United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

Vol. 146 WASHINGTON, WEDNESDAY, MARCH 1, 2000 No. 21

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:

Loving Father, Your presence is with us even when we become busy and momentarily forget You. Thank You for continually breaking through the barriers of insensitivity with overtures of Your love. Sometimes we go for hours without thinking of You or asking for Your help. You are our closest friend as well as our God. Help us to keep that friendship in good working order.

Lord, you know us. We get so absorbed in our activities and begin to think we are capable of functioning without Your peace and power. Show us the mediocrity of our efforts without Your intervention and inspiration. We dedicate this day to live for Your glory and by Your grace, sustained by Your goodness. You are our Lord and Savior. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Georgia is recognized.

SCHEDULE

Mr. COVERDELL. Mr. President, today the Senate will immediately resume consideration of the Robb school construction amendment. By previous consent, the Senate will proceed to vote on or in relation to the amendment at approximately 10 a.m.

Following the disposition of the Robb amendment, Senator ABRAHAM will be recognized to offer his amendment regarding computers. Other amendments will be offered, and therefore votes will occur throughout the day in an effort to complete the education savings account bill as soon as possible. An agreement is being discussed to have all first-degree amendments offered by 5 p.m. today.

I thank my colleagues for their attention. I yield the floor.

Mr. REID. Mr. President, I ask unanimous consent, because of confusion in the vote being scheduled at 10 and also giving 30 minutes for debate, that there be 30 minutes for debate equally divided and, by necessity, of course, the vote would occur a little after 10.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

AFFORDABLE EDUCATION ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1134 which the clerk will report.

The bill clerk read as follows:

A bill (S. 1134) 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.

Pending:

Robb amendment No. 2861, to eliminate the use of education individual retirement accounts for elementary and secondary school expenses and to expand the incentives for the construction and renovation of public schools.

AMENDMENT NO. 2861

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes for debate equally divided on amendment No. 2861.

The Senator from Virginia.

Mr. ROBB. Mr. President, I ask unanimous consent that the Senator from Iowa be recognized to make a brief statement, and then I will continue.

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

Mr. HARKIN. Mr. President, I am proud to be a cosponsor of the pending amendment with my colleague from Virginia, Senator ROBB. Senator ROBB has been a great advocate for improving education for many years.

The facts about the need for this amendment to help modernize and upgrade our nation's public school facilities are well known.

The average school building is 42 years old. Nearly three-quarters of all public schools were built before 1970.

Fourteen million American children attend classes in schools that are unsafe or inadequate and the General Accounting Office estimates it will cost $112 billion to upgrade existing public schools to overall good condition.

Forty-six percent of schools lack adequate electrical wiring to support the full-scale use of technology.

Enrollment in elementary and secondary schools is at an all time high and will continue to grow over the next 10 years, making it necessary for the United States to build an additional 6,000 schools.

It is a national disgrace that the nicest places that our children see are shopping malls, sports arenas and movie theaters and the most run down place they see are their public schools. What signal are we sending them about the value we place on them, their education and future?

How can we prepare our kids for the 21st century in schools that did not make the grade in the 20th century?

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

Printed on recycled paper.

Last year I visited Hiatt Middle School in Des Moines. This school opened its doors in 1925 and students spend all but a few hours a week in classrooms built during a time when Americans could not imagine the technological advances that would occur by the end of the century.

In 1925, Americans were flocking to movie theaters to see—and hear—the first talking motion picture—Al Jolson's ''The Jazz Singer.'' The students who walked through the doors of the brand new Hiatt school that year could not imagine IMAX theaters with surround sound where a movie goer actually becomes a part of the film.

In 1925, consumers were lining up in department stores to buy novelties like electric phonographs, dial telephones, and self-winding watches. CD's, DVD players, cellular telephones, or palm pilots were unthinkable.

And, the introduction of state-of-the-art technologies like rural electrification and crop dusting were revolutionizing the lives of families and farmers alike.

There have been incredible technological and scientific advances in the past seven decades. Yet, our schools have not kept pace with the times. We continue to educate our children in schools built and equipped in bygone eras.

We must make sure that every child and every school can facilitate the technology of the 21st century. However, Iowa State University reports that we need at least $4 billion over the next ten years to repair and upgrade school buildings in Iowa and make sure they can effectively utilize educational technology.

The amendment we are offering is a comprehensive, two-prong response to this critical national problem.

First, we would authorize $1.3 billion to make grants and loans for emergency repairs to public schools.

Mr. President, the Iowa Fire Marshall reported a five-fold increase in the number of fires in schools over the past decade. During the 1990's there were 100 fires in Iowa schools. During the previous decade there were 20.

It is clear that public schools have an urgent need to make repairs now and these grants and no-interest loans will finance up to 8,300 repair projects. We will fix the roofs, upgrade the electrical systems, and repair the fire code violations.

The second part of our comprehensive strategy is to provide $25 billion in tax credits to modernize our nation's schools. These tax credits will subsidize the interest on new construction projects that will enable school districts to build new schools to replace outdated buildings or add more class rooms so they can reduce class size.

A few weeks ago I visited a school in Des Moines where students attend class in closets because there is no room. This is simply unacceptable.

In closing, I would like to share a few words from Tunisia, Washington, D.C. fifth grader in Jonathan Kozol's book, ''Savage Inequalities.''

> It's like this. The school is dirty. There isn't any playground. There's a hole in the wall behind the principal's desk. What we need to do is first rebuild the school. Build a playground. Plant a lot of flowers. Paint the classrooms. Fix the hole in the principal's office. Buy doors for the toilet stalls in the girl's bathroom. Make it a beautiful clean building. Make it pretty. Way it is, I feel ashamed.

Our amendment will make it possible to rebuild her schools. It will make it possible to fix the hole in the wall, put doors on the bathroom stalls and paint the classrooms. By modernizing and repairing Tunisia's schools we will make her feel a little less ashamed of herself and her school.

This is a serious national problem. And it demands a comprehensive national response. Our amendment is that response and I urge my colleagues to support this important amendment.

Mr. President, I am proud to be a cosponsor of the pending amendment with my colleague from Virginia, Senator ROBB. Senator ROBB has truly been one of the educational leaders over his tenure in the Senate. He has shown great leadership especially in this area that is so important as we are reducing class sizes around the country. I have visited schools in Iowa and other States recently where, because of the reduction of class sizes, they are out of room; they need more space. And we know the average school building in this country is 42 years old; 74 percent of our schools were built before 1970.

The Robb amendment addresses this very critical need in our country. I am proud to be a cosponsor. I congratulate him for his very strong leadership in the whole area of education but especially in the area of modernizing and rebuilding our schools.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. I thank the Chair.

I thank my distinguished colleague from Iowa for his statement this morning and for his continued leadership in education.

Mr. President, we are now considering amendment No. 2861. It is an amendment I sent to the desk yesterday afternoon but agreed to debate this morning.

I always welcome any opportunity to talk about education, about its importance to our society, about ways we can improve our system of education, and about how we at the Federal level can be better partners with our States, our localities, and our families.

We met yesterday morning with the Governors of our 50 States. During my own term as Governor of Virginia in the early 1980s, we took a great deal of pride in being able to pump over $1 billion of new money—over and above the baseline projections—into public education. That was back when $1 billion was still serious money.

Education is not the only engine of innovation fueling opportunity for economic prosperity; it is one of the most critical tools in maintaining a democracy. Thomas Jefferson said that ''an enlightened citizenry is indispensable to the proper functioning of a Republic.'' So when we have an opportunity to talk in this Chamber about education, we are really talking about our future as well as our past.

To my dismay, the opportunity we have today to engage in really productive and constructive debate about education is really a mirage. We have traveled this road before. We have debated this same bill and others similar to it, and the President has exercised his veto power and has promised to veto this bill again if it arrives in its current condition.

The Affordable Education Act, while it contains many admirable provisions that would primarily enhance the affordability of higher education, also contains a poison pill, one that many of us are simply unable to swallow. This bill, in essence, would allow the diversion of public moneys to private elementary and secondary schools. As stewards of public taxpayer dollars, any policy that diverts public money away from public schools, it seems to me, is both unwise and inequitable.

We have heard many times the figures about education savings accounts. The average tax benefit to parents whose children attend private schools would be $37 a year while the benefit to families whose children attend public schools would be just $7 a year. Yet we know that 90 percent of our schoolchildren attend public schools. We also know our classrooms are overcrowded and many are dilapidated to the point of being unsafe. We know we face a very real and imminent teacher shortage over the next 10 years. We know we need to continue our efforts to help States finish the business we started with Goals 2000. We need to help States align their new standards and assessments with their curricula. We know we need to encourage more professional development for teachers and administrators. I believe we need to give even greater flexibility to States and localities in the use of Federal dollars in exchange for improved academic performance. We need to do all of these things and more.

I wish to talk about one specific area that demands our immediate attention. As a member of the Finance Committee, I have frequently mentioned the need to build and modernize our Nation's schools. In fact, I introduced school modernization legislation last July. It has 21 cosponsors and has been endorsed by over 50 organizations, from education groups to professional organizations to the National Conference of Mayors.

Without good, safe, and modern facilities, the rest of the education debate becomes practically moot. When a roof collapses, teachers and administrators really care most about fixing the roof and reopening the school. When fuses blow because of poor electrical wiring, administrators know

they can't buy more computers before first rewiring the schools. Trailers may be a cheaper temporary fix to the problem of overcrowded classrooms, but even the most modern trailers are not adequate to accommodate 21st century learning.

One of the largest investments Congress ever made in our national infrastructure occurred under the leadership of a Republican President, Dwight Eisenhower. In the 1950s, we spent roughly $1 billion to build and renovate our Nation's schools. That was a time when $1 billion really meant something. My friends in Fairfax County tell me it now costs them over $25 million to build just one high school. My friends in Loudoun County need 22 more new schools in the next 5 to 6 years because of skyrocketing enrollments.

There are a lot of problems we face in the education arena, but we simply can't ignore the massive infrastructure problem we have anymore. Everyone, from civil engineers to architects to construction firms to the education community, recognizes that we have to help and we have to help now. All of our talk about reducing class size and improving technology education and investing in school safety really puts the cart before the horse when there are no new classrooms for the newly hired teachers, no electrical upgrades to handle the new computers, no new roofs to ensure the safety of our children.

Instead of talking about legislation which clearly is destined for defeat or veto, we could be talking about reauthorizing the Elementary and Secondary Education Act. Instead of talking about giving greater tax benefits to 10 percent of American families, we could be talking about how to better serve the 90 percent of American families who want the best education system that all levels of government can provide. Instead of talking about pouring money into private schools, I would rather be talking about pouring foundations for public schools.

So I offer an amendment with Senator HARKIN, Senator CONRAD, Senator LAUTENBERG, and Senator BINGAMAN that would authorize $25 billion in tax credit bonds for school modernization and renovation. The amendment would also authorize up to $1.3 billion a year for the next 5 years in grants and zero-interest loans to needy school districts so they could make urgent repairs such as those required to remedy fire code violations and other urgently needed safety repairs.

This amendment still helps families save money for college. It still increases the annual limit for education savings accounts to $2,000. It also helps our States and localities meet a massive infrastructure need.

In 1995, the GAO estimated we had $112 billion in repair needs and $73 billion in new construction needs. In a study just released by the National Education Association, the total unmet school infrastructure needs across the country now total $307 billion. These numbers were gathered from the individual State departments of education across the country. These are the dollars our States admit they can't come up with despite their surpluses. Even if every State used all of their available surpluses, that amount would still only meet 7.1 percent of the school construction needs that exist now nationwide.

I don't think this Congress has taken seriously the enormity of this particular problem. We can't just sit by and do nothing. Without the pending amendment, the school construction assistance provided in this bill is negligible. Our amendment would help build 6,000 schools and help make urgent repairs to some 25,000 schools. The underlying bill we are considering today will only build or renovate 200 schools. That is a stark contrast.

With over 12 million children attending schools with leaky roofs, our students deserve better. With over 3,000 trailers being used in my State of Virginia alone, our students deserve better. In Alabama, it is reported that the roof of an elementary school collapsed just after the children had left for the day. In Chicago, teachers place cheesecloth over air vents to keep lead-based paint flecks from getting into their classrooms. In Maine, some teachers are forced to turn out the lights when it rains because their wiring is exposed under leaking roofs. The list goes on and on.

Helping States and localities build schools doesn't interfere with local school control. We know the overwhelming majority of school districts face this particular infrastructure crisis. I simply do not accept the argument that the Federal Government cannot and should not play a role in this crisis. The needs are simply too great. If we can help States and localities build roads, we can certainly help them build schools. Both are critical to our sustained economic success.

We should expect great things from our Nation's schools and our Nation's students. They should expect real debate and results from Congress. But by choosing to rehash the same old debate about helping wealthy families pay for private school, we send a message to America that this Congress is more interested in sound bites than in solutions.

The American people, and many Members here, are thirsty for solution-oriented dialog. If this bill is passed without addressing some of the most urgent needs, we are not meeting our obligations and we are missing a very real opportunity to make a difference.

I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I'd like to focus on the issue of school construction. All of us, Democrats and Republicans, recognize the need for well constructed and well-maintained school facilities. Nobody wants an inadequate learning environment for our children.

Senator ROBB has offered an amendment on school construction. His amendment, as I understand it, basically contains the administration's school construction package. I opposed this package last year, and I continue to do so today.

Before I even talk about Senator ROBB'S amendment, I want to make a point that is often lost in this discussion. The Federal Government already provides a significant subsidy for school construction. Under current law, states and localities can issue debt that is exempt from federal taxation. This benefit allows them to finance school construction by issuing long-term bonds at a much lower cost than they otherwise could. The interest subsidy saves school districts money and allows them to stretch their resources to meet their needs.

Now let me comment on the substance of Senator ROBB'S amendment. Among other things, it creates a new type of bond—called a ''qualified school modernization bond'' and authorizes the issuance of up to $23.6 billion of these bonds. Unlike regular tax-exempt bonds, for which the holder receives tax-exempt interest payments, holders of these new qualified school modernization bonds would receive a federal tax credit, in an amount to be set by the Treasury Department.

This program involves a dramatic increase in federal bureaucracy, while at the same time striking at the heart of local control of education—which is the hallmark of our nationwide educational system.

In order to qualify for these bonds, a state or local school district would need to secure the approval of the Department of Education. In giving its OK, the Department of Education is supposed to consider whether a comprehensive survey of the district's renovation and construction needs had been completed, and how the state or locality would respond to the construction needs. In other words, federal officials in Washington would be micromanaging a local school district's renovation plans—in effect, second guessing the decision of state and local officials.

It just does not make sense for the Department of Education to get involved at this level. President Clinton himself stated in 1994 that ''the construction and renovation of school facilities has traditionally been the responsibility of state and local governments financed primarily by local taxpayers.'' In that respect at least, I agree with the President.

While I am on the subject of local control, I want to point out that state and local governments have, in fact, responded to the need for school construction and renovation. On March 3, 1999, the Finance Committee had a

hearing where we evaluated the appropriate federal role in school construction. At that time, Dr. Dennis Zimmerman of the Congressional Research Service explained that since the early 1990's, the approval rates for school bond issues and for total school construction dollars has increased substantially. From 1991 until 1998, the approval rate for new issues went from less than 50 percent to almost 67 percent. During those same years, the approval rates for new construction dollars went from about 48 percent to over 82 percent.

Additionally, the inflation adjusted annual growth rate of school bond volume—measured in dollars—during the last 20 years is 7.7 percent. This compares to an annual school age population growth rate of only 0.2 percent and an annual increase of 4.1 percent in state/local receipts. With respect to bond volume, in the first 6 months of 1996, voters approved $13.3 billion in school bonds, an increase of more than $4 billion over the first 6 months of 1995.

The bottom line is that many states and localities are doing their homework, passing bonds, building and renovating schools, and enjoying favorable treatment under the existing Tax Code. They are stepping up and meeting the challenge—and they are doing so without a massive intrusion by the Federal Government. One of the witnesses at our hearing, Bill Manning, the president of a large school district in my little State of Delaware, told us that if we really wanted to improve education at the local level, we should diminish the federal role, rather than increase it.

The package of school construction measures in the Finance Committee bill would retain state and local control, and would also work within the existing tax-exempt bond framework. The latter point is important because our purpose here is to provide state and local governments with incentives that they can use, and not concepts that are untested and uncertain.

For instance, 2 years ago, Congress enacted a tax credit bond program for school construction. Called qualified zone academy bonds (''QZABs''), the law provided for an authorization of $400 million in 1998 and $400 million in 1999. According to the Bond Market Association, however, few QZAB transactions have taken place.

Mr. President, in the extenders tax legislation last fall, we did extend the QZAB program through 2001. One of the reasons for this extension was to evaluate how this pilot program is performing. My point here is simply that setting up a big program with a high authorization does not always translate into a successful policy result. We need to look at how the program will play out in the real world—whether the rhetoric will translate into results. We need to look at how the program will play out in the real world.

The proposals in the Finance Committee bill provide local school districts with the flexibility they need to address the needs of their constituents. On this point, does anyone really believe Washington, DC, bureaucrats really understand local school construction needs better than the local school board?

How do we accomplish the objective of enhancing the financing of school construction activities, while maintaining local control, in this bill?

The answer is several important school construction measures.

The first proposal is directed at innovative financing for school districts. It expands the tax exempt bond rules for public/private partnerships set up for the construction, renovation, or restoration of public school facilities in these districts. In general, it allows states to issue tax-exempt bonds equal to $10 per state resident. Each state would receive a minimum allocation of at least $5 million of these tax-exempt bonds. In total, up to 600 million per year in new tax exempt bonds would be issued for these innovative school construction projects.

This proposal is important because it retains state and local flexibility. It does not impose a new bureaucracy on the states and it does not force the Federal Government to micromanage school construction.

The proposal also is important because it promotes the use of public/private partnerships. Many high-growth school districts may be too poor or too overwhelmed to take on a school construction project themselves. With these bonds, those districts can partner with a private entity—and still enjoy the benefits of tax-exempt financing.

Mr. President, there is a second bond provision in this bill. That provision is designated to simplify the issuance of bonds for school construction. Under current law, arbitrage profits earned on investment unrelated to the purpose of the borrowing must be rebated to the Federal Government. However, there is an exception—generally referred to as the small issuer exception—which allows governments to issue to $5 million of bonds without being subject to the arbitrage rebate requirement. We recently increased this limit to $10 million for government that issue at least $5 million of public school bonds during the year.

The provision in the Finance Committee bill increase the smaller issuer exemption to $15 million, provided that at least $10 million of the bonds are issued to finance public schools. This measure will assist localities in meeting school construction needs by simplifying their use of tax-exempt financing. At the same time, it will not create incentives to issue such debt earlier or in larger amounts than is necessary. It is a type of targeted provision that makes sense.

Mr. President, I also want to make sure that my colleagues realize that the Robb Amendment strikes the language in the bill relating to K–12 withdrawals from education savings accounts. This flexibility—the ability to use a family's savings for any of the family's education expenses—is a central component of this bill. Removing it sends the wrong message to American families and does nothing to help them meet the increasing need of education.

For these reasons, I oppose this amendment and urge my colleagues to do so as well.

Mr. President, I ask unanimous consent that the statement of Dr. Dennis Zimmerman of the Congressional Research Service and Mr. William Manning of the Red Clay Consolidated School District Board of Education be printed in the RECORD.

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

PREPARED STATEMENT OF DR. DENNIS ZIMMERMAN

State and local governments historically have assumed most of the financial responsibility for public elementary and secondary schools. They raised about 92 percent of total school revenue for school year 1995–96; the federal government contributed about eight percent of revenue.

Federal financial support can be divided into two major components. Direct federal support provided by on-budget spending programs in school year 1995–96 amounted to $19.1 billion (as measured by the states), 6.6 percent of total school revenue. The federal policy objectives of this direct federal spending are fairly clear: 55 percent of this assistance in fiscal year 1995 targeted disadvantaged children; another 22 percent targeted disabled children; 12 percent targeted school system support for such things as professional development and drug abuse education; and six percent targeted children whose parents live and/or work on federal property.(1)

Indirect federal support for capital facilities is provided through the tax system. The interest income individuals and businesses earn on state and local debt is excluded from their taxable income. This exclusion lowers the interest rate on state-local debt, a reduction in effect paid for by the federal tax revenue not collected on the excluded interest earnings. The estimated revenue loss on school facilities bonds amounted to $3.7 billion in 1996, about 1.2 percent of total education revenue.(2) The federal government imposes no limit on the amount of tax-exempt bonds state-local governments may issue for governmentally owned school facilities.

Unlike federal direct spending for public elementary and secondary schools, this tax subsidy is not motivated by a federal education policy objective. Its existence is a byproduct of the income tax structure established in 1913 which incorporated the concept that the various levels of government should refrain from taxing each other. As a result, the tax subsidy is identical for all state-local capital facilities—schools, roads, hospitals, parks, etc.—and does not affect state-local taxpayer choices among different types of facilities.

In summary, three facts stand out about federal financial support for public elementary and secondary schools:

It is minor compared to state-local support.

On-budget spending is targeted to four major policy objectives (the disadvantaged, the disabled, system support, and the federally impacted).

The major tax subsidy was not adopted to pursue a federal education policy objective,

and has been structured not to influence state-local taxpayer choice among capital facilities for different public services.

THE STATE-LOCAL SECTOR AND AMERICA'S PUBLIC SCHOOL FACILITIES

Attention recently has focused on the deficiencies of public elementary and secondary school capital facilities. Studies have suggested that as much as $112 billion of investment may be necessary to restore school facilities to good overall condition, and that the resources of many local school districts are inadequate to rectify the situation.(3)

It is useful to evaluate this information in an economic context. The gap between ''good overall condition'' of school facilities and their current condition is a serious problem not to be minimized that undoubtedly has an adverse impact on human capital formation. But budget constraints are a fact of life: our desire for both private and public spending (consumption) exceeds our ability to pay for it. It is likely that a similar study assessing the condition of state-local capital facilities for any function—roads, sewage treatment plants, prisons—would reach a similar conclusion.(4) A gap exists between the ''good overall condition'' of the capital stock we desire and the less-than-good overall condition we choose to live with.

When making budget allocation decisions, state-local decision makers decide where to spend additional tax revenue based in part upon their assessment of which activity will provide the highest return or value. It is a given that positive returns will result from additional investment in almost any activity funded by state-local budgets. But a ten percent return in education facilities will not be funded if decision makers judge a twelve percent return is available in sewage treatment facilities. In other words, one must consider the possibility that state-local decision makers made their spending decisions with complete information; that they chose the existing less-than-good condition of education facilities because they place a higher value on spending the available tax revenue for private consumption or other state-local services.

For the Nation as a whole, state-local taxpayers have not been neglecting education facilities. Table 1 presents referendum data on public elementary and secondary school bond issues for the years 1988 through 1998. The percentage of bond issues approved and the percentage of dollars approved appear in columns 2 and 3. Both series tell approximately the same story. Approval rates declined substantially in the early 1990s, reaching a low of 49.9 percent for Issues in 1991 and 48.4 percent for Dollars in 1993. Since those lows, the approval percentage for both Issues and Dollars has risen substantially. The 1998 approval rates of 66.8 percent for Issues and 82.4 percent for Dollars are now higher than the levels that prevailed in 1988.

TABLE 1. SCHOOL BOND REFERENDA 1988–1998: APPROVAL RATES FOR ISSUES AND DOLLARS

Year	Share of Issues	Share of Dollars
1988	0.657	0.776
1989	0.580	0.736
1990	0.573	0.707
1991	0.499	0.490
1992	0.532	0.604
1993	0.568	0.484
1994	0.592	0.516
1995	0.553	0.544
1996	0.586	0.691
1997	0.619	0.619
1998	0.668	0.824

Source: Securities Data Company.

The increasing approval rates are consistent with the 7.7 percent real annual growth rate of school bond volume (dollars of new issues) that occurred from 1979 through 1998. This is not surprising. We are now in the longest uninterrupted economic expansion in the Nation's history, during which the state-local surplus rose from $80.1 billion in 1990 to $148.7 billion in 1998. As real income rises, state-local taxpayers can be expected to spend more on a wide range of public services, including investment in schools. But these bond data do not provide evidence about how much of the growing bond volume was necessary to keep pace with growing student enrollment and whether schools were faring better or worse than other state-local services.

Table 2 compares the 7.7 percent real annual growth rate of school bond volume over the last two decades to the rates for school-age population (ages 5 to 19) and state-local receipts net of federal grants.

The school-age population grew at a 0.2% annual rate, so most of this 7.7 percent real annual increase in bond volume was devoted to maintaining or improving the facilities of a relatively stable school population. State-local receipts net of federal grants grew at a 4.1 percent real annual rate. These data suggest state-local taxpayers have been devoting an increasing share of own-financed revenue to schools, and school construction spending has fared better than all other functions combined.

TABLE 2. SCHOOL NEW-ISSUE BOND VOLUME AND OTHER ECONOMIC INDICATORS, 1979–1998: REAL ANNUAL GROWTH RATES

School Bond Volume	Population Ages 5–19	State-Local Receipts Net of Federal Grants
7.7%	0.2%	4.1%

Source: CRS calculations based upon data from Securities Data Company and Economic Report of the President, 1999.

Of course, these aggregate data undoubtedly mask a considerable amount of variation among states and school districts. Several circumstances arise which may cause school districts to provide grossly inadequate school facilities, and alleviation of some of these circumstances may be consistent with historical federal policy objectives for financing public elementary and secondary education.

A district might suffer from inadequate fiscal capacity; residents may be poor and the district may lack significant commercial and industrial property tax base. If its state does not have a vigorous fiscal equalization program for education finance, resources may not be available to provide minimal capital facilities.

Some school districts might experience a substantial influx of retirees, or be at the height of a long-term aging of their population. Retirees may feel they have done their duty by supporting school finance in their child-raising years. Seeing few direct benefits to themselves, they may be reluctant to support additional spending to maintain minimal services, particularly if they have relocated.

Some school districts have experienced rapid population growth (often resulting from immigration to the United States). A ''normal'' financing effort might prove to be inadequate to maintain minimal services when student enrollment expands rapidly.

Some states and local governments impose very tight borrowing restrictions and/or super-majority approval requirements for bond referenda that may frustrate the majority's spending preferences.

IN SUMMARY

The condition of America's school facilities may or may not be worse than the capital facilities for other state-local public services.

The proportion of school bond votes approved rose from a low of 50 percent in 1991 to 67 percent in 1998. The percentage of dollars approved in 1998 was 82 percent versus 49 percent in 1991.

State-local taxpayers have devoted an increasing share of their own-source revenue to school bond finance; over the last twenty years, the volume of new-issue school bonds has grown at a 7.7 percent real annual rate, while state-local own-source revenue has grown at a 4.1 percent real annual rate. Since the school-age population has grown at a mere 0.2 percent rate, most of this spending has been devoted to maintaining or improving facilities.

These data present a favorable picture for the Nation's school facilities, but may hide a subset of communities that find it difficult to maintain adequate school facilities due to: a high concentration of the poor; a concentration of retirees who are reluctant to support school spending; high population growth rates, sometimes resulting from an influx of immigrants; and very tight borrowing restrictions and/or super-majority requirements for approval of bond referenda.

TAX-EXEMPT BOND PROPOSALS

Several proposals have been introduced that would adjust the current tax treatment of state-local debt to increase federal financial support for school construction.(5) The Administration has proposed Tax Credits for Holders of Qualified School Modernization Bonds and Qualified Zone Academy Bonds; Representative Archer has proposed a lengthening of the period during which arbitrage can be earned and not rebated to the Treasury; Senator Graham has proposed allowing school facilities to be financed with private-activity bonds; and it has been proposed that the annual issuance ceiling to qualify for the small-issuer arbitrage rebate exemption be raised. The last two proposals were adopted by the Senate Finance Committee but not accepted by the Conference.

Each of these proposals is described. Each proposal's effect on the share of the debt service costs borne by state-local taxpayers is estimated, and the targeting of the proposal is compared to the targeting of federal on-budget spending for elementary and secondary education.

School Modernization Bonds

Description. This Administration proposal would authorize issuance of $11 billion of tax credit bonds in 2000 and $11 billion in 2001. School bond volume in 1998 was about $23 billion, so this proposal could be available to approximately 50 percent of the school bond market in 2000 and 2001.

Cost Reduction. Tax credit bonds pay 100 percent of state-local interest cost on bonds, as opposed to 25 to 30 percent of interest costs for traditional tax-exempt bonds. Thus, unlike tax-exempt bonds, tax credit bonds lower the cost of investing in school facilities relative to investing in capital facilities for any other public purpose. This lower relative cost would be a powerful incentive for state-local taxpayers to adjust their public budgets and provide more education services and less of all other services.

Targeting. Half of the annual borrowing authority would be reserved for the Nation's communities with the highest incidence of children living in poverty. The remaining half would be allocated to the states and qualifying school districts based upon the federal assistance they received under the Basic Grant Formula for Title I of the Elementary and Secondary Education Act of 1965 (based primarily upon incidence of low-income children). But states would not be constrained by the Title I formula and could use any appropriate mechanism for distributing the funds. Thus, half of the subsidy

would conform to the federal government's existing criteria for federal spending programs in education, and half could potentially be spent on other school districts.

Relaxation of Arbitrage Restrictions

Description. State-local arbitrage bonds are tax-exempt bonds issued where all or a major portion of the proceeds are used to acquire securities with a higher yield. Because state-local governments pay no federal income tax on their interest earnings, Congress has restricted their ability to earn arbitrage profits. Bonds for construction are allowed to earn arbitrage profits if they conform to a schedule for spending the bond proceeds: 10% within six months of issuance; 45% within 12 months of issuance; 75% within 18 months of issuance; 95% within 24 months of issuance; and the permissible 5% retainage (amounts by which the earlier targets are missed) within 36 months. Failure to comply triggers a requirement to rebate the arbitrage earnings to the U.S. Treasury.

This proposal would slow and lengthen the spend-down schedule that must be met for bonds issued to finance public school education facilities in order to qualify for exemption from arbitrage rebate. No rebate would be required if: 10 percent of bond proceeds is spent within 1 year of issuance; 30 percent is spent within 2 years; 50 percent is spent within 3 years; and 95 percent is spent within 4 years. The 5 percent retainage would have to be spent within 5 years. The proposal applies to all school bonds.

