No. 3: Have Federal funds sent to the State education authority minus Federal regulations.

As Frank Grogan, Florida's commissioner of education, said:

> With education, we are already beginning to see States becoming living laboratories. If left to pursue reform without added Federal burdens and interference, States can learn from the success and mistakes of others with the freedom to emulate some programs as models and/or discard those that are ineffective.

The Gorton amendment gives that opportunity, with accountability built into those States and the local level.

Mr. President, I yield the floor.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. Six minutes 22 seconds.

Mr. DORGAN. Let me just make another quick point.

You will not find a challenge anywhere in this Chamber by anyone who would stand up and say it is not important to have local people making local decisions, that some of the best decisions that can be made can be made locally. No one is going to contest that.

The point I am making is this: Local governments, State and local officials who run the elementary and secondary school systems in many cases over now many years, have indicated they do not have the resources to provide the kind of help we provide in title I as a gap financing that moves certain kinds of assistance to poor children or children who go to poor school districts.

Now, the amendment of the Senator from Washington does not put title I in this block grant category this time, as I indicated he did last year but does not this time, as I understand it. I address the Senator from Washington. Is that correct?

Mr. GORTON. No, the Senator is not correct. Title I is in this amendment. However, the money is distributed only on the basis of title I-eligible students. In other words, the school districts will get the same amount of money and will still be targeted for title I-eligible students. But it is in this amendment.

Mr. DORGAN. My understanding was that title I was not part of his amendment. We were trying last evening and this morning to understand exactly what the language would be.

That makes his amendment much, much worse than I had previously thought. It does confirm then what I said earlier, that we have taken a successful approach in which we have tried to provide some compensatory education assistance especially directed at impoverished areas and at poor children, and have done it in a very successful way, and now say but all of that will become a pot of money that we send back, and we will just become tax collectors for local governments or for school districts and say, ''You all pretty much retool this and rethink what you want to do with it along the lines that represent your priorities.'' They have their priorities, and should have their priorities, and their priorities are to govern how they run their schools. And they are free to do that.

Again, the discussion earlier was about they are not free somehow. Of course, they are free. State and local schools are run by the State and local school districts. They are free to raise their money, free to impose taxes, free with their State governments to develop curriculums. Of course, they are free to make those decisions. But in areas where we have provided some assistance based on what we perceive to be a national purpose, the amendment says, let us provide the money but no requirement that anyone sign up to this national purpose. And again I come to the issue of safe and drug-free schools. There are a good many of them: Eisenhower Professional Development, the Innovative Education Program, the Technology Challenge Grants, and so on—safe and drug-free schools.

Have we decided, or should we decide, or will we decide as a country on a national need to have a safe and drug-free schools program across this country that is stimulated by some financing that we say you must pursue this and must have it because there is a national purpose for this, and we will provide some financing help because we are mandating something? Are we at a point where we say, no, there is no longer a national purpose for a Safe and Drug-Free Schools Act? Let's have a Safe and Drug-Free Schools Act, for example, in North Dakota, but the other 46 States say, ''Gee, we don't want one; this is not a national priority.''

Drugs and the issues surrounding drugs and young Americans and schoolchildren are a national priority. It is of national interest. And we have decided in the Safe and Drug-Free Schools Act that we want to provide some funding if we are going to provide a mandate here, some funding from the Federal Government to say to these school districts, ''We would like you to do this as a sense of national purpose and national interest, and here is some financing to help you do it.''

The amendment is an amendment that essentially says, well, let's convert all of those national interests and urges to some notion of general aid, and so we will then be tax collectors and we will just collect money and send it back. I say as I started, that is like passing an ice cube around. By the time you get to the sixth or seventh position on that ice cube passing, there is no ice cube left.

A much more straightforward way of doing this would be to say we don't believe these are programs of national interest, and therefore let us say to local governments, ''Raise your own money and spend your own money. We are out of the way.'' We are, as their party would suggest in their platform, abolishing the Department of Education. Get out of the way and let everyone else do their thing.

There is a different way, and the other way is to recognize that most all of elementary and secondary education is funded by, controlled by, the local people back in the home districts and the school district in the towns. It will always be that way. But there are things that represent a national interest, and those kinds of policies and those kinds of issues, debated over many, many years here in this Congress, resulted in the construction of a program called title I and other title programs. The Safe and Drug-Free Schools Act, the Technology Challenge Grants, and others have been, I think, enormously important to say to the local school districts, ''While you are there, we are going to offer some help, for example, to see that you get your school wired up to the Internet. If you need help to do that, here is some help to do that, to see that you have a safe and drug-free schools program in your school district, in your schools.''

That has been the nature of our involvement in education. Again, it is very seductive, I think, to say, well, gee, shouldn't local people make all these decisions. Yes, I think so. With their money they should make all their decisions in their elementary and secondary education programs. But isn't there a circumstance where we have some issues of national importance where our money, our resources, our investment ought to follow that urge of national importance on the Safe and Drug-Free Schools Act? I think so. To back away from that, I think, would be a mistake.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. GORTON. Mr. President, I understand the minority will simply permit the Frist second-degree amendment to pass by a voice vote. I will then ask for a rollcall vote, which will take place at 3 o'clock, on the underlying amendment.

Mr. DORGAN. Might I, by consent, say to the Senator from Washington, while we do not support the second-degree amendment, the second-degree amendment is a rather technical change of the underlying amendment

and we see no purpose in having another rollcall vote on that. While I do not support it, we will accept a voice vote on the second-degree and then have a recorded vote on the underlying amendment today.

The PRESIDING OFFICER. The question is on agreeing to the second-degree amendment.

The amendment (No. 2294) was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2293

Mr. GORTON. Mr. President, in 1768 in a letter to George Wythe, Thomas Jefferson wrote,

> No other sure foundation can be devised for the preservation of freedom and happiness . . . Preach a crusade against ignorance; establish and improve the law for educating the common people. Let our countrymen know that the people alone can protect us against the evils [of misgovernment].

As a nation we have long recognized the importance of education of the future well-being of our children and our nation. A quality education is vital in an increasingly competitive global environment and indeed, as Jefferson notes, to the preservation of our democracy. Every Senator undoubtedly wants to do everything in their power to improve the educational opportunities for all children. It is one of our highest priorities in the U.S. Senate.

As many of my colleagues may recall, last year I offered an amendment to the fiscal year 1998 Senate Labor, Health and Human Services Education appropriations bill that consolidated most federally funded K–12 education programs, and sent that money directly to local school districts free from the mandates and regulations imposed on our schools by Washington, DC, bureaucrats. The Senate approved the amendment but, at the administration's insistence, it was stripped from the final bill.

For most of this half century Washington, DC, has been dominated by people who believe that centralized decisions and centralized control exercised by Washington, DC, is the best way to solve problems, including those in the classroom. This approach has not worked. As Washington, DC, has taken power and authority from local school districts, our schools have not improved. But, old habits die hard. The belief in centralized power is still very much alive. When I proposed my amendment last year, every single Democrat in the Senate opposed it and the President strongly criticized the approach of returning money and authority over education to our school districts.

Why is the status quo no longer acceptable? There are a multitude of reasons. As many of you know, the results of the Third International Math and Science Study (TIMSS) were recently announced. Unfortunately, those graduating from our high schools did not fare well. Twelfth grade students from the United States did not achieve at a level I would call acceptable, with scores below the international average in both science and mathematics.

Is it because the United States has not been devoting sufficient resources to education? The facts don't bear out that assessment. Resources devoted to education have been increasing in constant dollars almost yearly for the last 25 years, but there has been no significant change in the achievement of students.

What do we have to show for our investment? We have a web of literally hundreds of Federal education programs woven throughout 39 Federal departments and agencies and totaling $73.1 billion in 1997. I wish I had a comprehensive list of all the Federal education programs to show you, but the Department of Education doesn't know exactly how many there are.

In January of this year Dr. Carlotta Joyner of the GAO appeared before the Senate Budget Committee Education Task Force and presented us with a graphic that highlights the web of Federal education programs in only the three areas of education: At Risk and Delinquent Youth, Early Childhood programs, and Teacher training programs. What this chart shows is that 15 Federal departments and agencies administer 127 At Risk and Delinquent Youth programs, 11 Federal departments and agencies administer more than 90 Early Childhood programs, and 9 Federal departments and agencies administer 86 Teacher Training programs.

It is no wonder that more and more, our states and local school districts are being suffocated by a tidal wave of papers, forms and programs, each of which no doubt began with good intentions. The net result of this tidal wave, however, is precisely what makes it difficult to set priorities in each of the many varied states and school districts across the country to determine that which will best serve their students. I firmly believe that the elected school board members, parents, superintendents and principals, as well as governors and legislatures, are dedicated to providing the best possible education for school children that they possibly can, and that they are better able to make decisions about what is best for their students than are Members of Congress or bureaucrats in the Department of Education.

It is extremely arrogant of us here in this body to set detailed requirements for very specific education programs that apply to children all across the United States. It's wrong to believe that Congress or the Department of Education has all the answers to the variety of problems our schools and educators face. Why should a bureaucrat in Washington, DC, decide what's best for the children in Washington State? They don't know Walla Walla from Wenatchee from Woodinville.

Over the past several months I have had the opportunity to meet with parents and educators from across Washington State and the Nation. They have expressed a great deal of concern about the stifling nature of the rules and regulations that come along with the myriad of federal education programs in existence. In fact, several have commented that although school districts receive only about 7 percent of their funding from the Federal Government, with that money comes 50 percent of the rules and regulations they must comply with.

A perfect example of the crushing nature of Federal rules, regulations and paperwork comes from a program I didn't even include in my amendment. The Bellevue School District, a suburban school district east of Seattle, has gathered all the paperwork necessary to begin, just begin, the file they are required to keep for special education students under the Individuals with Disabilities Education Act (IDEA). Placed end to end, this paperwork extends for almost 40 feet. 40 Feet! We have allowed bureaucrats in Washington, DC, to impose half or more than half of the rules and regulations that so often frustrate innovation and success in our schools.

Therefore, I have come to the conclusion that Congress must do more to free State and local officials from the burden placed on them by the Federal Government to educating America's children. We must be willing to admit that somebody else may know a little bit more than we do about this subject. My firm belief is that the wisdom needed to educate our children lies in States and individual school districts—with parents at home, with teachers in the classroom, with principals in the schools, and with school board members who, almost without exception, are public-spirited citizens who have run for election to a job that does not pay or pays very little. We must keep in mind that the same citizenry who elected us to the U.S. Senate also elected our school board members. It is unlikely that they were wise in electing us and ignorant of their own interests in picking their school board members.

I have listened to educators from around the country and have applied those lessons to the crafting of this amendment. My amendment makes several changes that address the concerns of those who have been kind enough to take the time and work with me and my office to improve upon the work begun during last year's appropriations process.

First, there were concerns that any attempt to block grant education funds to local communities was simply a back door attempt to cut funding. My amendment makes it crystal clear that is not what this effort is about. My amendment authorizes specific levels of funding through fiscal year 2003, targets that appropriators must meet in order for the block grants to continue.

If these targets are not met, we would revert to the status quo.

Others have expressed concern that my amendment is an attempt to close the Department of Education. Nothing could be further from the truth. My amendment is not about abolishing the Department of Education—my amendment is about giving communities the flexibility they need to educate our children. Even after enactment of my amendment, there would be plenty of work left for the Department. My amendment does not even touch on the Department's responsibilities with respect to higher education. And even though my amendment includes more than 20 Federal education programs, that is but a fraction of the total number of education programs administered by the Department of Education, not to mention the Federal Government as a whole.

Concerns have also been expressed about the targeting of Federal funds to disadvantaged students. The concern is that because Federal funding often is targeted at a specific population, block granting funds and allowing States and school districts to decide how those funds are spent will mean those populations will no longer be served. Well, this mentality is what led to the creation of the quagmire of education programs we find ourselves wallowing in today. My amendment retains specification for what populations the Bilingual Education and Education for the Disadvantaged (Title I, Part A), funds are to be spent, but it leaves up to States and school districts the method by which those populations are best served. As for the list of 20 Federal programs, my amendment outlines a series of allowable uses such as hiring new teachers, magnet schools, charter schools, and combating illiteracy, which give local officials flexibility in designing reforms to improve the achievement of students. The total amount of funding that gets to the classroom will be considerably greater because so much less will get lost in the gears of administration at two, three or four different levels of bureaucracy between Washington, DC, and the classroom. As I've stated previously, we cannot assume that Washington, DC, knows best when it comes to educating the diverse population that exists in America today.

I have heard comments that different states have different opinions about how they should receive federal funds. As a member of the Senate Budget Committee Education Task Force, chaired by my good friend and colleague Senator FRIST, I had a chance to hear from Frank Brogan, Commissioner of Education from the State of Florida, and Henry Der, Deputy Superintendent of Public Instruction from the State of California. Mr. Brogan and Mr. Der have widely different opinions about the efficacy of involving the Federal Government in decisions regarding education in their States. Mr. Brogan states,

> Congress should identify priority areas and allow States to designate the dollars for specific programs.
>
> With Education, we are already beginning to see States becoming living laboratories, testing varied programs and options. If left to pursue reform without added Federal burdens and interference, States can learn from the success and mistakes of others, . . . with the freedom to emulate some programs as models and/or discard those that are ineffective.

Mr. Der followed Mr. Brogan with,

> We submit to you that the roads toward devolution will result in less opportunities for those with special needs and will retard the leadership role that the U.S. Department of Education has played, as well as undermine the accountability that we need to build into our education programs.''

Therefore, it became clear to me that States should have a choice concerning how they receive their Federal funds, and my amendment gives them that choice. My amendment says that States will have three options with respect to how they receive Federal education funds. Simply put, a State legislature, with the concurrence of the Governor, will choose from one of three methods for receiving Federal funds: (1) States can continue to receive Federal education funds through current categorical programs; (2) States can receive Federal education funds in a block grant to the State Educational Agency; or (3) States can direct the Federal Government to send Federal education funds directly to their Local Educational Agencies.

There are also provisions in my amendment that respond to other concerns about the immediate financial impact on States and school districts. My amendment includes a 100 percent hold harmless, so that no State or school district will receive less than what they received before enactment of this legislation. Further, there is a provision which says that for those States receiving a multiyear grant through one of the programs included in the block grant, that multiyear grant will be funded through to completion in order to provide an appropriate transition from one process to another.

Finally, my amendment encourages accountability by requiring States and school districts to collect information about how Federal funds are spent, as well as involving parents and other members of the public in debates over how funds will be utilized.

As you can see, my amendment is based on the principal that with additional authority and money schools would receive from this reform, our teachers, parents, principals, and school boards would be inspired to do even more for our children. They would not, as some suggested during debate on this issue last year, be inspired to build swimming pools. They would be inspired to make sure that every child in their community receives the best education possible. While I think this example shows the fundamental difference between the approach I advocate, and that of the administration, I just have to ask this question: Does anyone really believe that there are parents, teachers or school board members in America who would rather use scarce education dollars for swimming pools instead of providing a quality education for their children?

On February 10 of this year, I had the opportunity to visit the Union Gap Elementary School and learn about the tremendous work they are doing, in the words of their Superintendent Bob McLaughlin, to 'heal' their children's reading difficulties.

More than three years ago, Dr. McLaughlin became painfully aware that the Union Gap School District did not have a program to assist its students who were having difficulty learning to read. Dr. McLaughlin then took it upon himself to search out a program which would be both affordable and helpful to the students. During the 1995–96 school year. Dr. McLaughlin discovered the Read-Write program and soon thereafter the program underwent a 10-week test in the school.

The test was so successful that at the conclusion of the 10-week test run the school board adopted the program and fully implemented it for the 1996–97 school year. Since the program has been implemented, significant gains have become evident.

Dr. McLaughlin also took the time to explain to me his previous experience as a principal at a neighboring high school upon which brought him to the conclusion something should be done about reading comprehension at the elementary level. As a high school principal, Dr. McLaughlin would continually see students entering his school unprepared to read and write effectively, and in many instances no where near grade level. The frustration he experienced seeing these kids struggle through high school without the necessary tools drove Dr. McLaughlin to seek a solution at Union Gap Elementary. As Dr. McLaughlin and other teachers at the elementary school know, once you teach a child to read that child has gained a skill he or she retained for a lifetime of enrichment.

This instance is a clear example of the innovative work school districts are engaging in to improve the education of their students. Under the Gorton Amendment, Dr. McLaughlin and his school board would have the flexibility to expand this program if that is what they felt was in the best interest of their students. I doubt seriously that Dr. McLaughlin would consider tennis courts or swimming pools to be a priority.

This issue boils down to each Senator asking if he or she believes schools will be improved through more control from Washington, DC, or by giving more control to parents, teachers, principals, superintendents, and school board members? I believe our best hope for improving the education of our children is to put the American people in charge of their local schools.

Mr. President, I wonder if the minority manager will agree to a unanimous

consent agreement that I have 3 additional minutes on this amendment? I do see my colleague from Washington here. We are going forward with that amendment, and I would like just 3 minutes further to speak on this subject.

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

Mr. GORTON. Mr. President, my friend and colleague from North Dakota and I, together, less than 2 months ago, voted with 94 other Members of this Senate for a bill relating to transportation covering somewhat more than four times as many billions of dollars as this amendment does. Unlike the House of Representatives, we included no specific programs in that transportation bill. We decided there was a national purpose for transportation but that the priorities as to how that money for highways ought to be spent should be set by States—generally speaking, not by elected officials in those States, but usually by a highway bureaucracy.

No one said that, because we weren't telling the States what roads to build, there was no national purpose and we should abandon transportation as a national issue. Yet the Senator from North Dakota says that, rather than give a three-way option to States with respect to $10 billion a year in education money, it would be philosophically more consistent to abandon the field because, after all, the States might set different priorities; maybe the States and local school districts don't care about drugs or don't care about disadvantaged students.

Mr. President, that is a basic philosophical difference between us. The thought being expressed to me—that elected school board members and principals and teachers and parents and even State legislators don't care much about education or about education priorities—boggles the mind. We are the only people who do so? We are the only people who can set the way in which national priorities are carried out? We and bureaucrats at the Department of Education? Let me tell you, we come up with 7 percent of the money and 50 or 60 percent of the rules? In one field not covered by this, where the Senator from North Dakota did support me, we give 9 percent of the money for disabled education and we set rules that are so stringent that some school board members are saying they are going to defy those rules because they cannot provide for a safe environment for their students. In title I, the forms are exceeded only by IDEA.

This proposal will allow schools to spend more money on disadvantaged students, more money on bilingual students, and do it in a way that suits the particular needs of the districts, if the State elects to do so. Any State that agrees with the position of Senator DORGAN is perfectly free to keep the present system. Any State that feels it can do a better job will be allowed to do a better job. And any State that feels its elected school board members can do a better job will be allowed to do that.

Maybe Senator DORGAN is right. If so, we will learn by experiment. But unless we feel—with him and Senator KENNEDY—that the present system is working magnificently, that our system of education is so good that it doesn't need to be changed or experimented with at all, we should reject this amendment.

Mr. DORGAN. Mr. President, I know the Senator from Washington will allow me, by consent, 2 minutes to respond.

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

Mr. DORGAN. The Senator from Washington chooses an inappropriate example to begin with, the highway system. We provide Federal money to the State of Washington. But if I go to Washington and drive on roads that are constructed in the State of Washington by his State highway officials with Federal money, I know I am not going to drive on a roadbed of marshmallows or cork. Why? Because his highway officials must follow the Federal prescribed rules about what kind of highways they are going to build with those Federal funds.