Cost reduction. Issuers must be cautious when attempting to earn arbitrage profits. Suppose the interest rate on the tax-exempt bond issue is 6 percent and the interest rate on a comparable long-term taxable bond is 8 percent. In theory, the issuer could earn 2 percent arbitrage profit by investing the tax-exempt bond proceeds in 8 percent long-term taxable securities. This is a risky investment strategy. The issuer's investment horizon is short because the spend-down rules require sale of all the securities within 36 months (60 months if this proposal is passed). Should interest rates have risen when the issuer must sell the taxable bond to pay for construction costs, the bond must be sold at a discount and the issuer will suffer a capital loss that could easily exceed the arbitrage earnings. Thus, the calculations in this testimony assume the issuer earns arbitrage profits of 0.75 percent, not the 2 percent yield differential. The important point here is not so much the share of the principal that could be paid off by the arbitrage profits, but the differential between current law and the proposed changes.

Assuming the issuer takes maximum advantage of arbitrage opportunities with a 0.75 percent profit, current law could provide arbitrage profits for tax-exempt bonds sufficient to pay for 1.05 percent of the amount borrowed. For tax credit bonds, this percentage would rise to 9.5.(6) Allowing a five-year spend-down period for tax-exempt bonds would increase the percentage borrowed that could be financed with arbitrage profits from 1.05 to 2.4 percent. If combined with tax credit bonds, the percentage would rise from 9.5 to 21.2 percent.

Targeting. The arbitrage proposal would apply to all school bonds. No attempt is made to target its availability to school districts that meet the federal government's targeting criteria for its on-budget spending programs.

Public School Construction Partnership Act

Description. This proposal introduced by Senator Graham in the 105th Congress would include public elementary and secondary education facilities in the list of exempt facilities eligible for the use of tax-exempt private-activity bonds. A state could issue bonds equal to the greater of $10 per resident or $5 million on behalf of corporations that would use the bond proceeds to build school facilities and lease the buildings to school districts. A corporation must charge a lease payment such that the building could be transferred to the school district at the end of the contract without further compensation to the corporation. The bonds would not be subject to the private-activity bond volume cap, so they would not compete with other private-activity bonds for scarce borrowing authority.

Cost reduction. This proposal might reduce the federal subsidy. Private-activity education facility bonds would be issued as revenue bonds whose debt service is secured by the corporation building and operating the facility rather than as general obligation bonds whose debt service is secured by the full faith and credit of the issuing school district. As a result, the interest rate on the private-activity school bonds is likely to be higher and the spread between the taxable interest rate and the interest rate on the school bonds is likely to be lower. The federal government would pay a smaller share of interest costs than it would pay on governmental tax-exempt school bonds.

A school district that chose this option could conceivably receive compensation sufficient to offset its higher interest cost in two ways. First, it might face very restrictive bond referenda requirements that preclude getting approval from the voters. Although private-activity bonds require the issuing jurisdiction to hold a public meeting, they do not require a vote. Second, the corporation might be a more efficient builder and operator of the facility, or it may be able to avoid compliance with a host of regulatory rules pertaining to government construction projects (such as the Davis-Bacon Act). These savings might enable the corporation to provide lease terms whose present discounted value is lower than would be the case for principal and interest payments on the debt.(7)

Targeting. All but $5 million must be allocated to high-growth school districts, defined as having: (1) a 5,000 or greater student enrollment in the second academic year preceding the date of the bond issuance; and (2) an increase in student enrollment of at least 20 percent in the 5–year period ending with that second academic year. It is not clear how many of the eligible districts would have characteristics that are targeted by federal on-budget education spending.

Small Issuer Arbitrage Exemption

Description. When the requirement for rebate of arbitrage earnings was enacted in 1986, governmental units that issued no more than $5 million of bonds per year were exempt. In 1997, the exemption limit was increased to $10 million, provided at least $5 million is used to finance public school construction. This proposal would increase the exemption limit to $15 million, provided at least $10 million is used to finance public school construction.

Cost reduction. The value of the small-issuer exemption is that the spend-down rules do not apply; the issuer can earn arbitrage profits on the amount borrowed for the entire three-year spend-down period. When considering a $5 million marginal investment on a variety of public functions, state-local taxpayers will likely notice that (under current law) school bonds could earn arbitrage profits sufficient to pay 2.3 percent of the amount borrowed, while bonds for other functions could earn arbitrage profits sufficient to pay only 1.05 percent of the amount borrowed. If tax credit bonds could be combined with the small-issuer exception (while retaining the three-year spend-down requirement), arbitrage profits would be sufficient to pay 20.3 percent of the amount borrowed.

Targeting. This provision would apply only to relatively small governmental units. It is not clear how many of these units would have the characteristics that are targeted by federal on-budget education spending.

ENDNOTES

(1) U.S. Library of Congress, Congressional Research Service, Public School Expenditure Disparities: Size, Sources, and Debates over Their Significance, No. 96–51 EPW by Wayne Riddle and Liane White, December 19, 1995, 31p.

(2) Indirect financial support is also provided by the deductibility of state-local income and property taxes from federal taxable income. This provision is not discussed here. The tax-exempt bond revenue estimate is based on a 1996 federal revenue loss from all outstanding bonds of $25 billion (Budget of the U.S. Government, Analytical Perspectives, Fiscal Year 1998), and assumes the school share of the outstanding stock of all state-local bonds is equal to the school share (14.7 percent) of new-issue state-local bonds issued in 1996. A small amount of tax credit bonds are also available for school districts with high concentrations of students receiving free lunch.

(3) U.S. General Accounting Office, School Facilities: America's Schools Not Designed or Equipped for 21st Century, GAO/HEHS–95–95, April 4, 1995; and GAO, School Facilities: Condition of America's Schools, GAO/HEHS–95–61, February 1, 1995.

(4) For an example, see Commission to Promote Investment in America's Infrastructure, Financing the Future: Report of the Commission to Promote Investment in America's Infrastructure, February 1993.

(5) The question of whether these proposed increased federal subsidies represent an improvement in economic efficiency is complex. The answer depends in part upon the extent to which returns from elementary and secondary education accrue to society rather than the individual and how widely these ''external'' benefits spill beyond state borders.

(6) Since the federal government pays 100 percent of the interest cost on tax credit bonds, arbitrage earnings would be 6.75 percent, not the 0.75 percent for tax-exempt bonds.

(7) Some have suggested the efficiencies in such public/private partnerships may be sufficiently great that school districts could reduce costs even if they used taxable debt. Ronald D. Utt, How Public-Private Partnerships Can Facilitate Public School Construction, Heritage Foundation Backgrounder No. 1257, February 25, 1999.

PREPARED STATEMENT OF WILLIAM E. MANNING

Bill Manning has been President of the Red Clay Consolidated School District Board of Education (Delaware's second largest school district) for nine years. An attorney by trade, Mr. Manning has been among Delaware's leaders in proposing and implementing a variety of educational reforms: public school choice, charter school legislation and rigorous academic standards statewide. Red Clay is currently the only district in Delaware to have reached an agreement with its teachers association pursuant to which Red Clay teachers will be evaluated based on student performance. Among other recognitions, Mr. Manning was honored, in October, 1998, as one of the nation's ''unsung heroes'' in education reform by the Center for Education Reform in Washington, DC.

Demographically, Red Clay is a composite of all cross sections of Delaware and America. It has both affluent areas and poverty

stricken areas; suburban and city. Red Clay students speak a variety of native languages, including a large component of Spanish-speaking children.

Red Clay's capital assets are probably typical of those found throughout America. No new schools have been built for more than 30 years and existing schools require repair and renovation. After one unsuccessful attempt, Red Clay received referendum approval both to make the most needed repairs to its buildings and invest in technology. That capital program, however, is much smaller than Red Clay would prefer, and new schools and renovations remain critical.

STATEMENT REGARDING THE FEDERAL ROLE IN SCHOOL CONSTRUCTION

I don't want to begin my testimony by assuming that the federal government should have any role at all in public education. Indeed, many of those in the education reform community believe that the federal government should diminish, rather than increase, its role in public education. Let me give you one good reason why that is so. With all of the talk regarding education reform these days, one particular notion is being identified as having preeminent importance: ''accountability.'' Indeed, it is acquiring buzzword status. Presidents, members of Congress, governors and school board members all over the country are talking about the importance of accountability and they are all correct. However, to the extent that you shift the locus of decision making from the school to the district to the state to the federal level, the more you have diminished the chances that those responsible for delivering educational services can be held accountable for their successes or failures. Put another way, if I am a school administrator and I can point to burdensome and inappropriate federal regulations as the reason for my failure to provide adequate facilities, I will.

All of that leads me to bring two messages today: (1) Don't do anything at all and, if you have loose change rattling around in the federal coffers, send it back to those who gave it to you in the first place. (2) If you must do something, make good on all the promises of local autonomy and flexibility that inevitably accompany all such programs. Don't let the public educational establishment claim that: ''But for this federal regulation or that federal guideline, we could have done the job.''

If you detect a note of cynicism about federal promises for local autonomy and flexibility, you are correct. That cynicism, however, is justified as we out in the states hear more and more about some of the proposals before you. For example, I understand that the President's proposal wants to encourage capital spending by school districts that would not have been possible without such financial assistance. Therefore, as a criterion for eligibility, one would not be surprised to see the Department of Education require an applicant to make some sort of showing that its proposed capital expenditure would not otherwise happen.

One imagines several responses to such a rule. First, the ''green eyeshade guys'' that exist within each school district will now slow down some projects, testing the political waters each day to see whether increased federal funding is soon to be available. After all, to move forward with capital projects at this time may be to render them ineligible at a later time. Thus, the games begin. Second, what is so wrong with providing assistance to a district that has already decided to ''bite the bullet'' and ignore other priorities in order to make capital repairs? It seems to me that this particular element of the President's proposal removes, rather than creates, incentive for local responsibility.

To take another example, one who is reading about the President's current proposal comes away with the sense that there will be significant means-testing within the eligibility criteria. I certainly hope, on behalf of my school district, that I will be able to use whatever capital assistance the federal government decides to give me anywhere in my district—whether it be in downtown Wilmington or out in the suburbs.

Please understand that any federal rules and regulations accompanying any new federal financial assistance will apply on top of a host of other regulations already imposed at the state level. Indeed, as I indicated, this hotchpot of regulations imposed upon local school districts at the state level already gives the establishment enough places to hide from true accountability as it is. It is almost inconceivable that a new regime of federal requirements would not be, in some ways, inconsistent with a body of regulations that, in my view, is already too large. Thus, the prospect of time wasted and projects left undone because of conflicts between federal and state regulation grows with every new federal program. Please make any program that results from the proposals before you serve as a testament that the federal government can, if it wants to, render meaningful assistance without creating matching unnecessary burdens.

Let me close with a few specific suggestions. First, I believe, as do many of you, that charter schools are already improving the educational landscape by offering variety, quality and single-school focus to those who previously had to pay to get those things. That's the good news. The bad news is that charter schools are still regarded by the educational establishment in some quarters as the enemy. Thus, the organization that owns our school buildings is sometimes stingy with them when it comes to housing charter schools. Nor do the funding formulae in many state charter school bills provide adequate capital—as opposed to operating—assistance to charter schools. In that environment, it would be particularly fitting if the federal government took special care to ensure that our new charter schools were well housed. Please don't overlook them.

As you review the variety of proposals before you, I suggest that you carefully review those that would render assistance to local school districts needing capital assistance and simultaneously reduce federal ''red tape.'' In Delaware, for example, we have several lending institutions that are members of the Federal Home Loan Bank—one of the Nation's few triple A rated institutions. If these lenders could offer the Federal Home Loan Bank's credit to support bond-financed school construction projects, then the cost of debt—even tax exempt debt—would go down. However, for reasons that appear only to have historical significance, Federal Home Loan Banks are not permitted, under Section 149 of the Internal Revenue Code, to provide such credit enhancement. Nor does it appear that those federal (and former federal) instrumentalities that are so authorized by Section 149 (Federal Housing Administration, Veteran's Administration, Fannie Mae, Freddie Mac, Ginnie Mae and Sallie Mae) are actually in the business of assisting school financing. Thus, Section 149 of the Internal Revenue Code should be amended to permit Federal Home Loan Banks to sell credit enhancement products—at least in the area of school construction finance if not all projects eligible for tax exempt financing.

I appreciate the opportunity to share my thoughts with the Committee. I realize that my plea to send those tax revenues that might otherwise have been spent by the federal government back to the taxpayers requires that Congress ignore the political head of steam building over this issue. So, if the federal government decides it wants or needs to play a role in building schools, please do it in a way that leaves school board members like me, as well as the administrators and teachers who we employ, exposed to the consequences of our failure, if that be the case, to do our job and deliver a quality education to each of our students.

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

Mr. CONRAD. Mr. President, I rise in strong support of the amendment offered by Senator ROBB. During consideration of S. 1134, the Affordable Education Act last year in the Finance committee, I joined my colleague in offering a similar amendment during the markup. Regrettably, that amendment was not adopted.

Under the Robb amendment, an allocation of $24.8 billion in bonds would be authorized to permit states and local school districts, over the next 5 years, to issue bonds to modernize and renovate approximately 6,000 schools. Sixty-five percent of the bond authority would be allocated to states based on their title I allocation, and 35 percent to the 100 school districts with the largest number of low-income students. Additionally, $1.3 billion would be authorized for a new grant and zero-interest loan program to fund the most urgent school repair needs in local schools. There is also $400 million set aside for Bureau of Indian Affairs schools.

Today we are considering our first major education measure of the 21st century. It is critical that we weigh carefully the direction of that education policy. What should our priorities be as we enter the 21st century? How should we allocate our limited Federal resources in education? How do we respond to growing concerns about the digital divide, and what is the role of education in that debate?

Under S. 1134, the major provision of the bill would expand tax-free expenditures from the current higher education individual retirement account to permit student expenses for elementary and secondary education including private, parochial, or public education. S. 1134 would increase the limit on the annual contribution for an education IRA for a four-year period (2000-2003) to $2,000.

Expenses authorized for IRA expenditures would include traditional expenses including tuition, books, supplies, computer equipment, tutoring services, as well as student expenses for room, board, transportation and supplementary items. Additionally, S. 1134 makes a number of important changes, which I support, in prepaid tuition plans, employer-provided educational assistance, and student loan interest deduction.

There is no question, of the merits of encouraging families to save to meet the educational needs of their children. Education IRA's are one way to encourage this savings, and we know it

has been very helpful to families planning for higher education expenses. As we debate this legislation, however, it is critical that we define our national education priorities, and allocate our limited Federal resources to meet those objectives. Does an expansion of education IRA's respond to our national education priorities? Does the allocation of limited Federal resources for education IRA's respond to the education needs of our children into the 21st century?

In the past 5 years, a number of very respected organizations have alerted us to the critical elementary and secondary school infrastructure needs. In 1995, the GAO reported that $112 billion was needed to bring the nation's schools into good overall condition. The report cited that one-third of schools—about 25,000—were in need of extensive repairs. More recently, the National Center for Education Statistics released a report stating that the average public school in America is 42 years old. Many of these schools are also lagging in technology infrastructure and their effort to connect to the Internet.

I know the need for repairs in our schools is great from my visits to North Dakota schools and conversations with educators, and state officials. North Dakota State Superintendent of Schools, Wayne Sanstead, informed me last year during consideration of the markup of S. 1134, that costs associated with school modernization in the North Dakota would exceed $420 million. 88 percent of schools reported need to upgrade or repair facilities, and 62 percent reported unsatisfactory environmental conditions.

I ask unanimous consent Mr. President, that a letter from the N.D. Department of Public Instruction which outlines the critical school infrastructure needs in North Dakota be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CONRAD. It is critical that we ask whether an expansion of education IRA's for elementary and secondary education expenses is the best use of our limited Federal education dollars and responds to our national education priorities. We need to examine who will benefit from this IRA expansion as opposed to who will benefit from meeting school infrastructure needs.

According to the Department of Treasury, 70 percent of the proposed education IRA benefit would go to 20 percent of all taxpayers. Higher income families would derive the most benefit. Many families with incomes less than $55,000 would receive little benefit. Additionally, according to the Joint Committee on Taxation, the average annual benefit for children attending private and parochial schools would be limited to approximately $37.

On the other hand, 90 percent of our children attend public schools, and public school enrollments are increasing. According to the National Council on Education Statistics, a record 52.7 million children are enrolled in public schools, and that number is expected to increase to 54.3 million by 2008. It is estimated that at least 2,400 new school facilities will be needed to meet this student enrollment increase. Studies also show that building conditions and overcrowding in school facilities are linked to student achievement.

There is no question where our education resources should be directed. Although it is important to encourage families to save for their children's education, we have a more urgent need to ensure that a majority of our children have the best educational environment for learning. Regrettably, that is not the case in too many of our local school districts. Local school districts face many challenges in school modernization efforts. Interest payments on bonds are already a major expense for local taxpayers. Additionally, taxpayers are burdened with many unfunded Federal mandates and it becomes difficult to finance new construction or repairs through an expansion of bond authority. Also, many of our rural communities across the nation, including North Dakota, are experiencing declining enrollments in local school districts leaving many of these smaller, rural schools with more limited education resources, and very limited ability to undertake bond initiatives.

It is clear where Federal support for education should be directed. The importance of school modernization is underscored by the emphasis on technology in our economy in the 21st century. Information technology will play a key role in our continued economic growth. The condition of our public school facilities, including technology infrastructure and the ability to connect to the Internet, is critical in sustaining our current economic growth. It is also important in ensuring that our children are equipped to enter the job markets in the 21st century, and able to benefit from the extraordinary growth that we have experienced in recent years.

School modernization is critical for our children's success, and should be one of our key national education priorities as we enter the 21st century. Local communities cannot face the task of funding the necessary school building and technology infrastructure improvements on their own. They urgently need our help. I strongly urge my colleagues to vote in support of the amendment offered by Senator ROBB.

EXHIBIT 1

DEPARTMENT OF PUBLIC INSTRUCTION,
Bismarck, ND, March 2, 1999.

Hon. KENT CONRAD,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR CONRAD: I am writing this as a follow-up to our recent conversation concerning the Senate Finance Committee's plans to conduct hearings regarding funding for school modernization.

I am attaching the executive summary of a school facilities inventory completed by the Department of Public Instruction with assistance from the Barton Malow Company. The study was done in the fall of 1994 and the report was issued in January of 1995.

While some school construction has taken place since that time there is no reason to believe that the basic assumptions outlined in the executive summary about North Dakota's needs for school building renovation and upgrading have changed significantly. As the executive summary indicates the total projected costs to bring North Dakota's 453 public school facilities up to state-of-the-art facilities would be approximately $420 million or nearly one million dollars per building.

Our small rural North Dakota school districts in particular have extensive and potentially expensive school renovation needs which have been consistently deferred because of budget constraints due to fluctuations of our agricultural economy and the impacts of significant declining enrollment which further erodes school districts funding base.

Even in those few circumstances where some of these rural districts consider consolidation school renovation would still be needed. In fact, consolidation that appears to be required in some rural areas to sustain school programs will in turn require construction of updated larger facilities to accommodate consolidation enrollments. Clearly, North Dakota, and in this case, especially rural North Dakota would benefit from federal financial assistance for school renovation and construction.

In addition, North Dakota's Native American reservation schools are in some cases in desperate need of renovation and upgrading. While they have access to some funding through other federal programs, our experience is that the money available through those programs is not adequate and not available in a timely fashion. These districts would also benefit from a general federal infusion in the area of school construction and renovation.

In sum, I am encouraged and strongly support your efforts to pursue this source of funding to help our hard-pressed agricultural areas. If I can provide further information or be of advocacy assistance in this congressional effort please do not hesitate to contact me at any time.

I look forward to visiting with you and your staff when I once again preside over Council of Chief State School Officers Legislative Committee deliberations on March 15 and 16.

With best wishes,

Dr. WAYNE G. SANSTEAD,
State Superintendent.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I wish to address a couple of the issues raised by my distinguished colleague from Delaware. One of the issues the Senator from Delaware suggested was that this creates a whole new bureaucracy. But with all due respect, it does not create a whole new bureaucracy. States only have to keep a tally on how much bonding authority they have used. That is it. That is not a whole new bureaucracy.

Talking about the concern about assessments and making additional assessments, the truth is that most of the States have already made those assessments. So we are not talking about any additional burden.

When we talk about the QZAB as not having been used, 94 school districts in 15 States have utilized the QZAB, and that, indeed, is the model upon which these school modernization bonds are featured. We are not talking about an untested bill.

With respect to the number of students that we are trying to help under the circumstances, currently we have 52.7 million students in America's schools. In 8 years, that total will climb to 54.3 million students in our schools. We are talking about a significant increase in the number of students at the same time we are trying to decrease the number of students in individual classes. We know the schools are getting older and older, with the average age of the schools in this country today being 42 years old. We have a pressing, urgent problem.

With all due respect to my distinguished colleague from Delaware, I would recommend a visit to a number of the schools because the schools in many cases are in desperate need of infrastructure repair. And this is designed to provide Federal assistance in ways that do not get involved in local school control. I recognize and respect that particular feature.

This is simply designed to assess the financing of those greatly needed improvements, which I believe the Senator from Delaware and any other Senator in this Chamber will find if they visit the schools in their districts. They are old and getting older, and we can't meet the reduction in class size. The school population is increasing. Most of the children we are talking about for the years 2007 and 2008 are already born. We know the numbers. We have to be able to respond to the need. This is a way to do it without interfering with local control.

The basic difference between the two of us is whether or not we ought to put public moneys into private education or whether as stewards of the public purse we have a responsibility to make sure we fund public education first.

I respectfully request that my colleagues support this particular measure and stand up for the students and the future of education in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, let me remind my colleagues that we have already considered and rejected the President's school construction proposal in the past. In 1998, in connection with an education tax bill, Senator Moseley-Braun offered the President's package, and it was defeated by a vote of 56–42. Last year, my distinguished colleague, Senator ROBB, offered this school construction plan, and it was defeated 55–45.

We all agree on the need for well-built and well-maintained schools. There is no one in this body who wants our children to learn in a substandard learning environment. But the evidence shows the States are stepping up and meeting the challenge of providing schools for their students. We should not create a new Federal program that injects the Federal bureaucracy into additional State and local controls. For these reasons, I oppose the amendment, and I move to table it.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. L. CHAFEE). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I urge the Senate to support of Senator ROBB's amendment to provide funding for rebuilding and modernizing the nation's schools. The Coverdell bill does nothing for crumbling schools.

Schools, communities, and governments at every level have to do more to improve student achievement. Schools need smaller classes, particularly in the early grades. They need stronger parent involvement. They need well-trained teachers in the classroom who keep up with current developments in their field and the best teaching practices. They need after-school instruction for students who need extra help, and after-school programs to engage students in constructive activities. They need safe, modern facilities with up-to-date technology.

But, all of these reforms will be undermined if facilities are inadequate. Sending children to dilapidated, overcrowded facilities sends a message to these children. It tells them they don't matter. No CEO would tolerate a leaky ceiling in the board room, and no teacher should have to tolerate it in the classroom. We need to do all we can to ensure that children are learning in safe, modern buildings.

Nearly one third of all public schools are more than 50 years old. 14 million children in a third of the nation's schools are learning in substandard buildings. Half of all schools have at least one unsatisfactory environmental condition. The problems with ailing school buildings aren't the problems of the inner city alone. They exist in almost every community, urban, rural, or suburban.

In addition to modernizing and renovating dilapidated schools, large numbers of communities across the country need to build new schools, in order to keep pace with rising enrollments and to reduce class sizes. Elementary and secondary school enrollments have reached an all-time high again this year of 53.2 million students, and will continue to rise over the next ten years. The number will increase by 324,000 in 2000, by another 282,000 in 2001, by still another 250,000 in 2002, and continue on an upward trend in the following years.

Last year, the Senate heard testimony from a student in Clifton, Virginia whose high school is so overcrowded that fights often break out in the overflowing halls. The problem is called ''Hall Rage,'' and it's analogous to ''Road Rage'' on crowded highways. The violence in the hallways is bad enough. But it's even worse, because it's difficult for teachers to teach when students are distracted by the chaos in the hallways and outside the classrooms.

The Department of Education estimates that 2,400 new public schools will be needed by 2003 to accommodate rising enrollments. The General Accounting Office estimates that it will cost communities $112 billion to repair and modernize the nation's schools. Congress should lend a helping hand and do all we can to help schools and communities across the country meet this challenge.

In Massachusetts, 41 percent of schools report that at least one building needs extensive repairs or should be replaced. 80 percent of schools report at lest one unsatisfactory environmental factor. 48 percent have inadequate heating, ventilation, or air conditioning. And 36 percent report inadequate plumbing systems.

In Detroit, over half—150 of the 263—school buildings were built before 1930. Their average age is 61 years old, and some date to the 1800's. Detroit estimates that the city has $5 billion in unmet repair and new construction needs. Detroit voters recently approved a $1.5 billion, 15-year school construction program, but it's not enough.

In an elementary school in Montgomery, Alabama, a ceiling which had been damaged by leaking water collapsed only 40 minutes after the children had left for the day.

At Cresthaven Elementary School in Silver Spring, Maryland, a second-grade reading class has to squeeze through a narrow corridor with a sink on one side into a space about 14 ft. wide by 15 ft. long. The area used to be a janitor's office, and the teacher has no place to sit.

Schools across the country are struggling to meet needs such as these, but they can't do it alone. The federal government should join with state and local governments and community organizations to guarantee that all children have the opportunity for a good education in safe and up-to-date school buildings. The Robb amendment is an excellent start on this high priorities, and I urge the Senate to approve it.

Mr. BYRD. Mr. President, I oppose this amendment offered by Senator ROBB today to the Affordable Education Act which would remove the provision of the bill to expand the use of educational individual retirement accounts for elementary and secondary education expenses, and instead expand incentives for the construction and renovation of our nation's public schools.

While I understand the overwhelming need for additional resources to help repair and rebuild crumbling schools across the United States, this amendment would strip the legislation of its very admirable intent to assist parents in saving scarce resources for a child's elementary and secondary schooling

years. Parents should have the ability to make decisions about their own child's education, particularly in the early, formative years, as they do with higher education. I believe that the education savings accounts for elementary and secondary education are a step in the right direction in helping families to make these often difficult decisions about the education of their child.

This vote on the Robb amendment is a particularly difficult one for me to cast because I, too, am extremely concerned about the dilapidated state of our nation's schools. My home state of West Virginia has a school renovation and construction need in excess of $1.2 billion, and the nation a need totaling more than $250 billion. Mr. President, this is alarming! Our nation's schools are in disrepair and provide a less-than-appealing workplace for our students and faculties. They lack the basic infrastructure to allow our students to become ''ready'' for the age of technology, and many ill-equipped schools deny students the opportunity to engage in meaningful laboratory experiences in the sciences. Some schools are overcrowded, and many have become small communities of portable classrooms.

Mr. President, it is my hope that the Senate will revisit this important issue of funding for school construction in a context that would not pit one good initiative against another.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the motion to table amendment No. 2861. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The result was announced—yeas 57, nays 42, as follows:

[Rollcall Vote No. 17 Leg.]

YEAS—57

Abraham	Feingold	Mack
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Murkowski
Bennett	Gorton	Nickles
Bond	Gramm	Roberts
Brownback	Grams	Roth
Bunning	Grassley	Santorum
Burns	Gregg	Sessions
Byrd	Hagel	Shelby
Campbell	Hatch	Smith (NH)
Chafee, L.	Helms	Smith (OR)
Cochran	Hutchinson	Snowe
Collins	Hutchison	Stevens
Coverdell	Inhofe	Thomas
Craig	Jeffords	Thompson
Crapo	Kyl	Thurmond
DeWine	Lieberman	Torricelli
Domenici	Lott	Voinovich
Enzi	Lugar	Warner

NAYS—42

Akaka	Dorgan	Kohl
Baucus	Durbin	Landrieu
Bayh	Edwards	Lautenberg
Biden	Feinstein	Leahy
Bingaman	Graham	Levin
Boxer	Harkin	Lincoln
Breaux	Hollings	Mikulski
Bryan	Inouye	Moynihan
Cleland	Johnson	Murray
Conrad	Kennedy	Reed
Daschle	Kerrey	Reid
Dodd	Kerry	Robb
Rockefeller	Schumer	Wellstone
Sarbanes	Specter	Wyden

NOT VOTING—1

McCain

The motion was agreed to.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, under a previous order, it is my understanding we will now go to the amendment of Senator ABRAHAM of Michigan; am I correct?

The PRESIDING OFFICER. That is correct.

Mr. COVERDELL. I thank the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 2825

(Purpose: To amend the Internal Revenue Code of 1986 to expand the deduction for computer donations to schools and to allow a tax credit for donated computers, and for other purposes)

Mr. ABRAHAM. Mr. President, I ask unanimous consent that amendment No. 2825 be called up.

The PRESIDING OFFICER. Without objectiohn, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. ABRAHAM], for himself, Mr. WYDEN, Mr. DASCHLE, Mr. REID, Mr. SCHUMER, Mr. INOUYE, Mr. DURBIN, Mr. KERRY, Mr. DORGAN, Mrs. BOXER, and Mr. TORRICELLI, proposes an amendment numbered 2825.

Mr. ABRAHAM. 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 amendment is as follows:

At the appropriate place, insert:

SEC. . EXPANSION OF DEDUCTION FOR COMPUTER DONATIONS TO SCHOOLS.

(a) EXTENSION OF AGE OF ELIGIBLE COMPUTERS.—Section 170(e)(6)(B)(ii) (defining qualified elementary or secondary educational contribution) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REACQUIRED COMPUTERS ELIGIBLE FOR DONATION.—Section 170(e)(6)(B)(iii) (defining qualified elementary or secondary educational contribution) is amended by inserting '', the person from whom the donor reacquires the property,'' after ''the donor''.

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

SEC. . CREDIT FOR COMPUTER DONATIONS TO SCHOOLS AND SENIOR CENTERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits) is amended by adding at the end the following:

''SEC. 45D. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS AND SENIOR CENTERS.

''(a) GENERAL RULE.—For purposes of section 38, the computer donation credit determined under this section is an amount equal to 30 percent of the qualified computer contributions made by the taxpayer during the taxable year as determined after the application of section 170(e)(6)(A).