My only point is, if the Senator from Washington suggests that if, for example, the Safe and Drug-Free Schools Program is not a national priority, let's give them the money for it but not require them to do it, I think that is a huge step backwards. Is it in most instances the case that people closer to the problem can spend the money more effectively? Absolutely. That is why almost all of elementary and secondary education is done and managed and controlled locally. But there are some programs of national interest for which we provide the financing and for which we hope there is a national purpose and to which we will have all school districts subscribe. That is the purpose for all this.

I find it interesting. You could make the same case about food safety. You could have exactly the same debate. Say, do you think back home they are not concerned about food safety? Why do we need national food safety standards? Do you think back home in every State they are not concerned about food safety? Of course they are. Of course they are. But it is something of national interest and national importance, and that is the gap financing that is involved here with respect to these kinds of programs. Are they perfect? No. Should they be changed? Yes. Should we retreat from them? In my opinion, I think that would be a huge mistake.

I yield the remainder of my time.

Mr. GORTON. Mr. President, I ask unanimous consent that Senator MCCONNELL be added as a cosponsor to the Gorton amendment.

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

Mr. GORTON. Mr. President, seeing there is the sponsor of another amendment here, I think proper procedure is to move to that amendment.

Mr. President, I ask for a rollcall on the Gorton amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the Gorton amendment is temporarily laid aside and the Senator from Washington, Senator MURRAY, is recognized to offer an amendment on which there shall be 30 minutes equally divided.

The Senator from Washington.

AMENDMENT NO. 2295

(Purpose: To express the sense of Congress regarding reductions in class size)

Mrs. MURRAY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes an amendment numbered 2295.

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

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

The amendment is as follows:

At the end, add the following:

TITLE ____—SENSE OF CONGRESS

SEC. ___01. SENSE OF CONGRESS.

Congress makes the following findings:

(1) Qualified teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, cover more material effectively, and are better able to work with parents to help the parents further their children's education.

(2) Rigorous research has shown that students attending small classes in the early grades make more rapid educational progress than the students in larger classes, and that those achievement gains persist through at least the 8th grade. For example:

(A) In a landmark 4-year experimental study of class size reduction in grades kindergarten through grade 3 in Tennessee, researchers found that students in smaller classes earned significantly higher scores on basic skills tests in all 4 years and in all types of schools, including urban, rural, and suburban schools.

(B) After 2 years in reduced class sizes, students in the Flint, Michigan Public School District improved their reading scores by 44 percent.

(3) The benefits of smaller classes are greatest for lower-achieving, minority, poor, and inner-city children. One study found that urban 4th-graders in smaller than average classes were ¾ of a school year ahead of their counterparts in larger than average classes.

(4) Smaller classes allow teachers to identify and work sooner with students who have learning disabilities and, potentially, can reduce those students' need for special education services in the later grades.

(5) Students in smaller classes are able to become more actively engaged in learning than their peers in large classes.

(6) Efforts to improve educational outcomes by reducing class sizes in the early grades are likely to be successful only if well-qualified teachers are hired to fill additional classroom positions and if teachers received intensive, continuing training in

working effectively in smaller classroom settings.

(7) State certified and licensed teachers help ensure high quality instruction in the classroom.

(8) According to the National Commission on Teaching and America's Future, the most important influence on student achievement is the expertise of their teachers. One New York City study comparing high- and low-achieving elementary schools with similar student characteristics, found that more than 90 percent of the variation in achievement in mathematics and reading was due to differences in teacher qualifications.

(9) Our Nation needs more qualified teachers to meet changing demographics and to help students meet high standards, as demonstrated by the following:

(A) Over the next decade, our Nation will need to hire over 2,000,000 teachers to meet increasing student enrollments and teacher retirements.

(B) 1 out of 4 high school teachers does not have a major or minor in the main subject that they teach. This is true for more than 30 percent of mathematics teachers.

(C) In schools with the highest minority enrollments, students have less than a 50 percent chance of getting a science or mathematics teacher who holds a degree in that field.

(D) In 1991, 25 percent of new public school teachers had not completed the requirements for a license in their main assignment field. This number increased to 27 percent by 1994, including 11 percent who did not have a license.

(10) We need more teachers who are adequately prepared for the challenges of the 21st century classroom, as demonstrated by the fact that—

(A) 50 percent of teachers have little or no experience using technology in the classroom; and

(B) in 1994, only 10 percent of new teachers felt they were prepared to integrate new technology into their instruction.

(11) Teacher quality cannot be further compromised to meet the demographic demand for new teachers and smaller class sizes. Comprehensive improvements in teacher preparation and development programs are also necessary to ensure the effectiveness of new teachers and the academic success of students in the classroom. These comprehensive improvements should include encouraging more institutions of higher education that operate teacher preparation programs to work in partnership with local educational agencies and elementary and secondary schools; providing more hands-on, classroom experience to prospective teachers; creating mentorship programs for new teachers; providing high quality content area training and classroom skills for new teachers; and training teachers to incorporate technology into the classroom.

(12) Efforts should be made to provide prospective teachers with a greater knowledge of instructional programs that are research-based, of demonstrated effectiveness, replicable in diverse and challenging circumstances, and supported by networks of experts and experienced practitioners.

(13) Several States have begun serious efforts to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring qualified teachers.

(14) The Federal Government can assist in this effort by providing funding for class size reductions in grades 1 through 3, and by helping to ensure that the new teachers brought into the classroom are well-qualified.

SEC. ___02. SENSE OF CONGRESS.

It is the sense of Congress that Congress should support efforts to hire 100,000 new teachers to reduce class sizes in first, second, and third grades to an average of 18 students per class all across America.

Mrs. MURRAY. Mr. President, we have been debating education policy for several days and actually several times over the last several months here on the floor of the U.S. Senate. I am very excited about that, because one of the reasons I came here to the U.S. Senate was to make sure that we focus on real issues that affect everyday average families across our country. There is nothing more important to any parents than making sure, when they send their children off to school in the morning, that they get the kind of education that will mean they will be a success in this country.

I am disappointed, however, that the bill before us, the Coverdell IRA proposal, will not provide that kind of quality education that parents are demanding. I believe it is a flawed policy which really will not make any meaningful difference for either private or public school students and their families. It is not a real results-driven proposal.

Many of my colleagues have been out here on the floor over the last several days talking about what the IRA Coverdell proposal will do and that it will only mean $7 for a family in the future. Many of my colleagues have talked about how it will begin us on a road to publicly funding private schools, and the dangers of that.

We can debate that. But I am here today to bring forward an amendment that I believe will make a substantial difference in our children's education across the country, and that is regarding the issue of class size. Ask any parent who sends his or her child off to school what question they ask when their child comes home on the first day of school. It is, ''How many kids are in your class?'' They ask that because they know it will make a difference in whether or not their child gets the attention and the education he or she needs throughout that entire school year. If there are 40 kids in the classroom, or 35 kids in the classroom, your child will not get the kind of education and attention that he or she needs and deserves in this complex world that we live in today.

My amendment that is before the Senate is a sense of the Congress that we should support efforts to hire 100,000 new teachers so that we can reduce class sizes in first, second and third grades to an average of 18 students per class all across America.

This is simply a sense of the Congress saying this is the way we should move forward. We have been on the floor before to debate this issue, and this Congress has said no, they are not going to fund lower class sizes. I am back today because I believe this is the kind of difference that we can make, that we should make, and that we must make. Reducing class sizes will make a difference for children across the country.

Will 100,000 teachers be enough? No, but it will be an impetus. This amendment simply will send a message that we understand the issue and we are willing to take it under consideration and move it forward.

I know as a former educator what a difference it makes to have a smaller class size. I have taught 4-year-olds. I have had 18 children in my classroom. I have had 24 children in my classroom. It means the difference between having the time to work individually with students or simply having crowd control for the entire classroom.

Every teacher of early grades will tell you the more time they have with their students, the better chance they have to make sure that all students will have the chance to learn to read, to learn to write, to learn the basic skills that will mean that they are a success throughout their later years. It also means that those teachers will have the time to deal with the complex problems that come before them as a teacher in our classrooms.

I distinctly remember one time I had with a class when I had a young student come to class and we were in the process of talking about the alphabet. We were talking about one of the letters. I was talking with my young children about different words that begin with the letter A, and all of a sudden a young child in my classroom just simply blurted out to me, ''My dad didn't come home last night; he was arrested.'' My entire class stopped. How could I have talked about the alphabet? How could I have talked about the words that started with the letter A?

I had a devastated child in my classroom of 24. Yet, I could not take the time to sit with him and work with him because I had 23 other children in my classroom who needed attention and whose parents wanted them to learn about the alphabet.

That child probably went on to a very troubled adulthood. We could have made a difference simply by having fewer students in the classroom, by simply having the time to deal with these kind of problems. Don't just take it from me as a former educator, take it from the studies.

I have submitted a number of studies in the past as I have talked about this issue on this floor. A 1989 study of the Tennessee STAR Program which compared the performance of students in grades K through 3 in small and regular size classes found that students in small classes of 13 to 17 students significantly outperformed other students in math and reading every year at all grade levels across all geographic areas.

My sense of the Congress simply says we understand this is significant. It says we in the Senate want to make a difference in the learning of American children, and we want to move forward on the progress of reducing class size and take that on as an issue in this country.

I have talked about it as an educator. I have talked about the studies many times that prove what I say, but we should also be listening to other people. I know that when we were here a month ago and debating, I submitted a number of letters from different teachers from across my State and across this country, but I want to specifically have printed today a letter, and I ask unanimous consent that a letter to the editor by State Senator Al Bauer be printed in the RECORD.

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

[From the Columbian, April 15, 1998]

MURRAY HAS THE RIGHT IDEA

The April 5 editorial, ''Patty Murray's teacher plan is costly mandate,'' criticized the plan by U.S. Sen. Patty Murray, D–Wash., for the federal government to hire 100,000 new teachers to reduce class sizes nationwide.

The editorial warned that ''unintended consequences can destroy any attempt at progress,'' noting that a school district in the Seattle area cut early childhood education for at-risk youngsters because of its decision to reduce class sizes.

The criticism makes the best case for Murray's proposal. If that school district had the additional federally funded teachers to reduce class sizes in all grades, it would not have to negatively impact Head Start and at-risk programs. Matter of fact, the district could also improve those programs by smaller class sizes.

As for the criticism that 100,000 new teachers would need that many more new classrooms, teachers are creative enough to develop curriculum around the needs of children without additional classrooms.

I visited several classrooms this year where two teachers shared 46 or more students. With Murray's proposal, a third teacher could be added to such a team, thereby reducing the student-teacher ratio from one teacher for 22 students to one for 15. We are not talking about added classrooms; we are talking about more teacher time for each student so that fewer students fall through the cracks.

As for how Murray should pay for the additional teachers, Congress should pay in the same way the members propose to pay for a highway budget that is billions of dollars higher than the balanced-budget agreement.

It sounds like what happened in the State Legislature this past session. The majority party refused the proposal by us Democrats to spend $50 million more for class size reductions, particularly in the early-grades. The majority also decided to propose to the voters in November to transfer currently used sources of revenue for education from the general fund to the highway fund.

The editorial correctly urges school districts to sue the Legislature for underfunding education from the State level. In 1977 the Legislature was sued, and the courts ruled that it was the paramount duty of the Legislature to fully fund kindergarten through grade-12 education. As a consequence, in the Vancouver School District school levies dropped. A person with a $50,000 home or property saved $254 a year.

It is time to get the Legislature to live up to the court's mandate. Where are our priorities? Children's education lasts forever; asphalt lasts a few years.

I am glad we have Murray in the U.S. Senate. By speaking out for our most valuable assets, our children, she is exerting the leadership on educational matters she demonstrated while serving in the State Senate.—State Sen. Al Bauer, Vancouver.

Mrs. MURRAY. Mr. President, Al Bauer is a former colleague of mine in the State Senate of Washington. He is also a former educator, and he speaks from his heart when he talks about education. He wrote in his letter that hiring more well-trained teachers will help school districts stave off cuts to other special programs for at-risk students. He argues that more teachers does not have to mean more classrooms. It is the number of well-trained adults in the room that is important, because students' access to time with the teacher is at the heart of learning. He argues that Congress can pay for class-size reductions if we can put billions of extra dollars into transportation.

State Senator Al Bauer is absolutely right. The arguments against this proposal are not valid. It doesn't mean that we need more class space. It doesn't mean that we will siphon money from other places.

It does mean that this Congress, this Senate, the people on this floor are listening to what parents and educators and people across this country are saying. When we send our children off to school, we want to know they are safe, we want to know they will learn, and we know they will be safe and they will learn and get the attention they need if we begin to focus on class size in this country.

Now, a person could spend a year or a lifetime searching, and they would not be able to find someone who understands education in Washington state more deeply than Senator Al Bauer. And he happens to be a former educator, and he happens to be a Democrat. But Senator Bauer and I stood together in the state Senate, and we worked with our Republican colleagues to do everything we could to improve public education.

He knows and I know that Republicans and Democrats in Washington state can work together. They have worked together to reduce class size, increase family involvement in school decisions, fund school construction, improve teacher quality, allow communities to set higher standards for students, publish school report cards, hold schools accountable for results, reward schools that do well and mediate schools that are failing, increase student's options about which school they attend.

All these things were bipartisan proposals, based on what local school communities told us would work to improve results for students. And the great news is that many of these proposals have actually improved things in Washington state schools.

And when I think about the partisan tone of this debate on education, and I look at the education IRA proposal which offers only a seven-dollar a year solution to only a few families—I think of all the things we could be doing that would really make a difference for all students. And class size improvement is near the top of that list.

I think it is important to listen to what educators say. I want to read to you what some of the educators have written to me as I have talked about this issue over the last several months.

Larry Swift, who is the executive director of the Washington State School Directors' Association, wrote to me, and I especially appreciate his words because I am a former school board member and Larry Swift represents the school board members across my State. He says:

As we pursue our state's goal of improving learning for all of our students, it becomes increasingly important that all of our resources be used efficiently and effectively. The most valuable resource in today's schools is the people who devote their time and effort to make schools successful—the teachers. Reducing the ratio of students to adults is particularly critical for youngsters with a variety of learning challenges that must be overcome if those students are to meet the new, higher learning standards.

Mr. President, Larry Swift is right. Representing the school boards across my country, he makes a very clear case that increasing the number of teachers and reducing the class size is critical because we are requiring our young students to know more today than we ever have before in the history of this country.

Let me also quote from Kenneth Winkes, who is the head of the Association of Washington State Principals. He represents all the principals in my State, and here is what they say:

It is increasingly evident that students entering our schools have diverse and unique needs which can only be addressed by principals, teachers, and support personnel who are not overwhelmed by crowded classrooms. Rather, educators must be able to devote attention to each student in smaller, more manageable classes.

That is what principals say.

Mr. President, I ask unanimous consent that four short statements be printed in the RECORD.

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

WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION,
Olympia, WA, March 20, 1998.

''As we pursue our state's goal of improving learning for all of our students,'' Larry Swift, executive director of the Washington State School Directors' Association, said, ''it becomes increasingly important that all of our resources be used efficiently and effectively. The most valuable resource in today's schools is the people who devote their time and effort to make schools successful—the teachers. Reducing the ratio of students to adults is particularly critical for youngsters with a variety of learning challenges that must be overcome if those students are to meet the new, higher learning standards.

''We acknowledge and commend Senator Murray for leading the way to assuring that our students have the learning environment and the human resources necessary for the kind of schools that will provide the opportunities and training they need to become successful,'' Swift said.

The Washington State School Directors' Association is a statewide organization representing all of the 1,482 locally-elected

school board members from the state's 296 school districts. WSSDA serves as an advocate for the state's public schools, provides training and technical assistance for school board members and is very active in the legislative process.

THE ASSOCIATION OF WASHINGTON SCHOOL PRINCIPALS,
Olympia, WA.

The Association of Washington School Principals (AWSP) is strongly committed to supporting legislation which reduces class size in our public school system. It is increasingly evident that students entering our schools have diverse and unique needs which can only be addressed by principals, teachers, and support personnel who are not overwhelmed by crowded classrooms. Rather, educators must be able to devote attention to each student in smaller, more manageable classes.

Recent studies on reduced class size and their impact on student performance, undertaken in Tennessee (STAR study) and Wisconsin (SAGE study), speak to learner benefits in areas such as reading, language arts, and math. In our own state of Washington, reduction of class size and improved student performance are priorities for both legislators and educators.

AWSP is convinced that class size reduction is essential if our state's, and nation's, efforts towards school improvement are to be successful. We appreciate and support Senator Patty Murray's commitment to this end.

WASHINGTON EDUCATION ASSOCIATION,
Federal Way, WA, Friday, March 20, 1998.

WEA PRESIDENT APPLAUDS SEN. MURRAY'S WORK ON CLASS SIZE

STATEMENT OF LEE ANN PRIELIPP, PRESIDENT OF THE WASHINGTON EDUCATION ASSOCIATION, REGARDING SEN. PATTY MURRAY'S WORK TO LOWER CLASS SIZES IN WASHINGTON, MARCH 20, 1998

Every student deserves a safe and effective learning environment, and we commend Sen. Murray's devotion to this pressing issue. Washington currently has the fourth largest class sizes in the United States, a dubious distinction which we must work to change.

When educators have too many students in a class, it is hard for them to give each student the individual attention that students need. It is this individual attention that is at the heart of the learning process, and it is crucial in helping our students succeed.

The 65,000 members of WEA support Sen. Murray in her work to lower class size in Washington. This is an issue that is getting worse, and which we can no longer ignore. Thank you, Senator Murray, for working to give our students the education they need and deserve.

AMERICAN FEDERATION OF TEACHERS,
Washington, DC, March 20, 1998.

STATEMENT BY SANDRA FELDMAN, PRESIDENT, AMERICAN FEDERATION OF TEACHERS ON REDUCING CLASS SIZES

Modern schools and more well-trained teachers are the right antidote for the overcrowding that plagues too many American schools. Research shows that youngsters, especially in the early grades, perform better in smaller classes that allow for greater one-on-one instruction. Smaller classes also help teachers maintain discipline. Parents and teachers understand this well, and that's why Senator Murray is absolutely correct in supporting the President's proposal to provide subsidies for school construction and to emphasize teacher recruitment.

Several new studies clearly demonstrate the link between reduced class sizes and improved academic achievement. A sampling:

STAR, the highly reputed Tennessee class-size study, analyzed the achievement levels of K–3 students randomly assigned to classes of 13 to 17. Those in small classes did much better than students in regular classes in math and reading, every year and in all grades. The small classes made the biggest difference in the scores of children in inner-city schools.

SAGE, a Wisconsin program begun in 1996–97, reduces class size for K–3 children in certain high-poverty schools. At the end of the first year, SAGE kids had made significantly greater improvements in reading, language arts, and math than children had in similar schools.

Mrs. MURRAY. Mr, President, I have numerous quotes from teachers, and I can tell you from personal anecdotes, as I have talked with teachers throughout my State, it makes a difference when you have time, it makes a difference when you have to turn away three or four students with a question because you simply don't have time. We demand higher learning skills. We have a responsibility to do something about it. We can't just say, ''Oh, it's a local school district problem.'' ''Oh, it's a State problem.'' ''Oh, it's somebody else's problem.''

We have a responsibility in the U.S. Senate as leaders in this country to send a message that we want to make a difference and we are listening to the people we represent that class size makes a difference.

Let me also tell you what some students say, because I have a group of students who are my advisors. They are called my student advisory youth involvement team or SAYIT. I go to them and ask them to tell me what they think of the issues we are debating.

On the issue of class size, this is what students say:

Brook Bodnar, who is age 16, recently moved from a school with larger classes to Olympia High School which has smaller classes. She says:

. . . with smaller classes I'm learning so much more. Class is going so much faster.

That is what a student says.

Jared Stueckle, age 16, a junior at Selah High School, believes education should be a higher priority in funding and that class size is a good investment. Jared says:

The classes in which the number (of students) is lower I generally do better, but in a crowded class, the teacher does not give us enough individual attention.

I have numbers of comments from young students. They are excellent. I ask unanimous consent they be printed in the RECORD.

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

CLASS SIZE REDUCTION—WHAT STUDENTS SAY

Meghan Sullivan, age 15, a 10th grader at Tumwater High School, says: ''. . . reduction is needed especially at the K–5 grade levels. This is the beginning of their education and this is where they form study habits and learning skills, so it's more important to get some one-on-one contact with teachers.''

Antonella Novi, age 18, a senior at Anacortes High School, says: ''Smaller class sizes enrich the learning experience for the student and the teaching experience for the teacher.''

Jaime Oberlander, age 16, a junior at Tumwater High School, says: ''I know that I have learned more in smaller classes. I have a stronger relationship with the teacher. I am less intimidated to participate in class discussions or ask for help when I need it. I also receive more feedback from my teacher . . . my teacher can spend more time critiquing my work and helping me to learn.''

Mrs. MURRAY. Mr. President, if we listen to parents, if we listen to teachers, if we listen to principals, if we listen to school board members, and if we listen to our children, we will hear what the American public truly wants and knows is right. Parents say it, teachers say it, studies prove it: Smaller class sizes will make a difference in our children's ability to learn.

My amendment simply says that it is the sense of the Congress that we will move forward in any way we can to make sure that class sizes in this country are reduced to manageable levels.

I reserve the remainder of my time.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Georgia.

Mr. COVERDELL. Mr. President, we certainly concur with the Senator from Washington that class size is a fundamental ingredient, a concern to everyone. I will simply say that perhaps there are two very meaningful issues that would affect that.

We have just spent over an hour discussing a real bullet that is not a sense of the Senate, it is a real bullet that would free up over $10 billion to local schools to take care of whatever issue they have. If it is like the Senator from Missouri said, they had to have new classrooms before they could hire new teachers. They could not use the teachers if they did not get the classrooms.

The Gorton amendment which has just been discussed would send over $10 billion to local schools to do just what the Senator from Washington wants to have done. They would be in a position and be freed to have resources to reduce their class size or to make more efficient the facilities for teaching in these local school districts.

In a moment we will hear from the Senator from Arkansas, who brings a very meaningful perspective to moving these resources directly to classrooms and not letting it get siphoned off en route.

So, Mr. President, with these two points—we have just spent an hour addressing the issue that the amendment of the Senator from Washington alludes to, and we have a real solution here that will be before us this afternoon that really gets to the problem—I yield the remainder of my time to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the last

minute of our time be reserved for Senator COVERDELL from Georgia.

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

Mr. HUTCHINSON. I thank the Senator for yielding.

While no one questions the sincerity of the desire of my colleague from Washington to lower the class size and the student-teacher ratio, I think it once again reveals the huge philosophic chasm that has been evident time and time again during this debate on education and the amendments that have been offered on the floor of the Senate, the difference between the approach and the philosophy that we can best do things controlled out of Washington, DC, that knowledge and wisdom flows from this city and this institution, and that we want to concentrate the power and the control over education in this country in Washington.

The effort here to support the President's plan for hiring 100,000 new teachers at the Federal level, I think, is once again evidence that those of us who believe that there needs to be flexibility with local control cannot accept this as moving in the right direction.

One size does not always fit all. While some schools may benefit from reduced class sizes, other schools may not benefit from reduced class sizes. In fact most teachers—most teachers —in this country are satisfied with current class sizes.

For example, according to a survey by the Department of Education, 79 percent of the teachers in my home State of Arkansas are satisfied with current class sizes—79 percent. My sister teaches in public school in Rogers, AR. There are many things that my sister is not satisfied with about education in Arkansas. I know that is true of public school teachers all across the State of Arkansas. There are many things they would like to change and improve. But 79 percent said that that is one area that they currently are satisfied with, that the student-teacher ratio is not the big problem in education in Arkansas.

Over three-quarters of the teachers in Connecticut, Kansas, Montana, Nebraska, Oklahoma, South Dakota, and Wyoming are satisfied with the current class size ratio.

Nationally—I would call the attention of my colleagues—nationally 65 percent of teachers are satisfied with current class sizes. So I suggest if there is a crisis in class size, if there is one group in this country that would know, it would be the teachers of this country. And the teachers of this country are saying that is one area where there is not a crisis. Thus the Washington-knows-best proposal to hire 100,000 new teachers does not make any sense.

Class size does not always mean better education. Many schools with small class sizes have poor achievement results, and vice versa. For example, once again according to the Department of Education, Washington, DC, schools have one of the lowest average class sizes in the Nation but ranks near the bottom in academic achievement; while Utah ranks near the bottom in class size ratio but ranks very high in student achievement. There is not a direct and definite correlation.

I further point out that average class size has already dropped significantly over the past 40 years and we have not seen a corresponding improvement in student achievement. Average class size has dropped from 27 to 1 in 1955, to 21 in 1975, to 17.3 today. Isn't it interesting that over the last 40 years, while we have seen class sizes consistently drop from 27 to 21 to 17.3, that student achievement scores—student achievement—have been dropping during that same 40-year period?

Average elementary class size has dropped from 30.2 in 1955 to 18.5 today, a dramatic drop in class sizes on the elementary level, and once again we have student achievement scores falling at the same time. According to the Department of Education, most States already have average class sizes of 18 or less.

Although elementary classes are a little bit larger, the national average now is 17.3, with the lowest being in New Jersey and Vermont at 13.8, and the highest being in California at 24 and Utah at 23.8 and Washington State at 20.4.

The average elementary class size—18.5—due to demographics alone, is projected to fall over the next 10 years without any massive infusion of teachers from the Federal level. We will, because of demography, see the class sizes at the elementary level continue to drop. Many States, independent of the Federal Government, independently of anything we do, are already taking actions to reduce class size. My point being, we do not need a new Federal program to hire teachers when the States are already addressing this problem. We should not be imposing this from the Federal level.

Five States—California, Virginia, Massachusetts, Connecticut, and Wisconsin—have already taken dramatic steps to reduce class size by hiring thousands of new teachers in their States. These States are hiring teachers, and they are doing it with State dollars.

Senator MOSELEY-BRAUN yesterday shared convincing pictures that her State needs to use Federal money, if it gets it, for school construction and repair. I do not agree with a Federal program to do that. But Illinois has an average class size of 17. Their great need, according to Senator MOSELEY-BRAUN, is not for an infusion of teachers. Their great need is actually in school construction.

That is the beauty of the Gorton approach. That is the beauty of the dollars-to-the-classrooms approach. I have a bill we introduced that would ensure that the money actually reaches the local level and that the local decision-makers have the right to decide where the need is and how that money should be spent.

Washington, DC, needs funds for school repair, textbooks and other supplies in the District right here. The great need is not for more teachers in the Nation's Capital. The great need is school repair, textbooks, other supplies, perhaps computers. They already have an average class size of 15 in the District. And so what do we say? ''Well, let's hire 100,000 new teachers.'' That is not the great need here in our Nation's Capital. That is not the great need in the State of Arkansas.

There are many needs in education, some of them being resource oriented. But for us to have a one-size-fits-all solution from Washington is not the direction we need to be going.

A new Federal teacher program would further add to the paperwork burden that our teachers already complain about, thus increasing the true cost of this program and reducing its effectiveness. As we have heard so often in this debate, we provide 6, 7 percent of local school funding but we provide 50 to 60 percent of their regulations and their paperwork burden.

So what do we come up with? Another Federal solution with more paperwork and more regulations on that local level. New Federal programs require new Federal bureaucrats to administer the program. We have already placed an enormously heavy burden upon those local teachers, and we don't need to siphon off scarce Federal dollars going to the States currently to start a new program hiring large numbers of teachers with Federal dollars.

My sister, Gerri, teaches at the Reagan Elementary Public School in Rogers, AR. She reflects the attitude of 79 percent of the teachers in Arkansas that class size is not the big problem that she faces. Discipline, yes; many other needs, yes. Class size is not at the top of the list. Arkansas has made great strides. I think we rank 28th in student-teacher ratio nationally. Twenty-eighth is not great, but it is far better than we are in many other categories, including academic scores and the percentage going on to college and so forth. So while we have many challenges, we wouldn't put class size at the top of the list. We couldn't. I have never heard my sister complain once about the size of her class.

I believe the Gorton amendment that we will vote on later today—the dollars to the classroom bill, legislation that I have introduced, that would ensure that 95 cents out of every dollar, Federal dollar, would actually reach the classroom and local control—is a far better approach. Allow local school boards, allow classroom teachers, greater discretion, greater flexibility on how those dollars are used, greater flexibility with fewer Federal mandates. Perhaps they need to paint the classroom. Perhaps they need to buy a computer. Perhaps they need to hire a tutor. Perhaps they have another local need. But what we don't need to do is to start a new Federal program and to hire massive numbers of new teachers from the Federal level.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. How much time remains?

The PRESIDING OFFICER. The Senator has 3 minutes remaining, and the other side has 2 minutes 47 seconds.

Mrs. MURRAY. Thank you, Mr. President.

I listened with interest to my colleague from the other side of the aisle debate the issue of whether or not we as parents across this country believe that our class sizes should be reduced and that it will make a difference. I heard numbers that don't take into account what is really happening, because that is the number of adults in a school that my colleague from Arkansas referred to—the nurses, the counselors, librarians, social workers. What we are talking about here is the need to put new teachers across this country into classrooms so we can reduce class size.

I speak to all of the people who are listening to this debate today. When you hear somebody say your class sizes are the right size, think about how many kids are in the classroom in your local school; think of the amount of attention they are getting; think about whether or not they are getting the skills that you as a parent want them to get. If you agree with me that class size reduction will make a difference, call this Senate and let us know. Call this Senate and let us know. People across this country need to let us know that you recognize it is our responsibility as adults at every level to make sure that our children are getting a good education. Parents know it, teachers know it, and studies show it: Class size reduction makes a difference. We can't pass this off and say it is somebody else's responsibility; it is our responsibility.

I heard my colleague say there is a philosophical difference. You bet there is a philosophical difference. There is a philosophical difference between those who believe we should go down a path of block grants and cuts, meaning high-need students will get less. There is a proposal that we eliminate the Department of Education and no longer even say public education is in the domain of this country or that we care about it as a priority.

This current budget that was passed by the Republicans just a short time ago cut education by $2.2 billion. The IRA proposal in front of us that takes us down a road where somebody gets $7 in the year 2002 for education, it is a narrow road that says in the future only a few children will get a good education.

The philosophy I believe is that every child, no matter who they are, where they come from, or how much money they have in these United States of America, will be able to get a good public education. We can do that by reducing class size, by rebuilding our crumbling schools, by making an investment in our teachers and training them with the skills they need to teach our children. That is the philosophy that will make sure we have a strong democracy in the future.

I hope that parents across this country weigh in on this debate. It is a critical one for the future of all of us.

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

The Senator from Arkansas has 1 minute 47 seconds remaining.

Mr. HUTCHINSON. Let me respond to a couple of points. The Senator from Washington said the figures I used speak of a number of adults in the school system. That is not the fact. The Department of Education has provided these figures, and it speaks of class size. Average class size has dropped from 27 in 1955 to 17.3 today. That is class size. It has dropped dramatically. And while it has dropped dramatically, student achievement has decreased. Twenty-one countries tested in the 12th grade math and science competency; the United States ranked 19th. There is no disputing our schools have problems, but it is also very evident that simply reducing class size, as we have done over the last 40 years, will not be the magic bullet. It will not be the panacea that suddenly is going to give us great academic achievement.

What we do need is, in fact, greater local control, greater flexibility. The issue is not, as my colleague tried to make it, whether we will eliminate the Department of Education; that is a red herring, a straw man.

The issue and the debate is whether we are going to provide greater flexibility and greater control at the local level, or whether we continue down the path that Washington, DC, is the fount of all wisdom, have all our solutions float from the Nation's Capitol, and it is so evidently demonstrated we don't solve the problem, and in many cases we simply exacerbate them.

I suggest this is a sense-of-the-Senate resolution that is, while well motivated, ill conceived and takes us down the road of further federalizing education, placing greater mandates and greater burdens upon local teachers while not appreciably addressing the educational problems we face in this country.

I ask my colleagues to consider there is a better way.

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

AMENDMENT NO. 2296 TO AMENDMENT NO. 2295

(Purpose: Expressing the sense of Congress that the Department of Education, States, and local educational agencies should spend a greater percentage of Federal education tax dollars in our children's classrooms)

Mr. HUTCHINSON. I have a second-degree amendment that I send to the desk.

The PRESIDING OFFICER. The Senator from Georgia has reserved 1 minute.

Does the Senator from Arkansas yield that back?

Mr. HUTCHINSON. I yield that back.

The PRESIDING OFFICER. All time is yielded back.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. HUTCHINSON] proposes an amendment numbered 2296 to amendment numbered 2295.

Mr. HUTCHINSON. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after "**TITLE ___**" and insert the following:

—SENSE OF CONGRESS

SEC. ___01. FINDINGS.

Congress makes the following findings:

(1) The people of the United States know that effective teaching takes place when the people of the United States begin (A) helping children master basic academics, (B) engaging and involving parents, (C) creating safe and orderly classrooms, and (D) getting dollars to the classroom.

(2) Our Nation's children deserve an educational system which will provide opportunities to excel.

(3) States and localities must spend a significant amount of Federal education tax dollars applying for and administering Federal education dollars.

(4) Several States have reported that although the States receive less than 10 percent of their education funding from the Federal Government, more than 50 percent of their paperwork is associated with those Federal dollars.

(5) While it is unknown exactly what percentage of Federal education dollars reaches the classroom, a recent audit of New York City public schools found that only 43 percent of their local education budget reaches the classroom; further, it is thought that only 85 percent of funds administered by the Department of Education for elementary and secondary education reach the school district level; and even if 65 percent of Federal education funds reach the classroom, it still means that billions of dollars are not directly spent on children in the classroom.

(6) American students are not performing up to their full academic potential, despite the more than 760 Federal education programs, which span 39 Federal agencies at the price of nearly $100,000,000,000 annually.

(7) According to the Digest of Education Statistics, in 1993 only $141,598,786,000 out of $265,285,370,000 spent on elementary and secondary education was spent on instruction.

(8) According to the National Center for Education Statistics, in 1994 only 52 percent of staff employed in public elementary and secondary school systems were teachers.

(9) Too much of our Federal education funding is spent on bureaucracy, and too little is spent on our Nation's youth.

(10) Getting 95 percent of Department of Education elementary and secondary education funds to the classroom could provide approximately $2,094 in additional funding per classroom across the United States.

(11) More education funding should be put in the hands of someone in a child's classroom who knows the child's name.

(12) President Clinton has stated: "We cannot ask the American people to spend more on education until we do a better job with the money we've got now.".

(13) President Clinton and Vice President Gore agree that the reinventing of public education will not begin in Washington but in communities across the United States and

that the people of the United States must ask fundamental questions about how our Nation's public school systems' dollars are spent.

(14) President Clinton and Vice President Gore agree that in an age of tight budgets, our Nation should be spending public funds on teachers and children, not on unnecessary overhead and bloated bureaucracy.

SEC. ___02. SENSE OF CONGRESS.

It is the sense of Congress that the Department of Education, States, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated for the purpose of carrying out elementary and secondary education programs administered by the Department of Education is spent for our Nation's children in their classrooms.

The PRESIDING OFFICER. There is 30 minutes of debate equally divided on this amendment.

The Senator from Arkansas.

Mr. HUTCHINSON. There is no doubt we are facing a crisis in American education, a crisis that is putting us at risk economically. While it has been 15 years since the education alarm was sounded in this Nation with the report, ''A Nation at Risk,'' most indicators show that U.S. education is still desperately in need of repair.

As I have suggested, mandating the hiring of 100,000 new teachers at the Federal level is not the right answer. I further suggest there is a better way, and that is the dollars to the classroom. If we can take the limited Federal dollars—and I think that is about 67 percent of local funding of the schools right now—if we can take those dollars and assure they actually reach the classroom, we will be far better off. Keep the local control. It will mean more money at the local level.

So the sense-of-the-Senate resolution that I am offering as a perfecting second-degree amendment would simply say that we will make our efforts to ensure that 95 cents out of every dollar actually reaches the classroom. Right now, money does not reach the classroom. It is estimated between 15 percent and 35 percent of Federal funds spent on education never reaches the classroom. My colleagues, that is absolutely amazing. That is astounding, that 15 to 35 percent of Federal funds spent on education never reach the classroom. That is as much as $5.4 billion of taxpayer money targeted to education that will get lost in nothing but bureaucracy. School systems waste their own money on Federal paperwork. Federal paperwork burdens account for 50 percent of paperwork completed at the State education agencies, yet only 6 percent of their funds come from the Federal Government.

Federal money is wasted—wasted over and over again. If we can take a look at this chart, we have a little example of where some of those Federal dollars are wasted. There are 21,922 publications listed by the Department. What are some of those publications that our tax dollars are being spent on?

They include: 140 studies on checklists; 13 studies on welding; 260 studies on surveys; 100 studies on education researchers researching their research techniques; and 3 studies entitled ''Cement: The Concrete Experience.''

If there were any other evidence necessary to demonstrate that the solution doesn't come from Washington, DC, I don't know what it would be. This should be sufficient. Is it any wonder that only 65 cents out of every dollar actually reaches the classroom when we are spending Federal education dollars in these ways? Again, three studies were entitled, ''Cement: The Concrete Experience.''

We also spend Federal education dollars for closed captioning of programs like Baywatch, Jerry Springer, Jenny Jones, Hard Copy, and MTV's Real World. Those are some of the areas where I believe we are currently wasting valuable and precious tax dollars.

So we find that between 15 and 35 percent of these funds are consumed at the Federal bureaucracy. So $5.4 billion of taxpayer money targeted to education will get lost in the bureaucracy. Federal money is wasted time and time again. The fact is that a large portion of Federal education dollars support this huge and growing Federal and State education bureaucracy.

The question boils down to how we spend the money, not how much we spend. We throw money at problem after problem and find that the problems simply get worse. Even the President said this: ''We cannot ask the American people to spend more on education until we do a better job with the money we have got now.'' So I believe the solution—or at least a step in the right direction is the dollars-to-the-classroom proposal. The fact is that those closest to the students are the parents. That is the first and best ''department of education'' that has ever existed. And the teachers who spend every day in that classroom with those children and the school administrators know best the individual needs of the students. That is why I am offering this sense-of-the-Senate resolution.

Under the sense-of-the-Senate resolution, we urge that 95 percent of Federal funds should go to the classroom. If 95 percent went to the classroom, each class would have an additional $2,094 to spend on their particular needs.

I will show this chart to my colleagues. Under the dollars-to-the-classroom amendment, simply go through the figures. The number of students in K through 12 in the United States is 51.7 million. Elementary and secondary Department of Education outlays for fiscal year 1997, according to CBO, were $15.04 billion. The current estimate of above-mentioned dollars to the classrooms, the 65 percent that actually make it to the classroom under current policies, is $9.78 billion. The goal of the above-mentioned dollars to the classrooms, 95 percent, would be $14.29 billion that would get to the classroom. So the added dollars for use in the classroom are over $4.5 billion. That is without any new taxes. Without any new appropriations necessary, we would free up $4.5 billion for use in the classroom to be determined by the local school boards as to how that money could best be spent. That could be the hiring of additional teachers. It could be that in some school districts the great need is to lower classroom sizes. It could also be that they need to build a new school building or purchase some computers. It could be that they need to hire a tutor to help in a particular academic area. Additional dollars per student under this formula of 95 percent would be $89.23 per student. Average class size is 23.2 for teachers in departments, 25.2 for self-employed—approximately 24 children per class. If you multiply by 24, you come out with over $2,000 per classroom.