''(b) QUALIFIED COMPUTER CONTRIBUTION.—For purposes of this section, the term 'qualified computer contribution' has the meaning given the term 'qualified elementary or secondary educational contribution' by section 170(e)(6)(B), except that—

''(1) such term shall include the contribution of a computer (as defined in section 168(i)(2)(B)(ii)) only if computer software (as defined in section 197(e)(3)(B)) that serves as a computer operating system has been lawfully installed in such computer, and

''(2) notwithstanding clauses (i) and (iv) of section 170(e)(6)(B), such term shall include the contribution of computer technology or equipment to multipurpose senior centers (as defined in section 102(35) of the Older Americans Act of 1965 (42 U.S.C. 3002(35)) described in section 501(c)(3) and exempt from tax under section 501(a) to be used by individuals who have attained 60 years of age to improve job skills in computers.

''(c) INCREASED PERCENTAGE FOR CONTRIBUTIONS TO ENTITIES IN EMPOWERMENT ZONES, ENTERPRISE COMMUNITIES, AND INDIAN RESERVATIONS.—In the case of a qualified computer contribution to an entity located in an empowerment zone or enterprise community designated under section 1391 or an Indian reservation (as defined in section 168(j)(6)), subsection (a) shall be applied by substituting '50 percent' for '30 percent'.

''(d) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of paragraphs (1) and (2) of section 41(f) shall apply.

''(e) TERMINATION.—This section shall not apply to taxable years beginning on or after the date which is 3 years after the date of the enactment of the [New Millennium Classrooms Act].''

(b) CURRENT YEAR BUSINESS CREDIT CALCULATION.—Section 38(b) (relating to current year business credit) is amended by striking ''plus'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting '', plus'', and by adding at the end the following:

''(13) the computer donation credit determined under section 45D(a).''

(c) DISALLOWANCE OF DEDUCTION BY AMOUNT OF CREDIT.—Section 280C (relating to certain expenses for which credits are allowable) is amended by adding at the end the following:

''(d) CREDIT FOR COMPUTER DONATIONS.—No deduction shall be allowed for that portion of the qualified computer contributions (as defined in section 45D(b)) made during the taxable year that is equal to the amount of credit determined for the taxable year under section 45D(a). In the case of a corporation which is a member of a controlled group of corporations (within the meaning of section 52(a)) or a trade or business which is treated as being under common control with other trades or businesses (within the meaning of section 52(b)), this subsection shall be applied under rules prescribed by the Secretary similar to the rules applicable under subsections (a) and (b) of section 52.''

(d) LIMITATION ON CARRYBACK.—Subsection (d) of section 39 (relating to carryback and carryforward of unused credits) is amended by adding at the end the following:

''(9) NO CARRYBACK OF COMPUTER DONATION CREDIT BEFORE EFFECTIVE DATE.—No amount of unused business credit available under section 45D may be carried back to a taxable year beginning on or before the date of the enactment of this paragraph.''

(e) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 45C the following:

''Sec. 45D. Credit for computer donations to schools and senior centers.''

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after the date of the enactment of this Act.

Mr. REID. Mr. President, before the Senator from Michigan begins the debate, I ask unanimous consent to add Senators DASCHLE, REID, SCHUMER, INOUYE, WYDEN, DURBIN, JOHN KERRY, DORGAN, BOXER, and TORRICELLI. We appreciate the work of the Senator from Michigan but also the work product of the Democrats who have been involved in this.

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

Mr. ABRAHAM. Mr. President, I comment to my colleague from Nevada, I appreciate the interest and support and efforts of all the Members he mentioned and those who previously were supporters of this legislation when it was introduced as a free-standing bill. I hope very much to ultimately succeed in bringing this legislation to final successful completion.

First, prior to a discussion on the amendment, I express my strong support for the Affordable Education Act and compliment Senator COVERDELL for his hard work on this effort. At a time when the new high-tech economy demands greater skills from our workers, our educational system is failing in its duty to provide enough of these skills.

At a time when the Department of Labor figures project our economy will produce more than 1.3 million information technology jobs over the next 10 years, our universities will produce, at least at the current pace, less than one-quarter of that number of graduates in related fields.

At a time when we enjoy a critical competitive edge in high tech, we are not giving our own children the skills they need to succeed in the high-tech economy, at least not, in my judgment, at an adequate level. We need to address that, and this amendment, in a small way, attempts to do so.

One crucial problem concerns the skyrocketing cost of education. According to the College Board, the average annual cost for tuition, room, and board at a public university is now $7,472. At a private college, it is a whopping $19,213 per year.

If costs continue rising as they have been, a 4-year college education will cost $75,000 at a public university and $250,000 at a private college by the time the average newborn begins attending in the year 2016.

The Affordable Education Act addresses this problem through practical, pragmatic reforms. I will not detail all of those at this time. Obviously, the proponents of the legislation have been doing an excellent job of outlining what this bill accomplishes.

I firmly believe the continuing growth and prosperity in America depends on continuing affordability of higher education. It is my firm belief we must do more, particularly in the area of closing what is regularly referenced as the digital divide between the digital haves and the digital have-nots.

The amendment I have offered is the full text of my New Millennium Classrooms Act, legislation I have been pursuing for some time in this body. In addition to the cosponsors who were just added, our bill, S. 542, includes the support of Senators WYDEN, COVERDELL, DASCHLE, HATCH, HARKIN, MCCONNELL, HOLLINGS, BURNS, BOXER, HELMS, BINGAMAN, KERREY, BENNETT, LIEBERMAN, and ASHCROFT, just to name a few of its Senate sponsors. I ask unanimous consent the entire list of cosponsors be printed in the RECORD.

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

COSPONSORS (30)

Senators: Allard, Ashcroft, Bennett, Bingaman, Bond, Boxer, Burns, Campbell, Cochran, Collins, Coverdell, Crapo, Daschle, Gorton, Grams, Hagel, Harkin, Hatch, Helms, Hollings, Hutchison, Jeffords, Johnson, Kerrey, Lieberman, McConnell, Santorum, Smith of Oregon, Warner, Wyden.

Mr. ABRAHAM. Mr. President, on July 29 of last year, the Senate unanimously adopted this amendment to the tax reduction bill. I urge the Senate to do so again today.

This amendment aims to address our shortage of skilled high-tech workers by addressing the shortage of computers and computer training in our schools.

Advanced technology has fueled unprecedented economic growth and transformed the way Americans do business and communicate with each other.

Despite these gains, however, this same technology is just beginning to have an impact on our classrooms and how we educate our children. Thirty-two percent of our public schools have only one classroom with access to the Internet.

It is imperative that we act now to provide our Nation's students with the training they need to succeed in tomorrow's high-tech workplace.

The Department of Education recommends there be at least one computer for every five students. According to the Education Testing Service, in 1997 there was only one computer for every 24 students on average. Not only are our classrooms sadly under-equipped, but the equipment they have is often obsolete, often incapable, for example, of accessing the Internet.

One of the more common computers in our schools today is the Apple IIc, a computer so archaic that it is now on display at the Smithsonian.

While this technological deficiency affects all of our schools, the students who are in the most need are receiving the least amount of computer instruction and exposure. According to the Secretary of Education, 75.9 percent of households with an annual income over $75,000 have computers, compared to only 11 percent of households with incomes under $10,000.

This disparity exists when comparing households with the Internet access as well. While 42 percent of families with annual incomes over $75,000 have online capability, only 10 percent of families with incomes of $25,000 or less have the same capability.

Rural areas and inner cities fall below the national average for households that have computers. Nationwide, 40.8 percent of white households have computers, while only 19 percent of African American and Hispanic households do. This disparity, unfortunately, is increasing, not decreasing. This unfortunate trend is not confined simply to individual households; it is present in our schools as well.

The Educational Testing Service statistics show schools with 81 percent or more economically disadvantaged students have only one multimedia computer for every 32 students, while a school with 20 percent or fewer economically disadvantaged students will have a multimedia computer for every 22 students.

That is a difference of 10 students per computer. Furthermore, schools with 90 percent or more minority students have only one multimedia computer for every 30 students. This is simply unacceptable.

It points up the importance of securing additional computers for use in our schools. Our schools should be great educational equalizers, providing resources and training to everyone, regardless of their race, class, or rural or urban location so all of our kids can succeed.

To achieve this end, our amendment expands the parameters of the existing tax deduction for computer deductions. It will also add a tax credit.

Specifically, it will do the following: First, it will allow a tax credit equal to 30 percent of the fair market value of the donated computer equipment. An increased tax credit provides a greater incentive for companies to donate computer technology and equipment to schools. This includes computers, peripheral equipment, software, and fiber optic cable related to computer use.

Second, it will expand the current age limit on donated computers to include equipment 3 years old or less. Many companies do not update their equipment within the existing 2-year period that currently is required for qualification for the existing tax deductions.

Yet 3-year-old computers equipped with Pentium-based or equivalent chips have the processing power, memory, and graphics capabilities to provide sufficient Internet and multimedia access and run any necessary software.

Third, the current limitation on original use will be expanded to include original equipment manufacturers or any corporation that reacquires the equipment. By expanding the number of donors eligible for the tax credit, the number of computers available will increase as well.

Lastly, it would implement enhanced tax credits equal to 50 percent of the fair market value of equipment donated to schools located within designated empowerment zones, enterprise communities, and Indian reservations.

Doubling the amount of the tax credits for donations made to schools in economically distressed areas will increase the availability of computers to the children who need it most.

Bringing our classrooms into the 21st century will require a major national investment.

According to a Rand Institute study, it will cost $15 billion, or $300 per student, to provide American schools with the technology needed to educate our young people; the primary cost being the purchase and installation of computer equipment.

At a time when the Government is planning to spend $2.25 billion to wire schools and libraries to the Internet, the demand for this sophisticated hardware will be even greater.

Meanwhile, the Detwiler Foundation estimates that if just 10 percent of the computers that are taken out of service each year were donated to schools, the national ratio of students-to-computers would be brought to 5 to 1 or less. This would meet, or even exceed, the ratio recommended by the Department of Education.

This amendment will provide powerful tax incentives for American businesses to donate top quality high-tech equipment to our Nation's classrooms. And it will do so without unduly increasing Federal Government expenditures or creating yet another Federal program or department.

Encouraging private investment and involvement, this act will keep control where it belongs—with the teachers, the parents, and the students.

At the same time, all our children will have an equal chance at succeeding in the new technological millennium.

In my mind, these are laudable goals, goals we must attain if we are going to provide the kind of future our children deserve.

In closing, I am hopeful our colleagues will uniformly join in support of this legislation. It seems to me, as I travel around my State and go into classrooms, there are a lot of places in Michigan—and I suspect in all the other States—where just a little bit more equipment would allow for more students to get the kind of high-tech training they need.

How do we match up a situation where, literally across this country, we have schools that do not have enough computer equipment, and we have countless businesses and enterprises that have used equipment they don't know what to do with? Can't we find a way? In my judgment, this legislation is the way.

If we pass this legislation, I think we will provide a major incentive to merge the used surplus computers that exist in the private sector with the needs of our schools. In doing so, we will provide more students with access to the technology they need to have in order to be able to pursue the jobs of the new century.

I offer this amendment for my colleagues' consideration. I appreciate the attention of the Chamber.

I yield the floor.

Mr. WYDEN. I am pleased to join today with my colleague from Michigan, Senator ABRAHAM, to offer the New Millennium Classrooms Act as an amendment to the Education Savings Account legislation. This is an issue on which he and I have worked for several years now.

The New Millennium Classrooms Act is about digital recycling. It gives companies an incentive to recycle technology. It says the computer Bill Gates may see as a dinosaur, is really a dynamic new opportunity for a student who has none.

The E-Rate program, authored by Senators ROCKEFELLER and SNOWE, has been an enormous success, helping to wire almost all of the nation's schools and a good portion of the nation's classrooms. What schools need now is good equipment. That's the purpose of this amendment.

We know that very early in this new Century 60% of all jobs will require high-tech computer skills. To prepare our children for the jobs of the future, they not only must have access to technology, but they must be trained to use it as well.

The purpose of our amendment is to build more bridges between the technology ''haves'' and the ''have nots;'' to build more on-ramps to the information superhighway. You can't get 21st Century classrooms, using Flintstones technology.

Technology is not cheap and school budgets are limited, making it tough for schools to upgrade their systems by themselves. The point of our amendment is to enhance existing incentives to businesses to donate computer equipment to schools.

There is a federal program in place, the 21st Century Classroom Act of 1997, but its use has been limited. It allows businesses to take a tax deduction for certain computer equipment donations to K–12 schools. But most businesses take longer to upgrade their computers than allowed for under the law.

The New Millennium Classrooms Act would make this law work the way it was intended. First, our legislation would increase the age limit from two to three years for donated equipment eligible for a tax credit. This more realistically tracks the time line businesses follow for their computer upgrades. It will cover hardware that possesses the necessary memory capacity and graphics capability to support Internet and multimedia applications.

Second, our bill expands the current limitation of ''original use'' to include both original equipment manufacturers and any corporation that reacquires their equipment. We believe that by expanding the number of donors eligible for the credit, we will expand the number of computers donated to schools.

Third, our bill provides for a 30% tax credit of the fair market value for school computer donations, and a 50% credit for donations to schools located in empowerment zones, enterprise communities and Indian reservations. The Department of Commerce report highlights the need to encourage computer donation in these notoriously underserved communities and we want to target donations toward these communities.

Finally, our bill requires an operating system to be included on a donated computer's hard drive in order to qualify for the tax credit. This will ensure students don't get empty computer shells, but the brains that drive the computers.

Our legislation is supported by a wide range of business and education groups. Leaders of technology associations, like the Information Technology Industry Council and TechNet, and the National Association of Manufacturers have joined education associations, such as the National Association of Secondary School Principals and the National Association of State University and Land Grant Colleges, in support of the amendment.

The Digital Millennium Classrooms Act promotes digital recycling. It will encourage companies to put their used computers into classrooms instead of into landfills. It will help build a safety net under students trying to cross the digital divide. I urge my colleagues to support this amendment, and again wish to commend Senator ABRAHAM for his leadership on this legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ABRAHAM. 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. ABRAHAM. I ask unanimous consent to add Senator HAGEL as a cosponsor to my amendment.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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, I commend the Senator from Michigan for his amendment and his work on the New Millennium Classrooms Act. I joined him several months ago at a press conference where he announced his intentions. I think it is among the

more well-intended, helpful measures to deal with the reform and change we are all seeking in education across America.

There is a real need to bring more computers into our classrooms which is, of course, what the amendment is designed to do.

Sixty percent of all jobs will require high-tech computer skills. Yet 32 percent of our public schools have only one classroom with access to the Internet. It is almost an incongruity, when you read every day about what is happening on the Internet and where we have gotten in terms of access. It really does point to the digital divide we all speak of these days.

The change is occurring so quickly, and the large public educational system is not accustomed to it. In fact, many of us are not accustomed to it. But legislation such as that offered by the Senator from Michigan accelerates the ability of public education to stay up with high tech.

The Department of Education recommends that there be at least one computer for every five students. Yet according to the Educational Testing Service, on average, there is only one multimedia computer for every 24 students.

Since the passage of the 21st Century Classrooms Act of 1997, there has not been a significant increase in computer donations due to restrictions on the age of the donated equipment and the limitations on donor qualifications.

According to the Detwiler Foundation, a California-based nonprofit organization dedicated to providing schools nationwide with quality computers donated by individuals and industry, there are very few Pentium computers donated to schools through their organization. This number has not increased since the passage of the 21st Century Classrooms Act of 1997. Of those computers donated, even fewer qualified for the deduction because of the restrictions.

According to the Detwiler Foundation, if even just 10 percent of retired computers each year were donated to schools, we would easily achieve the Department of Education's recommendation of only five students for every one computer. The current deduction is not enough to offset the costs of the donation.

Without the addition of the tax credit, the high costs associated with the transport and installation of the computer equipment cancel out the current tax benefit.

The new millennium classrooms amendment addresses these restrictions without unduly increasing Federal Government expenditures or creating yet another Federal program or department. It encourages private investment and involvement and keeps control with the teachers, the parents, and the students. At a time when the Government is planning to spend $1.2 billion to wire schools and libraries to the Internet, the demand for this sophisticated equipment and technology will be greater than ever.

This amendment increases the age limit for eligible computers from 2 to 3 years; will allow computer manufacturers to donate equipment returned to them through trade-in and leasing programs; allows a 30-percent tax credit for qualified computer donations; allows a 50-percent tax credit for qualified computer donations to schools located within empowerment zones, enterprise communities and Indian reservations; requires that the donated computer must include an operating system.

Increasing the amount of the tax credits for donations made to schools in economically distressed areas will increase the availability of computers to the children who need it most. Educational Testing Service statistics show that schools with 81 percent or more economically disadvantaged students have only one multimedia computer for every 32 students, while a school with 20 percent or fewer economically disadvantaged students will have a multimedia computer for every 22 students. Again, the divide is a most dangerous thing for us to contemplate in education in America.

Public schools with a high minority enrollment had a smaller percentage of instructional rooms with Internet access than public schools with a low minority enrollment.

This bill is not another targeted tax break. Broad-based tax relief and reform efforts should work to lower tax rates across the board while continuing to retain and improve upon the core tax incentives for education, home ownership, and charitable contributions. The new millennium classrooms amendment expands the parameters and, thus, the effectiveness of an already existing education and charity tax incentive, one which will effectively bring top-of-the-line technology into all of our schools.

The 21st Century Classrooms Act tax deduction expires this year. It is imperative we act now to ensure that all our children have access to quality computer technology.

Again, I commend the Senator from Michigan and his cosponsors. This is, indeed, a most appropriate piece of legislation that will do great good in our education system.

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

Mr. REID. Mr. President, if the Senator will withhold that for a second, we have two Senators who are on their way to speak. The minority leader is on his way to speak on this issue, and Senator WYDEN, who is a cosponsor of the amendment, is in the House and is also on his way back. They should both be here momentarily.

Mr. COVERDELL. Mr. President, my estimate is that maybe in the next 15 minutes or so——

Mr. REID. I think it would probably be closer to 11:30 because both have prepared remarks.

Mr. COVERDELL. I know Senators are trying to plan their day. It is useful to clarify, even though we are not absolutely certain. The Senator thinks their statements are such that the next vote might occur at or about 11:30?

Mr. REID. I think that is probably when it will be.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DASCHLE. Mr. President, I rise in support of this amendment and applaud the authors. I am very hopeful that we can get good bipartisan support for this legislation, in large measure because it is exactly what we need to be doing right now, if, indeed, we are serious when we say we want more technology in schools.

I can't think of a better way to encourage more technology in schools than to ensure that companies are able to use the incentives that are there to maximize the opportunities for schools to acquire the kinds of hardware and software they need to fully equip every school across the country.

As I travel throughout South Dakota, it is with great pride that superintendents and principals will show me their computer room. They will show me how computer literate their students are. They show me how integrated technology is now becoming in schools. But the one consistent lament they have is that they just don't have the resources to ensure that they can acquire the equipment or, in a timely way, replace that equipment, knowing it is going to be outdated in 3 years, knowing they are going to be faced with the same budgetary decisions once again in a very short period of time. There is a longer life for acquiring sports equipment, books, desks, or almost anything else related to schools. The timeframe within which the technology becomes outdated, as we all know, is extremely short.

So this amendment is simply designed to acknowledge that fact—to acknowledge the fact that schools desperately need this technology and all of the equipment associated with it. They need to have the assurance that once they have acquired this technology, they are going to continue to get it in the future. This relatively minor tax incentive, from the perspective of a budgetary impact, will have profound consequences with respect to its effect on companies and the incentive it will create, and with its effect on what can happen in schools if we pass it.

Mr. President, I applaud Senators WYDEN, BAUCUS, ABRAHAM, and others for their effort to make this issue the prominent one it is with this debate on

how we might improve our educational opportunities. As I say, I think that as we look at the next 10 or 20 years, one of the biggest challenges schools are going to face—whether they are rural or urban, private or public—will be the insurmountable task of technology acquisition. I do hope they can overcome the fiscal challenges they all face. Whether or not they do, in part, will be dependent upon whether or not something as simple as this can be passed, creating an incentive that will ultimately provide companies with more reasons to support schools in their effort to acquire technology.

That is what this amendment is all about. It deserves our support. I am sure it will have our support, and I am sure it may not be the last word on what it is we need to do with regard to technology acquisition. But it is a good beginning. I applaud my colleagues—especially Senators WYDEN and BAUCUS—for all their efforts in bringing it to this point. I urge its passage.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. 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, I ask unanimous consent that the vote in relation to the Abraham amendment and with respect to the Bingaman accountability amendment be postponed to occur at 1 p.m. today. I further ask that no second-degree amendments be in order to either amendment prior to the votes and the time between now and 1 p.m. be equally divided for debate of both amendments.

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

Mr. COVERDELL. Many Senators thought we would be voting at about 11, so they need to pay particular attention to this change.

I thank the Chair.

Mr. BINGAMAN. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER (Mr. HUTCHINSON). There is an order for the Senator's amendment and the amendment of the Senator from Michigan to be debated concurrently, with a vote to occur at 1 o'clock.

AMENDMENT NO. 2863

(Purpose: To ensure accountability in programs for disadvantaged children and provide funds to turn around failing schools)

Mr. BINGAMAN. 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 New Mexico [Mr. BINGAMAN] proposes an amendment numbered 2863.

Mr. BINGAMAN. 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:

Strike section 101 and insert the following:

"SEC. 101 FUNDS FOR ACCOUNTABILITY AND SCHOOL IMPROVEMENT.

''(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $275,000,000 for fiscal year 2001 and such sums as may be necessary for each of the succeeding fiscal years.

''(b) NATIONAL ACTIVITIES.—From the amount appropriated for any fiscal year under subsection (a), the Secretary of Education ('the Secretary') may reserve not more than 3 percent to conduct evaluations and studies, collect data, and carry out other activities relevant to sections 1116 and 1117 of the Elementary and Secondary Education Act of 1965 (hereafter in this section referred to as ''the ESEA'').

''(c) ALLOCATIONS TO STATES.—The Secretary shall allocate the amount appropriated for any fiscal year under subsection (a) and not reserved under subsection (b) among the States in the same proportion in which funds are allocated among the States under part A of title I of the ESEA.

''(d) STATE USE OF FUNDS.—(1) IN GENERAL.—Each State educational agency shall use funds received under subsection (c) to—

''(A) make allotments under paragraph (2); and

''(B) carry out its responsibilities under sections 1116 and 1117 of the ESEA, including establishing and supporting the State educational agency's statewide system of technical assistance and support for local educational agencies.

''(2) ALLOTMENTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—Each State educational agency shall allot at least 70 percent of the amount received under this section to local educational agencies in the State.

''(B) PRIORITIES.—In making allotments under this paragraph, the State educational agency shall—

''(i) give first priority to schools and local educational agencies with schools identified for corrective action under section 1116(c)(5) of the ESEA; and

''(ii) give second priority to schools and local educational agencies with other schools identified for school improvement under section 1116(c)(1) of the ESEA.

''(e) LOCAL USE OF FUNDS.—.

''(1) CORRECTIVE ACTION.—Each local educational agency receiving an allotment under subsection (d)(2)(B)(i) shall use the allotment to carry out effective corrective action in the schools identified for corrective action.

''(2) SCHOOL IMPROVEMENT.—Each local educational agency receiving an allotment under subsection (d)(2)(B)(ii) shall use the allotment to achieve substantial improvement in the performance of the schools identified for school improvement.''

Mr. BINGAMAN. Mr. President, I am introducing this amendment to strike the part of the bill that provides the tax savings because I think there is a better use for that amount of funding. I am proposing an alternative use for that funding that I urge my colleagues to seriously consider.

My amendment strikes the part of the bill that provides the average family with a very small tax savings, and there are various estimates as to what that savings would be. Essentially, as I understand it, the Joint Tax Committee says the average benefit per child in public school would be something like $3 in 2001 and $4.50 in 2002.

I think it is clear, regardless of the precise number, that these are not tax savings that are going to help any child in this country get a better education. So my thought is that rather than do that with the funds we are expending through this bill—or proposing to expend—we use the money to provide crucial funds to turn around the failing public schools.

Public schools are where over 90 percent of our children are educated. I grew up in Silver City, NM where, if you want to go to school, you go to public school. That is the way it has always been, to my knowledge. It is going to be that way for some time. We need to be sure the schools that are not adequately training young people and educating young people get the assistance, the resources, the oversight, and the accountability they need in order to move ahead and solve that problem.

Let me talk a little bit more about the bill that is presently pending and then talk about my own amendment. The Joint Tax Committee did this analysis of the Coverdell proposal and indicated that it would, in their view, disproportionately help families with children already in private schools. Eighty-three percent of families with children in private schools would use this account, but only 28 percent of families in public schools would make use of it.

Essentially, the proposal is a way of diverting funds that are otherwise public funds into the private schools, at a time when we all recognize that the public schools have inadequate funds to do the job we are calling upon them to do.

Also, the pending Coverdell bill we are trying to amend has no mechanisms in it to ensure accountability of the use of the funds we are talking about. The bill does nothing to improve teacher quality. It does nothing to provide safe and modern environments for learning. It does nothing to raise academic standards or to impose upon the public schools or bring them to more accountability in the expenditure of the funds.

I believe we need to use Federal funds on initiatives that make a difference in our public schools. That is what my amendment intended to do.

The relevant section of the Coverdell bill costs the public an average of $275 million a year for the next 5 years. That is the cost to the taxpayers. I believe we can use that $275 million each year to ensure that higher standards and accountability are implemented throughout our public schools. We have made some progress in implementing higher standards.

Most States have adopted or are in the process of adopting statewide standards. This is due in part to the fact that Federal law applicable to the program for disadvantaged students—that is title I—requires that standards be adopted. Although States have

adopted standards, many States and districts have not had sufficient funds to ensure the accountability for meeting those standards they have set or to provide adequate resources to the schools that are failing to meet the standards. I think dedicating specific funds to this purpose is necessary in order to create the rewards and the penalties that will allow schools to be held accountable for the improvement in student performance.

The Federal Government directs over $8 billion in Federal funds to provide support programs through title I. But the accountability provisions in title I have not been adequately implemented because they haven't had the resources to do it at the State level, primarily.

Title I authorizes State school support teams to provide support for schoolwide programs to provide assistance to schools that are in need of improvement through activities such as professional developments for the teachers in those schools, and identifying resources for changing the way the instruction is provided.

In 1998, only eight States requiring these school support teams have been able to serve the majority of the schools that they have been identified as needing improvement. Less than half the schools identified as being in the need of improvement in the school year of 1997–1998 reported that having been designated as a school needing improvement actually got some professional development to accomplish that improvement.

Schools and school districts need additional support and resources in order to address the weaknesses that we identify. They need that support and those resources quickly after those weaknesses are identified. They need to be able to promote an intensive range of interventions, continuously assess the results of those interventions, and to implement some incentives for improvement.

The National Governors' Association asked us to provide funds for the purpose this amendment tries to address.

I have a letter that came to me last October when this same issue came before us in the Senate. I offered an amendment at that time which was not successful but which I believe had merit then, and I believe it has merit now.

Let me make it very clear so there is no misunderstanding. At that time, I was not proposing to strike the tax proposal that Senator COVERDELL brought forward and substitute this in its stead. The Governors were not responding to that specific striking aspect of my amendment of today, but they were talking about the need to have additional funds to ensure accountability and to ensure the implementation of these higher standards by the schools that are failing.

The amendment I am offering would provide $275 million to help improve failing schools. The money would be used to ensure the States and school districts have the necessary resources to implement the corrective action provisions of title I by providing immediate, intensive interventions to turn around low-performing schools.

Let me read part of this letter so that folks know what the Governors are saying. It is a letter to me by Mr. Raymond Scheppach, who is the executive director of the National Governors' Association.

It says:

> On behalf of the Nation's Governors, I write to express our strong support for your amendment to provide States with additional funds to help turn around schools that are failing to provide quality education for title I students.

That is what we are trying to do today.

He says further:

> As you know, under current law, States are permitted to reserve one-half of one percent of their title I monies to administer the title I program and provide schools with additional assistance. However, this small set aside—this is one-half of one percent—does not provide the States with sufficient funds to improve the quality of title I schools. A recent study by the U.S. Department of Education noted the ''capacity of State school support teams to assist schools in need of improvement of title I is a major concern.'' The programs authorized to fund such improvement efforts have not been funded. As a result, States have been unable to provide such services.

Then he goes on to various other points but essentially says:

> Your amendment would provide such funding. Therefore, NGA supports your amendment and will urge other Senators to support the adoption of it.

Let me make it very clear to people again. This was a letter related to an amendment to direct funds at accountability in the expenditure of public funds and help these failing schools. It does not include the proposal I am making today as well to strike the Coverdell amendment and substitute this instead as a better use of that money.

But the types of interventions the States and school districts could provide under these funds are things which I think we would all recognize are needed.

First, purchasing necessary materials, up-to-date textbooks, curriculum, technology.

I think we all encounter circumstances where teachers, school administrators, and students tell us about how they have outdated textbooks and inadequate lab materials or whatever in order to really pursue their studies as they would like to.

These funds could be used for that. They could be used for providing intensive, ongoing teacher training.

That clearly is a need, and I think it is a recognized need in the teaching profession.

The people who talk to me about the importance of more teacher training are the teachers. So this is not an attack on our public school teachers. This is a recognition that we need to do more to help them constantly stay abreast of the new developments in teaching and do a better job.

Third, this would provide access to distance learning.

We have the amendment that was talked about just prior to the amendment I am discussing about technology in our schools. All of us recognize there is a great opportunity, particularly in rural communities, to make better use of teacher learning.

This past weekend, I was in some communities in my State where there are very small high schools. I was in Eunice, NM; I was in Jal, NM. Those are communities with very small high schools. Frankly, they are not able to offer all of the courses they would like to offer for their students. They have the opportunity through distance learning, through the Internet, through interactive television, and through a variety of technologies to provide courses to some of their students even though they may not have a teacher in that school who is qualified to teach that course. We need to be sure the funds are there to do that. This amendment would help provide those funds.

These funds must be used to extend learning time for students—afterschool programs, Saturday programs, and summer school—to help them catch up and perform at least at grade level and, hopefully, better than grade level.