I suggest to my colleagues that that is a far wiser approach than starting a new Federal program. The classroom is where learning occurs. It is where knowledge grows. It is not in some stuffy office in Washington where 35 cents out of every dollar is currently being spent. Thus, we should get the money away from Washington and drive it to the classrooms through that block grant approach that has been so ridiculed. We would be able to accomplish that, where local school boards or the States would be able to make those decisions.

This resolution—it is only a sense of the Senate—lays the groundwork for getting education dollars to the schools, where local officials and parents and teachers can decide how best to spend the money. The question is, whom do we trust? Do we trust Washington, or local school boards, local schools, teachers and parents? A vote for this perfecting second-degree amendment is a vote for the classroom in your States and a vote against bureaucracy. That is the question. Do you want it down in the classroom or do you want to have another Federal bureaucracy hiring more teachers, another overlay, another step in federalizing education in this country?

I ask my colleagues to support this sense-of-the-Senate resolution on dollars to the classroom, where the money can best be used, where the decisions can best be made.

I reserve the remainder of my time, Mr. President.

The PRESIDING OFFICER. The Senator from Arkansas has 7 minutes remaining.

Who yields time in opposition?

Mr. KENNEDY. Mr. President, I yield myself 3 minutes. But I see the Senator from Washington on her feet at this time. Maybe she would like to address this and then I will make some brief comments about it.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, we have had a brief chance to take a look at this amendment. We have not seen it before 10 minutes ago. We are looking at the language now.

The Senator from Arkansas says that he wants 95 percent of the money to go

to classrooms. I don't think anybody disagrees with that. In fact, it is my understanding that much more than that—in fact, 98 percent of Federal funds actually go to school districts and classrooms. So what he is asking for currently is in place.

We go back to why I originally put this amendment before us, which is the fact that we have classrooms that are overcrowded, classrooms where children are not learning. We have classrooms where we as elected officials are demanding that our students learn math, reading, and language skills but simply do not have the ability to do it because of overcrowded classrooms.

Mr. President, we will continue to take a look at this language. I yield to my colleague from Massachusetts for a comment.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, the amendment of the Senator from Washington is really targeted on a key area of educational policy—that is, the reduced class size—for all the reasons she eloquently presented to the Senate just a few moments ago. It is a time-tested way of enhancing academic achievement and accomplishment for our public schools. The fact is that she has taken this proposal, offered it to the Senate so that we would have an opportunity to state whether we believe that smaller class size would be useful and helpful, particularly in the early grades. That is what this is really targeted on.

The Senator from Arkansas has come in and offered an amendment that effectively vitiates her amendment, by saying that we should be committed to at least 95 cents of the educational dollar going into the classroom. Well, we are in favor of that. This is a rather clever way, evidently, by our Republican friends of trying to obscure the issue of whether smaller class size is an important educational tool.

We agree that 95 percent of the funds ought to go to the classrooms. In many programs, it's more than 95 percent; 98 percent goes through to the classrooms. So why the Senator has made this proposal is to wipe out the MURRAY amendment. Let's not fool ourselves. We can stand up here all day long and say how we want to preserve taxpayer funding to targeted areas in educational programs. We are for it. We are all for it. It is not a new idea. It has already been accepted in the House of Representatives. We hope there will be a voice vote on it. But we ask the Senator, why attempt to vitiate the excellent program or deny the Senator the opportunity to get a vote on her program for smaller class size?

That is what you are basically about. Let's not kid ourselves. Let's not stand up here and take the time of the U.S. Senate and try to say we are all for trying to get the money into the classroom. We are all for that. The Senator has the legitimacy to take the time of the Senate to do so. We are for it. But what you should say is: By accepting my amendment, we effectively emasculate the Murray amendment, which has tried to put the Senate on record saying that smaller classrooms can be one of a number of tools to try to enhance academic achievement and accomplishment.

You are effectively trying to deny that. Let's call a spade a spade. That is why I certainly hope that we have every intention of getting a vote on the Murray concept. We will have that opportunity to do so at some time. I hope we will persevere.

I think the amendment of the Senator from Washington is a carefully crafted amendment and that we in this body understand the importance of moving towards smaller class size. I heard the Senator eloquently speak from her own personal experience. There isn't a Member in this body who can speak with the personal experience of the Senator from Washington. She has been in the classroom. She has been in large classes and in smaller classes and has been a school board member. There isn't a Member in the Senate who can claim those kinds of credentials. She knows about this as an important concept.

We are not going to be denied by any Senator in here from at least getting an opportunity to vote on that. You can try what you like, but you are not going to be successful. I hope we can get beyond the chaff that is out here and get to the real wheat, which is the Senator's amendment.

If the Senator wants to have a vote on his, good. I hope we would get on with it, if we are serious about having an education debate. But make no mistake about it. The thrust of the Senator's amendment is to effectively deny the Senate an opportunity to vote on the Murray amendment because we all virtually agree. I have not heard a voice out here that isn't going to support the Senator's amendment, which is about 95 cents out of every dollar going to the classroom. That is not what this is about. It is to deny the Senator from Washington of having a fair chance to have her amendment heard. We know our Republican friends are so tied up with this idea of using scarce resources for private schools, and we know the drive that has in terms of the whole Coverdell proposal. But they want to deny even the opportunity for the Senate to address in a short period of time a very important and significant educational policy issue. Even under these restrictive rules, which we had to agree to, they are not going to be able to prohibit the Senator from getting a vote on it.

I hope that we do that in a way that will be accommodated. We can do it nice or do it rough. But we are going to get a vote on it. The Senator can make up his mind which way he wants to play with it.

Mr. DORGAN. Mr. President, may I inquire? What time is available, without consuming time?

The PRESIDING OFFICER. The Senator from Washington controls 8 minutes; the Senator from Arkansas is in control of 7 minutes.

Mr. DORGAN. Mr. President, the Senator from Arkansas may want to respond. But let me make a point that his amendment essentially, as the Senator from Massachusetts says, wipes out the Murray amendment dealing with class size and 100,000 teachers and reducing the class size of first, second, and third grades to an average of 18 students.

The point I made the other day is that this debate is about the priorities of need in education. The Senator from Georgia brings a bill to the floor and says the priority of need is a provision for a tax credit, the bulk of which will go to wealthy folks who send kids to private schools. That is his priority of need. It is not me saying that; it is now the Department of Treasury saying that of the legislation.

The Senator from Washington says there is another need. We talked earlier about school construction. The President and the Senator from Washington has done a lot of work on this issue and talk about the need to reduce the class size of first, second, and third grades. We know that makes a difference in education. That is not rocket science. We know that works. That makes a difference in education.

The second-degree perfecting amendment that has been offered essentially obliterates this and takes it out. The Senator from Massachusetts just indicated—he is absolutely correct—that we are going to get a vote on the amendment offered by the Senator from Washington, Senator MURRAY. We have a right to get that vote. We will, because the Senator from Arkansas says he wants to obliterate that amendment. We will then come back and offer a second-degree at the end of his amendment, and we will get this vote later now rather than sooner. But we will get it.

So I don't have any objection to somebody coming to the floor saying let's have 99 percent of the money spent on education going into the classroom. I have no objection to that. I have no objection to his amendment at all. What I object to is he comes to the floor and says—by the way, the Senator from Washington worked on this for some while, and it was one called for in the President's State of the Union Address—we will just wipe that out. That is not part of the unanimous consent. She has a right to vote on it. What we will do at 11:30 in the morning is just wipe it out.

Finally, let me propound a parliamentary inquiry, if I might, to the Presiding Officer. Is it not the case that the Senator from Washington will be able to offer a second-degree amendment at the end of the perfecting amendment providing this perfecting amendment is approved by the Senate at some appropriate point in this process and get a vote on the second-degree amendment?

The PRESIDING OFFICER. Upon disposition or taking care of the Hutchinson second-degree, other second-degrees would be in order.

Mr. HUTCHINSON. How much time do I control?

The PRESIDING OFFICER. Seven minutes.

Mr. DORGAN. Mr. President, I yield the floor and reserve the remainder of the time.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. HUTCHINSON. Mr. President, as I began my remarks, I was not trying to play dirty pool, or something, as the Senator from Massachusetts has suggested. The rules are the rules. The rules allow me to offer a second-degree amendment. As I expressed at the very beginning, I think there is a big philosophic difference as to how we improve education in this country because I don't believe that a Federal program of 100,000 new teachers is the best way to do it. It doesn't mean that I somehow am playing dirty pool. We have a great difference of opinion as to what is the best approach.

Everybody stands up and says what we want in this case is to just lower the class size and we are going to have better schools. No one deals with the figures. No one deals with the facts that I have given. I wish somebody would. The Department of Education gives us figures saying from 1955, when the class size average was 27 in this country until the current time when the average size is 18.5 in elementary, 17.3 overall, that we have seen class size drop now by over 10 per class size. During the same 40-year period, we have seen academic achievement decrease.

Furthermore, I wish somebody would explain this to me. Here in Washington, DC, we have one of the lowest average class sizes in the Nation—13. Yet, our Nation's Capital ranks near the bottom in academic achievement. If this is the solution, why 100,000? Let's hire 200,000, if the solution to education in this country is getting class sizes down. Let's get it down to 10. But the fact is we have seen class sizes drop and drop and drop, and at the same time we have seen academic scores—nationalized achievement tests—drop and drop and drop. What do we do? Let's hire more teachers. That is bound to help. Yet, no one wants to deal with the issue. They just want to say this isn't right, that you should offer a second-degree amendment.

By the way, I am so glad about the endorsement of the 95 cents out of every dollar going to classrooms. There is legislation that would do that. I expect now—as Senator DORGAN says—I don't think they actually will but I hope that we get the dollars for the classrooms and allow us to get that money to the classrooms. It is a better approach.

In Utah, the State of Utah ranks near the bottom in class size. In fact, I think it was 48th in class size. Yet, they are at the top nationally in student achievement. But the way we are going to solve the school problems in this country is hire more teachers.

Mr. DORGAN. Will the Senator yield for a question?

Mr. HUTCHINSON. No, I will not yield for questions at this time. I resent the implication that somehow I have violated the comity of the process by offering a second-degree amendment which sincerely reflects my desire to address the education problems in this Nation in what I believe is a better way and my sincere—my sincere—reluctance to further federalize education in this country by hiring 100,000 new teachers with Federal funds. I think it is the wrong direction.

I think it is the right of any Senator to come and propose a better way.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 3 minutes 1 second remaining.

Mr. HUTCHINSON. I will yield for a question.

Mr. DORGAN. Mr. President, the Senator from Arkansas has offered an amendment that strikes the amendment offered by the Senator from Washington. We had a unanimous consent agreement in this Chamber on how we were going to handle amendments. It provided that she was going to have an opportunity to offer her amendment and get a vote on her amendment. I didn't use the words ''dirty pool.'' The Senator did. But my point is, if we had an agreement that she was going to be able to offer this amendment on the Senate floor and the Senator comes and strikes her amendment, it seems to me that is not what we agreed to some long while ago when we agreed to the rules of this debate.

The Senator is within his rights of offering the second degree. I don't disagree. But my point is the Senator comes to the floor, not just advancing his ideas, but essentially prevents her from getting a vote on her amendment because the Senator strikes the Murray amendment.

Mr. HUTCHINSON. I am not sure what the question is. I yielded for a question.

Mr. COVERDELL. Will the Senator yield?

Mr. DORGAN. Let me ask a question. And while you do this you make the point apparently larger class sizes are better. Do you believe that?

Mr. HUTCHINSON. I have not made that point, as we all well know. Let me say again, what I think I demonstrated very, very clearly is that there is no evidence that simply lowering class size is going to improve academic achievement. That's been the assertion from the other side.

I yield to the Senator from Georgia.

Mr. COVERDELL. I just wanted to clarify the unanimous consent agreement. I have been off the floor for a moment. But the unanimous consent agreed to 12 Democrat amendments, 5 Republican amendments and any second degrees, unlimited. So I don't think anything has happened here that was not appropriate under the unanimous consent agreement.

Mr. HUTCHINSON. Will the Senator yield for a question?

Mr. COVERDELL. I yield.

Mr. HUTCHINSON. Is it your understanding that my offering of the second-degree amendment is any violation of comity as to the agreement that was entered into?

Mr. COVERDELL. No, there is not. That's the point.

Mr. HUTCHINSON. Any implication that somehow I have wronged the Senator from Washington in offering this would be inaccurate?

Mr. COVERDELL. That is inaccurate.

Mr. DORGAN addressed the Chair.

AMENDMENT NO. 2296, AS MODIFIED

Mr. HUTCHINSON. I believe I have control of the floor. I ask the Senator from Georgia if he would be agreeable to me offering this as a first-degree amendment with a recorded vote and removing this as a second-degree amendment, in my effort, in my desire to be as agreeable and cooperative as possible to the Senator from Washington?

Mr. COVERDELL. If I understand—I just heard this—what the Senator from Arkansas is saying, there is a suggestion that your second degree would be framed as a first degree?

Mr. HUTCHINSON. That is correct.

Mr. COVERDELL. On which there would be a vote, and then there would be a vote on the amendment of the Senator from Washington absent the second degree. So both proposals would be voted on. It is my understanding that was agreeable to the Senator from Washington. If it is agreeable to the Senator from Arkansas, I think that could be facilitated.

Mr. HUTCHINSON. It is agreeable to the Senator from Arkansas.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. If the Senator will yield, I will get a vote then on my amendment?

Mr. COVERDELL. That is correct.

The PRESIDING OFFICER. Does the Senator from Georgia want to propose that as a unanimous consent request?

The Senator from Georgia.

Mr. COVERDELL. Let me propose it as a unanimous consent request then.

Mr. DORGAN. Mr. President, reserving the right to object.

Mrs. MURRAY. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I have not had a chance to respond. How much time do I have remaining on my side?

The PRESIDING OFFICER. The Senator from Washington has 4 minutes.

Mr. COVERDELL. When I said no more time, I didn't mean to interrupt the time already allotted.

Mr. DORGAN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Is it the Senator's intention there be no second-degree intervening amendment before voting on the amendment of the Senator from Washington?

Mr. COVERDELL. Yes. We are agreeing to have a vote on the amendment of the Senator from Washington and the amendment of the Senator from Arkansas, and no other amendment.

Mr. DORGAN. Mr. President, again reserving, and I shall not object, this does correct exactly what we were complaining about. I appreciate very much the opportunity to do that because the unanimous consent agreement gave her the understanding that she was going to be able to offer an amendment, provide the debate and get a vote on her amendment. I do not represent that the intention here was to deliberately prevent that. But the effect——

Mr. HUTCHINSON. Such a suggestion was made.

Mr. DORGAN. But the effect of it is to prevent her from getting a vote on her amendment unless it is corrected. This does correct it, and I think it makes a great deal of sense.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

The amendment (No. 2296), as modified, reads as follows:

At the end of the bill, add the following:

TITLE —SENSE OF CONGRESS

SEC. ___01. FINDINGS.

Congress makes the following findings:

(1) The people of the United States know that effective teaching takes place when the people of the United States begin (A) helping children master basic academics, (B) engaging and involving parents, (C) creating safe and orderly classrooms, and (D) getting dollars to the classroom.

(2) Our Nation's children deserve an educational system which will provide opportunities to excel.

(3) States and localities must spend a significant amount of Federal education tax dollars applying for and administering Federal education dollars.

(4) Several States have reported that although the States receive less than 10 percent of their education funding from the Federal Government, more than 50 percent of their paperwork is associated with those Federal dollars.

(5) While it is unknown exactly what percentage of Federal education dollars reaches the classroom, a recent audit of New York City public schools found that only 43 percent of their local education budget reaches the classroom; further, it is thought that only 85 percent of funds administered by the Department of Education for elementary and secondary education reach the school district level; and even if 65 percent of Federal education funds reach the classroom, it still means that billions of dollars are not directly spent on children in the classroom.

(6) American students are not performing up to their full academic potential, despite the more than 760 Federal education programs, which span 39 Federal agencies at the price of nearly $100,000,000,000 annually.

(7) According to the Digest of Education Statistics, in 1993 only $141,598,786,000 out of $265,285,370,000 spent on elementary and secondary education was spent on instruction.

(8) According to the National Center for Education Statistics, in 1994 only 52 percent of staff employed in public elementary and secondary school systems were teachers.

(9) Too much of our Federal education funding is spent on bureaucracy, and too little is spent on our Nation's youth.

(10) Getting 95 percent of Department of Education elementary and secondary education funds to the classroom could provide approximately $2,094 in additional funding per classroom across the United States.

(11) More education funding should be put in the hands of someone in a child's classroom who knows the child's name.

(12) President Clinton has stated: ''We cannot ask the American people to spend more on education until we do a better job with the money we've got now.''.

(13) President Clinton and Vice President Gore agree that the reinventing of public education will not begin in Washington but in communities across the United States and that the people of the United States must ask fundamental questions about how our Nation's public school systems' dollars are spent.

(14) President Clinton and Vice President Gore agree that in an age of tight budgets, our Nation should be spending public funds on teachers and children, not on unnecessary overhead and bloated bureaucracy.

SEC. ___02. SENSE OF CONGRESS.

It is the sense of Congress that the Department of Education, States, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated for the purpose of carrying out elementary and secondary education programs administered by the Department of Education is spent for our Nation's children in their classrooms.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I see the Senator from Washington is on the floor. I will just take a moment or two to talk about support for smaller class sizes. The idea that we say this is going to be the answer in education, of course, no one has represented that.

The PRESIDING OFFICER. The Senator from Washington has 4 minutes.

Mr. KENNEDY. Two minutes. No one has represented that.

But what we have found, for example, as a result of very extensive hearings—I do not know which ones were cited—is that in Flint, MI, efforts over the last 3 years to reduce class size in grades K through 3 have lead to a 44 percent increase in reading scores and an 18 percent increase in math scores. In Wisconsin, student achievement in grades K through 3 is also finding similar results. Project STAR in Tennessee, K through 3 in 80 different schools in Tennessee. And in California similar kinds of results. So the idea that this is not a worthwhile educational policy tied into other education policy as a way to help to assist local schools that make that judgment fails, I think, to be credible, and I think that is why we are all grateful we are going to be in a situation that we can have the vote on the amendment of the Senator from Washington and a vote on the amendment of the Senator from Arkansas. I hope this body will vote in favor of both.

I thank the Senator from Washington for bringing this very important measure to the Senate.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington has 2½ minutes.

Mrs. MURRAY. I thank the Chair. I thank my colleagues from Massachusetts and North Dakota because they are stating the case quite correctly on class size. It absolutely makes a difference when you reduce class size particularly in lower grades.

The Senator from Massachusetts has cited what several empirical studies have shown. The Educational Testing Service says that empirical evidence is clear; smaller classes can make higher levels of student achievement, at least in the elementary school grades and particularly for disadvantaged students.

We have submitted these studies for the Record, and our colleagues are welcome to look at the Record. But I can tell you as an educator, clearly class size makes a difference. There is not a parent in this country who does not want to send their child off to school and know that they are learning how to read, that they are learning how to write, that they are learning math skills. When you have reduced class size, it makes a difference. Ask any parent. Ask any student. Ask any teacher. It will make a difference.

Every parent asks their child on the first day of school when they come home, ''Who is your teacher? How many kids in your classroom?'' They ask that because they know it makes a difference. Parents know it. Students know it. Teachers know it. And the studies show it. If you want to help IDEA kids, to which many of my colleagues have been alluding on the floor, I will tell you that class size matters. It matters more than anything else. I think it is absolutely imperative that this Senate go on record stating that we understand that. We are not going to ignore it. We are not going to come up with all kinds of arguments about paperwork and bureaucracy and federalism. We are going to say that as leaders in this country we understand that class size makes a difference. We want to make a difference for our children in our schools across this country, and we can by passing this amendment.