These funds could be used to provide rewards to low-performing schools that show significant progress, including cash awards or other incentives such as, in particular, release time for teachers to prepare for the next school year or whatever.

Also, these funds could be used for intensive technical assistance from teams of experts outside the schools to help develop and implement school improvement plans in failing schools.

These teams would determine the causes of low performance—for example, low expectations, outdated curriculum, poorly trained teachers, and unsafe conditions. They would assist in implementing research-based models for improvement.

I am persuaded there are today research-based whole school reform programs that have been developed that can dramatically improve the performance of our elementary schools. I have become most familiar with one which is called Success for All. There are others that are also showing very good results.

This Success for All program was developed at Johns Hopkins University. Bob Slavin was the key researcher who worked on it. This is a proven early grade reading program. It also covers other subjects. The core subject which most schools have adopted and are focused on is the reading. This is a program which, if implemented properly, can ensure substantial results. We have 50 elementary schools in New Mexico that are presently using this Success for All program and the results are impressive. At the end of the first grade, Success for All schools have averaged

reading scores almost 3 months ahead of those in other control schools where that program has not been implemented.

This amendment will not address all the issues of our schools. I believe sincerely that it is a positive step forward. It will be a more meaningful step forward in improving the educational quality in America than this alternative of providing a $5 a year, or whatever the right number is, tax benefit to the average American.

Clearly, we all want to see our schools improved.

Senator REED is on the floor and wishes to speak for a moment on this and then I understand Senator ROTH has an amendment he wishes to offer.

I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Rhode Island, Mr. REED.

Mr. REED. Mr. President, first, I will speak with respect to Senator BINGAMAN's amendment. Let me commend the Senator for his efforts not only today but throughout his career in the Senate to ensure that accountability is a central part of Federal educational legislation.

Senator BINGAMAN, in 1994, was one of the leaders in this body with respect to the issue of accountability. At that time, I was serving in the other body. Together we worked at the conference on accountability provisions in the 1994 reauthorization of the Elementary and Secondary Education Act. As a result of the efforts of Senator BINGAMAN and others, we were able, for the first time, to begin to focus significant attention on the issue of accountability. In fact, the 1994 reauthorization, together with Goals 2000 legislation, accelerated and encouraged a movement throughout the States to develop standards. Practically every State in the country today has standards.

We now have the opportunity to begin measuring how well schools are doing. That is at the heart, I believe, of Senator BINGAMAN's approach today. We need not only to measure how well they are doing but then hold States and localities accountable for those results.

What has happened in the last several years is that the States have not had the resources to fully exploit the opportunities to measure schools against standards and then improve those schools. Half of the schools in the country that are problematic, according to State standards, have not been able to have access to teams of improvement; they have not had access to the support they need to make themselves better. In addition, they have not had access to the professional development which they need to enhance the capabilities of their teachers. All of these efforts together suggest the American people's money would be best spent by devoting time and attention to accountability.

Again, I think the approach that the Senator from New Mexico is taking is exactly on target. As we spend $8 billion a year on title I, we should insist that the States live up to their responsibility to use these funds wisely as measured by the performance of their students. The best way we can do that is to give them the resources and, again, the impetus to take stock of their schools and then to apply corrective measures, remedial measures.

They have not been able to do that. I don't believe it is because they don't want to do it; I believe it is because they have not been able to find the resources to carry out this mission. Senator BINGAMAN's amendment would give them access to these resources. It will give them access not in a restrictive way but in a very open-ended way so they can pick and choose the best device to use in their particular school to ensure that school performance improves. That, again, is why I believe we are all here.

We have a special obligation at the national level to assist, particularly, low-income schools. Regrettably and unfortunately, many of the low-performing schools are low-income schools. Therefore, this effort to help support States to identify low-performing schools and to bring them up to the standards of the State is entirely consistent with the purpose of Federal legislation, which is to assist low-income students to have access to the opportunities that more affluent students and their families take for granted.

I believe what the Senator is proposing is entirely consistent with what we should be about, but also it will go to the heart of leveraging all of our programs and all the State programs to ensure we accomplish the ultimate goal that lies before the Senate of ensuring that every child in this country has access to excellent public education.

Coincidentally, both Senator BINGAMAN and I and others today are beginning the markup in committee of the reauthorization of the Elementary and Secondary Education Act. We will be pursuing these issues within the context of that legislation. Today, when we have a bill in this Chamber that purports to be a way to assist education, elementary and secondary education, in the United States, we have to seize this opportunity to point out that the heart of our efforts has to be the reinforcement of what we have already begun years ago, which is to develop within the States the capacity to evaluate their schools based upon their standards and then to intervene successfully to fix these schools.

Before we go on to more attenuated means to help education in the United States—such as tax credits and other proposals—we have a primary responsibility and, today, an opportunity to do what we started to do in 1994 to give the States the resources, further incentives to evaluate their schools, identify the schools that are failing, to step in with their choice of intervention strategies, and to fix the schools in America.

There are over 8,000 schools in this country that are not meeting State standards. Those figures come from our Department of Education. What is preventing the States and the localities from stepping in right now? There might be a host of issues, but one thing we can do to accelerate that intervention is to support the Bingaman amendment, to give them resources and give them the clarion call to step in and fix the schools so we can declare—as I hope we can at the end of this debate and certainly I hope at the end of the debate on the Elementary and Secondary Education Act—that we are not only committed but we are on a path to ensure that every school in this country is providing every American child with the opportunity to succeed. Every public school in this country is doing that.

I commend the Senator and I thank him for yielding time to me. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I yield myself such time as I may consume off of the Abraham amendment debate time.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ROTH. Mr. President, I intend to offer a substitute amendment to S. 1134 later today. The underlying bill was reported out of the Finance Committee almost 1 year ago, in May 1999. My substitute amendment makes some important and necessary policy changes that were not done before—because of budget constraints 1 year ago. My amendment also updates the bill to account for the passage of time.

When the committee originally considered this education bill, we were operating under last year's budget scenario. Since that time, the surplus numbers have increased dramatically. In today's economic environment, I believe that it is appropriate to use the surplus to provide education tax incentives for American families. Through their hard work, the American people created these favorable economic conditions and the resulting budget surplus. They should be entitled to take some of that surplus back.

We should not have to raise taxes to offset these much needed education tax incentives. My amendment makes this legislation a true tax cut relief bill for education. With a growing Federal surplus created by their tax dollars, Americans should not be taxed again to pay for a national priority.

Accordingly, my substitute amendment strikes all of the revenue raisers in S. 1134. The cost of my amendment is but a small percentage of the projected budget surplus over the next 10 years.

Now let me explain some of the substantive changes that I make in the

substitute amendment. First, the underlying bill increases the maximum contribution amount for an Education IRA from $500 per year to $2,000 per year. The underlying bill also allows contributions to an Education IRA to be used for kindergarten through high school education expenses. These are both important and needed changes. But the underlying bill sunsets both of those benefits after the year 2003. That is not good policy. Accordingly, my bill removes the sunset—it makes permanent both the increase in the contribution limit and the flexibility in the use of the accounts.

Planning and saving for college should take place as early as possible. To help families make those important decisions, they need to know how much money they can put away and for what it can be used. Having provisions that sunset—and thus need to be renewed by Congress—takes away from that certainty. We need to make saving for college easier and more certain—not complex and uncertain.

I can easily see why a family would not want to take their hard earned savings and put them in a program where the terms could change in a few years. My amendment helps to solve that problem. We should not sunset our future—the education of our children.

Education IRAs are extremely important for a few reasons. First, they help families afford the escalating costs of higher education. The increase to $2,000 will make these accounts more attractive to families who want to use them and to institutions who want to offer them. Second, the existence of an education IRA gives an additional push to a student to attend college. Last month, the Senate Governmental Affairs Committee held a hearing on the rising cost of college tuition. One of the witnesses was Dr. Caroline M. Hoxby, an associate professor of economics at Harvard University.

Commenting on the behavioral incentives of an Education IRA, Dr. Hoxby noted that for an eighth grader, there is something different about knowing that there is money being put away for your college education and that you will lose it and the opportunity to go to college if you do not continue to do well. It makes sense that a child who is aware that there is a fund being built up for his or her future education would think longer and harder about going to college.

My amendment also fixes a trap for the unwary. Under current law, a student who takes a distribution from an Education IRA is not able to use the HOPE or Lifetime Learning Credit—even if different education expenses are allocated for the different tax benefits. Again, this is not right. We are providing these education tax incentives to families because they need them. We should not hold them out there—making people believe that they are available—and then take them away. Because of revenue constraints, the original Finance Committee bill fixed this coordination only for a few years. My amendment makes the coordination permanent, and makes sure that families continue to receive the full benefits from all these tax benefits.

My amendment also makes the tax-free treatment of employer-provided educational assistance permanent. In last year's Extenders bill, Congress extended the current tax-free treatment for a few years. That was the right move, but it did not go far enough. First, something as important and necessary as continuing education should not be wrapped up in the uncertainty of extenders legislation. Workers and companies need to plan ahead, and they need to know how these educational expenses will be treated under the Tax Code. Second, we should reinstitute the exclusion for graduate education expenses. Especially in today's dynamic economy—which is marked by high technology and innovation—it is important that workers have access to graduate education. My amendment recognizes that fact, and so it makes permanent tax-free treatment of employer-provided educational assistance for both undergraduate and graduate level courses.

Finally, my amendment updates the Finance Committee bill by changing the effective dates of the provisions. They would all be effective beginning in the year 2001. I should also note that my amendment takes into account the Senate's adoption of the Collins amendment yesterday—and so will include that amendment as well as any others that have been adopted.

Why are the permanent provisions in my amendment so important? Some Senators have tried to rationalize their opposition to this bill by claiming that it would not do enough to advance education. My amendment guarantees that this is simply not true.

My amendment would allow parents to contribute up to $2,000 annually toward their child's education—from the day of birth to the first day of college.

That is just $5.48 a day or $38.46 a week. That may not seem like a lot but, like a train, it may start slowly but it is very powerful. It will gain speed. It is a savings express to college.

By putting their child on the savings express, after 18 years when that child is ready to go to college, the parents will have $65,200, and that just assumes a 6 percent rate of interest—the rate on a Government security. Of course, other investments could yield even more, but a U.S. Government security is the safest in the world.

So parents would have at least $65,200 toward their child's education. $29,000 of that would be solely due to the power of compounding interest. And every cent of that $29,000 would be tax-free—it would go straight into education.

Maybe that still does not seem like a lot to some folks, but it sure seems like a lot to parents who are struggling today to insure college for their children tomorrow.

The average annual cost of college—tuition, room, and fees—in 1997–1998, was $9,536. At the University of Delaware, it is $9,984 for this school year. So the national average total cost is roughly $10,000 per year or $40,000 for the cost of a college education.

My amendment before us today will cover this. It will give parents and students peace of mind.

My amendment is a powerful incentive to save. It is an engine. It is the engine that can pull a long train of savings—and dreams.

Like the Little Engine that Could, my amendment makes this legislation the Education Savings Plan that Will. Parents and children getting on this savings train, will get off at college to a better future.

I am amazed that some people are trying to overlook the train and just see the caboose. I promise you the American people are not. America has waited for this college savings plan for 3 years. This legislation brings it home today. It is time the President got on board.

The measures in this bill are an important step forward. My amendment will not only take us another step forward but keep us on a permanent track to prosperity.

I urge my colleagues to join in a bipartisan effort to make education affordable for American families.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAMS). Who yields time? The Senator from Georgia.

Mr. COVERDELL. Mr. President, how much time remains on each side?

The PRESIDING OFFICER. The majority has 46 minutes; the minority has 33 minutes remaining.

Mr. COVERDELL. Mr. President, I want to speak briefly to the Bingaman amendment.

First, I associate myself with the remarks of the Senator from Delaware. The Senator talked about the train that could and the train that will, but it will not if we adopt the Bingaman amendment because the Bingaman amendment neuters, makes moot, the education IRA, the education savings account. He takes the funding that is in the bill that is before us and shifts it to the Department of Education. It may be a rational goal or not; that can be debated. The bottom line is that everything Senator ROTH of Delaware has just spoken to would be moot. All the advantages, the accumulation of funds that will allow families to more effectively deal with college costs or educational costs in general will disappear, end, be over, no train.

This is about the third attempt from the other side to bring ''an apple pie goal'' and use it as a tactic to defund educational savings accounts.

With regard to the Bingaman amendment and its issues of accountability, of course those are rightfully being discussed in the Elementary and Secondary Education Act which is in committee. It is being jump-started in a

very confrontational way in that the very essence of everything we have been talking about for the better part of 2 weeks would be moot if we allowed the funding that allows the creation of family education savings accounts to be shifted over to the Department of Education and all that bureaucratic morass in the name of a good goal.

Certainly, accountability is something for which we all strive. I do think we ought to remember that accountability in schools is primarily the responsibility of the State governments. Currently, of all the education funds available in America, some 13 percent are now provided by the Federal Government.

What is interesting is about 50 to 60 percent of the administrative overhead and regulations and those things that bog down principals and superintendents and teachers is a Federal mandate. We send off a check for 13 percent, but we demand about a 50-percent overhead on what all those local schools have to do.

We will be voting a little bit later on the Robb amendment which, of course, does the same thing. It creates a national school construction program, and if my colleagues read through the amendment, they will see it is going to take a building of lawyers to understand all the requirements and mandates.

I wanted to make the point that on the Bingaman amendment and, for that matter, the Robb amendment, both have the effect of defunding and making impossible the creation of the education savings account.

I will take a few more minutes to remind everybody that by Government predictions and estimates, the education savings account we are proposing will affect 14 million American families who are educating 20 million children. Because they are setting up this education savings account, they will invest—these are the American families—$12 billion over the next 10 years to be used to help their children for educational purposes.

So every time we confront one of these amendments that removes the funding to establish the education savings account, we are not only throwing the idea away, but we are throwing away $12 billion of volunteered money that would come from these 14 million families for their children. It will be one of the largest infusions of resources we have seen in public-private education in many years, and the Federal Government is not having to raise taxes to do it. They are not having to appropriate money to do it. We are simply saying we will allow the interest that will build up in these education savings accounts not to be taxed.

Over a 10-year period, it is a reasonably small number of tax revenue that is forfeited, and it makes the American public do massive things. Imagine saving $12 billion for the aid of kids who are trying to get through school and college.

I wanted to make it clear that these amendments, under these ''apple pie'' titles have the effect of closing down the idea that we will be opening an education savings account.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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, I ask unanimous consent that the period of time that is consumed in the quorum call be equally divided.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. COVERDELL. Mr. President, I ask unanimous consent that the pending consent agreement be amended to include a vote in relation to the Graham amendment and, therefore, those three votes be postponed to occur at 2 p.m. today. I further ask unanimous consent that no second-degree amendments be in order to either of the three amendments prior to the votes and the time between now and 2 p.m. be equally divided for debate of all three amendments.

The PRESIDING OFFICER (Mr. BURNS). Is there objection?

Mr. REID. Mr. President, reserving the right to object, it is my understanding the next 2 hours, then, are evenly divided between the minority and majority.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COVERDELL. Therefore, Mr. President, the next votes will occur at 2. The Senate was advised that it would be at 1 and there would be two votes. So the change is that we are able to work another amendment in, and we will have 3 votes at 2.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 2864

(Purpose: To provide funds to assist high-poverty school districts in meeting their teaching needs)

Mr. GRAHAM. Mr. President, I will be offering an amendment which is entitled Transition to Teaching. This amendment came to my attention as a result of a series of personal experiences.

One set of those experiences related to the military and specifically the U.S. Navy in Pensacola. Several years ago, facing the downsizing of the military and aware that there were going to be a lot of people with talents, particularly in areas such as science and mathematics, who would be looking for a second career, the U.S. Navy in Pensacola, the State university in Pensacola, and the University of West Florida formed a partnership. That partnership was to provide training for naval personnel who were within a few months or years of their retirement date so that when they did reach retirement, they would be prepared to go into the classrooms of America with full certification and commence a second career educating the next generation of young Americans.

This has been a very successful program. It has assisted scores of schools in my State and many more across the country. This program has been generally referred to as the Troops to Teachers Program.

Last August, I did one of my monthly workdays at North Marion High School north of Ocala, FL. There I met a man by the name of Bill Aradine. Bill teaches automobile mechanics at North Marion. North Marion, as do many schools in America, every year faces a major challenge in how to recruit enough young new teachers to fill the ranks.

We are facing, in the next decade, something on the order of 2 million American teachers who are going to retire. These are teachers who largely came to the classroom in the 1950s and 1960s, are now reaching their retirement period, and are going to create tremendous demands for new teachers to fill those ranks. Bill Aradine filled one of those positions at North Marion High School.

What is peculiar about Bill is not just the fact that he is considered to be an outstanding teacher who motivates his students and has prepared students for very good paying jobs upon their graduation from his automobile mechanics program, but what is most peculiar about Bill is the fact that he is a man who already had a career. The career was that, at first, he was an automobile mechanic and then the lead mechanic of one of the large automobile dealerships in Marion County, FL. So when he came to the classroom, he was a fully mature adult with a lot of experience in the area he was going to teach, credibility with the students, and the ability to be beyond a teacher, a mentor, a counselor, and the bridge from the classroom to employment for his students.

Now, Bill made that transition to the classroom out of his own grit, his interest in being able to share with young Floridians what he had learned in a lifetime of automobile mechanics. But Bill, unfortunately, is a rarer commodity than he should be. We ought to be encouraging more people at midcareer to consider the classroom as their second career. We ought to be facilitating their ability, as the Navy and the University of West Florida did, to get certified so they can move

seemlessly into the classroom. We ought to recognize the fact that a student at 40 is different than a student at 18, in terms of their class schedule and their other responsibilities, both family and economic; and we ought to try to make it easier for those Americans to be able to pursue their desire at a second career in the classroom.

That is what the transition to teaching legislation intends to do. It focuses on two of the principal inhibitors to persons pursuing a second career in education. The first of those occurs at the universities. The universities are very well prepared to train people who are right out of high school, who don't have many family or economic responsibilities, and who, at the age of 22 or 23, will go into the classroom. They are not so well prepared to deal with the student who is in their forties, who has all these responsibilities and has to have a greater degree of flexibility in their schedule. As the University of West Florida found, they had to redo their curriculum in order to be able to respond to the needs of the Navy personnel. I suggest the same thing is going to be required if we are going to move the Bill Aradines from a rare exception to a significant stream of persons coming into the classroom as a second career. So the first part of our transition to teaching is focused on the universities to provide them some stimulation and resources to commence the process of restructuring their curriculum so they can be responsive to the needs of the middle-age second career student. Second is to provide stipends to these students while they are undergoing this process of change, recognizing that they have other responsibilities, typically, in terms of supporting their families and the other obligations that an adult would typically have.

So those are the two targets of this legislation in order to facilitate more Americans being able to consider a second career in education and to be able to contribute to that 2 million new teachers that America is going to need in the next 10 years in order to meet the tremendous demands that will be caused by the impending retirements of many hundreds of thousands of current teachers.

I will offer, for purposes of consideration as an amendment to the legislation that is pending before us, an amendment on which I have been joined by Senators BINGAMAN and ROBB, entitled ''Transition to Teaching.'' I will urge its consideration and vote at the scheduled time of 2 o'clock.

Mr. GRAHAM. Mr. President, I now send my amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself, Mr. ROBB and Mr. BINGAMAN, proposes an amendment numbered 2864.

Mr. GRAHAM. 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 appropriate place, add the following:

TITLE —TRANSITION TO TEACHING

SEC. 1. SHORT TITLE.

This title may be cited as the ''Transition to Teaching Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) School districts will need to hire more than 2,000,000 teachers in the next decade. The need for teachers in the areas of mathematics, science, foreign languages, special education, and bilingual education, and for those able to teach in high-poverty school districts will be particularly high. To meet this need, talented Americans of all ages should be recruited to become successful, qualified teachers.

(2) Nearly 28 percent of teachers of academic subjects have neither an undergraduate major nor minor in their main assignment fields. This problem is more acute in high-poverty schools, where the out-of-field percentage is 39 percent.

(3) The Third International Math and Science Study (TIMSS) ranked United States high school seniors last among 16 countries in physics and next to last in mathematics. It is also evident, mainly from the TIMSS data, that based on academic scores, a stronger emphasis needs to be placed on the academic preparation of our children in mathematics and science.

(4) One-fourth of high-poverty schools find it very difficult to fill bilingual teaching positions, and nearly half of public school teachers have students in their classrooms for whom English is a second language.

(5) Many career-changing professionals with strong content-area skills are interested in a teaching career, but need assistance in getting the appropriate pedagogical training and classroom experience.

(6) The Troops to Teachers model has been highly successful in linking high-quality teachers to teach in high-poverty districts.

SEC. 3. PURPOSE.

The purpose of this title is to address the need of high-poverty school districts for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, needed by those school districts, by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

SEC. 4. PROGRAM AUTHORIZED.

(a) AUTHORITY.—The Secretary is authorized to use funds appropriated under subsection (b) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this title.

(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this title, there are authorized to be appropriated $25,000,000 for each of fiscal years 2001 through 2006.

SEC. 5. APPLICATION.

Each applicant that desires an award under section 4(a) shall submit an application to the Secretary containing such information as the Secretary requires, including—

(1) a description of the target group of career-changing professionals upon which the applicant will focus in carrying out its program under this title, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this title;

(2) a description of how the applicant will identify and recruit program participants;

(3) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

(4) a description of how the applicant will ensure that program participants are placed and teach in high-poverty local educational agencies;

(5) a description of the teacher induction services (which may be provided through existing induction programs) the program participants will receive throughout at least their first year of teaching;

(6) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, and support program participants under this title, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

(7) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

(A) the program's goals and objectives;

(B) the performance indicators the applicant will use to measure the program's progress; and

(C) the outcome measures that will be used to determine the program's effectiveness; and

(8) an assurance that the applicant will provide to the Secretary such information as the Secretary determines necessary to determine the overall effectiveness of programs under this title.

SEC. 6. USES OF FUNDS AND PERIOD OF SERVICE.

(a) AUTHORIZED ACTIVITIES.—Funds under this title may be used for—

(1) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

(2) training stipends and other financial incentives for program participants, not to exceed $5,000 per participant;

(3) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

(4) placement activities, including identifying high-poverty local educational agencies with a need for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

(5) post-placement induction or support activities for program participants.

(b) PERIOD OF SERVICE.—A program participant in a program under this title who completes his or her training shall serve in a high-poverty local educational agency for at least 3 years.

(c) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under subsection (a)(2), but fail to complete their service obligation under subsection (b), repay all or a portion of such stipend or other incentive.

SEC. 7. EQUITABLE DISTRIBUTION.

To the extent practicable, the Secretary shall make awards under this title that support programs in different geographic regions of the Nation.

SEC. 8. DEFINITIONS.

In this title:

(1) HIGH-POVERTY LOCAL EDUCATIONAL AGENCY.—The term ''high-poverty local educational agency'' means a local educational agency in which the percentage of children, ages 5 through 17, from families below the poverty level is 20 percent or greater, or the number of such children exceeds 10,000.

(2) PROGRAM PARTICIPANTS.—The term ''program participants'' means career-changing professionals who—

(A) hold at least a baccalaureate degree;

(B) demonstrate interest in, and commitment to, becoming a teacher; and

(C) have knowledge and experience that are relevant to teaching a high-need subject area in a high-need local educational agency.

Mr. GRAHAM. Mr. President, when I introduced Transition to Teaching in October last year, I talked about my workday with Bill Aradine.

He teaches 150 students, from 9th to 12th grade at North Marion High School near Ocala, FL.

He teaches auto mechanics, and has sparked an interest in students that may lead to rewarding, lucrative, and challenging careers for them.

But Mr. Aradine brings something else to his first year in North Marion High School—eleven years of on-the-job experience.

He has years of experience in a local Chevrolet car dealership, and he is starting a second career in teaching.

The students look at him with a different perspective: When he says that ''you will need to know this to succeed'' they know that he knows.

Having just come from the automotive industry, he teaches at the cutting edge.

The information that he brings to his students is what he was actually doing in the workplace not that long ago.

Mr. Aradine is also a bridge between North Marion High students and the world of employment.

He offers them advice, counsel, and real-life connections to future jobs.

As Bill Aradine made the mid-career transition into the teaching profession, students gained a valuable instructor and mentor, and North Marion High School was able to fill a vacancy and ease its teacher shortage.

Every August and September—another school year begins for thousands of young Americans.

Almost every year at this time, I hear from school districts in Florida about teacher shortages:

Miami-Dade hired 1,700 new teachers for the 1999 school year, and still had 300 vacancies to fill on the first day of classes.

Hillsborough County hired 1,493 teachers for the start of the school year and were still 238 teachers short when the first class bell rang.

Orange County needed 1,300 teachers for the new year, and still had 50 vacancies several months after school started.

These concerns will only get worse: 40 percent of current schoolteachers are over age 50, on the verge of retirement.

Who will be the future role models to the next generation of Americans?

The importance of having high-quality teachers, and in sufficient numbers is crucial when we look at the challenges facing education in the future.

The American family structure will change in two key ways: Half of all children will spend some of their childhood in single-parent homes, and are more likely to live in poverty. And, of the children who grow up in a nuclear family, very often both parents will work, thus are less able to be involved in a child's school and schoolwork.

Second, societal expectations for students upon graduation will be greater.

In the middle of this century, 20 percent of the jobs needed skilled workers.

At the end of this century, 80 percent of jobs will need skilled workers.

Thus, the American student will need to graduate from school better prepared for the hi-tech world than ever before, but single parent families and dual-income families, in general, will face more challenges in being actively involved in their child's education.

These challenges, and others, will face the American educational system.

I rise today to take one step forward in easing the nationwide teacher shortage, and offering challenging new opportunities for America's professionals by introducing the Transition to Teaching Act of 1999.

Representatives JIM DAVIS of Florida and TIM ROEMER of Indiana have taken the lead in the House of Representatives on this issue.

We have a very successful model on which to build the Transition to Teaching program.

Since 1994, the ''Troops to Teachers'' program has brought more than 3,000 retired military personnel to our classrooms as math, science, and technology teachers.

Florida schools have the benefit of more than 270 individuals who have successfully completed the Troops to Teachers program, and are bringing their life-experience to the classroom today.

Troops to Teachers, and now Transition to Teaching, overcome two of the main obstacles that mid-career professionals face when becoming a teacher.

It streamlines the teaching certification process.

It provides money to mid-career professionals to become certified.

It's not impossible to do this now, as Mr. Aradine has shown, but this legislation will assist with and simplify the process.

The first issue that is addressed involves teaching colleges within universities.

They are often set up for traditional students, in their early-20's, just starting out in their professional lives.

These programs are generally taken over a multi-year period as a full-time college student.

This legislation encourages teaching colleges to develop curriculum suitable for an individual who has many years of work experience.

These programs are more streamlined, more flexible in school hours, and recognize that the professional brings more life and work experience than a traditional college student.

By developing such programs, colleges can maintain high standards, but allow a mid-career professional, making the change into teaching to become certified in a more efficient, streamlined manner.

Teaching colleges are also asked to develop programs to maintain contact with and support for these new teachers during at least their first year in the classroom.

Second, Transition to Teaching will assist teachers who come to the profession in mid-career in a very tangible way.

Grants will be awarded, up to $5,000 per participant, to offset the costs of becoming a certified teacher.

In return, the teacher agrees to teach in low-income schools for three years, as determined by the percentage of Title One students in the school population.

Thus, two of the biggest obstacles to becoming a teacher in mid-career are alleviated by this legislation:

First, the certification process is streamlined, and second, stipends are provided to offset the cost of this additional education.

By expanding the ''Troops to Teachers'' program into ''Transition to Teaching,'' law enforcement, attorneys, business leaders, scientists, entrepreneurs, and others in the private sector, should be encouraged to share their wisdom with students.

This amendment is timely. We are on the cusp of the retirement of millions of baby boomers.

By encouraging recent retirees, or mid-career professionals, to become certified through Transition to Teaching and spend a few years in the classroom, we will bring the life skills of experienced professionals to our youngest citizens.

I encourage my colleagues to support this amendment.

Our nation's children deserve our best efforts to provide them with a world class education.

Let me just add an economic component to this amendment. This amendment would be in the nature of an authorization. The President has in his budget an item of $25 million, which would be the basis of supporting this program, as well as the current Troops to Teachers Program.

It is estimated that approximately half of the persons who would be trained with that $25 million appropriation that has been recommended by the President would be military personnel and the other half would be civilian. As we begin to stabilize the reduction of the military, the proportion of those persons who would be trained for a second career in the classroom would probably begin to shift with a larger number being from the civilian sector. It is estimated that the cost per student for this program will be approximately $3,500 to $4,000 a year for their training, with the average person

taking between 1 and 2 years to be trained to the point they are certified to go into the classroom.

I believe this is a very reasonable and prudent investment for America to make in Americans who have demonstrated their accomplishments in a first career and are now ready to share their experiences with American youth in a second career in the classroom. This will help to facilitate that transition to teaching for the 21st century.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. 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. LAUTENBERG. Mr. President, I ask whether the floor is in any kind of a parliamentary situation at this time.

The PRESIDING OFFICER. The time is controlled and evenly divided until 2 o'clock on the pending amendment.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent to speak as if in morning business for a maximum of 15 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. COVERDELL. Mr. President, reserving the right to object, I mention to the Senator that in the context of these amendments that his side has invited Senator WELLSTONE to come to begin his amendment. If that were to come about, we would need to try to accommodate it. If the Senator would help us with that, I see no problem.

Mr. LAUTENBERG. I would be pleased to do that.

Mr. COVERDELL. I have no objection.

The PRESIDING OFFICER. The Senator from New Jersey.

GUN CONTROL

Mr. LAUTENBERG. Mr. President, none of us can possibly ignore what took place yesterday in Michigan. Another child killed by gunfire. Everywhere across the country we see children killing children. And then we see members of the immediate family their faces contorted by sadness. Anyone who has a child or grandchild has to be dismayed and upset by these tragedies.

I am fortunate enough to have seven grandchildren, the oldest of whom is 6. Nothing is more joyful than to see their smiling faces—to see them learning about life, reading, playing, and singing.

And when I think of my grandchildren, and the other children across this country, I ask myself what it will take to stop the gun violence. When will this Congress say we have enough killing? What does it take to change some minds, to say that guns do kill?

I am so tired of that foolish saying: ''guns don't kill people, people kill people.'' Of course, people kill people, but we would see much less deadly violence if we passed common sense gun safety measures. It is getting close to the 1-year anniversary of the tragedy at Columbine. I will never forget the picture of the child hanging out of the window at that school, looking for help, trying to get away from the terror. I thought that terrible violence—12 children killed and many more seriously injured—would force this Congress to act.

And yet there has been much more gun violence since Columbine. Shootings in Georgia; in Ft. Worth, Texas, at a prayer meeting. Those young people were gathered to worship and along comes someone with a gun and kills them. And then a gunman in California attacks children at a day care. After that terrible assault, the gunman goes on to kill a postal worker because he is Filipino and not white.

When will the National Rifle Association and its friends step up to the issue, not always appealing to the extremists, and say there is a sensible way to approach this problem and reduce the proliferation of guns? They should join with us and help close the gun show loophole that allows guns to be sold without a criminal background check.

A person could be one the 10 most wanted criminals in this country and say to one of the dealers: I have $500; give me a couple of guns. The dealer could sell them, and he would not be breaking the law. It is an outrage.

Of course, some who oppose gun safety legislation talk about the Second Amendment. But there is nothing in the Constitution that says citizens can buy a gun without identifying themselves. There is nothing in the Constitution that says, buy a gun, carry it anyplace you want. No, no; there are overriding considerations that say we have to protect our citizens. We put people in uniform to protect our citizens. Sometimes it is a military uniform, sometimes it is a police uniform. We do it to protect our citizens. Why don't we reduce the possibility that a gun might be introduced into a situation?

In 1996, Congress did pass my domestic violence gun ban. There was a huge fight on the floor of this Senate and the House. In cooperation with President Clinton, on the budget bill, we said anybody who has committed a misdemeanor of spousal abuse or abusing a child, that person should not have a gun. We fought like the devil. People said we have no right to take guns away from people who haven't done something serious.

But domestic violence is serious. And guns make domestic violence incidents even more dangerous. The trigger does not have to be pulled to traumatize a spouse or a child. Let a man put a gun to a woman's head and say: I will blow your brains out in front of your children. That is a wound that does not go away in a hurry. Doctors cannot see that wound on the skin, but it does not go away.

Mr. President, since that law went into effect, 33,000 purchases have been prevented. 33,000 of those wife abusers, spousal abusers, could not get a gun. I feel good about it. And I still cannot understand those people who opposed it and who continue to oppose gun safety measures. They seem to want guns for everyone, wherever they want, at any age, it doesn't matter, hide them, conceal them, do what you want.

That is irresponsible. And we should not have people hiding behind empty slogans like ''guns don't kill people''. Or trying to distort the meaning of the Second Amendment. No one has a right to hurt another. That is not in the Constitution.

Just a few minutes ago we learned that there was another shooting near Pittsburgh. We don't have all the details, but someone shot four people in a McDonald's and then went to a Burger King and shot someone else.

So the gun violence continues, week by week, day by day, hour by hour. Yesterday it was a six-year-old in Michigan killing another child. And we ask ourselves what can be done. Do you put a 6-year-old in jail? Do you lock him up in a cell? Or do you say to a parent or a friend: It is your responsibility?

If you own a car, you have no right to give it to somebody who doesn't know how to drive and tell them to have a good time. That can be criminally prosecuted if a person has an accident. Why is a gun different? Why shouldn't all guns be protected from access by unacceptable users, children, deranged people, et cetera?

We ought to do it. We keep avoiding it with silly excuses in this place. I hope people across America understand we ought to stop this now. We can require gun manufacturers to manufacture guns that don't work except in the hands of an authorized user. Thirteen children a day die from gunshots; over 4,500 kids a year. We can pass a bill that Senator DURBIN from Illinois has authored, the Child Access Prevention Act. It imposes criminal penalties on gun owners who allow children access to their guns.

And we ought to take stronger measures to prevent easy access to guns. Closing the gun show loophole which allows criminals to purchase firearms without a background check will help. Let me give a graphic example why we cannot afford to wait any longer to do this.

Every year, several gun shows are held in Portland, OR at the Expo Center. The Expo Center is managed by a commission established by the local government, the Metropolitan Exposition-Recreation Commission, called Metro for short. Metro officials were concerned about possible criminal activity at gun shows, so they looked at police records and put together a report. Here is what they found:

Investigative reports from the Portland Police Bureau demonstrate a continuing pattern of frequent significant criminal activity

associated with the Rose City gun shows at the Expo Center.

And the report gives examples of that criminal activity. Here is an example:

Three subjects were observed in the gun show wearing gang attire. The three subjects were looking for dealers who do not do background checks. One of the subjects attempted to purchase a Glock pistol without any paperwork. The subjects bought 4 high capacity magazines and exited the show. Officers contacted the subjects and found one subject all in red to be 12 years old. The second subject all in blue had a warrant for his arrest. The last subject was found to be an ex-felon. The two adults were arrested and transported to NE precinct. At the NE precinct officers found marijuana packaged for sale and $1,150 in the last subject's shoe. He was charged with delivery of a controlled substance.

So we have gang members—drug dealers—using a gun show as a convenience store for guns. These gang members were looking for gun sellers who were not required to do criminal background checks.

And this testimony is similar to what we heard from Robyn Anderson when she testified before the Colorado legislature. She is the young woman who went with Eric Harris and Dylan Klebold to the Tanner Gun Show in Adams County, Colorado.

She testified that Harris and Klebold went from table to table at the gun show, looking for gun sellers who were not required to complete a background check.

With her help, Harris and Klebold bought two shotguns and a rifle without a criminal background check. And everybody knows what happened after that. They used those guns to murder fellow students and a teacher at Columbine High School. How much more do we need to know before we do the sensible thing and close this loophole?

Gang members and teenagers bent on committing murder know they can go to a gun show and get a firearm if they want, without a background check. Is there anyone around here who actually thinks that is all right? Good friends on the other side, good friends on both sides will sometimes defend gun ownership blindly. But we should all agree that you should not be able to buy a gun without identifying yourself and having a criminal background check.

The gun lobby says we do not need a new law, all we need to do is enforce the current law. But that completely misses the point. There is a loophole in the law, so when you try to enforce it, criminals simply slip through the loophole. This hole in our gun laws is leaking human lives and we ought to plug it before someone else is killed with a pistol or shotgun purchased at a gun show without a background check. People ought to identify themselves when they buy a gun. Why not?

Some of our colleagues who argue against closing this loophole are the same people who go on and on about the need to get tough on crime. But when it comes to this gaping loophole in our gun laws, they are strangely quiet. All of us know why. Those tough-on-crime Members do not hear the huge majority of the people. Ninety percent of the people in this country, according to a recent poll, are calling for us to close this loophole. They do not hear the cries, see the tears of those who have lost a child, a friend, a relative. But what do they hear? They hear the NRA making deposits to their campaign accounts. They hear the NRA saying: Do nothing and we will keep these campaign contributions coming.

I have been fighting this battle for a long time, almost a year now on this specific issue. Back on May 20, 9 months ago, the Senate passed my amendment to close the gun show loophole. It passed 51–50, with a huge struggle. But the Congress has yet to finish the job because the NRA has been putting its money to work making sure my amendment stays bottled up in a conference committee.

Let's do the right thing and set this legislation free. Let's not allow extremists in the gun lobby to prevail over the families across this country who want to stop the gun violence.

April 20 will mark 1 year since the terrible tragedy at Columbine High School. On that day, people across this country will ask, What has Congress done? What have you done to stop gun violence in this country? What have you done to protect my child, my grandchild, my brother, my sister, my parents from this mad gun violence? It is not too late to give the public the answer they want, the answer they deserve. It is not too late to show them that common sense can prevail in this distinguished place.

AWARDING JOHN CARDINAL O'CONNOR THE CONGRESSIONAL MEDAL OF HONOR

Mr. SCHUMER. Mr. President, it is with great honor that I rise today to thank my distinguished Senate colleagues for their support, help, consideration, and, hopefully, passage of S. 2076, legislation which will bestow upon John Cardinal O'Connor the Congressional Medal of Honor.

I, along with Senators MOYNIHAN, SPECTER, and SANTORUM, introduced this bill last week. We believe now is the perfect time for Congress to publicly thank His Eminence for his 50 years of service to America, the Catholic Church, and for his numerous contributions as an ambassador of peace, freedom, and humanitarianism around the world.

Since being ordained 54 years ago, John Cardinal O'Connor has humbly captured the hearts of millions with a message of caring and compassion for all people. He has dutifully served the Church in Philadelphia, the Diocese of Scranton, and now from the steps of the treasured St. Patrick's Cathedral serves as the spiritual guiding force for the 10-county New York Archdiocese and its more than 2.3 million Catholic members.

He is loved in New York and by Catholics across the country. He has touched the hearts of millions whose spiritual life is richer from the words and deeds of our cardinal.

Since being named by the Pope as successor to the late Cardinal Terence Cook in 1984, Cardinal O'Connor has sought to reinforce the traditional teachings and practices of the Roman Catholic Church while putting a human face on the problems faced not only by Catholics but all New Yorkers.

He has advocated for an increase in the minimum wage. He has advocated for farm workers. He has advocated for working people throughout New York and throughout the world.

He has worked hard to improve relationships between Catholics and Jews, knowing that is so important to the future of the area he represents and to all Americans.

He has advocated relentlessly for fairness and justice. And even while reaffirming the Church's teachings on homosexuality, he set up AIDS clinics and volunteered anonymously in them.

I have not always agreed with Cardinal O'Connor. For example, he is a strong, vocal, and impassioned voice in opposition to abortion. I have respectfully disagreed with his position. But in some instances you earn an even greater respect for someone by the way they disagree with you, how they fight for their beliefs: With vigor, passion, and conviction, but also with humility and grace.

He is a man of immense conviction. He has been unyielding in his commitment to reaffirm the priorities of the Church and his faith.

I am left with nothing but respect and admiration for the way in which Cardinal O'Connor has advocated on behalf of his beliefs.

John Cardinal O'Connor's life of spiritual service began decades ago. He had 20-plus years of distinguished service in the Armed Forces. He heeded our Nation's call in 1952, joining the ranks of the military chaplaincy during the Korean war, and provided spiritual leadership for members of the Navy and Marine Corps during Vietnam. His career continued on as chaplain to the United States Naval Academy.

Eventually he rose with distinction to become Navy chief chaplain. He served in that capacity until 1979, upon which he retired from military service with the distinguished rank of rear admiral. An international ambassador for humanity, Cardinal O'Connor has traveled the world over—Israel, Jordan, Haiti, Bosnia, and Russia—and he also accompanied Pope John Paul II on his visit to Cuba.

He has called on governments to work for social development, provide international peace, and implored governments to provide their citizens with the freedom and ability to exercise their religious beliefs.

His work in volatile 1980s Central America helped clear the way for clergy members to be allowed to visit political prisoners and also helped end

the expulsion of foreign missionaries. He has, with great resolve, worked to strengthen the human spirit whenever war, oppression, and poverty have threatened to weaken it, as a servant of the Roman Catholic Church and a compassionate American citizen.

Now the cardinal is ailing. We all pray and wish for his recovery. But there is no time more appropriate than now for the Congressional Gold Medal to be bestowed upon Cardinal O'Connor. It is not often that this gold medal is issued. But given the cardinal's service, given the cardinal's ability to reach out to so many different kinds of people, no one is more deserving of the Congressional Gold Medal. The medal is an expression of public gratitude reserved exclusively for those who have distinguished themselves through their achievements and contributions to our great Nation. From his spiritual guidance to the members of the Armed Forces 50 years ago to his commitment to justice and holiness as head of the archdiocese in New York today, John Cardinal O'Connor has earned this rare and distinguished congressional honor.

Mr. President, I yield the floor and suggest the absence of quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative 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 (Mr. HAGEL). Without objection, it is so ordered.

AFFORDABLE EDUCATION ACT OF 1999—Continued

AMENDMENT NO. 2844

(Purpose: To make permanent the special coordination rule between qualified tuition programs and the Hope and Lifetime Learning credits)

Mr. COVERDELL. Mr. President, I ask that the Graham amendment No. 2844 be called up.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 2844.

The amendment is as follows:

Beginning on page 15, line 16, strike all through page 16, line 17, and insert:

''(iv) COORDINATION WITH HOPE AND LIFETIME LEARNING CREDITS.—The total amount of qualified higher education expenses otherwise taken into account under clause (i) with respect to an individual for any taxable year shall be reduced (after the application of the reduction provided in section 25A(g)(2)) by the amount of such expenses which were taken into account in determining the credit allowed to the taxpayer or any other person under section 25A with respect to such expenses.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the amendment be agreed to and that the motion to reconsider be laid upon the table. This is not the amendment the Senator from Florida described earlier and has been vetted to the Finance Committee.

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

The amendment (No. 2844) was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SMITH of New Hampshire. 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. SMITH of New Hampshire. Mr. President, I ask unanimous consent that I may speak as in morning business for no more than 10 minutes.

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

Mr. SMITH of New Hampshire. I thank the Chair.

(The remarks of Mr. SMITH of New Hampshire pertaining to the introduction of S. Con. Res. 87 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

RECESS

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

There being no objection, at 1:08 p.m., the Senate recessed until 2:02 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BUNNING).

AFFORDABLE EDUCATION ACT OF 1999—Continued

AMENDMENT NO. 2825

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I ask unanimous consent, with respect to the series of stacked votes that are about to begin, there be 2 minutes equally divided prior to each vote for closing remarks.

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

Mr. COVERDELL. It is my understanding the first vote we are about to proceed to is the Abraham amendment.

The PRESIDING OFFICER. That is correct. The yeas and nays have not been asked for.

Mr. COVERDELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. ABRAHAM. Mr. President, very briefly, this amendment would essentially expand the tax deductibility and create a tax credit for the donation of used computer equipment to schools in this country.

It enjoys strong bipartisan support, both in the freestanding bill as well as this amendment. What this will help us to do is address the problem of the digital divide by providing more hardware and software and other computer services and equipment to the public schools of this country to help improve the ratio of computers to students in our public school system.

We look forward to continuing to work on this digital divide challenge, but this legislation will move us in the right direction. I encourage my colleagues to support the amendment.

The PRESIDING OFFICER (Mr. ENZI). Who seeks recognition?

Mr. REID. We yield back our time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2825. The yeas and nays have been ordered. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN), and the Senator from Missouri (Mr. BOND) are necessarily absent.

The result was announced—yeas 96, nays 2, as follows:

Rollcall Vote No. 18 Leg.]

YEAS—96

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Allard	Fitzgerald	Mack
Ashcroft	Frist	McConnell
Baucus	Gorton	Mikulski
Bayh	Graham	Moynihan
Bennett	Gramm	Murkowski
Biden	Grams	Murray
Bingaman	Grassley	Reed
Boxer	Gregg	Reid
Breaux	Hagel	Robb
Brownback	Harkin	Roberts
Bryan	Hatch	Rockefeller
Bunning	Helms	Roth
Burns	Hollings	Santorum
Byrd	Hutchinson	Sarbanes
Campbell	Hutchison	Schumer
Chafee, L.	Inhofe	Sessions
Cleland	Inouye	Shelby
Cochran	Jeffords	Smith (NH)
Collins	Johnson	Smith (OR)
Coverdell	Kennedy	Snowe
Craig	Kerrey	Specter
Crapo	Kerry	Stevens
Daschle	Kohl	Thomas
DeWine	Kyl	Thompson
Dodd	Landrieu	Thurmond
Domenici	Lautenberg	Torricelli
Dorgan	Leahy	Voinovich
Durbin	Levin	Warner
Edwards	Lieberman	Wellstone
Enzi	Lincoln	Wyden

NAYS—2

Conrad	Nickles

NOT VOTING—2

Bond	McCain

The amendment (No. 2825) was agreed to.

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes equally divided prior to the vote on the Bingaman amendment.

The Chair recognizes the Senator from Georgia.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the remaining votes in this series be limited to 10 minutes in length.

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

Mr. KENNEDY. Mr. President, I support Senator BINGAMAN's amendment

to ensure greater accountability by Title I schools that are low-performing. The Coverdell bill does nothing to help improve public schools that need assistance. Instead it diverts scarce resources to wealthy families in private schools, when 90 percent of the nation's students attend public schools.

Stronger accountability in the nation's education system is essential. Effective accountability measures—what business leaders call quality control—can make sure that investments in schools are used wisely and produce better results for children. Accountability is especially important in schools with high concentrations of disadvantaged students, so that all students will have the opportunity to meet high standards of achievement.

Despite concerted efforts by states, school districts, and schools, accountability provisions in title I have not been adequately implemented due to insufficient resources. In 1998, only 8 states reported that school support teams have been able to serve the majority of schools that need improvement. Less than half of the schools identified as in need of improvement in 1997–98 reported that they received additional professional development assistance or technical assistance.

We cannot afford to let low-performing public schools slip through the cracks. Schools and school districts need additional support and resources to remedy weaknesses as soon as they are identified. We should act now to make our schools more accountable for the benefit of the nation's disadvantaged students. These students have already spent too much time in low-performing schools, and they deserve better, much better. The time is now to take action to fix these schools. The nation's children deserve no less. I urge the Senate to support the Bingaman amendment.

AMENDMENT NO. 2863

Mr. BINGAMAN. Mr. President, the amendment that is to be voted on next is one I offered which takes the $275 million per year that is the estimated cost of this underlying bill with the tax provisions and it devotes that $275 million to assisting States to hold local school districts accountable to upgrade standards.

It is an accountability amendment. Presently, most of the States in the country have established performance standards for their schools and their students but we have no accountability provisions that are adequate for them to meet those standards. This amendment tries to solve that. It gives the resources to the States so they can solve that. I believe it is a very good amendment and it is something we all ought to support.

I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, at the heart of my opposition to the amendment is that it strikes the education savings account, the core of the legislation that came from the Finance Committee. It is a killer amendment.

The amendment allocates only 70 cents of every dollar to local school districts. We have been striving to get to 95 cents of every Federal dollar. The amendment not only neuters education savings accounts but it also goes to core issues about how title I funds should be distributed to help local school districts under ESEA.

This is an issue being debated at the committee's markup today. Senator JEFFORDS, chairman of the committee, opposes this amendment because he believes it violates the jurisdiction of the committee.

I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table amendment No. 2863. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Missouri (Mr. BOND) are necessarily absent.

The result was announced—yeas 58, nays 40, as follows:

[Rollcall Vote No. 19 Leg.]

YEAS—58

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Graham	Roberts
Bennett	Gramm	Roth
Biden	Grams	Santorum
Breaux	Grassley	Sessions
Brownback	Gregg	Shelby
Bunning	Hagel	Smith (NH)
Burns	Hatch	Smith (OR)
Byrd	Helms	Snowe
Campbell	Hutchinson	Specter
Cochran	Hutchison	Stevens
Collins	Inhofe	Thomas
Coverdell	Jeffords	Thompson
Craig	Kyl	Thurmond
Crapo	Lieberman	Torricelli
DeWine	Lott	Voinovich
Domenici	Lugar	Warner
Enzi	Mack	
Fitzgerald	McConnell	

NAYS—40

Akaka	Feingold	Lincoln
Baucus	Feinstein	Mikulski
Bayh	Harkin	Moynihan
Bingaman	Hollings	Murray
Boxer	Inouye	Reed
Bryan	Johnson	Reid
Chafee, L.	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Schumer
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	
Edwards	Levin	

NOT VOTING—2

Bond	McCain

The motion was agreed to.

AMENDMENT NO. 2864

The PRESIDING OFFICER. On the next amendment, the Graham amendment No. 2864, there are 2 minutes equally divided.

The Senator from Florida.

Mr. GRAHAM. Mr. President, I ask unanimous consent that Senator LINCOLN and Senator FEINSTEIN be added as cosponsors. I have no further comments to make on behalf of this amendment. I believe both sides have agreed to accept it. I ask for a voice vote.

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

All time has been yielded back. The question is on agreeing to amendment No. 2864.

The amendment (No. 2864) was agreed to.

Mr. GRAHAM. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AWARDING CONGRESSIONAL MEDAL OF HONOR TO JOHN CARDINAL O'CONNOR

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of H.R. 3557 and the Senate now proceed to its immediate consideration under the following limitations: There be 10 minutes of debate equally divided between Senators SANTORUM and SCHUMER, and no amendments or motions be in order to the bill. Finally, I ask unanimous consent that following the use or yielding back of debate time, the bill be read a third time and passed and the motion to reconsider be laid upon the table.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3557) to authorize the President to award a gold medal on behalf of the Congress to John Cardinal O'Connor, Archbishop of New York, in recognition of his accomplishments as a priest, a chaplain, and a humanitarian.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, it is with an enormous amount of pride and respect that I rise in support of this bill. Senator SCHUMER from New York spoke on this matter earlier today. I strongly endorse and support his words of support for this resolution.

I stand with a tremendous amount of pride to speak in favor of my favorite son. John Cardinal O'Connor is a Philadelphian, someone who has left his mark not only on the country but on Pennsylvania, where he served as Bishop of Scranton—I see Senator BIDEN who is a Scrantonian—where he served a brief time—less than a year—but with distinction and, prior to that gave tremendous service to this country as a chaplain in the U.S. Navy, serving during the Korean conflict and during Vietnam.

He was appointed Chief of Chaplains of the Navy with the grade of rear admiral and served for over 25 years in the capacity of a chaplain in the military.

From that, he came into civilian life to Scranton, PA, and served there for less than a year until he was picked by Pope John Paul II to be the Archbishop of the Catholic Diocese of New York, and then shortly thereafter was elevated to the rank of cardinal in May of 1985.

He has served as Cardinal O'Connor in the Diocese of New York and, as the leader of the Diocese of New York, also as the titular head of the Catholic Church in this country. He has provided tremendous leadership on a variety of humanitarian and moral causes, always standing up for the weakest among us and shepherding his flock in an extraordinary way with great principle, dignity, and character.

It is sad that as we speak today, Cardinal O'Connor is suffering from cancer and is gravely ill. Senator SCHUMER and I worked very hard to make sure this Congressional Gold Medal would be awarded to Cardinal O'Connor so he could be aware of it during this very difficult time in his life and know that the Senate, the Congress, and certainly all of us in Washington extend our best wishes to him and want him to know how much we appreciate the tremendous outstanding service he has given to the Catholic Church and to the people in the United States of America.

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

The PRESIDING OFFICER (Mr. GREGG). The Senator from New York.

Mr. SCHUMER. Mr. President, I will continue the remarks I made earlier about Cardinal O'Connor.

First, I thank Senator SANTORUM of Pennsylvania, as well as my colleague, Senator MOYNIHAN, and his colleague, Senator SPECTER. The four of us have worked hard on this bill.

As I mentioned earlier, Cardinal O'Connor, of course, has had a distinguished career. He has had a distinguished career as a Catholic, rising to one of the great positions of the Catholic Church in America.

He also has had a distinguished career as an American, having served for many years in the Armed Forces. He served 20 years in the Armed Forces. In 1952, he joined the ranks of the military chaplaincy. During the Korean war, he provided spiritual leadership for the Navy and Marine Corps. He was Chaplain of the Naval Academy, became Navy Chief Chaplain, and left the Armed Forces with the rank of rear admiral.

I want to say, as someone of the Jewish faith, that the cardinal has been particularly effective in moving out to the people of the Jewish community and doing a great deal to bridge the gaps—which fortunately now are relatively small and minor—between the Catholic community and the Jewish community. He went out of his way to do this, which I greatly respect.

He has always been seen doing things for the poor. He has worked hard on making working conditions better for people. He cares about the plight of the farm workers. He is dedicated to protecting the rights of immigrants and, in fact, announced at his Labor Day mass as recently as September, his first public appearance after his surgery, a new archdiocesan program of aid to immigrants. He reached out to the poor.

His views on homosexuality are known, but he has spent time anonymously working with people with AIDS. I do not agree with his views, but I sure respect the fact that, without any fanfare, he has been able to do those things.

Of course, now he is ill, and that is one of the reasons I thank every one of my colleagues for moving this bill with alacrity because my State of New York and this entire Nation owe a debt of gratitude to Cardinal O'Connor. There is no more fitting way than presenting him with the gold medal.

For his compassion, for his strength of argument—which I agreed with many times; disagreed with sometimes—for his intelligence, and for his commitment to New York and to faith, very few would be more deserving of this medal than Cardinal O'Connor.

I again thank my colleagues. I thank this body for taking the time, in the middle of this bill, to honor the cardinal in a very fitting way. Our hopes and prayers are for his health, and our thanks are for the great job he has done for New York's Catholics, for all New Yorkers, and for all Americans.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I thank the Senator from New York for his heartfelt comments.

I want to relate a small personal story. I had an opportunity, with my wife Karen, to meet and talk with the cardinal a few years ago when we were in New York. I had never had a chance to meet him, and he was someone whom I respected very much and followed his leadership. I had wanted the opportunity to meet with him.

We went by his residence and were hoping for about 5 minutes. An hour later, after a wonderful discussion of issues that I was working on and that he was interested in, and things he was working on that I was interested in, he gave me a tremendous amount of encouragement for work in public service.

He understood the importance of public service in his work as a chaplain and, obviously, in his work as the Cardinal of New York. That was, indeed, public service, also.

Senator SCHUMER mentioned many things he did outside the archdiocese and work that reached out into the community. He gave me great encouragement to continue to work, to fulfill what Catholic social teaching is, to care particularly for the poor and the most vulnerable in our society.

He gave me a lot of inspiration. He gave my wife a lot of inspiration. For that I will always remember and always thank him, and for the blessing and the prayers that he gave me that night.

Senator SCHUMER said—and I said earlier—he is gravely ill right now. But I know, as he spends these last few days on Earth, that many of us who know him and admire him will long remember him. Certainly, the comment, ''Well done, my good and faithful servant,'' will apply to John Cardinal O'Connor.

Mr. BIDEN. Mr. President, I ask unanimous consent to be able to proceed for 1 minute.

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

Mr. BIDEN. Mr. President, as the Senator from Pennsylvania, I have known Cardinal O'Connor for a long time. I am a cosponsor of this bill. That is not the reason I stand.

I stand today to say I hope there is a lesson drawn from what is being done here. The primary cosponsor of this amendment is a man from New York of a different faith, who disagrees vehemently with the cardinal on some very important items that mean a lot to him in terms of the rights of homosexuals and the issue of choice. Yet he has come forward to acknowledge, along with his friend from Pennsylvania, that this man should be recognized for the special features he has possessed and the courage and the commitment he has shown.

I hope we all take a lesson from this. I hope we all understand that in every one of us in this country there is a lot of good—those who have strong political positions that are diametrically opposed to us—and yet we are able to see the good as well as the disagreement. I hope this is an object lesson for everyone.

I thank the Senator from New York for having the good grace to understand how we should run all of our affairs in this country. You can disagree without being disagreeable. You can have strong views and still recognize, in this instance, the saintly side of a great man.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the bill (H.R. 3557) is read the third time and passed, and the motion to reconsider is laid upon the table.

The PRESIDING OFFICER. The Senator from Nevada.

AFFORDABLE EDUCATION ACT OF 1999—Continued

Mr. REID. Mr. President, the manager of this bill, the Senator from Georgia, has agreed that we would go out of the order we have had and allow Senator BIDEN to go forward for 10 minutes with his amendment. Following that, under the regular order that has already been agreed to, Senator WELLSTONE will be up next as part of the unanimous consent agreement. According to the unanimous consent

agreement, on his amendment there are 2 hours set aside equally divided. Following that on our side, after the Republicans offer their amendment, Senator MURRAY would then offer her amendment.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. What is the request, again?

Mr. REID. I ask unanimous consent that Senator BIDEN be allowed to precede for 10 minutes to offer his amendment, and following that, the Senator from Minnesota be recognized to offer his amendment, and then following the Republicans offering an amendment, Senator MURRAY be recognized to offer her amendment.

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

The Senator from Delaware.

Mr. BIDEN. Mr. President, I may not take the 10 minutes.

I can assure my colleagues that in order to accommodate the number of Senators who asked about my amendment, I am not going to, at this moment, force a vote on that amendment.

What I rise today for is to speak about an amendment I have submitted to this bill. What we have before us today is fundamentally a tax bill to help middle-class parents give their children the best education possible at elementary and secondary levels, as well as higher education.

I, with a few on my side of the aisle, happen to support the Senator from Georgia in his effort. The proposals in this bill are not new. In fact, I have supported many of them in their various incarnations in the past.

Several of these proposals were included as part of a so-called GET AHEAD Act—Growing the Economy for Tomorrow: Assuring Higher Education is Affordable and Dependable—an act which I introduced in 1997. Although this bill never came before the Congress for a vote, many of its provisions were included in the 1997 tax bill.

In 1998, I was one of only a handful of Democrats who supported the legislation to expand the existing education savings accounts, more commonly referred to as educational IRAs. Currently, $500 a year may be contributed to these education IRAs, and the money in these accounts may only be used for higher education. However, under the 1998 proposal, as well as the bill we have before us today, these accounts would be expanded so the parents could contribute up to $2,000 per year, and the savings in the accounts could be used to pay for elementary and secondary education costs, as well as the costs associated with higher education.

I find no principal rationale why I should be able to use a $2,000 IRA to have sent my child to Georgetown University and not use it to send my child to Archmere Academy, which is a Catholic institution as well but a high school.

During my time in the Senate, I have consistently supported reasonable, appropriate, and constitutional measures to help middle-class and low-income families choose an alternative to public schools. I believe the bill achieves part of this goal.

There is no tax deduction for the money put into these education IRAs. There is no tax deduction for the entire cost of a private or parochial education. This is not a voucher proposal.

The thing I would most want to speak to today is the idea that we have to do more than we are now to accommodate parents sending their kids to college. As helpful as this initiative is, it does not go very far. We all know firsthand how difficult it is for American families to afford college.

In 1997, we took some important steps towards making college education more affordable with the enactment of several tax credits for students and their families. So-called HOPE scholarships allow families a tax credit of up to $1,500 for tuition and fees for the first 2 years of college. The Lifetime Learning credit currently allows families a 20-percent tax credit on up to $5,000 for educational expenses through the year 2002, and up to $10,000 for educational expenses thereafter.