Mr. NICKLES. Will the Senator yield for a question?

Mrs. MURRAY. Yes. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator from Washington has 15 seconds.

Mr. NICKLES. The question to my colleague from Washington is: How much does your proposal cost, and are these going to be Federal teachers? Are they going to be paid for entirely by the Federal Government or partly by the State government? What is the cost allocation?

Mrs. MURRAY. In the President's State of the Union Address, he said he

wanted us, in our budget, to add 100,000 additional teachers in our classrooms just as we added 100,000 police officers. Within our budget, we will look at how we can do that. My sense of the Senate simply puts us on record, as leaders in this country, that we are going to move in this direction. We have numerous ways of looking at it.

If we can fund roads, if we can fund construction projects across this country, if we can fund numerous projects that we have in our budgets, we certainly can fund lower class sizes for our students across this country that will make a difference.

The PRESIDING OFFICER. The time of the Senator from Washington has expired. The Senator from Oklahoma.

Mr. NICKLES. I ask unanimous consent that each side have an additional 2 minutes to discuss this issue.

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

Mr. NICKLES. Will the Senator yield?

Mr. HUTCHINSON. I yield 2 minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 2 minutes.

Mr. NICKLES. I appreciate my colleague's response. I said, How much is it going to cost? She said it is in the President's budget. The President's budget says we will spend $7.3 billion to hire an additional 100,000 teachers. It doesn't really define in the budget how that is going to be done. My colleague from Washington said it is going to be done like we did community policing. He has a goal to hire 100,000 community police. When that started out, it was 100 percent or 75 percent Federal, and then 50 percent Federal, and then 25 percent Federal each succeeding year, and the individual communities had to pick up the greater costs.

I laugh at that. A lot of communities are saying, ''We like the program when the Federal Government is paying all of it. We don't like it when we have to pay all of it.''

Then I asked my communities in the State, I went around to several communities—I am sure several of my colleagues did—and said, ''Are you going to get one of these teachers? Is your school going to get a teacher? Is your school going to get a teacher? Who is going to be lucky enough to get the Federal teacher?'' I don't think it makes any sense.

Do I want smaller class size? I would say, in general, yes. Do I think the Federal Government should mandate it, should pay for it? The answer is no. I think the solution is, as our Senator from Washington said, let's give the money and power and control back to the States, and if they want smaller class size, they can make that decision. If they want new buildings, they can make that decision. If they want new computers, they can make that decision. We should not try to say, ''Oh, we think this classroom should have another teacher. We are going to have a Federal teacher here and have the Federal Government pay 75 percent of it or 50 percent of it for the first year.'' I just don't think it makes sense. I don't think it is affordable.

The $7.3 billion the President had in his budget was financed on the so-called tobacco deal, and we don't even know whether or not it is going to happen. So I urge my colleagues to support the amendment of my friend and colleague from Arkansas saying that 95 percent of this money should go directly to the classroom. I urge my colleagues not to say we should be dictating to the States how, and put Federal teachers or federally-paid-for teachers in the schools. I think it would be a serious mistake.

If we want to have a sense of the Senate, ''Hey, we urge you to have smaller class size,'' and leave it to the States, fine. But the implication of the amendment of the Senator from Washington is that we need to have the President's program, we need to have the Federal Government writing checks for teachers in individual school districts, and I think that is a mistake.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. I have 2 minutes remaining?

The PRESIDING OFFICER. There are 2 minutes remaining under your control.

Mr. HUTCHINSON. I appreciate the Senator from Oklahoma and his clarification on the amendment, the sense-of-the-Senate resolution of the Senator from Washington, because it is not clear whether these are Federal teachers, federally funded or not. It is clear now that it is Senator MURRAY's intention that this fulfill the President's request in his budget; that is $7.3 billion.

We all want smaller class sizes. My point has been that we have been getting that. Mr. President, 27 was the average class size in 1955, 21 in 1975, 17.3 today. Class sizes are dropping. They will continue to. Demographically, we are told class sizes will continue to decrease.

Furthermore, we know as well that many States are already addressing this problem. California, Virginia, Massachusetts, Connecticut, and Wisconsin have taken dramatic steps to reduce class size on their own. Our whole point has been that 100,000 new teachers hired at the Federal level is not the best use of $7.3 billion. We would be far wiser in use of limited Federal resources to ensure that that money gets to the classroom, as opposed to starting another Federal initiative, another Federal effort.

We know that our schools have problems. Mr. President, 25 percent of 12th grade scores were below basic reading in the 1994 NAPE test. The literacy level of young adults, 15 to 21, dropped 11 points between 1984 and 1994. That has happened simultaneous with smaller class sizes. We all want smaller class sizes. I think that is wonderful. But is that the best use of scarce resources? The answer is no.

What is the correct answer is to provide maximum flexibility with the fewest possible mandates, ensuring that the highest percentage possible of those dollars gets to the classroom. That is what my amendment does. That is what the ''dollars to the classroom'' proposal is all about—more money to the classroom with fewer regulations and fewer controls from the bureaucrats in Washington, DC. I think most Americans agree with that, I think most schoolteachers agree with that, and I am sure most parents agree with that proposal.

So I ask my colleagues to vote for this sense-of-the-Senate resolution. It expresses their reluctance, skepticism about another Federal program hiring another 100,000 teachers for our local schools.

The PRESIDING OFFICER. All time of the Senator from Arkansas has expired. The Senator from Washington has 2 minutes.

Mrs. MURRAY. Mr. President, I have listened carefully to the education debate because I care deeply about public education in this country. I believe that our democracy was founded on the principle that all children, no matter who they are or where they come from or how much money they have, should have the opportunity within our public education system in this country to get a good education. I have gone across my State and asked parents and teachers and principals and school board members, What will make a difference? And resoundingly they have said to me we need to focus attention on class size; the Senate needs to focus their attention on class size.

I am, frankly, really tired of the argument that our public education system has failed. Our public education system has not failed. We have failed our public education system. And we have failed it because we have not put in the adequate resources for what we are demanding, as leaders in this country—that our children learn how to read and write and get the skills they need to get jobs one day. These are skills we are demanding. Yet we turn our backs and say we are not going to fund it.

This is an issue of priorities. Are we going to fund public education in this country? Or are we going to do what my Republican colleagues did in this budget and cut $2.2 billion from education? Mr. President, we can go down a narrow road in this country, and we can pass vouchers, and we can say that we can block grant, and we can make sure that a few kids get a public education. But that is not the country I was born and raised in. That is not the philosophy I believe in. I believe we can do the right thing. I know, and I will tell all of you: Reducing class size makes a difference. Ask any parent. Ask any parent if they know that it makes a difference, and they will tell you yes, it does.

Mr. President, this is a simple amendment that we are offering. It

simply says this Congress understands that class size reduction is an issue that makes a difference and we are willing to look at how we can help make that happen across this country. I urge its adoption.

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

Mr. HUTCHINSON. Mr. President, I ask for the yeas and nays on the Hutchinson amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2295

Mr. KENNEDY. The yeas and nays on the Murray amendment, Mr. President? 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. Under the previous order, the Murray amendment and the Hutchinson amendment are temporarily laid aside. The Senator from Indiana, Mr. COATS, is recognized to offer an amendment.

AMENDMENT NO. 2297

(Purpose: To amend the Internal Revenue Code of 1986 to provide an additional incentive to donate to elementary and secondary schools or other organizations which provide scholarships to disadvantaged children, and for other purposes)

Mr. COATS. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. BURNS). The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. COATS] proposes an amendment numbered 2297.

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

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

The amendment is as follows:

At the end add the following:

TITLE ___—ADDITIONAL INCENTIVE TO MAKE SCHOLARSHIP DONATIONS

SEC. ___. ADDITIONAL INCENTIVE TO MAKE DONATIONS TO SCHOOLS OR ORGANIZATIONS WHICH OFFER SCHOLARSHIPS.

(a) IN GENERAL.—Section 170 (relating to charitable, etc., contributions and gifts) is amended by redesignating subsection (m) as subsection (n) and by inserting after subsection (l) the following:

''(m) TREATMENT OF AMOUNTS PAID TO CERTAIN EDUCATIONAL ORGANIZATIONS.—

''(1) IN GENERAL.—For purposes of this section, 110 percent of any amount described in paragraph (2) shall be treated as a charitable contribution.

''(2) AMOUNT DESCRIBED.—For purposes of paragraph (1), an amount is described in this paragraph if the amount—

''(A) is paid in cash by the taxpayer to or for the benefit of a qualified organization, and

''(B) is used by such organization to provide qualified scholarships (as defined in section 117(b)) to any individual attending kindergarten through grade 12 whose family income does not exceed 185 percent of the poverty line for a family of the size involved.

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) QUALIFIED ORGANIZATION.—The term 'qualified organization' means—

''(i) an educational organization—

''(I) which is described in subsection (b)(1)(A)(ii), and

''(II) which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law, or

''(ii) an organization which is described in section 501(c)(3) and exempt from taxation under section 501(a).

''(B) POVERTY LINE.—The term 'poverty line' means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved.

''(4) TERMINATION.—This subsection shall not apply to contributions made after December 31, 2002.''

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1998.

SEC. ___. CLARIFICATION AND EXPANSION OF MATHEMATICAL ERROR ASSESSMENT PROCEDURES.

(a) TIN DEEMED INCORRECT IF INFORMATION ON RETURN DIFFERS WITH AGENCY RECORDS.—Section 6213(g)(2) (defining mathematical or clerical error) is amended by adding at the end the following flush sentence:

''A taxpayer shall be treated as having omitted a correct TIN for purposes of the preceding sentence if information provided by the taxpayer on the return with respect to the individual whose TIN was provided differs from the information the Secretary obtains from the person issuing the TIN.''

(b) EXPANSION OF MATHEMATICAL ERROR PROCEDURES TO CASES WHERE TIN ESTABLISHES INDIVIDUAL NOT ELIGIBLE FOR TAX CREDIT.—Section 6213(g)(2), as amended by title VI of this Act, is amended by striking ''and'' at the end of subparagraph (J), by striking the period at the end of the subparagraph (K) and inserting '', and'', and by adding at the end the following new subparagraph:

''(L) the inclusion on a return of a TIN required to be included on the return under section 21, 24, or 32 if—

''(i) such TIN is of an individual whose age affects the amount of the credit under such section, and

''(ii) the computation of the credit on the return reflects the treatment of such individual as being of an age different from the individual's age based on such TIN.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. ___. CERTAIN CUSTOMER RECEIVABLES INELIGIBLE FOR MARK-TO-MARKET TREATMENT.

(a) CERTAIN RECEIVABLES NOT ELIGIBLE FOR MARK TO MARKET.—Section 475(c) (relating to definitions) is amended by adding at the end the following new paragraph:

''(4) SPECIAL RULES FOR CERTAIN RECEIVABLES.—

''(A) IN GENERAL.—Paragraph (2)(C) shall not include any note, bond, debenture, or other evidence of indebtedness which is nonfinancial customer paper.

''(B) NONFINANCIAL CUSTOMER PAPER.—For purposes of subparagraph (A), the term 'nonfinancial customer paper' means any receivable—

''(i) arising out of the sale of goods or services by a person the principal activity of which is the selling or providing of nonfinancial goods and services, and

''(ii) held by such person or a related person at all times since issue.''

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendments made by this section to change its method of accounting for its first taxable year ending after the date of the enactment of this Act—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over the 4-taxable year period beginning with such first taxable year.

Mr. COATS. Mr. President, can I inquire of the time allotted to the Senator for this amendment? My understanding is it is 15 minutes. Is that correct?

The PRESIDING OFFICER. The Senator from Indiana has 30 minutes on this amendment, equally divided. So 15 minutes under the control of the Senator from Indiana.

Mr. COATS. Mr. President, first of all, I compliment the author of the underlying legislation. It has been an extraordinary effort. It is a bipartisan effort, we ought to stress, and it is one that clearly offers long-term improvement in education and opportunities in education for many Americans. I thank them for their work on this, and I intend to support them when it comes to a vote.

There has been a critique of the legislation in that most of the benefits will flow to middle-income Americans and above, and that we are not paying adequate attention to low-income Americans and particularly those who attend urban schools, so many of which are failing urban schools.

That critique is really misplaced because that is not the intent of the bill. There have been other opportunities offered on this floor, again, in a bipartisan fashion. Senator LIEBERMAN and I have joined forces on a number of occasions to try to address specifically the problems of low-income students, minority students, who are receiving inadequate educations, and each time those efforts have been met with a filibuster and defeated.

There have been other initiatives. I have offered some, and other Members have offered some. We are going to continue to do that. So the critique is really misplaced. But in an effort to strengthen the underlying bill which we are addressing, I am offering this amendment which I will explain in a moment.

It is clear that there will be Americans, a sizable number of Americans, who don't have the income to take advantage of the tax-free savings accounts that are created in this legislation. Under the best of circumstances,

it would take them years to accumulate the amount of money necessary to utilize those funds for alternative means of education. We cannot afford years. We are losing people to the system, and it is an inadequate system.

Let me take a moment to talk about that crisis that exists in urban education.

A recent study published by Education Week points out just how desperate the situation has become. In 1997, just 43 percent of grade-school-age children attending urban schools met the basic standard for reading skills, and that ''basic,'' just for my colleagues' understanding, is defined as being able to read a very simple child's book or children's literature. Among children attending urban schools in high-poverty areas, basic reading ability rates fall to just 23 percent of students. Think of it: Fewer than one in three children attending schools in poor neighborhoods can read a simple story; two-thirds of nonurban students meet the basic standard for mathematics.

Among urban students in high-poverty areas, this one-in-three statistic is truly disturbing. Looking at the area of science, while 65 percent of nonurban students are meeting the basic standard in science achievement, only 38 percent of urban students perform this, and in high-poverty schools, only 31 percent. So, again, fewer than one in three are meeting these standards.

A public school system in which over two-thirds of our children are functionally illiterate in reading, in science, in math is a system that cannot and must not be defended. Yet, those who are opposing any efforts to try to move this system to improve it or reform it, to provide alternatives for children trapped in the system, are met with disdain, are met with challenges.

The logic—actually, I should say the illogic—of the opponents of attempts at reform is difficult to understand, because it is literally condemning poor children to an inadequate education. The one chance they have to escape the plight that they live in is being denied them, because people want to maintain—some people want to maintain—the status quo, and the status quo is bankrupt.

Every year, we debate, as I said, different proposals to permit these low-income children to escape the plight in which they find themselves. Every year, we talk about the need for competition to force public schools to reform the way in which they teach their children. And every year, we are met on the Senate floor with a filibuster by those who say, ''No; let's maintain the status quo in the name of absolute equality.''

One of the analogies that is often used is that we are just simply trying to throw lifeboats out and scholarships are just lifeboats that are not available to all; and if they are not available to all, then they shouldn't be available to anybody.

A lot of us have seen the recent epic ''The Titanic.'' Fortunately, the opponents of the basis of the proposal that, if you can't help everybody, you shouldn't help anybody were not running the Titanic, because then everybody would have been denied an opportunity to escape on a lifeboat because there were not enough lifeboats for everybody.

If we cannot help everybody all at once, we are not going to help anybody. That is the logic of the opponents of any attempt, whether it is this bill, whether it is the voucher bill that this Senator, Senator LIEBERMAN, and others have been offering, or whether it is any other proposal that other Members have been offering. That is the logic of the opposition. It does not match up.

Recently—I think it was just yesterday or maybe a couple days ago—the President at a press conference with the Democratic leadership challenged the supporters of scholarships to make their case to the Nation, he said. The President said, ''You ought to do something rather than just talk about it.''

Mr. President, I don't know where you have been lately—well, maybe I do know, preoccupied with other matters—but if you will just look very closely, you will understand that things are being done by those who favor the proposal. We are doing something.

Currently, there are 32 privately funded scholarship programs operating across this country. In virtually every major urban area of this Nation—New York, Washington, Los Angeles, Seattle, Indianapolis, Albany, San Antonio, Atlanta, just to name a few—private citizens are joining forces to provide poor children a way out of collapsing public school systems. To date, these foundations have raised over $30 million and have provided assistance to over 13,000 children. Just this morning, we learned that a major private funder of private school choice announced a $50 million gift to San Antonio's program that will permit any low-income student in the San Antonio system to opt out of a public school if they are not getting an adequate education.

I say we are putting our money where our mouths are. Individuals are stepping forward, people are addressing it and are doing so out of a matter of desperation, desperation that children are being left behind and are not buying into this idea that if you cannot do it for everybody right now, don't do it for anybody.

The demand for this is rising. We are all familiar with the New York City Private Scholarship Foundation. When they announced they had 13 new scholarships for low-income children, they received 17,000 applications. Ten percent of the eligible population of New York said, ''Give us a chance. Give us something different.'' They were overwhelmed by the response.

Last year, the Washington Scholarship Fund here in the District of Columbia announced plans to offer 1,000 new scholarships and received 7,500 requests. That represents 15 percent of the eligible population in the D.C. public schools.

A recent poll of minority parents published last year found that two-thirds of them are crying out for some alternative for education. Low-income families in cities around the country are saying, ''We refuse to continue to allow our children to be condemned to schools which don't give them any chance to escape the poverty that they live in.''

My colleague, Senator LIEBERMAN, has appealed to his party to say: We are the party of equality. We are the party that reaches out to help those who need help, and yet we are turning our backs on the very people our party is supposed to defend. We are condemning them to an inadequate education and therefore condemning them to a life in which they will not be able to participate in the American dream.

The only way out of many of these areas in our urban cities is drugs, athletics, or education. One in 10,000 make it into college athletics. That is the statistics of all the kids playing basketball, baseball, and football: 1 in 10,000 gets a college scholarship. Out of that, the number is infinitesimal of those who can go on and actually earn a living playing professional sports. So while many dream of being the next Michael Jordan, the reality is that only 1 in about 100,000 or maybe a million is going to be that person or have that opportunity.

The next alternative is drugs and crime. And the statistics there are appalling. Children are dying on the streets, as we speak, at tender ages because they think the way out of their plight—the only way out of their plight—is to move drugs. And that is a prescription for death, that is a prescription for incarceration, that is a prescription for failure.

What do parents want? They understand those realities. They want their children to be educated, given the skills necessary to be able to enter today's workplace, given the education to be able to go on and further their education after high school. And they are not getting that in our urban schools.

How does my amendment try to address this? We try to provide a little piece of a solution to the puzzle we are trying to put together, a mosaic we are trying to put together to try to get us out of this conundrum that tweaks the Tax Code a little bit to give a little extra encouragement to people who donate money to those scholarship funds.

Under current law, a contribution to a 501(c)(3) organization that provides scholarships is deductible against income. My amendment would simply give them a 10 percent incentive to try to encourage more people to give more. We offset that so that it is paid for and revenue neutral. I offered an offset which I thought would be fairly attractive, but I could not get the votes to

support it. I did not want to see my amendment fail on that basis, so we worked with the majority leader, we worked with Members, to try to find something that had been vented by the Finance Committee, had been approved as a potential offset. And I do not believe there is any controversy. We have tried to run all the traps on that in terms of the offset.

I can describe the offset. It is two technical items that pay for the change which takes place in the Tax Code with this. What it means is that if a family wanted to donate $500 to a scholarship fund or an individual, they would get a $550 deduction for that. It is an extra incentive. It is just a small piece. I mean, people are going to come down and probably say, ''Well, this doesn't solve the problem.'' No, it does not solve the problem, but it is a step in the right correction. It is a tiny step. And I guess we are reaching out saying, at least can we take some tiny steps to help people who find themselves in an absolute lockbox of inadequate education with no way to escape?

This is my latest attempt. I keep trying to bring ideas down here to try to give poor kids, minority kids, kids condemned to failing urban schools, a chance to get out and get an education. I try to use it as a basis to spur some competition so those who run the public schools will get the idea they need to improve their schools.

We really care about these low-income children, which this bill does not address, but, again, that is not the intent of the bill. I think this strengthens the bill. Then we ought to look for ways in which we can encourage alternatives to education and encourage competition in the system that will force some change.

I will never forget the testimony of the former 25-year superintendent of the Milwaukee public schools, an educated man, an African American, who said: Senator, I've tried everything. You can't name a reform proposal within the system that has worked. The unions block it. The public teachers don't want it. We've tried everything. I defy you to name an approach within the current public education system that forces change. Only one thing has forced change in the Milwaukee public schools, and that is the competition from private schools, the vouchers and the scholarships that have been available so that parents can vote with their feet and their children may have a choice. All of a sudden that has wakened up the Milwaukee public schools which has said, ''We've got to change or we're going to lose these kids.''

So instead of trying to perpetuate a bureaucracy that protects their employment, and their tenure, they have said, ''Let's make the changes that will give students an opportunity to learn, to read, to meet the math and the science skills, to advance in their education.''

Who do we care more about? Protecting the system or helping the children? That is the only thing. And so this is an attempt to, one, provide some lifeboats for some kids who are trapped—no, we cannot provide enough for everybody. That really isn't even my intent. My intent is to reform the public school system, because we are going to have, and we need to have, a public school system, a viable public school system, but we can do it by providing competition. In the meantime, we can at least help some kids. This amendment will do that. I hope I have the support of my colleagues in doing so.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 1 minute 40 seconds remaining.

Mr. COATS. Mr. President, I reserve the remainder of my time.

Mr. ROTH. Mr. President, I rise in opposition to this amendment to increase the charitable deduction to 110 percent of any contribution made to an educational institution if the contribution is used to provide scholarships for low-income families.

Education is paramount to the future of our children and nation, and contributing toward the education of another is certainly one of the finest forms charitable giving can take.

Let me also say that I know the distinguished Senator from Indiana has the best intentions with this amendment. I generally believe that charitable giving serves disadvantaged people much better than government programs.

However, there are several concerns that I believe need to be fully examined and addressed before we consider moving down a road that provides a charitable tax deduction in excess of the amount donated. This is a serious departure from settled tax policy principles.

Once we begin to offer charitable tax deductions that are more than the amount donated for low-income scholarships, what comes next?

What other kinds of tax benefits will be proposed where the amount of the deduction exceeds the cost to the taxpayer?

Should these kinds of scholarships be the only charitable activities enjoying this benefit? And, if not, are we prepared to move forward with such a precedent?

There are other concerns I have about the Senator from Indiana's proposal. On what basis does one decide that the percentage should be 105, 120 percent, or a percentage lower than 100 percent? Should we be in the position of choosing among charities and assigning percentages?

Another concern I have is the proposal's attempt to single out one kind of charitable activity and offer it special tax advantages. Why is this kind of charitable activity better than other charitable activities? To do so is a step towards complexity in the tax code.

Mr. President, I believe charitable giving is an activity that we must continue to encourage with tax benefits. For instance, most taxpayers do not itemize, and therefore, cannot deduct their charitable contributions. This is a feature of our tax policy that concerns many members.

This issue, along with other proposals in the charitable giving area, such as the one from the Senator from Indiana, should be reviewed when the Finance Committee holds hearings on fundamental tax reform.

Mr. President, Senator COATS' amendment is well-intended, but raises too many questions to be hastily considered in a Senate floor vote. Let's pass the Coverdell bill, and deliver to taxpayers education tax incentives we have previously debated and approved.

I urge my colleagues to oppose this amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COVERDELL. Mr. President, we conferred with the other side and I am going to ask unanimous consent that the Coats amendment be set aside.

Mr. COATS. Reserving the right to object, I want to make sure that the time remaining is reserved under the amendment.

Mr. COVERDELL. Let me clarify the unanimous consent—that all time remaining be reserved and the amendment be brought back into the queue at the appropriate time.

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

Mr. COVERDELL. Mr. President, as I understand it, the next amendment in order would be a Levin amendment. We are now notifying the Senator that he is next in the order.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I will soon send an amendment to the desk.

The PRESIDING OFFICER. Under the previous order, the Coats amendment will be set aside.

Mr. LEVIN. Reserving the right to object, I wonder if I can ask the manager of the bill whether or not this amendment has been cleared on our side.

Mr. COVERDELL. It has been cleared on both sides.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEVIN. Mr. President, I understand that regular order now would call for me to offer my amendment. I tell my friends, if they can work out the issues that they have, that I would be happy to stand aside in the middle of my presentation and turn the floor over to the Senator from Arizona.

AMENDMENT NO. 2299

(Purpose: To replace the expansion of education individual retirement accounts to elementary and secondary school expenses with an increase the lifetime learning education credit for expenses of teachers in improving technology training)

Mr. LEVIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan (Mr. LEVIN), for himself, and Mr. BINGAMAN, proposes an amendment numbered 2299.

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

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

The amendment is as follows:

Beginning on page 2, line 9, strike all through page 10, line 21, and insert:

SEC. 101. MODIFICATIONS TO EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS.

(a) MAXIMUM ANNUAL CONTRIBUTIONS.—

(1) IN GENERAL.—Section 530(b)(1)(A)(iii) (defining education individual retirement account) is amended by striking ''$500'' and inserting ''the contribution limit for such taxable year''.

(2) CONTRIBUTION LIMIT.—Section 530(b) (relating to definitions and special rules) is amended by adding at the end the following new paragraph:

''(4) CONTRIBUTION LIMIT.—The term 'contribution limit' means $500 ($2,000 in the case of any taxable year beginning after December 31, 1998, and ending before January 1, 2003).''

(3) CONFORMING AMENDMENTS.—

(A) Section 530(d)(4)(C) is amended by striking ''$500'' and inserting ''the contribution limit for such taxable year''.

(B) Section 4973(e)(1)(A) is amended by striking ''$500'' and inserting ''the contribution limit (as defined in section 530(b)(5)) for such taxable year''.

(b) WAIVER OF AGE LIMITATIONS FOR CHILDREN WITH SPECIAL NEEDS.—Section 530(b)(1) (defining education individual retirement account) is amended by adding at the end the following flush sentence:

''The age limitations in the preceding sentence shall not apply to any designated beneficiary with special needs (as determined under regulations prescribed by the Secretary).''

(c) CORPORATIONS PERMITTED TO CONTRIBUTE TO ACCOUNTS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended by striking ''The maximum amount which a contributor'' and inserting ''In the case of a contributor who is an individual, the maximum amount the contributor''.

(d) NO DOUBLE BENEFIT.—Section 530(d)(2) (relating to distributions for qualified education expenses) is amended by adding at the end the following new subparagraph:

''(D) DISALLOWANCE OF EXCLUDED AMOUNTS AS CREDIT OR DEDUCTION.—No deduction or credit shall be allowed to the taxpayer under any other section of this chapter for any qualified education expenses to the extent taken into account in determining the amount of the exclusion under this paragraph.''

(e) TECHNICAL CORRECTIONS.—

(1)(A) Section 530(b)(1)(E) (defining education individual retirement account) is amended to read as follows:

''(E) Any balance to the credit of the designated beneficiary on the date on which the beneficiary attains age 30 shall be distributed within 30 days after such date to the beneficiary or, if the beneficiary dies before attaining age 30, shall be distributed within 30 days after the date of death to the estate of such beneficiary.''

(B) Section 530(d) (relating to tax treatment of distributions) is amended by adding at the end the following new paragraph:

''(8) DEEMED DISTRIBUTION ON REQUIRED DISTRIBUTION DATE.—In any case in which a distribution is required under subsection (b)(1)(E), any balance to the credit of a designated beneficiary as of the close of the 30-day period referred to in such subsection for making such distribution shall be deemed distributed at the close of such period.''

(2)(A) Section 530(d)(1) is amended by striking ''section 72(b)'' and inserting ''section 72''.

(B) Section 72(e) (relating to amounts not received as annuities) is amended by inserting after paragraph (8) the following new paragraph:

''(9) EXTENSION OF PARAGRAPH (2)(B) TO QUALIFIED STATE TUITION PROGRAMS AND EDUCATIONAL INDIVIDUAL RETIREMENT ACCOUNTS.—Notwithstanding any other provision of this subsection, paragraph (2)(B) shall apply to amounts received under a qualified State tuition program (as defined in section 529(b)) or under an education individual retirement account (as defined in section 530(b)). The rule of paragraph (8)(B) shall apply for purposes of this paragraph.''

(3) Section 530(d)(4)(B) (relating to exceptions) is amended by striking ''or'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', or'', and by adding at the end the following new clause:

''(iv) an amount which is includible in gross income solely because the taxpayer elected under paragraph (2)(C) to waive the application of paragraph (2) for the taxable year.''

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 1998.

(2) TECHNICAL CORRECTIONS.—The amendments made by subsection (e) shall take effect as if included in the amendments made by section 213 of the Taxpayer Relief Act of 1997.

On page 21, between lines 9 and 10, insert:

SEC. 107. INCREASED LIFETIME LEARNING CREDIT FOR TECHNOLOGY TRAINING OF ELEMENTARY AND SECONDARY TEACHERS.

(a) IN GENERAL.—Section 25A(c) (relating to lifetime learning credit) is amended by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR TECHNOLOGY TRAINING OF CERTAIN TEACHERS.—

''(A) IN GENERAL.—If any portion of the qualified tuition and related expenses to which this subsection applies—

''(i) are paid or incurred by an individual who is a kindergarten through grade 12 teacher in an elementary or secondary school, and

''(ii) are incurred as part of a program which is approved and certified by the appropriate local educational agency as directly related to improvement of the individual's capacity to use technology in teaching,

paragraph (1) shall be applied with respect to such portion by substituting '50 percent' for '20 percent'.

''(B) TERMINATION.—This paragraph shall not apply to expenses paid after December 31, 2002, for education furnished in academic periods beginning after such date.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenses paid after June 30, 1998, for education furnished in academic periods beginning after such date.

Mr. PRESIDING OFFICER. The Senator from Michigan is recognized for 15 minutes.

Mr. LEVIN. Mr. President, I ask unanimous consent Senator BINGAMAN be added as a cosponsor.

Under current law, there is a learning credit in the Tax Code equal to 20 percent of a student's college education cost, up to $5,000. My amendment increases the percentage from 20 percent to 50 percent of those college costs for teachers who return to receive training in technology. We currently have this lifetime learning credit of 20 percent for college costs, up to $5,000.

Because of the critical importance of our teachers learning how to utilize technology in the classrooms, this amendment would increase that credit to 50 percent of that teacher's college costs in those courses where he or she received training in technology. The amendment does not affect most of the beneficial aspects of the bill before us. It only removes the most controversial part of that bill relative to the use of the IRA in the K through 12th grades—I will come to that in a moment—but it leaves in place the other parts of the education bill before us, including the extension of the tax exclusion for employer-provided education assistance, the provision of a tax exclusion for withdrawals from State tuition programs, the limited school construction provisions, and, again, the expansion of the education IRA as it relates to college and postsecondary education.

This amendment is necessary in our school districts all over our country because they are making investments in technology, hardware and software, wiring together schools so they can connect their computers, and inside of the school building connecting computers through what is called ''local area networks,'' connecting our K through 12 classrooms to colleges and universities for distance learning through fiber optics. Lots of new technologies are being provided in our schools at great cost to our taxpayers.

I have spent a lot of time traveling in my State. What I find is that no matter how advanced a school district is in the installation of these technologies, we do not have nearly enough of the professional development, the giving to our teachers those skills that are essential so that they can utilize these education technologies.

School districts vary as to how much technology they have, how much access to the Internet they have, how modern their computers are, how many computers they have for their students, and how well-connected they are to the higher institutions to which they connect. They vary in that regard a great deal. But all of the school districts tell me their teachers who are so experienced in teaching in the traditional ways have not been given the skills to utilize these new technologies. So we are making these huge investments in hardware and software and wiring without making anywhere close to full use of these investments.

A study that was conducted by the Education Testing Service at Princeton, NJ, shows that on the national average only 15 percent of our teachers at the time of the study had at least 9 hours of training in education technology in their lifetime. By the way, that training is mostly spent just teaching a teacher how to use a computer to, for instance, give their grades and keep track of attendance, to input. What we are talking about here is training teachers in the use of technology so that they can use that wealth of information that is now available, those thousands of libraries around the world, those hundreds of field trips that they can bring into their classroom through this technology. What our teachers need to do is have the opportunity to train themselves to use these technologies for those new, wonderful opportunities to bring exciting material into their curriculum, to integrate into their curriculum the material that is now available through these technologies. For instance, in my State, only 10 percent of the teachers had 9 hours of training in their lifetime in the use of education technology for any purpose. The national average is 15 percent. That meant that 85 percent of our teachers did not even have 9 hours of training in their lifetime in the use of education technology.

For the younger generation, it is easy to learn how to input, it is easy to learn how to access the Internet. For those of us who are older, it is not so easy. It takes training. My children teach me how to input, how to access the Internet. For them, it is like breathing. For me, it is work. It is concentration. It is repetition. It is having a mentor. That mentor might be 5 years old. But for me it is more difficult. For our experienced teachers, it takes training. In many cases it takes returning to school. This amendment provides the incentive to go back to school to learn how to use the education technologies which are now made available to our teachers.

This amendment pays for this by restricting the use of the expanded IRA that is in this bill to postsecondary education. This is a highly controversial part of the bill, as we all know. Senator GLENN offered an amendment to strike this provision just as it relates to K through 12. My amendment goes the same distance as Senator GLENN in trying to strike this provision for the reasons which he and so many others have spoken about on this floor. But it takes the funds that are freed up and invests them in this 50-percent lifetime learning credit for teachers who go back to learn how to utilize education technology.

The provision in the bill relative to the use of these funds in the lower grades, K through 12, is flawed for many reasons, I believe constitutionally flawed, but it also has a fundamental unfairness.

It is significantly tilted towards those families with children in private schools. This is according to the Joint Committee on Taxation. These numbers are not mine; these are the numbers of the Joint Committee on Taxation. There are 35.4 million families filing tax returns who have children in public schools. Those families get less than half of the dollars which are utilized in this part of the pending bill; 48 percent of the dollars go to 35 million taxpayers, the ones with children in public schools. More than half, 52 percent, of the dollars, according to the Joint Committee on Taxation, go to 2.9 million taxpayers with children in private schools.

Now, that is a significant inequity. Putting aside its constitutional question, that represents a significant tilt away from public schools. This amendment would strike that part of the expanded IRA. It leaves all the other provisions in the education bill before us that I have talked about. The extension of the tax exclusion for employer-provided education assistance is not touched. The tax exclusion it provides for withdrawals from State tuition programs is not touched by this amendment. The limited school construction language is not touched. The expansion of the education IRA for college and graduate cost is not touched.

What is eliminated is the use of the expanded IRA for kindergarten through the 12th grade, and it uses that money instead to give incentives to teachers to learn how to use the technologies which are being provided at such great cost by our taxpayers to our schools. There is no point in spending a fortune on computers and distance learning and software unless our teachers have the training to fully utilize those technologies, and this amendment addresses that issue.

Mr. BINGAMAN. Mr. President, most of the teachers in today's public schools became educators before the era of personal computers really began and was established. To address the skills of the next generation of teachers, 32 states require a course in education technology as part of the teacher preparation curriculum. 18 states have not yet incorporated such a requirement.

New Mexico teachers must have just one education technology course before they are certified, and some universities such as New Mexico State University and Eastern are taking the lead in integrating technology into their education school programs. Yet, the majority of New Mexico's current teachers received their training before the start of the computer era in the mid-1980's and the new regulations do not address their training needs.

Nationwide, although 98 percent of schools are equipped with computers to some degree, 90 percent of new teachers, even after a single course, do not feel prepared to use technology in the classroom. Clearly, more skill development needs to take place to increase the comfort teachers feel with technology.

Most of the roughly $6 million in New Mexico state and federal funding for education technology has been used to purchase and install equipment rather than to train teachers to use new technology. Tremendous resources have been invested in hardware and installing the mechanism for access to the Internet. Sixty five percent of schools nationwide have at least some connection to the Internet, yet only 13 percent of schools have Internet training for teachers, and only 20 percent of teachers say that they readily use the Internet to help with their instruction.

With a teaching load of 80 students and an average salary of $29,600, most New Mexican teachers cannot afford to pay for their own training or take the summer off to learn how to use computers.

Although we have seen significant progress over the last few years in Federal support for technology and the use of technology in education, the one great deficiency is the preparation teachers need to use technology effectively. This legislation will help to correct the problem by supporting educators' pursuit of training and expertise.

I thank Senator LEVIN for sponsoring this legislation as an amendment to the Coverdell bill, and I'm proud to serve as a cosponsor on it.

Mr. LEVIN. Mr. President, if I have time remaining, I would ask to reserve the remainder of that time.

The PRESIDING OFFICER. The Senator has 4 minutes 41 seconds remaining, and the time has been reserved.

Mr. ROTH. Mr. President, I rise in opposition to this amendment. I rise in opposition because it takes away the ability of parents to use educational IRAs to pay for expenses relating to the schooling of their children between kindergarten and 12th grade. Allowing parents greater resources to meet the educational needs of their young people is a very important part of the Coverdell legislation. Senator LEVIN proposes to take those resources away and give them to teachers by expanding the lifetime learning credit for those who participate in technology training.

No one can argue that helping teachers become more proficient in technology is not a good thing. It is vitally

important. It will have a positive influence on their ability to teach our children. However, to increase the lifetime learning credit for teachers at the expense of expanding the IRAs for our children runs contrary to the needs and objectives of American families.

Mothers and fathers need increased wherewithal to support their children's educational goals. Mothers and fathers need stronger, more useful IRAs. They need the ability to use more of their own hard-earned money to take care of family priorities. The Senate recognized this last year when we gave parents with children in grades K–12 the ability to use educational IRAs.

Our objective was to strengthen mom and dad's ability to get the best education possible for their children. Our objective remains the same today. This is what the Coverdell legislation is all about, empowering families to make decisions that are in their best interests, allowing them to use their own resources for their own benefit.

Remember, Mr. President, the money in question here belongs to the taxpayers. They earned it. It is theirs. They will save it, and they should be able to choose how it will be spent. Let them use it where it serves them best—on their children.

Senator LEVIN's amendment is well intentioned. A lifetime learning credit is a provision that was included in the Taxpayer Relief Act of 1997. It allows everyone pursuing postsecondary education to take a tax credit each year equal to 20 percent of their qualified expenses. Those expenses are limited annually to $5,000 through the year 2002, and starting in the year 2003 they will be annually limited to a total of $10,000. The lifetime learning credit is available to any taxpayer who meets the income requirements. Full-time students can take the credit, as can any professional who wants to continue his or her education. And this includes teachers, engineers, or research scientists.

What Senator LEVIN proposes is to single out teachers and increase their lifetime learning credit to 50 percent for technology training. Not only would this come at the expense of students and their families but it would be inequitable among the professions. Remember, teachers can already receive a 20 percent credit for any additional education in which they engage. The fact is, Senator LEVIN's amendment goes too far too fast and it comes at the expense of the children.

This amendment takes the means to use expanded IRAs to educate children, and it creates a more complex and distorted learning credit. Not only will meeting the criteria to qualify for the credit create a bureaucracy to determine what conditions qualify, but it emphasizes one area of study over another. For example, why give a 50 percent credit for teachers to become more proficient in using and teaching technology but only give a 20 percent credit to those who take courses to become better reading instructors? Or we could ask the same question. What about the teacher who takes courses to enable them to better teach those who are disabled? All worthy goals. And the problem here is that we would single out one to benefit over the others, which only adds to the complexity of this matter.