Additionally, the 1997 tax bill allows students to deduct a portion of the interest paid on student loans during the first 60 months of repayment. The bill before us today proposes to eliminate that 60-month limit on student loan interest deductions and allow students to deduct the interest paid on their student loans for the duration of their repayment.

While this is another step in the right direction, I believe there is still more we can do to help our Nation's college students. That is why I am offering an amendment today to allow an additional tax relief for millions of families who are struggling to put their kids through college. My amendment builds upon the proposal contained in the legislation introduced in 1997.

My amendment would offer families the option of either a tax deduction of a 28-percent tax credit on up to $5,000 of educational expenses during 2001 and 2002 and up to $10,000 of educational expenses during 2003 and thereafter. Further, there is no limit on the number of years the family could claim this tax credit. So a student could claim a deduction or credit for every year he or she is enrolled in an institution of higher learning as either an undergraduate or a graduate student.

Additionally, this educational tax deduction contains higher income thresholds. I would allow this to be taken for up to $120,000 for joint filers, thus allowing more families and more students to take advantage of the tax benefits in this proposal.

Things have changed a great deal since I arrived in the Senate in 1973. In 1973, there was still the myth that all a student needed was a good high school education to have a clear shot at being able to make it. The statistics and the numbers and the story has been told over the last 28 years that a college education is essentially becoming a prerequisite for having a clear shot at the middle-class dream of being able to own a home, afford a good education for your children, and to live with some degree of financial certitude.

I will not take more time today, although when I do introduce this formally to a piece of legislation, I will speak much longer and in much more detail.

To summarize, I think it is the most noble of social purposes to seek to encourage families to spend money on educating their children and, particularly at this stage, on higher education. People say to me: JOE, $120,000 is an awful lot of money for you to allow someone to have a tax advantage. You can have them make up to $120,000 and they still get a benefit here.

The answer is yes. My inclination is to go higher. Try sending a kid to a private institution today and college. Try sending a kid to a school that is not a State public institution. There are phenomenal State public institutions. I am not suggesting there aren't.

Take my alma mater, the University of Delaware. As an in-State student, you can get it done for somewhere around $13,000 room, board, and tuition. Send that same kid to the school my son attended, the University of Pennsylvania and it is $35,000. Send them to Gettysburg College and it is $30,000 room, board, and tuition. The cost of education is astronomical.

What I don't like to see happen, when you think about the incredible cost of education today and what we are developing, is basically a two-tiered education system. One of the greatest bills that ever passed was the GI bill. The GI bill meant that Irish Catholic kids and inner-city kids and farm boys could go to Harvard and Yale and Princeton and to the great ''universities'' out there. But now to go to those schools and every other school, many of which we haven't heard the names of, there is very little possibility. The only choice a student has in a middle-class family is to be able to go to the State institution.

I went to the State institution. I am proud of having gone to the State institution. My wife graduated from the State institution. My whole family went to the University of Delaware. I take a back seat to no one at any other university in terms of the education I received, but I don't want to be in a position where, in fact, the only choice middle-class people have of sending their kids to college is at a State university. I don't want this two-tiered system to reemerge.

If you get into one of the great universities, the prestige universities, they are endowed enough that if you have no money, you are likely to be able to get help. You will be able to get some aid packages to go. The people who get crunched are the people in the middle.

I am delighted and pleased and I applaud the Georgetowns and the Dukes and the Princetons and the Stanfords and the great universities out there that are the named universities for providing for the education of moderate- and low-income people who otherwise qualify to get in. Very few get turned away because of that. The problem comes with the quintessential middle-class family who makes what appears to be a good income, has three kids going to college, and they lose that option. I don't think they should.

Mr. President, rather than take the time of the Senate, I will withhold sending my amendment to the desk because I am not going to ask for a vote on it now. I will speak to this in more detail later.

I thank the manager of the bill for allowing me the opportunity. I particularly thank Senator WELLSTONE, who was here before me, for allowing me to precede him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2865

(Purpose: To require the Secretary of Health and Human Services to report to Congress on the extent and severity of child poverty)

Mr. WELLSTONE. 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 Minnesota [Mr. WELLSTONE] proposes an amendment numbered 2865.

Mr. WELLSTONE. 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 appropriate place add the following:

SEC. . REPORT TO CONGRESS REGARDING EXTENT AND SEVERITY OF CHILD POVERTY.

(a) IN GENERAL.—Not later than June 1, 2001 and prior to any reauthorization of the temporary assistance to needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) for any fiscal year after fiscal year 2002, the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall report to Congress on the extent and severity of child poverty in the United States. Such report shall, at a minimum—

(1) determine for the period since the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2105)—

(A) whether the rate of child poverty in the United States has increased;

(B) whether the children who live in poverty in the United States have gotten poorer; and

(C) how changes in the availability of cash and non-cash benefits to poor families have affected child poverty in the United States;

(2) identify alternative methods for defining child poverty that are based on consideration of factors other than family income and resources, including consideration of a family's work-related expenses; and

(3) contain multiple measures of child poverty in the United States that may include the child poverty gap and the extreme poverty rate.

(b) LEGISLATIVE PROPOSAL.—If the Secretary determines that during the period since the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2105) the extent or severity of child poverty in the United States has increased to any extent, the Secretary shall include with the report to Congress required under subsection (a) a legislative proposal addressing the factors that led to such increase.

Mr. WELLSTONE. Mr. President, the purpose of this amendment—and I hope there will be a very strong vote for the amendment—is to call on the Secretary of Health and Human Services to report to the Congress on the extent and severity of child poverty in our country. I will make the connection to education in a moment.

We need to have some critical information about the welfare bill before reauthorization. That is what this amendment says. We ask the Secretary of Health and Human Services to provide this Congress with critical information. The Congress has consented so far to allow welfare reform to continue without an honest accounting of how our actions impact our Nation's children. Before we reauthorize this bill, we need to know what has happened.

There is one missing ingredient when we talk about welfare, and that missing ingredient is information. Let me quote from some of the most knowledgeable people who are doing research in this area. The National Academy of Sciences convened a panel of leading researchers to evaluate the data and methods for measuring the effects of welfare reform. This is basically a quote from their report:

The gaps in the data infrastructure for determining the effects of welfare reform are numerous.

''Numerous gaps in the data''—what does that mean? It means we have no understanding of what the effects of this legislation on the lives of people in our country—poor people, mainly women and children. The information is simply not collected, and we don't know because we don't ask.

The purpose of this amendment is to understand the effect of this legislation on child poverty before we reauthorize it. We need to know whether or not it is true, as has been reported in the data, that actually we are seeing an increase in the poverty of the poorest of the poor children—those children in households with less than half of the officially defined poverty income. We need to know what the gap is between the welfare bill and families working, and whether or not they are above the poverty level income, because the whole goal was to move people to economic self-sufficiency. We need to know what, in fact, is going on with programs such as the earned-income tax credit, or food stamp assistance, or Medicaid, and how that has affected the lives of poor children in America.

We need to do some policy evaluation. Too many people—Republicans and Democrats and the administration—brag about the fact that the rolls have been slashed by 50 percent since 1994. But how can anyone in good conscience use that as a measure of success alone? Reducing the rolls is easy. You just push people off the rolls, you close their cases, and you wish them good luck.

Reducing the rolls by half doesn't indicate whether or not we have reduced the poverty. The goal is to reduce the poverty of women and poor children in America. The question is whether or not people who have been pushed off the rolls are working and at what kinds of jobs. Are they living-wage jobs? And the question is, What kind of child care do they have for their children? Do they still have medical assistance, or are they worse off because they have been cut off of medical assistance? The question is, What about the additional services for those families where maybe the single parent struggles with addiction, or maybe she has been battered over and over again and there needs to be additional support before this woman and her family can move to employment and decent wages. Are the support services being provided?

I think we have created a whole new class of working poor people in this country. We have created a whole new class—unless we call for a policy evaluation—of the ''disappeared.'' We don't know what is happening. We have been unwilling to do any serious policy evaluation. Gunnar Myrdal, the Swedish sociologist, once wrote that ignorance is never random. We don't know what we don't want to do. Before we reauthorize the welfare bill and as we move forward on an education piece of legislation, I would ask the Senate to go on record calling for an evaluation as to the effect of this legislation on poor children in our country.

Some would say: What are you doing, Senator WELLSTONE, calling for an evaluation on a welfare bill? This doesn't belong on an education bill.

If a child is living in poverty—and I try to stay very close to this question, as I care a great deal about what happens to poor children in America—the preliminary reports I have seen indicate we now have more children living in households below the poverty level of income. We see a deepening of poverty in children in our country.

I argue that if a child is sick, if a family has been cut off medical assistance—and please remember that Families USA, 6 months ago or so, issued a report that there are 670,000 people in our country today who no longer have medical assistance because of the welfare bill—I argue that children don't do well in school when they do not receive adequate care, when they are sick, when they have an illness, or when they have tooth decay or an abscessed tooth. It is very hard for children to do well in school under those circumstances. I think we are sleep-walking in the Senate if we don't see any connection between how well children do in school and the economic circumstances of their lives.

We had a wonderful coalition gathering yesterday. Senators KENNEDY and SPECTER are introducing antihunger legislation, of which I am proud to be an original cosponsor. If we have 30 million citizens in our country today with a booming economy who are ''food insecure,'' and if too high a percentage of those citizens are children, and if, in fact, we have seen a dramatic decline in food stamp participation—and I will marshal the evidence for this in a moment—and the Food Stamp Program was the major safety net for children in this country, you had better believe I have this amendment on this bill, because when children are hungry, they don't do well in school.

May I repeat that. When children are hungry, they don't do well in school. May I repeat the fact that we have dramatically slashed the food stamp rolls and that many children who should be receiving food stamp assistance today are not receiving food stamp assistance. That is an important fact. We ought to do the policy evaluation. We ought to have the courage to evaluate the impact of this welfare bill on poor children in America today.

In my State there is no longer any affordable rental housing. It is absolutely unbelievable. Children are the fastest-growing segment of the homeless population in our country today, and they end up having to move four or five times during the school year. In many of the schools I visit in our State of Minnesota, especially in our cities, and I visit one every 2 weeks, the teachers tell me it is hard for a third-grader to do well when she is moved four times during a year because the family can't find affordable housing. Don't tell me that doesn't have any impact on how well a child performs in school. This is an education bill being debated, so I have an amendment that deals with the poverty of children in our country.

I argue that today, with an economy booming and an affluent country, we have one out of every five children growing up poor in our country. Under the age of 3, I believe it is closer to one out of every four; and under the age of 3, it is about 50 percent of children of color growing up poor in our country today, which is a national disgrace. I argue that poverty has everything in the world to do with education and whether or not each and every child in America has the same opportunity to reach her full potential and his full potential, which is the goodness of our country.

Challenging Senators today to vote for a policy of evaluation on the welfare bill, so we can assess what is happening to poor children, is the right thing to do on an education bill.

If we blindly accept the argument that the welfare ''reform'' is a great success because we have eliminated the rolls by 50 percent, we are guilty of turning our backs on the most vulnerable citizens in our country—poor children. And if we will not address the underlying problems that deal with race—yes, race—and gender, and poverty, and inequality, and social injustice in our country today, it is all too predictable which children will come to kindergarten way behind and which children will fall even further behind, and, yes, which children will fail these standardized high-stakes tests we give to show how tough we are and how rigorous we are, and which children will be held back, and which children will drop out of school, and which children will wind up incarcerated in America today.

Don't move to table this amendment arguing that it has nothing to do with education. No Senator should say, ''Senator WELLSTONE, I am going to table your amendment because your amendment deals with race, gender, and poverty of children in this country and that has nothing to do with education.'' Today, 13 million children are growing up poor in our country with a booming economy.

I ask my colleagues to consider my amendment before we reauthorize this welfare bill which will impact on children and the poverty of children.

Let me now discuss some recent studies.

According to the Center on Budget and Policy Priorities, Bob Greenstein, director, received the McArthur Foundation grant—I think one of the genius grants—for the impeccable research he directs. More than two-thirds of our States impose full-family sanctions, stopping aid to children as well as parents. Nearly half of these States impose a full-family sanction at the first instance of noncompliance. More than one-fourth of all case closures in a number of States have been the result of sanctions.

In other words, half of the people are off the welfare rolls. In many cases, the families have been sanctioned. That doesn't mean they are working. It doesn't mean they have good wages or are doing well. They have just been sanctioned. Then the question becomes, If in a lot of States you have these sanctions, are the sanctions justified?

A recent Utah study found that three-quarters of the sanctioned families had three or more barriers to employment, including a health or medical problem, lack of transportation, or lack of skills.

A Minnesota study concluded that sanctioned families were four times as likely as the caseload as a whole to report chemical dependency, three times as likely to report a family health problem, and twice as likely to report a mental health problem or domestic violence.

We should be worried about this. We should want to know what is going on.

Finally, quite often the families who are subject to the sanctions may have the greatest difficulty understanding the program, rules, and expectations. Recent studies from South Carolina and Delaware document that sanction rates are highest for those people with the least amount of education. The Delaware study also found that sanctioned individuals were more likely to have trouble comprehending TANF rules and did not understand the consequences of noncompliance.

As a result of the welfare bill, more than 2.5 million poor families have lost their benefits. That is a decline in the rolls of 50 percent. But the number of people living in poverty in our country has held close to the study. Many of these families have gone from being poor to getting poorer, and most of the welfare recipients are children.

This is why I challenge Senators today. I do not know how any of you can vote against this, colleagues. I am saying, before we do any reauthorization of this welfare bill, we ought to evaluate the impact of poverty on children.

Don't table this amendment because you cannot separate whether children are hungry, homeless, or whether there has been decent child care before they get to kindergarten.

One study I cite should trouble Senator REID and every Senator. It was released by researchers at UC-Berkeley and Yale. They found that about a million additional toddlers and preschoolers are now in child care because of the changes in the welfare law. Mothers work. They are single parents. But these children, unfortunately, are in low-quality child care, and therefore they end up lagging behind other children their age in developmental measures.

There was a study of nearly 1,000 single mothers moving from welfare to work, and they found that many of these children had been placed in child care settings where they watched hours of television or wandered aimlessly and had little interaction with their caregivers.

The result: These toddlers showed developmental delays. When asked to point to one of three different pictures in a book, fewer than two out of five of the toddlers in the study pointed to the right picture compared to the national norm of four out of five children.

One of the study's authors is quoted as saying, ''We know that high-quality child care can help children and that poor children can benefit the most. So we hope this will be a wake-up call to do something about the quality of child care in this country. The quality of day-care centers is not great for middle-class families, but it is surprising and distressing to see the extent to which welfare families' quality was even lower.''

Colleagues, we ought to know what is going on with this bill. If we are telling these mothers they have to work, that we are not looking at the child care picture, and their children are in dangerous and inadequate child care centers and falling further behind developmentally, shouldn't we know that? Don't we want to know the impact? Can any Senator tell me that is of no consequence as to how well these children do in school? Of course it is.

I also want to point out that many of these families have been stigmatized. We have an additional problem. Again, I would like to see an analysis of this. But all too often, too many families don't even enter TANF. They do not know they have the right to receive assistance at the beginning, and, therefore, in this affluent economy we see a rise in the use of food banks and shelters. It is amazing. Everybody is claiming success.

The 50-percent reduction in the welfare rolls has hardly reduced poverty. In many cases, children are poorer now than they were before. In all too many cases families don't even know they are eligible to receive this assistance, and they don't.

I will save some of my time in case there is a response to the debate. But I want to talk about a report released yesterday by the National Campaign for Jobs and Income. It is a new coalition of antipoverty groups.

They found a couple of results that are very distressing. In too many cases families are eligible still for medical assistance and food stamp assistance when they move from welfare to work, but at the local county level they are not told they are eligible. That is incredible. That is absolutely incredible.

Let me talk about Medicaid and what is happening under welfare reform.

Despite the creation of the State Child Health Insurance Program, CHIPS, which provide resources to States, the total number of low-income children enrolled in Medicaid in the State CHIP program combined has actually decreased in the 12 States with the largest number of uninsured children between 1996 and 1998.

A study in the January issue of Health Fairs found that 41 percent of the women surveyed lacked health insurance one year after leaving welfare. Forty-one percent of these women no longer have any coverage. Their families don't have coverage. Only 36 percent of the women had been able to retain their Medicaid coverage. The same study found that 23 percent of the women with children were also uninsured. Some were about to keep their insurance. But 23 percent were uninsured one year after losing welfare benefits.

I ask you to vote for an amendment that says we ought to do an evaluation of the impact of their welfare bill on the poverty of children. If 23 percent of the children one year after their mothers leave welfare no longer are covered and no longer have any health insurance coverage, that is a serious consequence. We ought to understand that.

According to Families USA, two-thirds of a million low-income people—approximately 675,000—lost their Medicaid coverage and became uninsured as a result of the welfare bill.

Families are losing Medicaid coverage under welfare reform because: No. 1, they are basically not being told they are entitled to it at the local level.

No. 2, you have these complex rules, and it is very difficult for people to know their rights. Legal immigrants, in particular, are especially confused.

No. 3, antiquated computer systems. Most States rely on computer systems that were designed for welfare programs, not Medicaid. As a result, these systems produce letters that are technical and difficult to understand. When families are pushed off welfare right away they don't even know they are entitled to medical assistance.

Now for the second set of disturbing facts. Sometimes facts make Members uncomfortable—or they should make Members uncomfortable. According to the USDA, 30 million people live in a ''food insecure'' house; 40 percent of them are children; 12.5 million children are ''food insecure''—that is another way of saying going hungry or malnourished.

I have talked about all of the people who have been pushed off welfare. According to a study by the USDA, more than one-third of those eligible for the Food Stamp Program are not receiving the benefits. A General Accounting Office report released last year found food stamp participation dropped faster than related indicators would predict.

Furthermore, GAO points out there is a growing gap between the number of children living in poverty, an important indicator of children's need for food assistance and the number of children receiving food assistance. That food stamp participation dropped faster than related economic indicators would indicate simply means we have hardly made a dent in reducing poverty. We have many poor children in the country. The Food Stamp Program was the major safety net program for poor children in America and we have seen a dramatic decline in participation. Probably as many as 33 percent of the children should be receiving the help, and they are not. Therefore, they are hungry, they are malnourished, and therefore they can't do as well in school. And no Senator's child could do well in school if their child went to school malnourished or if their child was hungry.

These are not my opinions but that of good researchers. The Urban Institute report found two-thirds of the families who left the Food Stamp Program were still eligible for food stamps.

What is going on? We need a policy evaluation. A July 1999 report, prepared for USDA by Mathematics Policy Research, identified ''lack of client information'' as the barrier to participation and pointed out that many of these people who were not participating were not aware they were eligible.

At the local level they are not being told. We have created such a stigma, we have done so much stereotyping and bashing of these poor women and children and the poor in America today, that it has filtered down to the local level. Basically, at the local level people don't even know they have the right to get this assistance.

Much of this is happening at the same time the States are now sitting on a $7 billion surplus of TANF money. Colleagues who were for the welfare bill should be as concerned about this as I am. There were a number of States—Minnesota was one last year; not this year, I am happy to say—that through a little of bit of accounting and juggling, used the TANF money for a tax rebate.

This is what we have: Families who are not being told they are eligible for medical assistance, and they are; we have families not being told they are eligible for food stamp assistance, and they are; we have a rise in the use of food shelters; we have hungry children in America; we have many families who no longer receive medical assistance 1 year after the welfare bill; we have the vast majority of the women no longer on welfare and still don't make even poverty wages; and we have a whole group of other recipients and women who have severely disabled children or they had children when they were children, who do not have the skills development or have struggled with addiction, or we have, unfortunately, a central issue of violence in the home, women who have been battered over and over again. They need to have the support services so they can move from welfare to work and be able to support their children in this prosperous economy.

The Governors came here and said, several years ago: Trust us, trust us, trust us.

Some States are doing good work. The Chair was a Governor of New Hampshire. Some States are doing good work.

I can't believe they are sitting on $7 billion in TANF money, some of which could go into training, some of which could go into education, some of which could go into the support services. That is what this was all about.

There is reason to be concerned. Not later than June 1, 2001, and prior to the reauthorization of this bill, let's call upon the Secretary of Health and Human Services to make a report on the poverty of children in America and in particular on the welfare bill and how it has affected the economic status of the children in these families.

The reason I offered this amendment is manyfold, but let me make it twofold. First, there is disturbing evidence based upon reports that we are now seeing an increase of children who are among the poorest of poor in America. Second, there is disturbing evidence that very few of these families have actually moved from welfare to escape poverty. There is clear evidence that many of the families have now lost their medical assistance and are worse off. In addition, there is clear evidence that many of these children and many of these families are eligible for food stamp assistance, which is particularly

important in making sure that children don't go hungry, and they are not being told about it.

The second reason I bring this amendment to the floor is I think there should be an up-or-down vote. Members can't argue that this is irrelevant to the discussion at hand. The Yale-Berkeley study sends chills down my spine. There has also been a national report. I know there was a New York Times article about it. What has happened with many of these families is the mothers work, but all too often they have to leave at 6 by bus. It takes them 2 hours. There is not adequate transportation. They don't have a car or they may live in a rural area. They don't get home until 8 o'clock at night. The child care situation is frightening. A lot of the child care for these children is dangerous and inadequate, at best. These children should be valued as much as our children.

Colleagues, I wait for a response.

How much time remains?

The PRESIDING OFFICER. The Senator has 28½ minutes remaining.

Mr. WELLSTONE. I ask my colleague from Georgia whether there is any response.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I did not hear the Senator's question.

Mr. WELLSTONE. Mr. President, I say to the Senator from Georgia, I reserve the remainder of my time. I have tried to make the following arguments. I have tried to say there is disturbing evidence, outside reports that all may not be right with what is happening. Before we reauthorize this bill, we ought to have a policy evaluation of the impact on poor children. Then I went on and tried to give examples. I can repeat them if my colleague wants me to. It is in my head and my heart.

My second point has been I certainly hope this amendment will not be tabled because I think it has everything to do with education. I think it is terribly important.

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

The PRESIDING OFFICER. The Senator has 59 minutes. The Senator from Minnesota has 28 minutes.

Mr. COVERDELL. It might be helpful to the Senator from Minnesota to know I do not believe there will be a rebuttal to his amendment. It is my intention to yield back our time at the appropriate moment.

I am unaware of anybody who has expressed to me an interest in debating his amendment. If the Senator wanted to use the remainder of his time, this would be the time to do it.

Mr. WELLSTONE. Mr. President, I gather from what my colleague said that means if there is not a rebuttal, there is going to be a good strong vote for this amendment? Is that what my colleague is saying? That would please me.

Mr. COVERDELL. Anybody who predicts the legislative process is probably the same person who gets his own attorney.

Mr. WELLSTONE. Is my colleague going to move to table?

Mr. COVERDELL. Yes, I am.

Mr. WELLSTONE. Mr. President, I thank my colleague from Georgia. Here is what I am concerned about now. I want to say this to the Senator from Georgia.

The background of this is, I have for the last 2 years, off and on, been trying to get a policy evaluation of the bill. This time I focused on the poverty of children because I thought it was so important, so relevant to education. I believe that. I think my colleague from Georgia does.

I say to the Senator, he does not have to respond. We will see what the House does. It is a tax bill. It may go to the President, and it could very well be vetoed. If that happens, then I have to come back with this amendment on another vehicle, but I certainly hope if we go to conference committee this amendment will not be dropped.

I am going to call for a record vote because I want everybody on record. What has happened in the past is I will come out and then it will get dropped. First, we lost on a vote, a slightly different amendment. Then the next one was dropped.

I know I speak with emotion about this, but I really do think it makes sense before we reauthorize by 2001—before we reauthorize in 2002, we ought to know what the impact is. I have presented a lot of studies that should trouble all of us. I think it is terribly relevant to how well our children do.

I thank the Senator from Georgia because he could have come out and tried to give this the back of his hand and tabled it. I appreciate the fact he did not. I do not think Senators should vote against this amendment. What I hope is it will stay in conference committee. I make that request to my colleague.

I have been on votes that have been 99–1, where I am the 1. Obviously, I have not persuaded too many people. And then I have been involved in votes that are closer. If this is almost a unanimous vote or a unanimous vote, I would like Senators to know: You are on record. When we vote we are on record. I want Senators to know when you vote you are on record saying it is important we have a thorough policy evaluation done of the effect of the welfare bill on children. We want to know if there has been a rise in the poorest of the poor children. We want to know what the gap is between those families who are working and poverty-level income. Are they moving to economic self-sufficiency? We want to know what has happened with other programs such as food stamp programs and why there has been such a drop in food stamp participation, way below the drop in poverty. We want to know what is going on. We want to know what is going on with child care. I am troubled by all these reports about the dangers due to inadequate child care for these children.

The way I look at it, I say to Senator COVERDELL, the evidence is irrefutable that probably the most important thing any of us could do is try to make sure prekindergarten kids get the developmental child care from parents—or whoever, if the parents work—so they come to kindergarten ready to learn and not way behind.

I want all Senators to know you are on record supporting this policy evaluation. I have been trying to do this for several years. I appreciate the support. It is not a small question. Children who are hungry do not do well in school. Children who receive no health care coverage or dental care where they have an abscessed tooth and infection do not do well in school. Children who have been in inferior prekindergarten situations, inadequate child care, do not do well in school. Children who are homeless do not do well in school. And children who are among the poorest of the poorest of the poor citizens of this country, living in households at less than half the poverty-level income, do not do well in school.

I think it is important we get a handle on what it means that in the most affluent country in the world, with an economy booming and record surpluses, we have 12.5 million children who are ''food insecure.''

We can do better, and we will do better when we are willing to do an honest evaluation as to what is happening.

I thank my colleague from Georgia. I take his support not as a sort of effort to trivialize this but as sincere support. It means a lot to me.

Before I yield the floor, I ask my colleague, I would like to have the vote. I would like to have everybody on record. When would we be scheduling this vote?

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, it is not a precise science we are dealing with here, but it is contemplated that we will move from the Senator's amendment to an amendment by Senator HUTCHISON of Texas, to an amendment by Senator MURRAY of Washington, and perhaps one other which is being discussed from Senator ROTH, which is a managers' amendment. Then all those would be voted on back to back. My guess is, if that is the general plan and it occurs that way—as the Senator knows, these things are sometimes subject to some modification—I think that is a pretty good description of what is likely to happen and that would probably happen around 5:30 or 6 o'clock. It is contemplated the Senator wants a vote on his amendment. It will be in that stacked series of votes.

Mr. WELLSTONE. 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.

Mr. WELLSTONE. I say to my colleague from Georgia, what would be best for Senators' schedules would be stacked votes, either later today or early tomorrow morning; is that correct?

Mr. COVERDELL. Yes. The purpose for that is we are trying to facilitate people offering amendments, trying to keep it as near on time as we were doing with the presentation of the Senator so people can keep their schedules.

Mr. WELLSTONE. I thank my colleague from Georgia. I yield the floor.

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

Mr. COVERDELL. Is the Senator from Minnesota prepared to yield back his time? I am prepared to yield back our time on the amendment.

Mr. WELLSTONE. Mr. President, I yield back our time.

Mr. COVERDELL. Mr. President, I yield back our time.

The PRESIDING OFFICER. All time has been yielded back.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

AMENDMENT NO. 2860

(Purpose: To establish the Careers to Classrooms Program)

Mrs. HUTCHISON. Mr. President, I call up amendment No. 2860.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 2860.

Mrs. HUTCHISON. 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.'')

Mrs. HUTCHISON. Mr. President, this amendment adds flexibility to our school systems. I am working with Senator JEFFORDS and his committee, and Senator LEAHY as well, on the ESEA reauthorization.

I wish to lay down the marker with this amendment because I think it is the key to what we are talking about. We are trying to give parents more options for their children to make the choices that are best for each child.

One of the problems we have in high-needs schools across our country is that we do not have qualified teachers to teach subjects that will benefit young people all over our country. It may be computer courses. It may be language courses. Yet we have people who have had careers—people in the military, people in corporations and businesses—who may be proficient in French and they may live in an area where the school is not able to teach French because they do not have a qualified teacher. This would be a big benefit to the young people in that school system if they had that as an option. It may be the Russian language or the Chinese language. It may be computer skills. It may be chemistry or biology classes. There are so many areas, but they just are not teacher qualified.

My bill, which is called Careers to Classrooms, is being offered as an amendment to give more flexibility to the States by allowing them to go to a high-needs school and give priority in that high-needs school to recruiting teachers.

My amendment also encourages a certification process that will bring the teacher up to speed quickly. It is an expedited certification process so the teacher will not have to wait a whole year to go into the classroom but can go through an expedited certification process by that State.

It is important we replicate the programs that have succeeded. My Careers to Classrooms amendment replicates the Troops to Teachers Program that has been in place and has been very successful. It uses retired military people who have experience in the military which they can transfer to the classroom and enrich educational opportunities for our young people. This allows people in the private sector to do the same.

This is similar, but not the same, as the Graham amendment. The Graham amendment goes toward the universities being able to have programs. Mine is for the States to put these programs in place.

I urge the adoption of my amendment. I think it adds an enriching experience for the classrooms, particularly in high-needs schools, whether it be in an urban community that does not have access to teachers or in our rural areas.

I happen to know of a case involving a woman who was a French major in college. She had taught French in private schools. She moved to a small town in Texas where they wanted to offer French in the high school. She wanted to teach it, but she could not because she did not have the teacher certification.

This is made to order for this situation. This is a French language major who taught French in private schools and who wants to give this opportunity to a small Texas high school. I want her to be able to do that because we know those students will be enriched by having that option.

I urge the adoption of my amendment. I hope we can offer this kind of enrichment to schools all over our country by giving the States this option.

Mr. President, I ask the distinguished manager of the bill if I can ask approval of my amendment. Does he want a voice vote?

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, if the Senator from Texas has completed her presentation on the amendment, my suggestion is that we set it aside and move to other matters. We are trying to determine the sequence of amendments. Perhaps we can deal with the amendment either on a recorded vote or perhaps we can secure a voice vote in the back-to-back management of this current series of amendments.

Mrs. HUTCHISON. I am happy to accommodate whatever works. Is my amendment the pending amendment?

Mr. COVERDELL. It is at the moment.

Mrs. HUTCHISON. Mr. President, does the Senator want me to set it aside?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we may be able to clear this. We do not know. I have to check with the Finance Committee as to how they feel about this. It may be better to put this in the normal course of amendments. If we can do this by voice vote, that will be great.