This is not what we want to do. Ask the parents of America. Ask our families. Ask our students how they would choose to use the financial resources in question. I believe the vast majority would make it clear that they want the opportunity to use their money to give them greater flexibility and power to meet the educational objectives of the family.

Mr. President, I must oppose the Levin amendment. The educational IRA is the foundation of the Coverdell bill. This modification guts the bill at the expense of the children. For that reason I oppose this amendment and urge my colleagues to do the same.

Mr. President, I reserve the remainder of my time. I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Georgia.

Mr. COVERDELL. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator has 7 minutes 28 seconds, and the Senator from Michigan has 4 minutes 41 seconds.

Mr. COVERDELL. Mr. President, will the Chair notify me at the expiration of 2 minutes?

The PRESIDING OFFICER. The Senator from Georgia is recognized for 2 minutes.

Mr. COVERDELL. Mr. President, I echo the remarks of the Senator from Delaware, the Finance Committee chairman. I rise in opposition to the amendment offered by the Senator from Michigan because its effect would make moot a core component of the legislation that came from the Finance Committee and to the Senate floor; i.e., the education savings account. If the Levin amendment were to succeed, it would have the effect of telling 14 million American families, ''No thanks. We don't want you to create these savings accounts and prepare for your children's specific educational needs.''

The number of children who would no longer have the opportunity to be beneficiaries of these savings accounts, guided to help them with their educational needs, would be over 20 million—14 million families, 20 million children. Public schools, private schools, home schools all across our Nation would be deprived of, over a 5-year period, $5 billion of volunteered money and resources that would be coming to the aid of America's children grades kindergarten through college. You would severely hamper the ability of families to prepare for the higher costs of higher education. Over a 10-year period, the effect of the amendment would be to eliminate over $10 billion of savings that would have been accrued.

Remember, these moneys are volunteered moneys. They are moneys coming from the individual families themselves and sponsors, and no school board, no school district had to raise a dime of taxes.

The PRESIDING OFFICER (Mr. GREGG). The Senator's 2 minutes is exhausted.

Mr. COVERDELL. I ask for 1 more minute.

The PRESIDING OFFICER. The Senator is recognized.

Mr. COVERDELL. No county school board had to raise taxes, no State had to raise income taxes, no Federal taxes were required to accomplish a $10 billion resource coming to the aid of children throughout all of our country. So this, among the other reasons listed by the Finance chairman, would be the reason I oppose the amendment.

I reserve the remainder of our time.

The PRESIDING OFFICER. Who yields time? The Senator from Michigan.

Mr. LEVIN. Mr. President, first, I ask unanimous consent that a number of letters from a number of groups supporting my amendment be printed in the RECORD at this time. Those groups are the National Association of State Boards of Education that support the amendment, the Association for Supervision and Curriculum Development, the American Association of University Professors and the American Association of Colleges for Teacher Education, as well as the American Vocational Association.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
STATE BOARDS OF EDUCATION,
Alexandria, VA, April 17, 1998.

HON. CARL LEVIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LEVIN: The National Association of State Boards of Education (NASBE) appreciates your intent to offer an amendment to the Coverdell Education IRA bill which will be considered by the Senate early next week.

The Coverdell bill, S. 1133/H.R. 2646, seeks to expand existing higher education savings accounts to include K–12 educational expenses, including private school tuition. These benefits will disproportionately accrue to wealthy families and even then will only amount to $37 in annual tax savings, according to the Joint Committee on Taxation.

Unlike the Coverdell bill, which does nothing to improve public education, your amendment to increase the lifetime learning education tax credit for teachers enrolled in technology training will directly improve the quality of instruction for America's students. As more advanced technologies are introduced into the classroom, teachers will need more training in both new methods of instruction and integrating this technology into the curriculum. The Levin amendment would help accomplish these goals.

NASBE supports your efforts to replace the Coverdell provision with your proposal to promote teacher training.

Sincerely,

DAVID GRIFFITH,
Director of Governmental Affairs.

FAX MEMO

From: Don Ernst, Director of Government Relations, Association for Supervision and Curriculum Development.

Subject: Support for Senator Levin's Amendment for improvement of teacher training in the use of technology.

Date: 20 April 1998.

ASCD endorses Senator Levin's proposal to provide tax credit support for K–12 teachers in the essential quest to improve the use of technology in classrooms and schools. Ultimately, such support for teachers will benefit students who must face the daily implications of technology.

Indeed, essential to the success of teachers in the future will be their ability to assist students with accessing the Internet, using new technologies to expand curricular offerings and enrich pedagogy, providing students with the skills and knowledge to critique the use of technology, and improving student learning with the power of accessible, relevant, and timely knowledge that educational technology has the potential to provide.

Good luck and we will send a formal letter in the next day or so!

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS,
Washington, DC, April 20, 1998.

Re increased lifelong learning credit for technology education for teachers.

Senator CARL LEVIN,
U.S. Senate,
Washington DC.

DEAR SENATOR LEVIN: The American Association of University Professors supports your proposal to increase the Lifelong Learning Credit to support teachers' efforts to upgrade their knowledge and skills with regard to new technologies.

Teachers are being asked to incorporate into their teaching new ways of finding, sorting, evaluating, and understanding information using the new tools that electronic communication systems offer. In order to teach their students how learn in these media—in order to go beyond the merely technical skills involved in operating the machinery—teachers need some educational support.

Using the newly created Lifelong Learning Credit as a vehicle is an appropriate and efficient way to assist teachers in meeting this shared need. We appreciate your initiative in coming forward with this proposal.

Sincerely,

RUTH FLOWERS,
Director, AAUP Government Relations.

AMERICAN ASSOCIATION OF COLLEGES FOR TEACHER EDUCATION,
Washington, DC, April 20, 1998.

Senator CARL LEVIN,
Russel Building,
Washington, DC.

DEAR SENATOR LEVIN: On behalf of the American Association of Colleges for Teacher Education, please accept our endorsement of your legislation to provide a tax credit for teachers who take coursework to improve their use of technology in the classroom.

We appreciate your leadership on this issue and your commitment to well prepared teachers. Please let me know if we may be of assistance to you.

Sincerely,

PENELOPE, M. EARLEY,
Senior Director.

AMERICAN VOCATIONAL ASSOCIATION,
Alexandria, VA, April 20, 1998.

Hon. CARL LEVIN,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR LEVIN: On behalf of the American Vocational Association (AVA), I am writing to commend you on your efforts to emphasize technology in teacher training. Your amendment to expand the Lifelong Learning Credit for teachers enrolled in technology programs is an important step in raising awareness of the need for teachers to better understand and more effectively use technology in the classroom.

AVA represents 38,000 secondary and post-secondary teachers, career guidance counselors, administrators, teacher educators and business leaders from across the country who are dedicated to improving vocational-technical education for our nation's students. Vocational-technical education prepares students with the critical combination of academic and technical skills that is needed to succeed in a technologically advanced workplace. Teachers must have high-level technology skills to prepare students effectively for the careers of the future. In addition, expanding the use of technology as a teaching tool will make teaching more effective and will give students a first-hand view of how technology applies to learning and work.

With these things in mind, AVA is advocating for a stronger focus on technology issues in the reauthorization of the Higher Education Act and the reauthorization of the Carl D. Perkins Vocational and Applied Technology Education Act. Federal leadership on this issue is necessary to promote innovation and improvement in teacher preparation. Your amendment helps to highlight this priority.

In addition to seeking federal leadership, AVA is working hand-in-hand with the business community to create new opportunities for teachers and students to improve their knowledge of technology. Our new partnership with Pulsar Data Systems and the Xerox Corporation will provide scholarships to teachers to learn how to use technology and to students who want to pursue education programs that will enable them to enter into information technology careers. We are excited about this project and will continue to seek additional ways to expand the technology focus in education.

Thank you for your leadership in seeking to improve teachers' knowledge of technology. We also greatly appreciate the work of Dan Guglielmo and Jackie Parker of your staff who have been most helpful to us in working on this important issue. Please feel free to contact Nancy O'Brien, AVA's assistant executive director for government relations, or me whenever we may be of assistance to you.

Sincerely,

BRET LOVEJOY,
Executive Director.

Mr. LEVIN. Mr. President, first on the question of why technology. In my earlier remarks I indicated why there was such a need for training in technology for our teachers. We make a number of special provisions in our law for technology. It's not unique. We make special provisions for lots of purposes, including language training. Why language training? Because there is a need that we have for language training. Why technology? Because obviously the incomes of our students are going to depend on how well they can use technologies and how well we utilize technologies in their training. For instance, we currently have a Technology Literacy Challenge Fund. That is part of our law; $425 million, I believe, in this year's fiscal budget. It is addressed towards technology because of the importance of technology. So there is nothing unusual about having special provisions for different parts of education and for training, and this amendment is focused on one of the very critical needs that we now have.

Let me briefly quote the acting director of technology from the Michigan Education Department. His name is Jamie Fitzpatrick. I have worked with him closely over the past 6 months as I have traveled over the State visiting with schools and school districts in this technology area. This is what Mr. Fitzpatrick says, as quoted in a press dispatch:

> For every dollar we spend on computer hardware and software in kindergarten through 12th grades, I think we would be lucky if we saw 5 cents on the dollar spent on training and support. If we continue with those kinds of ratios, we will never realize the gain in student achievement that we think technology has the potential to elicit. We obviously need to put money into training.

That is what this amendment is aimed at, giving an incentive to teachers, experienced teachers in their courses, to go back to get skills necessary to utilize these new technologies in their curricula. Otherwise we are not utilizing fully the potential of these technologies that come at such great cost to our parents.

I would wager on the answer, if we ask the American people whether or not they think it is right for 35.4 million families with students in public schools to get less of a benefit from the current provision in this bill that we would draft—less of a dollar benefit than the 2.9 million families with students in private schools who get the lion's share of that IRA money for grades K–12. That's not my numbers. That's the Joint Committee on Taxation's numbers. I wish we had a way of taking a survey of families in America, to ask whether or not they think this provision in the pending bill fairly treats the families of America. I don't think it does, and I think those families want us to have our teachers fully trained to utilize these new technologies. I think that is why the support for this amendment comes from the grassroots, as I know it does from my travels around my own State.

Mr. President if I have any time remaining, I reserve the remainder of that time.

The PRESIDING OFFICER. The Senator has 41 seconds. Who yields time? The Senator from Delaware.

Mr. ROTH. Mr. President, I yield myself 2 minutes. First of all, I want to point out again that we have no quarrel with respect to the importance of technology and technical training. We think that it is of key interest. But at the same time we think its critically important to recognize that other types of training for teachers are equally important. For example, taking programs to better learn how to teach the disabled is certainly a top goal and desire, or to teach math or English to our children. All of these are worthy goals, and our concern is that by singling out technology we

would be hurting others who have interests of similar importance.

I am also concerned about the complexity this proposal writes into the Tax Code. One of the constant complaints—and I think a justified complaint—is that we are always making the Federal code more difficult, more complex to administer.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator's 2 minutes have expired. The Senator has 3 minutes remaining.

Mr. ROTH. I yield myself 1 more minute.

So, I say that one of the problems with this proposal is that it adds an additional complexity that is going to be harder to administer and require the creation of a new bureaucracy. Let's keep and treat all people in this situation the same.

The other point I want to make is that the benefits of the Coverdell amendment do not go to the wealthy. I point out that 70 percent of the benefits of the Coverdell education IRA go to families making $75,000 or less. I point out that a blue-collar worker can easily be making $40,000 with overtime; his spouse or her spouse working as a teacher, or otherwise, can be within this range. I defy anyone to go out and ask any of these people whether they consider themselves to be wealthy. The answer will be no.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. ROTH. No; I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator has 1 minute 51 seconds remaining.

Who yields time?

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, very briefly, the argument that alleges or suggests that someone making $75,000 is wealthy, we did not address that issue at all. What this chart shows, though, is that the 2.9 million families with children in private schools get more of the benefit than the 35.4 million families with children in public schools. That is the disproportion and inequity that I point out in this amendment.

We have almost 36 million families getting back less of a total benefit, 48 percent, than 2.9 million families with children in private schools. That is the argument.

I do not have any time to yield back, but I thank the Chair.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time?

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. How much time is remaining?

The PRESIDING OFFICER. One minute 50 seconds.

Mr. COVERDELL. Mr. President, I would like to address the chart. The chart, with all due respect to my good colleague, is very misleading. Seventy-five percent of the families who open savings accounts will be supporting children in public schools, and 30 percent will be supporting children in private schools. Clearly, those families, or what comes out of the accounts, the $5 billion saved, is directly proportional to what the families are willing to put into the account.

The families who have children in private schools understand they have a higher hurdle. They are paying public school taxes, and they have to pay the private school costs over and above that. What this reflects is they are going to put more money in their accounts because they have more costs to cover. Nevertheless, $2.5 billion of the $5 billion will go in support of children in public schools, and about $2.5 billion will go in support of children in private schools.

The chart is nothing more than a function of which families are saving what. The entire cost, to cause all these billions of dollars to be saved, is $500 million over the next 5 years. So the entire bill, in support of private education, is about 7.5 percent of all this investment to children in private schools and the balance to children in public schools.

The PRESIDING OFFICER. The Senator's time has expired. All time has expired.

Mr. ASHCROFT addressed the Chair.

Mr. LEVIN. May I make a unanimous consent request?

Mr. ASHCROFT. I yield—well, reserving the right——

Mr. LEVIN. I ask the Senator from Missouri if he will yield for a unanimous consent request to have printed a document from the Joint Committee on Taxation that supports this chart.

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

U.S. CONGRESS,
JOINT COMMITTEE ON TAXATION,
Washington, DC, March 2, 1998.

To: Maury Passman and Nick Giordano
From: Lindy L. Paull
Subject: Revenue Requests

The attached tables are in response to your request dated January 28, 1998, for revenue estimates of H.R. 2646 as passed by House of Representatives and as modified by Senator Lott's second degree amendment as well as the corresponding number of taxpayers estimated to benefit from H.R. 2646.

Additionally, you requested information regarding the utilization of educational savings accounts for public versus private education. We estimate that approximately 38.3 million returns would have dependents in schools at the primary or secondary level in 1999. We estimate that, of those eligible to contribute, approximately 2.9 million returns would have children in private schools, and that approximately 2.4 million of these returns would utilize education IRAs.

We estimate that the proposed expansion of education IRAs to include withdrawals to cover primary and secondary education expenses would extend approximately 52 percent of the tax benefit to taxpayers with children in private schools. We estimate that the average per return tax benefit for taxpayers with children attending private schools would be approximately $37 in tax year 2002.

Conversely, we estimate that of the 38.3 million returns eligible, approximately 35.4 million returns would have dependents in public schools, and that approximately 10.8 million of these returns would utilize education IRAs.

We estimate that the proposed expansion of education IRAs would extend approximately 40 percent of the tax benefit to taxpayers with children in public schools, with an average per return tax benefit of approximately $7 in tax year 2002.

Mr. ASHCROFT. I have no objection.

Mr. LEVIN. I ask unanimous consent to have printed in the RECORD a letter from the Joint Committee on Taxation that explains this chart.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 2300 TO AMENDMENT NO. 2299

(Purpose: To prohibit spending Federal education funds on national testing without explicit and specific legislation)

Mr. ASHCROFT. Mr. President, I offer a second-degree amendment to the pending amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT] proposes an amendment numbered 2300 to amendment No. 2299.

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

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

The PRESIDING OFFICER. The Senator is recognized for 15 minutes in support of his amendment.

Mr. ASHCROFT. Mr. President, the Senator from Missouri thanks the Chair.

The first thing the second-degree amendment which I have offered will do is restore the Coverdell IRA language which has been stricken from the measure by the first-degree amendment offered by the Senator from Michigan.

I think that debate has been pretty clearly conducted. I believe it is clear that the Coverdell amendment is a virtuous amendment. The suggestion that individuals in public schools don't get as much benefit in terms of the tax break here, it seems to me, overlooks one thing: That virtually the entirety, of the public school cost is already tax underwritten and funded by the Government. Those who are in private schools are not only paying that rate, but as taxpayers they are also seeking to provide education for their children on a secondary and alternative track. To suggest that we should ignore the fact that the totality of the educational experience, virtually the totality of it, has already been paid for governmentally in the public school

system is, I think, failing to take into account a very important point.

In addition to restoring the Coverdell language, which would provide a basis for an IRA for individuals who would save for their children's education, my second-degree amendment adds a permanent ban on Federal funding for national testing of students in our schools unless there is explicit congressional authority for such funding.

Any movement toward the national control of education, I believe, savages educational principles that we as Americans hold dear. Parental authority and control, local control of schools, school board control, community control, teachers who are free to teach core subject matters, and school boards that are responsive to their communities, not held captive by distant bureaucrats, are a fundamental commitment of this Nation.

When President Clinton proposed national testing for our children, it was an example of a Federal power grab. The President wants to move power out of the hands of parents and out of the hands of school boards and away from communities and begin, through national testing, to direct the way the schools are operated all across the Nation. It doesn't take an educational expert to know that when you dictate the test, you describe the curriculum.

I visited lots of schools during my time as Governor, and I have since I have become a Senator. I asked a group of 5th graders not long ago when I was in their school, ''If I were to tell you that I was going to test you on the first 50 words in the dictionary this afternoon, what would you study this morning?'' It didn't take any of them any trouble to know that they would study the first 50 words in the dictionary. The test dictates the curriculum.

Last fall, 36 other Senators joined with me to threaten a filibuster of the Labor-HHS and Education appropriations bill unless there was a ban during the fiscal year on Federal funding for the President's national testing proposal. We won an important victory when Congress and the administration agreed to provisions banning deployment of any tests or field testing activities during the year in which we are now operating. However, that 1-year ban is not enough. Congress must permanently ban Federal funding for national testing in order to protect parental involvement and local control of education.

Why do I oppose national testing, this description of what has to be taught by what you are going to test? First of all, I think we should hold our children to the challenging academic standards that will lead them to greatness. However, any such standards should be set at State and local levels where parents, teachers and school boards are fundamental participants in making the critical decisions that will relate to the children's educational experience.

Federalized tests mandated from Washington will hurt education in the Nation. First, because the No. 1 indicator of student achievement is parental involvement. Whenever we say to parents, ''We're going to decide what is tested, therefore we will decide what is taught, you're not going to be relevant anymore,'' we dislocate parents from the process.

All the data indicate that the most important factor in student achievement is parental involvement. Study after study has proven this. I refer you to a 1980 study reported in Psychology in the Schools. It showed that family involvement improved Chicago elementary school children's performance in reading comprehension.

Here is the conclusion: 1 year after initiating a Chicago citywide program aimed at helping parents create academic support conditions, students in grades 1 through 6, intensively exposed to the program, improved a half to sixtenths of a grade equivalent more in their Iowa test of basic skills over students less intensively involved in the program.

Parental involvement boosts student achievement. We should not have a national program which disengages parents. We should not say to parents, ''parents need not apply.'' We should not be telling parents that we do not care what you think and that we in Washington know better what ought to be done.

Let me just indicate that there are a number of other similar studies. I ask unanimous consent to have material about them printed in the RECORD, including the California and Maryland elementary schools studies.

California and Maryland elementary schools achieved strong gains in student performance after implementing ''partnership'' programs, which emphasize parent involvement.

A 1993 study describes how two elementary schools implemented a ''partnership'' program which emphasized two-way communication and mutual support between parents and teachers, enhanced learning at both home and school, and joint decision making between parents and teachers.