Mr. COVERDELL. What we are saying is we have not decided that yet. Mr. President, I ask unanimous consent that the amendment be set aside for the moment. We will proceed with business and return to it at the appropriate time.

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

The Senator from Georgia.

Mr. COVERDELL. Mr. President, I am going to propound a unanimous consent in just a moment. I see my colleague is wishing to make a remark or two, so I yield the floor.

Mr. REID. Mr. President, I say to my friend from Georgia, there are a number of meetings taking place tonight, one at the White House. What we are trying to do is get things arranged so we can have votes completed in time for Senators to go to the White House for a bipartisan meeting. What we are trying to do is have Senator MURRAY take the floor for her amendment at about 20 until 5. The majority will respond to that. We will then begin a series of two and possibly three votes, two recorded votes, maybe one voice vote. If we can't do the one by voice, that will be put over until tomorrow, so Members have an idea of what we are trying to do.

Mr. COVERDELL. I appreciate the remarks of the Senator from Nevada. They very appropriately characterize what is being attempted at this point.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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, I ask unanimous consent that the time in relation to the Murray amendment on class size be divided with Senator MURRAY in control of 20 minutes and Senator COVERDELL control of 10 minutes. I further ask consent that at 5:05 p.m. today the Senate proceed to a vote in relation to the Wellstone amendment No. 2865, to be followed by a vote in relation to the Murray amendment regarding class size. I further ask consent that no amendment be in order to the amendments prior to the votes.

Mr. REID. Mr. President, reserving the right to object, my only modification would be that the vote will be at approximately 5:05. It may not be exactly at that time because the time doesn't add up.

Mr. COVERDELL. I so modify the request to say approximately 5:05 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COVERDELL. For the information of all Members, this agreement would provide for the disposition of two additional amendments. It is hoped that the Hutchison amendment will be agreed to by a voice vote; therefore, Members can expect two or three votes beginning at approximately 5:05 p.m. today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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, while we are waiting for the Senator from Washington to present her amendment, I thought I would take a couple of minutes to talk about a certain section of this longstanding debate.

The day before yesterday, the discussion of the core policy of this piece of legislation was that we would leave and not tax the interest buildup on education savings accounts so that they would compound themselves more quickly as an incentive for people to open the accounts. We are told it will probably result in 14 million people opening an account of this nature, and it will bear the parents of 20 million children, which is a little over a third of the entire population of children attending kindergarten through high school.

So the reach of the legislation we are debating and amending is very large. But in the discussion, Senator KERRY of Massachusetts referred to the fact that when you leave, you don't collect a tax. In his mind, that is an expenditure; we didn't appropriate it necessarily, but by not collecting that revenue we, in a sense, are appropriating money.

I find that a flawed theory. Under that context, every dime we do not take from a working family or an individual belongs to the Government, and only by the grace of the Government have we allowed it to stay in the family's checking account.

I won't say that is a convoluted theory, but it is certainly foreign, I believe, to the genesis of American liberty which envisioned the proceeds of the wages that are earned by families and individuals in our country as belonging to them—the people who earned it. Thomas Jefferson warned us of Government's propensity to take too much from the laborer who produced the wealth or the income.

So I thought I would take a minute or two to say that this Senator is among those who believe the wealth, the income, the paycheck belongs to the person who earned it, and Government should only, by the most urgent necessity, tax and remove that resource and thereby lessen the ability of that family or that individual to pursue their dreams and care for their family and its vision.

This theory, which essentially is the view that everything that everybody produces belongs to us up here in Washington unless we just happen to gracefully leave it in the family's checking account, is not a healthy idea. And it has come up two or three times in the debate over these education savings accounts.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I think under the previous order we would hear from Senator MURRAY on her amendment.

The PRESIDING OFFICER. The Senator from Washington is recognized.

AMENDMENT NO. 2821

(Purpose: To provide for class size reduction programs)

Mrs. MURRAY. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington (Mrs. MURRAY) proposes an amendment numbered 2821.

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

Mrs. MURRAY. Mr. President, the Senate is currently considering the Republican education agenda. I have listened carefully to the debate over the last several days.

It seems to me the difference between the Democratic and Republican approaches couldn't be more clear. Democrats want to invest in policies that really make a difference for today's young people. On the other side, we are hearing the same old song and dance about tax cuts, vouchers, block grants, and savings accounts. I fear those policies will really weaken our public schools instead of strengthening them.

The education savings account bill we are considering today would only help a very few wealthy families at the expense of everyone else. I urge my colleagues to reject it.

We should be spending our limited time on the policies that parents and teachers know work—things such as smaller classes taught by fully qualified teachers. Those are the policies that time and time again have produced real results for our students—not tax schemes, not funding gimmicks, not policies that will drain money away from our public schools.

That is why I am here this afternoon to introduce my class size amendment which will provide real help for students across the country.

These education savings accounts will only help a few people with very high incomes. Unfortunately, families who aren't well off need more incentives to save for education. And this bill doesn't offer them any. For the 90 percent of Americans whose children attend public schools, this bill offers peanuts.

The Joint Tax Committee found that the average benefit per child in public school would be between $3 and $7 per year over a 4-year period. This program is a backdoor voucher which will drain money away from our public schools and take scarce resources from students who need them most. All the while, this bill will do nothing to improve the quality of public education.

I know I am not the only person in America who thinks we should be investing in the things that we know work in education. A recent poll was conducted for the National Education Association by two bipartisan research firms—a Democratic research firm and a Republican research firm. It found that Americans want specific policies—policies such as providing additional support for students with special needs, policies such as helping school districts attract quality teachers, and policies such as hiring 100,000 new, fully qualified teachers to reduce class sizes in our country. Those are some of the specific, concrete policies on which the American people want us to focus.

In the same poll, the American public chose education as its No. 1 priority over tax cuts by a margin of two to one.

The bill on the floor today ignores the priorities the American people are asking us to address.

As a former school board member, let me give my colleagues a real-life opportunity to test this poll's funding.

Monday night, for many districts, is ''School Board Meeting Night'' across the country. If my colleagues want to know what the education priorities are at home, all they have to do is attend a local school board meeting. Senators will have the ability to see locally-

elected officials, respected community activists, parents, and students gather to discuss priorities and real problems.

School boards all across the country face very tough issues. I know what service on a school board is. I know what school boards are dealing with. They are grappling with class size, hiring quality teachers, deteriorating facilities, textbooks, curricula, and other issues.

I know what school boards are not dealing with. School boards are not debating tax cuts and vouchers. School boards are not considering diverting revenues from public schools to private schools. But that is what this bill would do.

This is the wrong education debate for our country. The right education debate gives our students the tools and the support they need to reach their full potential. Every child in America deserves a well-trained teacher and a small class size. When a student's hand goes up in the classroom, she should get the help she needs and the attention she needs. That is why this Senate should pass this class-size amendment.

I am offering this amendment for one reason—to continue the progress we have made in classrooms across America for the last 2 years. As a former teacher, I can tell you, it makes a difference if you have 18 kids in your classroom instead of 35. Parents know it, teachers know it, and students know it. By working together over the past 2 years, we have been able to bring real results to students.

This year, 1.7 million students across the country are learning in classrooms that are less crowded than the year before; 1.7 million students are in classrooms where teachers can spend more time teaching and less time dealing with discipline problems; and 1.7 million students are in classrooms where they can get the individual attention they need and where they will learn the basics.

That is progress. But it is not enough. There are still too many students in overcrowded classrooms. So far, we have hired 29,000 new fully qualified teachers. My class size amendment will continue our progress.

I recently visited a classroom in Takoma, WA, where they have taken our class size money and put it into their first grade classrooms. Now 67 classrooms in that district have 15 students in the first grade. The teachers will say they know this is the first year they will be able to say at the end of the year that every child in their first grade classroom will be able to read. There will be direct results from this program we have passed the last 2 years. They could not make those promises with 30 kids in the classroom. They now can as a result of the work we have done.

I wish to take a moment to go through the specifics of my amendment. This amendment uses $1.2 billion to reduce class size, particularly in the early grades, first through third, using highly qualified teachers to improve educational achievement for regular and special needs children.

This amendment targets the money where it is needed within the States. Within States, 100 percent of the funds go directly to local school districts on a formula which is 80 percent need-based and 20 percent enrollment based. Small school districts that alone may not generate enough Federal funding to pay for a new teacher may join together to generate enough funds to pay for a new teacher or to institute a top-notch recruiting program.

This amendment ensures local decisionmaking. Each local school district board makes the decisions about hiring and training their new teachers. The school district must use at least 75 percent of the funds to hire new certified teachers.

This amendment promotes teacher quality. Up to 25 percent of the funds may be used to test new teachers or to provide professional development to new and current teachers or of regular and special needs children. The program ensures that all teachers are fully qualified. Under the amendment, school districts hire State-certified teachers so every student will learn from a highly trained professional.

This amendment is flexible. Any school district that has already reduced class sizes in early grades, to 18 or fewer children, may then use the funds to further reduce class sizes in the early grades, to reduce class size in kindergarten or other grades, or carry out activities to improve teacher quality, including professional development.

The class size program is simple and efficient. School districts fill out a one-page form which is available online. The Department of Education sends them the money to hire the new teachers based on need and enrollment.

Let me add that teachers have told me they have never seen money move as quickly from Congress to the classrooms as they have under our class size bill.

Finally, this amendment ensures accountability. The amendment clarifies that the funds are supplementary and cannot replace current spending on teachers or teacher salaries. School districts fill out no new forms to get the funding, they just add a description of their class size reduction plan to a current form. Accountability is assured by requiring school districts to send a report card in plain English to their local community, including information about how achievement has improved as a result of reducing class size.

Those are the specifics of my amendment. I know this amendment will help my students. I urge my colleagues to support it.

Mr. REID. Before the Senator from Washington leaves the floor, I say to her and Members of the Senate how much I appreciate her leadership on this issue. She has been the voice speaking out on this issue time and time again. I think we in the Senate should listen to someone with experience. She served in the school boards we hear so much about. Why do we not do what the school boards want? That is what we are trying to do. We are doing that through the voice of someone who has served on a school board, who taught in preschool, who has been a voice on education.

On behalf of the people of the State of Nevada, I express my appreciation to Senator MURRAY for leading the Senate down this road of talking about the important matters that affect public education. That is what the debate should be: What can we do to provide a better education for the more than 90 percent of children in America today who go to public schools.

The PRESIDING OFFICER (Mr. L. CHAFEE). The Senator from Georgia.

Mr. COVERDELL. I rise in opposition to the amendment. I wish to make several points. The first point is the Senator from Washington characterizes the education savings account as something that would only benefit a handful of people who are wealthy. I believe that is pretty close to what she said.

According to the Joint Tax Committee, 70 percent of those who would utilize the education savings account make $75,000 or less. This is not something for anybody driving around in a black limousine. It is wrong to characterize it otherwise.

The second point: the criteria for these educational savings accounts are identical to the President's criteria for the higher education savings account. The same folks who use these savings accounts are the ones who were applauded by that side of the aisle when they created a higher education savings account. There is no difference. Every ''t'' is crossed and every ''i'' is dotted exactly the way it was done on the other side of the aisle. We cannot have it both ways. If they are not rich over here, they are not rich over here. The point is, the vast majority of accounts are utilized by middle-class folks and low-income people.

No. 2, this is the fourth attempt from the other side of the aisle to gut the creation of the education savings account. Who do they leave behind? The 14 million American families, 20 million American children who would save on their own $12 billion that would go to help education. By simply cutting out the funds as the amendment of the Senator does, $1.2 billion, she robs the Nation of $12 billion in resources that would come freely from families investing in these accounts utilizing their own money. It is bad economic policy to leave $12 billion sitting on the table.

The Senator in her amendment strikes the provision that allows 1 million students in college to receive prepaid tuition in the 43 States that do that, including her State, from their prepaid tuition being taxed when they get it. We are trying to leave the resource there so it can be used for the

college education. The amendment guts it.

Last, the proponents of the amendment, as is so often the case, say we will do something for you. But read the language under ''use of the funds.'' They are mandatory uses. It is a long series. If you want to play ball with the Federal Government, you have to hopscotch through every hurdle, every loophole, every this, every that, page after page, reports, qualifications—mandatory.

It is reinforcement of the entire concept of oversight by the big principal in Washington. That is not what America wants. It wants its schools governed at home.

Time is limited; we have 5 minutes remaining in our time. I see Senator GREGG of New Hampshire, and I yield the remainder of our time to Senator GREGG of New Hampshire.

Mr. GREGG. How much time remains?

The PRESIDING OFFICER. The Senator has 5 minutes 40 seconds.

Mr. GREGG. Mr. President, I thank the Senator from Georgia. I appreciate his hard work on this bill. He has certainly outlined most eloquently the importance of these savings accounts to education and how the dollars that will be going into the savings accounts will have a multilayer effect and grow radically, thus increasing the opportunity for more and more kids and more and more families to experience the American dream of going to college. They are using these dollars for other educational activities.

I wish to speak specifically to the amendment of the Senator from Washington State. This amendment is misdirected. It has come to the floor on a number of other occasions and it has been misdirected every time it came to the floor. It has been put forward by the administration as basically a polling amendment. I mean they went out and polled the term and then they concluded that term polled well so they came forward with a program based on that term.

It does not have anything to do with quality education. Study after study has shown the issue of quality education is not tied directly to class size. It is tied to the quality of the teacher in the classroom. In fact, there was a recent study done which studied all the other studies; 300 studies were looked at by Eric Hanushek of the University of Rochester. His conclusion was this, looking at 300 different studies on this specific issue: Class size reduction has not worked; the quality of the teacher is much more important than class size.

Equally important to that issue is the fact this is a straw dog amendment; 43 of the States in this country already are below what the President wants in class size ratio, 18–1. So the amendment really is not for the purpose of reducing class size; it is for the purpose of putting out a political statement.

Let's do something about education. That is what the Republican side of this aisle wants to do. So we have come forward with something called the Teacher Empowerment Act. Rather than having Washington put a straitjacket on the communities where they have to use this money for one thing and one thing only, which is to hire new teachers—many school systems not needing new teachers; what they really need is keep the good teachers they already have and they are having trouble doing that—rather than having this straitjacket from Washington delivered by the Clinton administration and the Members on the other side of the aisle, we said: Let's give the local communities the opportunity to give them what they need, the Teacher Empowerment Act.

It says we will take the funds suggested by the Senator from Washington and put them in the proper vehicle, which happens to be the Elementary and Secondary School Act, which is being marked up today, and we will allow those funds to be used by local communities to assist in addressing their teacher needs. They can use it for teacher education; they can use it for paying good teachers more money to keep them there in the school system; they can use it to send teachers out to get better qualifications and more certification or, if they want, they can use it to hire teachers to reduce class size.

We give the local school system a series of options, which is exactly what should happen. We in Washington should not be saying to every school system in America that in order to get these funds it has to add another teacher because that may not be what the local school system needs. There are numerous school systems in this country that have great teachers that they are losing because the tremendous demand of the marketplace is taking those teachers out of the school system and putting them in the private sector, especially in the math and science areas. So what that school system needs is the ability to pay them a differential, pay them a little more money. This gives them that option.

The Republican proposal is a logical proposal. It is a proposal that addresses the needs of the school systems, the needs of the principals in the school systems, the needs of the superintendents in the school systems and, most important, the needs of the teachers in the school systems and the needs of the parents whose children those teachers teach, rather than addressing some polling data that happens to make a nice political statement but ends up straitjacketing the local communities and the parents and teachers in those local communities.

That is the difference. To begin with, the Coverdell bill is the wrong place for this amendment. The amendment is bad to begin with, as I just noted, and I noted why it is bad, but it has no place in this bill. We are in the process of marking this specific issue up in committee. In fact, today we heard from the Senator from Washington; we heard from the Senator from Massachusetts as to how class size was going to be one of the two essential issues they intended to raise in the committee as we marked up the Elementary and Secondary Education Act. That is very appropriate. That is where the debate should occur.

In that bill already is the TEA bill, the Teacher Empowerment Act. They don't like it because it gives freedom to local school districts and they want to keep control in Washington. I can understand that is their political philosophy, but that debate should occur in the committee of jurisdiction on the bill appropriate to the issue. It should not occur on this bill, which is a bill to expand and empower parents and kids so they can go to college, so they can pursue other types of educational excellence activities.

The Coverdell idea is a superb idea and it certainly should not be mucked up, the water should not be discolored as a result of putting out what is basically a proposal that has no relevance to this bill.

The PRESIDING OFFICER. The Senator from Washington has 9 minutes remaining.

Mrs. MURRAY. How much time is left on the other side?

The PRESIDING OFFICER. All time has expired.

Mrs. MURRAY. I will just take a few minutes to wrap up and then I can yield my time. A number of Senators want to vote. They have other business to do.

Let me respond to the Senators from Georgia and New Hampshire. The Senator from New Hampshire is correct. We are in markup on the Elementary and Secondary Education Act in committee. Unfortunately, we just gave political speeches this morning and were not able to offer our amendments and go through that process. I know the committee intends to do that, but the majority decided what was going to be on the floor today—their education policy. This is what we are debating. This is our opportunity as Democrats to say what we believe is important.

We believe clearly that we have a choice. We can take very important Federal resources and offer them to families who are wealthy enough to put $2,000 away and get $3 to $7 back in a tax cut, or we can use that money for programs that we know work.

The Senator from New Hampshire indicated he did not believe class size reduction worked. Let me tell you two things, Mr. President. First of all, a very important study that was completed, a STAR study from Tennessee, that followed kids in the early grades, first through third grade, in small classes, and then watched their progress until they graduated a year ago, clearly found students in small classes, as we are asking this money to go for, had fewer discipline problems, graduated with higher scores in math

and English, and in much greater numbers went on to college.

What Member of this Senate has not been out here to say those are goals every one of us has: Better discipline and higher scores in math and English and higher rates of students going on to college? That is clearly a goal for all of us in public education. It is the STAR study and other studies that have shown it works.

We are saying if we want to provide this money, we should do it for programs that work for kids. The mandatory provision the Senator from Georgia spoke to in the bill is, I believe, 13 lines long and merely says what this money goes for is for class size reduction with a quality teacher in every classroom. It provides some of those funds for training those teachers because that is a critical issue. I absolutely agree.

Finally, let me say from a personal perspective, having been in a classroom as a teacher with a large class and a small class, I can tell you what the difference is. The difference between the large class and small class is the difference between crowd control and teaching; having the time to work individually with students, to understand what their needs are, to help them get through the difficult processes of learning in the early grades: Reading, writing and math. Those are very basic skills that a child needs to have.

It is very clear to me we have a choice between a few families in this country who can afford to put away several thousand dollars a year and only get $3 to $7 back—a very few families—or we can use this money in a way that absolutely makes a difference in early grades for our children.

I urge my colleagues to support this amendment and ask them to seriously consider what education policies we believe are important for families across this country. I believe reducing class size, providing quality teachers, making sure our schools are safe, are important criteria and a responsibility for us at the Federal level, to work in partnerships with our State and local school boards to make sure every child in this country—every child, not just a few—is able to learn to read and write and be a success.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. KENNEDY. Mr. President, I support Senator MURRAY's amendment to provide $1.2 billion dollars to help reduce class size in the early grades by hiring 100,000 new teachers. The Coverdell bill does nothing to help improve public schools that need assistance. Instead it diverts scare resources to wealthy families in private schools, when 90% of the nation's students attend public schools.

Research has documented what parents and teachers have always known intuitively—smaller classes improve student achievement. In small classes, students receive more individual attention and instruction. Students with learning disabilities are identified earlier, and their needs can be met without placing them in costly special education. In small classes, teachers are better able to maintain discipline. Parents and teachers can work together more effectively to support children's education. We also know that overcrowded classrooms undermine discipline and decrease student morale.

Project STAR studied 7,000 students in 80 schools in Tennessee. Students in small classes performed better than students in large classes in each grade from kindergarten through third grade. Follow-up studies show that the gains lasted through at least eighth grade, and the gains were larger for minority students.

STAR students were less likely to drop out of high school, and more likely to graduate in the top 25% of their classes. Research also shows that STAR students in smaller classes in grades K–3 were between 6 and 13 months ahead of their regular-class peers in math, reading, and science in grades 4, 6, and 8. Michigan, California, Nevada, Florida, Texas, Utah, Illinois, Indiana, New York, Oklahoma, Iowa, Minnesota, Massachusetts, South Carolina, and Wisconsin have initiated or considered STAR-like class size reduction efforts.

In Wisconsin, the Student Achievement Guarantee in Education program is helping to reduce class size in grades K–3 in low-income communities. A study found that students in the smaller classes had significantly greater improvements in reading, math, and language tests than students in bigger classes. The largest achievement gains were among African-American boys.

In Flint, Michigan, efforts over the last three years to reduce class size in grades K–3 have produced a 44% increase in reading scores and an 18% increase in math scores.

Because of the Class Size Reduction Act, 1.7 million children are benefitting from smaller classes this year. 29,000 were hired with fiscal year 1999 funds. 1,247 are teaching in the first grade, reducing class sizes from 23 to 17. 6,670 are teaching in the second grade, reducing class size from 23 to 18. 6,960 are teaching in the third grade, reducing class size from 24 to 18. 2,900 are in grades 4–12. 290 special education teachers have been hired. And, on average, 7% of the funds are being used for professional development for these new teachers.

The Boston School District received $3.5 million this year to reduce class size. As a result, Boston was able to hire 40 new teachers, reducing class size from 28 students to 25 in the first and second grades.

In Mississippi, Jackson Public Schools used its $1.3 million federal grant to hire 20 new teachers to reduce class size in 1st grade classrooms from 21 to 15, and in 2nd and 3rd grade classrooms from 21 to 18.

In New Hampshire, the Manchester School District received $634,000 and was able to hire 19 new teachers in grades 1–3, particularly in its English as a Second Language and special education programs, reducing the average class size from 28 students to 18.

In Ohio, the Columbus Public School District has hired 58 fully certified teachers with funds from the class size reduction program, and placed these teachers in 14 high-poverty, low-performing schools, reducing class size in grades 1 to 3 from 25 to 15. Along with proven-effective reading programs such as Success for All, class size reduction is a central part of efforts by the City of Columbus to improve low-performing schools.

Senator MURRAY's amendment is an important amendment which deserves the Senate's consideration, and I urge the Senate to approve it. The nation's children and the nation's future deserve no less.

AMENDMENT NO. 2865

Mr. COVERDELL. By a previous unanimous consent agreement, I believe the order of business is to move to the Wellstone amendment for a vote. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have.

Mr. COVERDELL. I assume we will proceed to the vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2865. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Missouri (Mr. BOND) are necessarily absent.

The result was announced—yeas 89, nays 9, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—89

Abraham	Edwards	Lincoln
Akaka	Feingold	Lott
Allard	Feinstein	Lugar
Ashcroft	Fitzgerald	Mack
Baucus	Frist	McConnell
Bayh	Gorton	Mikulski
Bennett	Graham	Moynihan
Biden	Grams	Murkowski
Bingaman	Grassley	Murray
Boxer	Gregg	Reed
Breaux	Hagel	Reid
Brownback	Harkin	Robb
Bryan	Hatch	Roberts
Bunning	Helms	Rockefeller
Burns	Hollings	Roth
Byrd	Hutchinson	Santorum
Campbell	Hutchison	Sarbanes
Chafee, L.	Inonye	Schumer
Cleland	Jeffords	Sessions
Cochran	Johnson	Shelby
Collins	Kennedy	Smith (OR)
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Crapo	Kohl	Stevens
Daschle	Kyl	Thurmond
DeWine	Landrien	Torricelli
Dodd	Lautenberg	Warner
Domenici	Leahy	Wellstone
Dorgan	Levin	Wyden
Durbin	Lieberman	

NAYS—9

Craig	Inhofe	Thomas
Enzi	Nickles	Thompson
Gramm	Smith (NH)	Voinovich

NOT VOTING—2

Bond	McCain

The amendment (No. 2865) was agreed to.

AMENDMENT NO. 2821

The PRESIDING OFFICER. The question now occurs on the Murray amendment.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the next vote in this series be limited to 10 minutes.

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

Mr. COVERDELL. Mr. President, have the yeas and nays been called for?

The PRESIDING OFFICER. They have not been ordered.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The Senator from Washington yields back her time. The question is on agreeing to amendment No. 2821. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Missouri Mr. BOND) are necessarily absent.

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

The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—42

Akaka	Edwards	Leahy
Baucus	Feingold	Levin
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Cleland	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Schumer
Dorgan	Landrieu	Wellstone
Durbin	Lautenberg	Wyden

NAYS—56

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Byrd	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee, L.	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Coverdell	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lieberman	Thurmond
DeWine	Lott	Torricelli
Domenici	Lugar	Voinovich
Enzi	Mack	Warner
Fitzgerald	McConnell	

NOT VOTING—2

Bond	McCain

The amendment (No. 2821) was rejected.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

AMENDMENT NO. 2860

Mr. COVERDELL. Mr. President, I believe the next order of business is the Hutchison amendment.

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

The amendment (No. 2860) was agreed to.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the Mack-Hatch amendment No. 2827 and that following the reporting by the clerk, the Senate proceed to a period for morning business with Members permitted to speak for up to 10 minutes each.

I further ask consent that the Senate resume the pending bill at 9:30 a.m. on Thursday and that there be 30 minutes equally divided in the usual form, to be followed by a vote in relation to the Mack-Hatch amendment. I ask that no second-degree amendments be in order prior to the vote.

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

Mr. COVERDELL. In light of this agreement, there will be no further votes this evening and the first vote tomorrow will occur at 10 a.m.

Mr. REID. Mr. President, for information purposes, it is my understanding in the morning we will do the Hatch amendment. It is my further understanding after that we will move to the Roth amendment.

Mr. COVERDELL. Yes, I have the consent request I will read.

Mr. REID. That is fine.

Mr. COVERDELL. I further ask consent that following the disposition of the Hatch amendment, Senator ROTH or his designee be recognized in order to call up the Roth amendment. I also ask consent that immediately upon reporting of the amendment, Senator GRAHAM of Florida be recognized in order to offer a second-degree amendment relating to offsets.

I ask unanimous consent that there be a total of 30 minutes equally divided in the usual form with respect to both amendments. Finally, I ask that following the use or yielding back of time, the Senate proceed to a vote on or in relation to the Graham amendment, to be followed by a vote on or in relation to the Roth amendment, as amended, if amended.

Mr. REID. Mr. President, reserving the right to object, I ask that there be a number assigned to the Roth amendment. Do we have a number on that? Is this the one that is going to be offered for the purpose of substituting original text? We want to make sure if, in fact, the Roth amendment is adopted the legislation remains amendable.

Mr. COVERDELL. There is no intent to alter that plan.

Mr. REID. My only other suggestion is that the time be 1 hour equally divided. We believe we can do it more quickly, but at this time, there is a request for more time.

Mr. COVERDELL. It says 30 minutes for each amendment. Does the Senator want to make it an hour for each one?

Mr. REID. I believe 30 minutes for each amendment will be adequate, but let's cover the phone call we just received.

Mr. COVERDELL. Mr. President, I modify the unanimous consent request to read according to the request of the Senator from Nevada.

Mr. REID. Also, Mr. President, we will have no objection, but for the information of Senators, especially those on my side, following the disposition of the Roth amendment, as amended by Graham, we are going to move to the Boxer amendment, the Feinstein-Sessions amendment, and thereafter, we will probably move to either the amendment of Senator DORGAN or Senator KENNEDY or Senator SCHUMER. We have their amendments lined up. The first two will be Boxer and Feinstein. We should be able to move through the next amendments in the next day or two.

Mr. COVERDELL. In conjunction with the Senator's question about the Roth amendment, I think this language will clarify it. And with respect to the Roth amendment, if agreed to, it will be considered as original text for the purpose of further amendment.

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

AMENDMENT NO. 2827

(Purpose: To eliminate the marriage penalty in the reduction in permitted contributions to education individual retirement accounts)

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Georgia [Mr. COVERDELL], for Mr. MACK, for himself and Mr. HATCH, proposes an amendment numbered 2827.

The amendment is as follows:

In subsection (a) of section 101, add at the end the following:

(4) ELIMINATION OF THE MARRIAGE PENALTY IN THE REDUCTION IN PERMITTED CONTRIBUTIONS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended—

(A) by striking ''$150,000'' in subparagraph (A)(ii) and inserting ''$190,000'', and

(B) by striking ''$10,000'' in subparagraph (B) and inserting ''$30,000''.

BUELL ELEMENTARY SHOOTING

Mr. LEVIN. Mr. President, I am saddened to come to the floor this afternoon to speak about a tragedy that occurred yesterday in my home State of Michigan.

Yesterday morning, in room No. 6 at Buell Elementary School in Mount Morris Township near Flint, a first-grade student allegedly shot and killed his young classmate, Kayla Rolland.

We don't yet know all the facts about how the first-grader gained access to the handgun or whether the shooting was accidental or intentional. We do know, however, that one girl lost her young life in this tragedy and the children at Buell Elementary are scared

and confused and their parents deeply concerned.

Although grief counselors and social workers are at the elementary school now and will work their hardest to help these children understand and cope with the trauma, there is really no amount of counseling that can replace the innocence these children have lost.

The class of 22 students who witnessed the shooting is looking for answers and so are most of the rest of us. How can we make sense of this tragedy and the apparent relative ease with which a 6-year-old brought a 32-caliber semiautomatic handgun to school?

It is impossible to come to terms with this or any of the other shooting tragedies in this country that claim the lives of 12 children on the average each day. Yet always after a tragedy such as this one, we ask ourselves if it could have been prevented. The answer is a resounding yes. Congress can and must work to keep guns out of the hands of children.

It has now been almost 1 year since the deadly shooting at Columbine and still Congress has done nothing to help prevent these school shootings.

Lori Mizzi-Spillane, a Michigan coordinator of the Million Mom March, an organization advocating for stricter Federal firearms laws, asks in her words, ''What is it going to take now for people to wake up?''

What will it take for us to ''wake up'' and pass legislation requiring firearms to be sold or transferred with storage or safety devices? What will it take for us to ''wake up'' and pass child access prevention legislation which would require that adults store firearms safely and securely in places that are reasonably inaccessible to children? Together, both Houses must enact these and other commonsense gun safety reforms that will keep our young people alive.