Students at Columbia Park School in Prince George's County, Maryland, ''who once lagged far behind national averages, now perform above the 90th percentile in math, and above the 50th percentile in reading,'' after implementing the partnership program.

''In its fourth year of the [partnership] program, the Daniel Webster School in Redwood City, California, shows significant gains in student achievement compared to other schools in the district. Webster students have increased their average California Test of Basic Skills math scores by 19 percentile points, with all grades performing above grade level. In language, most classes improved at least 10 percentile points.''

Source: *Developing Home-School Partnerships: Form Concepts to Practice,* Susan McAllister Swap. New York: Teachers College Press, Columbia University, 1993.

Mr. ASHCROFT. These studies show the amazing impact that parental involvement has on children's educational performance.

I think there is a clear understanding that when parents are actively involved and engaged, students prosper. Why should we have a situation in which Washington begins to dictate what happens in our schools?

Former Governor George Allen of Virginia, a State that developed widely acclaimed standards of learning, indicates that the most impressive gains happen when we emphasize the grassroots. Governor Allen states:

If there is one important lesson we have learned during our efforts to set clear, rigorous and measurable academic expectations for children in Virginia's public school system, it is that effective education reform occurs at the grassroots, local and State levels, not at the Federal Government level.

This confirms the experience I had as Governor and, of course, as an individual who had an intimate responsibility for being helpful to local school districts. I learned firsthand that local control is needed to create educational programs that respond to the needs of local communities. A local community should be able to decide whether it is going to teach with phonics or whether it is going to use some other measure.

A local community should be able to decide that it wants to teach the new math or the whole math or any method it wants to use to teach basic, fundamental mathematics and arithmetic skills that focus on computation.

When our military, for example, responded to the Federal Government's demand that they initiate the new math—or what some people called ''MTV'' math or ''fuzzy'' math, as one Member of this Chamber on the other side of the aisle referred to it—we saw precipitous declines in student performance.

I believe when you start saying from the national level that you are going to provide tests that will dictate what is taught, and frequently how it is taught, there is a real threat to the ability of local schools, parents, community leaders and the culture to shape the educational experience that is so fundamental and important.

Perhaps that is why the Missouri State Teachers Association, which is comprised of 40,000 members—by far the largest teacher association in my State—warned: ''The mere presence of a Federal test would create a de facto Federal curriculum as teachers and schools adjust their curriculum to ensure that their students perform well on the tests.'' The mere presence of a Federal test begins to direct everything toward the Federal Government instead of toward what parents, teachers and community leaders want.

In fact, when Jimmy Carter was President of the United States and was considering a national test proposed in this Chamber, Joseph Califano, Carter's Secretary of Health, Education and Welfare, warned, ''Any set of test questions that the Federal Government prescribes should surely be suspect as a first step toward a national curriculum.'' He went on to say, ''In its most extreme form, national control of curriculum is a form of national control of ideas.''

I think it is time for us to make permanent the funding ban on national testing by the U.S. Government. There are plenty of other instruments that help us understand how our students are doing. It is important that we say that this Congress is on record as prohibiting the utilization of tax resources to undermine schools in determining what should be taught and how it is to be taught at the local level. We do this because, at bottom, students learn best when parents, local officials, school officials, and community leaders make decisions about the schools and participate in them so that student achievement is the No. 1 objective and goal.

Mr. President, I reserve the remainder of my time.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Will the Senator from Missouri yield for 1 minute?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. ASHCROFT. I will be pleased to yield.

Mr. COVERDELL. If we are in a national debate about the condition of elementary and secondary education, would one be nervous, given the forces that want to protect the status quo, that testing could be designed to protect the condition we are in?

Mr. ASHCROFT. Certainly. And dumbing down the test would be an easy way to make it look like we were making great progress.

I will just state that a few years ago, when there was an effort to set national history standards, we watched the politically correct movement overtake school officials as they demanded that we delete people like Robert E. Lee, Thomas Edison and other notables from the history standards and, instead, insert people like Madonna. I think the last thing we need is dumbed-down national standards. We need real academics, not politically correct education. The threat of politically correct curriculum and politically correct tests is something America should not endure.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield myself 3 minutes, and then I will yield the remainder of time to the Senator from Massachusetts to control.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, on the amendment that I offered before, I just want to read very briefly from the memorandum from the Joint Committee on Taxation which supports the chart I have used. This memorandum, which is now part of the RECORD, says that they estimate that ''2.4 million of the returns [who have children in private school] would utilize education IRAs'' and that those returns would utilize ''52 percent of the tax benefit. . .''

On the other hand, this letter says that the ''35.4 million returns [with] dependents in public schools'' would utilize 48 percent of the tax benefit.

That is a direct quote from the Joint Committee on Taxation.

Relative to the amendment of the Senator from Missouri, I will just speak briefly because I will turn the remainder of the time over to the Senator from Massachusetts on this issue. But I will say this. I do not disagree with his point that local school districts, communities, and parents should control the curriculum. I happen to be a strong believer in local control.

Whether or not a school district wants to use new math or old math is something they ought to be able to decide. But one of the things they also should be able to decide is whether or not they want to utilize a national test which will give them some idea as to where their students stand relative to other students.

If they do not like that idea, they should not have to give that test. That should be a local option. It is a local option under the President's proposal. It is not a mandatory test. It is voluntary as he proposes it. School districts can use it or not use it. The question is whether or not, then, we should deny a school district the option, whether we should deny a local community an option to use a tool if they see fit to use it. That is the issue.

That tool may not be a useful tool. The Senator from Missouri may be correct. A school district may decide they do not want any part of it for the reasons that he gives. That should be the right and is the right of the local school district under the President's proposal.

But it should also be an obligation available to a local school district if they think there is a benefit from utilizing a national test. Why deny a community? Why deny a local government, a local school district, a tool which they believe is useful?

That is the issue. That is what would be denied under this second-degree amendment. I don't think we ought to deny that opportunity here for local school districts to make that choice.

Mr. President, I ask unanimous I be allowed to yield the remainder of my time to be under the control of the Senator from Massachusetts.

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

The Senator from Massachusetts has 11 minutes 48 seconds.

Mr. KENNEDY. I yield myself 8 minutes.

Mr. President, I strongly oppose the Ashcroft amendment to prohibit the administration from developing voluntary tests for academic achievement. Schools need clear-cut standards of achievement. Realistic tests to measure achievement are an essential part of good education. The same voluntary tests that received broad support in the Senate last year, the testing compromise, had a vote of 87–13.

Voluntary national tests based on widely recognized national standards makes sense. They give parents and communities and schools an effective way to improve education and to chart the progress they are making. The voluntary national tests will be designed to assess fourth grade reading and eighth grade math. They are basic subjects and basic stages in each students' academic development. The assessments are timely and worthwhile.

Every student, parent, and school will benefit from them. The Ashcroft amendment will keep them in the dark. Parents want to know how well their children are doing and how well their schools are doing compared to other students in other schools across the Nation. Today, too many schools in communities across the country are attempting to educate their students without the kind of assistance and guidance that ought to be available. They have no way to compare the performance of their students with students in other schools and other communities in other parts of the country.

We know by every current indicator the performance of American elementary and secondary school students falls far short of the performance of students in many other nations. We have to do better. Knowing where schools and students now stand is an essential part of helping them do better.

As the Senator from Michigan, Senator LEVIN, pointed out, the tests will be entirely voluntary. I repeat, entirely voluntary. States and local districts will have the opportunity to participate if they choose to. Nothing is mandated by the Federal Government. Nothing is mandated by the Federal Government. There is no Federal control of local education. What is being made available on a voluntary basis is a long overdue opportunity for schools across the country to have realistic guideposts to measure the academic progress of their students. The tests will be based on national and international standards that will show whether students are meeting widely accepted criteria for achievement in reading and math.

No current test is available to provide this essential information to students and parents and teachers and school administrators. Families have no way to measure the performance of students in their community on a comparative basis with students in other schools and other communities and other States.

Mr. President, 87 of us agreed last year that the National Assessment Governing Board, which is a bipartisan group, is well equipped to oversee the tests. It is a time-honored bipartisan group of skilled educators, made up of

different representatives of the educational community. Voluntary national tests do not undermine local efforts on school reform. They enhance them. We need to do what we can to support local efforts to improve teaching and learning, especially in such vital areas as reading and math. Voluntary tests are an important way to support local school reform. I urge my colleagues to oppose the Ashcroft amendment.

Finally, I think this is an empowerment issue for parents. Basically, we are permitting on a voluntary basis, the States and then again the local communities, to make a decision about whether they are going to have these tests in the various communities and then to permit, obviously, the parents to know how their children are doing. By knowing how they are doing, then the parents can make judgments and decisions about what additional steps ought to be taken to try to improve the academic achievement and accomplishment of their children.

These kinds of tests are in the interests of the parent, so they know how their children are doing in schools, it is in the interests of the school board member to know whether they are making the correct judgments in terms of allocating resources and priorities, and it is in the interests of the community so they will know how they are doing in comparison with other communities.

All of these issues were debated at very significant length in the last Congress, and steps were taken to make sure that the bipartisan or virtually the nonpartisan education group was going to be developing these tests. They are in the process of doing so at the present time. They are not going to go into implementation until the year 2002. We are in 1998 at the present time and they are going into effect in 2002. So we are approaching this issue very modestly. They are going to be tested before they will be accepted. We will have ample opportunity to review the results of both the tests, the testing results as they give application to the tests, long before they go into effect.

The question is whether we will take this step by step and make judgments that will ultimately enhance the power of parents in knowing how their children are doing. If the Ashcroft amendment goes into effect, we are terminating that and denying a very important ingredient to parents and local communities. Parents in local schools want to know how their children are doing. Too often they have been kept in the dark. If there is a local decision, a local judgment, a State judgment, to put these into effect, they ought to have that opportunity to do so. Under the Ashcroft amendment, they will be denied that opportunity to do so.

I think this is a very modest program that is being put into the process at the present time and we should not undermine it this early in the process.

I reserve the remainder of my time.

Mr. COVERDELL. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Missouri has 3 minutes 50 seconds remaining and the Senator from Massachusetts has 5 minutes 6 seconds remaining. If neither side yields, time will run equally.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER (Mr. COVERDELL). The Chair recognizes the Senator from Missouri.

Mr. ASHCROFT. I yield 2 minutes to the Senator from Indiana.

Mr. COATS. I thank the Senator.

Mr. President, earlier in debate on this, I attempted to offer a compromise amendment partly because I believed, and still do, that the assessment of achieving reading and math standards is important information for parents, school boards, and others involved in education to make appropriate decisions about how changes should be accomplished so that we can achieve better results.

There was a lot of complication with that because of the concern about the influence of the Department of Education over the design of the tests, the fact that some of this information assessment might not be accurately assessed.

What I was attempting to accomplish was to give parents more knowledge so they could put more pressure on their local public schools to do a better job, to accept reforms. In many instances I was concerned because State departments of education are deceiving parents in an effort, from a political standpoint, to convince their constituents that their schools are doing just fine, that their students are doing as well as anyone. They are not administering tests, I think, or interpreting those tests in the way that gives parents adequate reflection of that.

If we could structure this in a way to get an independent, outside the Department of Education test, voluntary on a State basis, it could be helpful. Well, we weren't able to do that. I think it is now entirely appropriate that the Senator's amendment, which essentially says set this aside until we authorize it, debate this thing, work it through, is the way to go. So I am going to support his amendment. I thank the Senator for the time.

Mr. ASHCROFT. I thank the Senator from Indiana.

Mr. KENNEDY. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 5 minutes.

Mr. KENNEDY. I yield myself 3 minutes. Before the Senator from Indiana leaves the floor, I was very persuaded by the logic and eloquence of the Senator on the reasons he supported the compromise last time. I was under the impression that we still had NAGB doing that test at the present time. The independent board has already taken, as I understand it, several steps to address the key concerns that were raised during the debate and discussion. I understand they are doing the test at the present time. Is the Senator's information different?

Mr. COATS. No. The Senator is correct. There seems, however, to be some considerable degree of confusion in the Congress about how that test is going to be structured and what the process is and an expression on the part of many Members that Congress ought to be involved in the process. So let's just temporarily put that on hold so that the Congress can engage in terms of a better understanding and defining how that ought to be put together. I have agreed that perhaps that is the best way to go, because unless we really have some better understanding and assessment of that, I am not exactly sure we are going to accomplish what we want. I think the basic principle that I tried to propose earlier, which the Senator supports, I still retain that. I am going to work toward that end.

Mr. KENNEDY. I thank the Senator. I wonder why we are going through this, because I am strongly committed to achieving the compromise that was worked out with the leadership. The Senator from Indiana and, I believe, Senator GREGG were interested in this. We had a great deal of debate and discussion. I thought that giving the assurances in terms of the integrity of the test should be the tough kind of criteria that the Senator from Indiana established in terms of the makeup of these tests. I understood this was in the process now. That is why I think it is premature to wipe all of that out. I hope that if there are differences, we can try to work those out in a way that is consistent with that agreement rather than just halting the whole process now. As the Senator knows well, we are not going to have this go into effect until 2002. We have a long way to go. Rather than stop it and start it, it might be wise if we can sort of measure it at the present time rather than end it.

Mr. COATS. In response to the Senator, I would not describe it as a stop; it is just a temporary pause while we better discuss the matter with our colleagues to make sure they understand exactly what we are trying to do. Apparently, I have been unsuccessful with that to this point. I am hoping to do better.

The PRESIDING OFFICER. The Chair advises the Senator from Massachusetts that his 3 minutes have expired. The Senator from Massachusetts has 1 minute 57 seconds. The Senator from Missouri has 1 minute 42 seconds.

Mr. KENNEDY. Mr. President, as we heard from the Senator from Indiana, the reasons for these kinds of reviews are basically that there is nothing wrong with setting high standards for the achievement for the Nation's children and giving parents the opportunity to know how their children are doing. I think that is the basic policy issue.

The Senator from Indiana and the Senator from New Hampshire insisted

that this is being done in a nonpartisan, bipartisan way, and I agree completely. I believe that is the way it is being done. It should be a national priority to do all we can to help the children meet these high standards.

Under the existing proposal, that would be done voluntarily. The States would make a judgment, local communities would make a judgment. I think we ought to retain the current system and try to adjust it if it needs to be adjusted rather than to effectively stop it in its tracks. Therefore, I oppose the Ashcroft amendment.

Mr. ASHCROFT. How much time do I have remaining?

The PRESIDING OFFICER (Mr. COATS). The Senator has 1 minute 46 seconds remaining.

Mr. ASHCROFT. I find it novel that individuals would allege that there are no tests to tell us how we are doing now, but then they can tell us how far behind we are. The truth of the matter is, there are lots of privately generated, academically appropriate tests. There are no politically proper tests that come from Government. The Iowa Test of Basic Skills and the Stanford Inventories are there. That is the reason we know where we are and parents can find that out.

The leadership is clear on this. I have talked to Senator LOTT and his staff. He is going to be strong for this. Representative GOODLING has led an overwhelming vote of 242–174 in this direction in the House of Representatives. Senator COVERDELL, who is leading this matter on this bill is a part of this effort. It is an important effort. There are lots of national tests. It is said that this would be a voluntary test. Here is what President Clinton said about the voluntary nature of the test: ''I want to create a climate in which no one can say no.''

So much for Federal voluntary programs. ''. . . a climate in which no one can say no.''

Incidentally, that was made in remarks to a joint session of the Michigan Legislature in Lansing, MI, on March 10, 1997. We don't need politically imposed, politically correct things in education. We need academically appropriate, strong things that local communities trust and can mandate and enforce. We don't need direction from Washington, DC. I think we have a clear opportunity here to reinforce local control of schools, parental involvement in the education of their students. I am delighted that the occupant of the Chair has said we should take additional time here to make sure we don't do something that is inappropriate.

I urge this body to vote in favor of this second-degree amendment.

The PRESIDING OFFICER. All time yielded to the proponents of the amendment has expired. The Senator from Massachusetts has 54 seconds remaining.

Mr. KENNEDY. Mr. President, there is no question that there are tests that are out there, but quite clearly the hearings demonstrated they would not provide the kind of information to the parents across this country that this kind of initiative would provide. It seems to me that we want to challenge the young people of this country, setting the high standards for the Nation's children and giving the parents the opportunity and responsibility to know how their children are doing and then taking action at the local level on how they are going to deal with it. That was the principle that was accepted by the Senate and the strong bipartisan vote last year. Let's continue with that and give that a try before effectively stopping it in its tracks.

I yield the remainder of the time.

The PRESIDING OFFICER. All time has expired.

Mr. COVERDELL. Mr. President, just an update here. It appears that on our side we have one amendment that has been set aside for some resolution. On the other side, it appears that there are four amendments that are yet to be considered. We, of course, would encourage any Senator that has amendments to come forward. The aircraft that has taken a delegation to the funeral of a former Member of the Senate from North Carolina was scheduled to land, and voting was to begin at approximately 3 o'clock. It has been confirmed that the aircraft will probably be a little late. So this will alert the Members of the Senate that the stacked voting will probably more likely occur around 3:45 this afternoon.

Mr. KENNEDY. If the Senator will yield. I will be glad to inquire on our side of those who desire to speak or offer an amendment and request their presence so that we can move along and not in any way hold this process up.

I will do that. I see our friend, the good Senator from Wisconsin. Maybe he could be entitled to speak for some time. I will inquire from our colleagues on our side about Senators who still have amendments so that we can move this process along.

Mr. COVERDELL. I appreciate that consideration from the Senator from Massachusetts. We will do the same.

I ask the Senator from Wisconsin about how much time he will need.

Mr. FEINGOLD. I will ask for 15 minutes in morning business.

Mr. COVERDELL. On another subject?

Mr. FEINGOLD. On a different subject.

Mr. COVERDELL. I have no objection.

Mr. ASHCROFT. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. FEINGOLD. Mr. President, I ask unanimous consent to speak as in morning business for fifteen minutes.

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

The Senator from Wisconsin is recognized.

(The remarks of Mr. FEINGOLD pertaining to the introduction of S. 1966 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FEINGOLD. Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. I ask unanimous consent to be allowed to speak up to 10 minutes as in morning business.

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

EARTH DAY 1998

Mr. GRAMS. Mr. President, today, across our country, Americans are commemorating Earth Day, a day that is vitally important to all who serve in this chamber.

As my colleagues know, Earth Day was first observed on April 22, 1970. Its purpose was—and remains—to make people across the country and internationally reflect on the splendor of our world, an opportunity to get people to think about the earth's many gifts we often take for granted. Earth Day is a day for us to sit in the grass, take a walk, listen to the birds, and observe wildlife. Earth Day is a day for all of us to reflect on our dependence on our natural resources and recognize the care with which we must respect and use our natural resources, recycling and replenishing them where possible.

The New York Times, on the original Earth Day, ran a story which in part read,

> Conservatives were for it. Liberals were for it. Democrats, Republicans and independents were for it. So were the ins, the outs, the Executives and Legislative branches of government.

The goals of Earth Day 1970 were goals upon which all of us agree. They're goals still shared across our country, regardless of age, gender, race, economic status, or religious background.

They're shared by this Senator, as well. I consider myself a conservationist and an environmentalist. I think everyone who serves in the Senate does. No one among us is willing to accept the proposition that our children or grandchildren will ever have to endure dirty water or filthy skies. Our children deserve to live in a world that affords them the same, or better, environmental opportunities their parents enjoy today.

Mr. President, I believe today, on Earth Day 1998, we must speak of our responsibilities—our responsibilities to the Earth, to one another, and to our nation. It is clearly our responsibility to protect our earth and ensure its health. Congress has a duty to see to it that we are cautious and conscientious stewards of our natural resources. Since the late 1960s, Congress has met this challenge by enacting what has amounted to a ''war on pollution.'' By