We should also note that the semiautomatic handgun that was reportedly used by the 6-year-old is a Saturday-night special, or junk gun, manufactured by one of the same companies that recently filed for bankruptcy protection to evade claims for damages caused by their product.

Earlier this year, I offered an amendment to the Bankruptcy Reform Act to prevent gun manufacturers from tactically using bankruptcy laws to evade accountability. That amendment would have held those companies responsible if they produced unsafe products and distributed those products negligently. The amendment did not pass, and the gun industry continues to be the only industry explicitly exempted from Federal health and safety regulations. As a result, many of the guns manufactured today lack even the most basic kind of safety devices. We should repeal this privileged position of gun manufacturers and also require that all firearms are personalized or child-proofed so they cannot be fired by unauthorized users.

I extend my thoughts and my prayers to Kayla's family, and I know I do on behalf of every Member of the Senate. No family should have to suffer what this family has suffered in the last 2 days and what they will continue to suffer as long as they live. We will work ever harder to reduce the toll of gun violence for all the children of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

CONSERVATION AND REINVESTMENT ACT

Ms. LANDRIEU. Mr. President, most certainly I hope the cameras can get a great shot of this beautiful poster. It says: Parks and recreation: The benefits are endless. This is a picture of a Little League team. I do not exactly know from which State they hail, but it is from one of our great States. This is a team; and you can tell they are having a lot of fun.

To me and many of us who are working on a very important environmental bill, this poster represents something that is absolutely essential for our country today and is something that has been a joy to work on in this Congress and something on which we are making such progress.

Besides a great education for kids, we also have to give them a place to grow up and ball teams to belong to. It builds character and it teaches them how to work together and how to be productive.

Really, life is a lot about teamwork. We learn that in the Senate. We learn it in classrooms. We also learn it on ball fields all over this great country and around the world.

I want to take a moment, if I can, to say a couple words about a bill introduced last night by a group of us. I thank Senators TRENT LOTT, FRANK MURKOWSKI, JOHN BREAUX, and DIANNE FEINSTEIN for being cosponsors. Senator EVAN BAYH indicated to me a few minutes ago he is anxious to join with us; and also Senator CAMPBELL mentioned his interest. I am sure there will be many who support us as the word gets out about this particular bill. It is S. 2123 that was filed. It is the exact version of a bill that was worked out in a great compromise in the House about the ways we should reinvest our oil and gas revenues to provide for the expansion and full funding of our land, water, and conservation funds, which would fund thousands of opportunities such as this for the children I just mentioned.

It would fund significantly our wildlife conservation programs in this country, not necessarily dictated from Washington but actually decisions made at the State and local levels where, with regard to game and nongame species, special methods can be used; one size doesn't fit all.

Significant to my State of Louisiana as a producing State, this particular bill would provide some significant resources to address the great coastal needs of Louisiana, Mississippi, Alabama, Texas, but also of New Jersey, California, Washington, and all of our coastal States, including our Great Lakes States. Whether we drill or not—and there are no incentives for drilling—it will be a great resource to help restore our coastlines, help stop the erosion, and help preserve wetlands in this Nation and our State of Louisiana, which represents over 60 percent of the coastal wetlands in the United States, and 40 percent of the commercial fisheries, the habitat of which rests in these wetlands. So it is a tremendous treasure.

This bill was introduced along with others we have before our Committee on Energy and Natural Resources. I thank the growing number of Senators who have stepped up to the plate to try to help us pass what is arguably the most important conservation and environmental bill in the last 100 years.

To my friends who are concerned about more acquisition of Federal land, I will share a few thoughts from DON YOUNG, who has been the leader on the House committee, who has been a champion of private property rights, a champion of the outdoors. They joked earlier today that he carries a knife. I guess it is OK in the House because he has one. If worse comes to worst, he may use it to help get this bill passed. I think that is probably going too far. But trust me, he is an outdoorsman from Alaska; he knows about private property rights.

He says the bill we are debating, S. 25, and also this new bill, S. 2123, which reflects the compromise he and Congressman MILLER from California worked out, would actually improve the position of Western States that are concerned that perhaps this bill gives even more money to purchase land because, in fact, any administration can do that, and right now some administrations have done it without much oversight from Congress.

This bill provides the proper partnership and balance between the administration and Congress. This bill gives the appropriators and the authorizing committee the authority and encourages them to actually make the decisions about what lands will be purchased. In addition, what I think is so right about what Chairman DON YOUNG says, is that our environmental efforts need to be about much more than just acquiring more land; we have to take care of the land we already own. I think the Chair would agree with that. That is what the bill does.

I reach out to my colleagues from Western States, many of whom have supported this effort, many of whom have other concerns and have hesitated so far with their endorsement, to ask them to really look at western values within the Conservation and Reinvestment Act piece that is being circulated and really look at what an improvement this bill offers over the current status quo.

My last point is actually a word to the White House and to the President,

first to thank the President for his leadership in lands legacy. He has a tremendous idea about trying to leave a great legacy. Of course, he has done many good things in his time as President for these 8 years. He has been a leader in the environmental effort. I so appreciate that; many of us do.

I thank him for laying down a mark on lands legacy but urge him to consider that this piece of legislation is permanent in nature. It is broader than the vision he has outlined. And it is an improvement. It brings in the East and the West, the North and the South. It helps urban areas and rural areas because we have added urban parks and historic preservation. There have been some great improvements demonstrated through the development of this piece of legislation.

I thank him for his great leadership, acknowledge the work of many people in the White House, but urge them to embrace the concept that is now supported by over 300 Members in the House. We have a growing number of Members in the Senate to pass this bill now.

Some people think we can't afford it. If we can't afford to take $2 billion, which our bill is calling for, out of arguably a $3 trillion surplus—if you want to take Social Security completely off the plate, which I want to do, and give very conservative estimates, it leaves us with about $800 billion to allocate. We can do it through some tax cuts, which I support, reasonable and targeted. We can do strategic investments in education. But there is one investment I know, besides education, the American people want us to make. That is preserving land that is lost every hour and every minute, preserving parks for these children, preserving opportunities to hunt and fish, to take your grandchildren to the pond outside of your farm or down the road or across the State line to spend a weekend in the woods.

I am positive people in Louisiana and all over America want us to act now. Ten years is too late. Next year is too late. My question is, if we can't afford to take this money now, which in my opinion should not be going into the Federal Treasury because it is taxes from a resource that is depleting—we should not be using it in our operating expenses anyway because one day, probably in my lifetime, these oil and gas wells will be dried up—why do we not take this opportunity in the dawn of this new century to take some of this money and give it back to our kids and our grandkids in ways that are responsible and meaningful and for something that is permanent.

In conclusion, I know many people will thank us for passing this bill, but the most important group will be our grandchildren. We will be proud that we did it.

I look forward to working with all of my colleagues, Republican and Democrat, to get this bill out of committee, passed on the floor, and be there for the signing when the President will enthusiastically embrace what we have done to improve his lands legacy approach to provide security for Western Senators, to provide urban help to our urban areas, and to do it in a way that is very fair to all parts of the country.

Mr. President, I ask unanimous consent to print a document in the RECORD entitled ''Western Values Within the Conservation and Reinvestment Act of 1999.''

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

WESTERN VALUES WITHIN THE CONSERVATION AND REINVESTMENT ACT OF 1999 (CARA)

BACKGROUND

For decades, the Land and Water Conservation Fund has made $900 million available for state and federal land acquisition. State acquisitions are driven by a state planning process and states and local governments are responsible for their own plans and receive direct funding (matched 50/50) based upon a formula. Since fiscal year 1995, the states have not received funding from the Land and Water Conservation Fund.

For federal acquisitions, any amount (up to $900 million) may be spent on Federal land acquisition as appropriated through the annual Congressional appropriations process. There are virtually no restrictions with this process and almost $300 million has been historically appropriated to purchase new federal lands. In a recent year, nearly $700 million was used to buy private lands.

HOW DOES CARA CHANGE THIS PROCESS TO PROTECT WESTERN VALUES?

1. By making permanent and dividing (between the state and federal portions) the $900 million within the Land and Water Conservation Fund, we require the federal government to share half of the LWCF funds with the states to be spent on locally selected projects.

2. Each year the Administration must transmit a list to Congress requesting specific approval for each tract of land to be acquired.

3. Congress must specifically approve each project.

4. The Administration must seek to consolidate federal land holdings in states with checkerboard Federal land ownership patterns.

5. The Administration must seek to use exchanges and conservation easements as an alternative to acquisition.

6. The Administration must notify Congress (within the annual request required by CARA) if tracts are identified for acquisition from non-willing sellers.

7. Transactions will be carried out with willing sellers, because CARA prohibits the government from using adverse condemnation to acquire lands—unless specifically authorized by Congress.

8. The Administration must demonstrate, to Congress, its authority to carry out the federal acquisition.

9. 30 days after the submission of the LWCF acquisition request (new CARA requirement), the Congressional representatives, the Governor, and local government official must be notified.

10. 30 days after the submission of the LWCF acquisition request (new CARA requirement), the local public must be notified in a newspaper that is widely distributed to the area in which the proposed acquisition is to take place.

11. Prior to the federal purchase of lands, all actions required under Federal law must be completed.

12. Prior to the federal purchase of lands, a copy of the final NEPA documents must be given to Congress and the Congressional representatives, the Governor, and local government officials must be notified that the environment work is complete and the documents are available.

13. CARA requires just compensation for the taking of private property, as provided within the Constitution.

14. CARA protects State water rights.

15. CARA provides $200 million annually for maintenance.

16. CARA provides up to $200 million in additional funding for PILT and Refuge Revenue Sharing.

17. CARA will provide the necessary funds to reduce the $10 billion backlog of willing sellers stuck within an inholding.

18. Restricts the federal governments regulatory ability over all private lands.

19. CARA prohibits funding for wildlife law enforcement.

20. If revenues for CARA fall, all titles and programs are reduced proportionally.

BILL AND MELINDA GATES FOUNDATION

Mr. GORTON. Mr. President, I would like to take this opportunity to recognize the extremely generous and thoughtful gift for the education of our nation's children that was announced today by the Bill and Melinda Gates Foundation. Although relatively young, the Foundation already has a track record of making significant contributions for the sharing of new technologies and improving the educational opportunities of all our children. For example, in 1999, Bill and Melinda Gates provided $1 billion to establish the Gates Millennium Scholars program, which will provide scholarships for academically talented minority students who would otherwise not have the financial resources to attend college.

Today, the Bill and Melinda Gates Foundation will announce a new gift of approximately $350 million, and more than $200 million of this gift will be directed to Washington state schools and districts. This gift is comprised of a series of grants that are designed to raise academic standards and help all students meet those standards.

The grants are broken into two elements. The first is a series of grants for the development state, district, school and classroom leadership. Our educators are doing an outstanding job teaching our children. This funding, however, will give our teachers even more support and enhance their education which will in turn improve the education of our students. This series of grants consists of $100 million for state challenge grants for Leadership Development, $45 million for the Teacher Leadership Project, and $25 million for national teacher training and teacher quality initiatives.

The second series of grants will encourage the development of model schools and districts. Throughout our state, educators and school administrators have hundreds of innovative and creative ideas to improve education. With this funding, educators can turn

their ideas into reality and implement new solutions and ways to teach. This series of grants consist of the $30 million Washington State School Grant Program which will serve approximately 140 schools, and the $150 million School District Grant Program which includes $50 million for 10–11 districts in Washington State.

Finally, the Foundation is providing the Seattle School District with a $26 million grant that will assist the district in its use of technology to help students meet Washington state's challenging academic standards.

I'm sure my colleagues join me in thanking Bill and Melinda Gates for their significant and considerate contribution to education. I know that current and future generations of students will benefit greatly from this gift. The education of our children is the key to the success of our country and the Gateses have given all of our students an even greater chance of succeeding.

Mrs. MURRAY. Mr. President, I want to share with my colleagues some great education news for schools in Washington state and around the country. Today, the Bill and Melinda Gates Foundation announced a nationwide commitment to provide $350 million over three years to help students succeed in the classroom.

As a former educator in Washington state, I'm especially pleased that more than $200 million dollars will go to Washington state classrooms. This generous contribution will put money where we know it will make a difference: helping all students achieve by developing strong leadership skills in our teachers and administrators.

As we work here in the Senate on our national education policy, today's announcement is a reminder that educating our children is a team effort—and there are important roles for federal, state, and local officials, as well as businesses, nonprofit organizations, and individuals.

For years, the people I represent have seen first-hand the generosity and sense of community that Bill and Melinda Gates possess. Their foundation has worked to vaccinate poor children against diseases, to bring computers to libraries across the country, and to provide scholarships to talented minority students. We in Washington state have known about it since the beginning, and I'm proud that today, the whole nation gets to see it—and benefit from it.

I couldn't be more proud of the Gates Foundation on this special occasion and can't wait to see the many ways this will improve education for millions of students.

As we begin our work to reauthorize the Elementary and Secondary Education Act, I hope that this major announcement serves to remind us that local school districts—on their own—don't have all the resources they need. Individuals have a role to play as mentors, volunteers and coaches. Charitable foundations have a role to play, and the federal government also has a role to play.

I hope the Senate will follow the important and thoughtful example set by the Gates Foundation to do our best to give all students the resources and the tools they need to reach their potential.

RECOGNITION OF THE ''FROM THE TOP'' PROGRAM

Mr. GORTON. Mr. President, I would like to announce the winner of my 33rd Innovation in Education Award. This award goes to a national group sponsored by Boston Public Radio titled ''From the Top.'' I learned about this program when I attended a ''From the Top'' performance in Spokane on January 29th. Two students from Washington state, Stephen Beus of Othello and Justin Mackewich of Vancouver, participated in the concert and I was amazed by their technique and their immense talent. I was delighted to see such outstanding students excelling in the arts and am pleased to award Stephen and Justin and recognize this exceptional program.

Both Stephen and Justin are very gifted musicians. I was amazed by Stephen's skill at the piano and the Four Seasons Quartet that Justin played in was astounding. I hope to attend more of their concerts in the future.

''From the Top'' consists of a series of public radio performances, taped in front of live audiences. These performances have been given across the country in places like Boston, New York City, Sarasota, Florida, and St. Paul, Minnesota. The concept for ''From the Top'' is to highlight the performances of exceptional, pre-college age, classical musicians. Indeed, their performances make a ''From the Top'' concert a remarkable experience.

An additional positive impact of ''From the Top'' is that it provides an arena for people of all ages to enjoy classical music. In today's modern world, we must take the time to enjoy the classics and encourage our youth to value the great symphonies and music from the past. ''From the Top'' is an excellent source for all ages and walks of life to learn more about classical music.

Each week, I give an ''Innovation in Education'' Award to individuals or groups within the education system who make outstanding contributions to the education of our children. I believe that ''From the Top'' gives our students exposure to the arts that provides an invaluable enrichment to any child's upbringing. I hope my colleagues will join me in recognizing the great contributions of ''From the Top''.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, in honor of Leap Day, which was yesterday, I am going to vary my regular format.

It is estimated that 200,000 people in the United States were born on February 29th. While these individuals may not share their birthdays with their families and loved ones every year, they do share—every year—in the less than desirable Federal debt like the rest of us.

Since 1970, the Federal debt has leapt remarkably—reaching $5,735,333,348,132.58 (Five trillion, seven hundred thirty-five billion, three hundred thirty-three million, three hundred forty-eight thousand, one hundred thirty-two dollars and fifty-eight cents) at the close of business yesterday, February 29, 2000.

The previous Leap Day, February 29, 1996, the Federal debt stood at $5,016,041,000,000 (Five trillion, sixteen billion, forty-one million) which reflects a debt increase of more than $700 billion—$719,292,348,132.58 (Seven hundred nineteen billion, two hundred ninety-two million, three hundred forty-eight thousand, one hundred thirty-two dollars and fifty-eight cents) during the past four years.

Today, Mr. President, each citizen's share of the Federal debt is $20,727.13. Translating this figure into the amount that Leap Day citizens owe, the figure becomes $4,145,426,000.00 (Four billion, one hundred forty-five million, four hundred twenty-six thousand). This amount may not seem like a lot, but it is when you consider it is only enough to pay down four days worth of the interest on the Federal debt.

Mr. President, I wish my Senate colleagues to note how tragic it is that our country's debt leaps with more frequency than the years do.

ADDITIONAL STATEMENTS

TRIBUTE TO VETERANS OF THE U.S. NAVY ASIATIC FLEET

• Mr. DURBIN. Mr. President, I rise today to pay tribute to the heroism and sacrifices of the sailors and marines who served in the U.S. Navy's Asiatic Fleet.

The Asiatic Fleet established itself as one of the premier assets of the United States Navy during its years of operation. Officially commissioned by the Navy in 1910, The Asiatic Fleet's origins can be traced back to 1845, when the United States first established a naval presence in the Far East. The United States established the Asiatic Fleet to protect American interests in the western Pacific. The sailors and marines of the Asiatic Fleet ensured the safety of United States citizens and foreign nationals and provided humanitarian assistance in that region during the Chinese civil war, the Yangtze Flood of 1931, and the outbreak of Sino-Japanese hostilities. The increasing risks faced by U.S. military personnel serving in this region were highlighted by the accidental bombings and sinking of a U.S. Navy gunboat belonging to the Asiatic Fleet, the U.S.S. *Panay,* in international waters by Japanese aircraft in 1937—four years before the U.S. entered World War II.

Following the declaration of war against Japan, the warships, submarines, and aircraft of the Asiatic Fleet singly or in task forces courageously fought many naval battles against a superior Japanese armada. General Douglas MacArthur evacuated most U.S. military personnel and equipment from the region to prevent them from being destroyed by Japan's military forces, leaving the Asiatic Fleet alone, without reinforcement, to do what it could to obstruct the Japanese advance. During these battles, the men of the Fleet discovered that much of their equipment was defective. It has been estimated that one in three of the Asiatic Fleet's torpedoes, and one fifth of its anti-aircraft ammunition, were duds. Forced to rely on World War I-era equipment, the Asiatic Fleet directly suffered the loss of 22 ships, 1,826 men killed or missing in action, and 518 men captured and imprisoned under the worst of conditions. Many of those who survived later died while being held as prisoners of war. The Asiatic Fleet ceased to exist as a cohesive fighting force on March 1, 1942, when its flagship, the U.S.S. *Houston,* was sunk by the Japanese near Indonesia.

Unfortunately, the heroism of the sailors and marines of the Asiatic Fleet are largely unknown to the American public. Today, March 1, 2000, the 58th anniversary of the *Houston's* sinking, I want to commend the bravery, resourcefulness and sacrifices of all who served in the United States Navy Asiatic Fleet from 1910 to 1942, especially those sailors and marines who put their lives in harm's way during the first few months of America's participation in World War II. No words can adequately express our nation's debt to its veterans, and it is essential that we provide them with the thanks and recognition they have earned. The American people should always remember the courage and determination displayed by the personnel of the Asiatic Fleet, honoring the sacrifices they made in defense of the United States.●

HONORING THE U.S. COAST GUARD'S ROLE IN THE SUCCESS OF GREAT LAKES SHIPPING

● Mr. ABRAHAM. Mr. President, I rise today to honor the men and women of our U.S. Coast Guard. In particular, I salute the crew of the USCGC *Mackinaw* for their work, which ensures the full utilization of the navigation season in my state, and the Great Lakes region as a whole.

Mr. President, the ice that forms on the Great Lakes rivals that found anywhere in the continental United States. Even in a normal winter, ice six to eight feet thick will develop in the connecting channels. Windrows, chunks of ice piled atop one another by the wind, easily can reach 15 feet in height. Navigation under such conditions has been possible only because the Coast Guard's icebreaking forces are led by the *Mackinaw*. The icebreaker is capable of generating 10,000 shaft horsepower, and is wide enough—75 feet—to clear a track for Great Lakes vessels. Furthermore, the *Mackinaw* is crewed sufficiently to stay on station for days on end.

Annually, more than 10 million tons of iron ore, 4 million tons of coal, 1.5 million tons of stone, and 500,000 tons of cement are shipped across the Great Lakes. The iron ore, coal, stone, and Seaway trades generated nearly 14 billion tons of cargo during the 20th century. That commerce could not have been accomplished as safely and efficiently as it was without the assistance of the U.S. Coast Guard, and especially, the *Mackinaw*.●

INTERNATIONAL ABOLITION DAY

● Mr. FEINGOLD. Mr. President, today I rise to mark International Abolition Day. This day marks the occasion in 1847 when the state of Michigan became the first English-speaking territory in the world to abolish capital punishment. As one of the first acts following conferral of statehood on Michigan, the Michigan legislature abolished the death penalty for all crimes except treason. I note, with tongue and cheek and with all due respect to my distinguished colleagues from Michigan, that the date marking International Abolition Day probably should be 1853, when my great state, the state of Wisconsin, became the first state to abolish the death penalty for all crimes. Wisconsin has been death penalty-free for nearly 150 years. It is clear that the people of the Midwestern states have shown great courage and leadership on this issue since almost the birth of our great Nation.

Mr. President, International Abolition Day is a day to remember the victims and survivors of violent crimes perpetrated by individual criminals. But it is also a day to remember those killed by state-sponsored executions. And it is a day for education and discussion of alternatives to the death penalty.

Just as the people of Michigan over 150 years ago learned the painful reality of the fallibility of our criminal justice system and confronted the death penalty's main use, as a tool of vengeance, people throughout the United States today are beginning to question their longstanding support for the death penalty. On January 31, Governor Ryan effectively imposed a moratorium on executions in Illinois until a state panel can examine the administration of the death penalty and why so many innocents have sat on Illinois' death row. In a recent Gallup poll, even though a majority of Americans still support the death penalty, support for the death penalty is at a 19-year low. And when asked whether Americans prefer the death penalty or life imprisonment without the possibility of parole, support for the death penalty drops even further.

These are just some of the many positive developments that have nurtured the reawakening of the American conscience to the great responsibility and stain that state-sponsored executions place on our society. I look forward to the day when our federal government and the 38 states with the death penalty will recognize the adequacy of sentencing alternatives and abolish this barbaric punishment for all time.●

SPARKMAN HIGH SCHOOL PARTICIPATION IN THE ''WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION'' PROGRAM

● Mr. SESSIONS. Mr. President, on May 6–8, 2000 more than 1200 students from across the United States will be in Washington, D.C. to compete in the national finals of the ''We the People . . . The Citizen and the Constitution'' program. I am proud to announce that a class from Sparkman High School from the city of Harvest will represent my home state of Alabama in this national event. These young scholars have worked diligently to reach the national finals and through their experience have gained a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The ''We the People . . . The Citizen and the Constitution'' program is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights. The three-day national competition is modeled after hearings in the United States Congress. These hearings consist of oral presentations by high school students before a panel of adult judges. The students testify as constitutional experts before a congressional committee, that is, the panel of judges representing various regions of the country and a variety of appropriate professional fields. The student testimony is followed by a period of questioning during which the judges probe students for their depth of understanding and ability to apply their constitutional knowledge. Columnist David Broder described the national finals as ''the place to have your faith in the younger generation restored.''

The student team from Sparkman High School is currently conducting research and preparing for the upcoming national competition in Washington, DC. I am extremely proud of the students and teacher and wish them the best of luck at ''We the People'' national finals. I look forward to greeting them when they visit Capitol Hill.●

TRIBUTE TO LIEUTENANT MICHAEL SULLIVAN

● Mr. MCCAIN. Mr. President, I rise today to recognize and say farewell to an outstanding Naval Officer and fellow Arizona citizen, Lieutenant Michael Sullivan, who has served with distinction for the past eighteen months in the Navy's Office of Legislative Affairs. It is a privilege for me to

recognize his many outstanding achievements and to commend him for the superb service he has provided to the U.S. Senate and to our great Nation as a whole.

Lieutenant Sullivan is a graduate of my alma mater, the United States Naval Academy. I had the great honor of addressing his class at his graduation in May 1993. Similar to myself, academic honors had eluded him but the standards at the Naval Academy are such that simply surviving the four years reflects great credit upon his ability and dedication. When it was his turn to walk across the stage, he shook my hand and exclaimed, ''Go Navy and Go Arizona!'' I shared in his enthusiasm and we embraced in a bear hug as I handed him his diploma.

Lieutenant Sullivan proceeded to Surface Warfare Officer School in Newport, Rhode Island, before reporting to the U.S.S. *Fife* (DD–991) which was forward deployed to the U.S. Seventh Fleet in Yokosuka, Japan. On Fife be served as the Auxiliaries Officer and Fire Control/Strike Missile Systems Officer. Following that arduous tour, he reported to the U.S.S. *Antietam* (CG–54) as the Combat Information Systems Officer. Among his notable accomplishments, he distinguished himself in 1997 by being named a Commander, Naval Surface Force, U.S. Pacific Fleet Junior Officer Shiphandler of the Year. In July 1998, Lieutenant Sullivan joined the Navy's Senate Liaison team and helped the Senate ensure that our Navy remained the best trained, best equipped, and best prepared Naval force in the world.

Mr. President, Lieutenant Sullivan represents the very best of America's most precious resource—her youth. With being a commissioned officer come responsibilities so immense and so important that the lives of all Americans and the welfare of much of the world will be directly affected by how well they discharge them. I have every confidence that Lieutenant Sullivan will continue to acquit himself with distinction. As he now departs for the next of many more tours at sea, I call upon my colleagues from both sides of the aisle to wish him fair winds and following seas.●

● Mr. KYL. Mr. President, I rise today to recognize and say farewell to an outstanding Naval Officer and fellow Arizonian, Lieutenant Michael Sullivan, who has served with distinction for the past year and a half years in the Navy's Senate Liaison Office on Capitol Hill. It is a privilege for me to recognize his many outstanding achievements and to commend him for the superb service he has provided this legislative body, the Navy, and our great Nation.

Lieutenant Sullivan comes from a patriotic family. His grandfather was a submariner during World War II and his father is a Navy veteran of the Riverine Force in Vietnam. The Sullivan Family lived in the Bronx, New York before moving to the great state of Arizona. Lieutenant Sullivan attended elementary and middle public schools in Scottsdale and ultimately graduated from Saguaro High School. He was attending the University of Arizona, and I was still a Member of the House of Representatives, when he applied for the most privileged of responsibilities I have as a Member of Congress—making a nomination for appointments to the U.S. Service Academies. It was with great pride that I had submitted his name to attend the United States Naval Academy where he graduated and earned his commission in 1993.

Lieutenant Sullivan joined the Navy's Senate Liaison team in July 1998, following successful sea tours on board the U.S.S. *Fife* (DD–991) and the U.S.S. *Antietam* (CG–54). During his service as a Navy Liaison Officer he provided members of the Senate and our personal staffs with timely support and accurate information on Navy plans, programs, and constituent casework. He has helped us maintain the best trained, best equipped, and best prepared Navy in the world.

Mr. President, Lieutenant Sullivan has served proudly with a dedication and enthusiasm that only comes from our Nation's best and brightest. Lieutenant Sullivan is a great credit to both our Navy and our country. As he now departs for Department Head School and his next sea tour, I call upon my colleagues from both sides of the aisle to wish him the best for a continued brilliant Navy career.●

MESSAGE FROM THE HOUSE

At 11:44 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1749. An act to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers System.

H.R. 2484. An act to provide that land which is owned by the Lower Sioux Indian Community in the State of Minnesota but which is not held in trust by the United States for the Community may be leased or transferred by the Community without further approval by the United States.

The message also announced that the House has passed the following bill, without amendment:

S. 613. An act to encourage Indian economic development, to provide for the disclosure of Indian tribal sovereign immunity in contracts involving Indian tribes, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1749. An act to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

H.R. 2484. An act to provide that land which is owned by the Lower Sioux Indian Community in the State of Minnesota but which is not held in trust by the United States for the Community may be leased or transferred by the Community without further approval by the United States; to the Committee on Indian Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–7818. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–7819. A communication from the Under Secretary, Acquisition and Technology, Department of Defense, transmitting, pursuant to law, the annual report for fiscal year 1999 of the test and evaluation activities of the Foreign Comparative Testing Program; to the Committee on Armed Services.

EC–7820. A communication from the Managing Director, Federal Housing Finance Board, transmitting, pursuant to law, the report of 2000 base salary structures for Executive and graded employees; to the Committee on Banking, Housing, and Urban Affairs.

EC–7821. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility; 65 FR 8664; 02/22/2000'', received February 28, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–7822. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''List of Communities Eligible; 65 FR 8662; 02/22/2000'', received February 28, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–7823. A communication from the General Counsel, Federal Energy Regulatory Commission transmitting, pursuant to law, the report of a rule entitled ''Regulation of Short-Term Natural Gas Transportation Services; Regulation of Interstate Natural Gas Transportation Services'' (Order No. 637, Docket Nos. RM98–10–000 and RM98–12–000, 90 FERC Paragraph 61,109 (Issued 2/9/00)), received February 28, 2000; to the Committee on Energy and Natural Resources.

EC–7824. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Termination of Designation of the State of Minnesota with Respect to the Inspection of Poultry and Poultry Products'', received February 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7825. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpropathrin, Pesticide Tolerance'' (FRL # 6492–6), received February 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7826. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imidacloprid; Time-Limited Pesticide Tolerance'' (FRL # 6493–2), received February 28, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7827. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Electronic Freedom of Information Act Amendments'', received February 28, 2000; to the Committee on Rules and Administration.

EC–7828. A communication from the Assistant Attorney General, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Corrections Program Office's Interpretation of Eligibility Requirements for Truth-in-Sentencing Incentive Grants under 42 USC 13704(a)(2)'' (RIN1121–ZB92), received February 28, 2000; to the Committee on the Judiciary.

EC–7829. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Tribal Temporary Assistance for Needy Families Program (Tribal TANF) and Native Employment Works (NEW) Program'' (RIN0970–AB78), received February 28, 2000; to the Committee on Indian Affairs.

EC–7830. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Abolishment of the Lebanon, PA, Nonappropriated Fund Wage Area'' (RIN3206–AJ01), received February 28, 2000; to the Committee on Governmental Affairs.

EC–7831. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received February 28, 2000; to the Committee on Governmental Affairs.

EC–7832. A communication from the Regulations Officer, Social Security Administration transmitting, pursuant to law, the report of a rule entitled ''Federal Old-Age, Survivors and Disability Insurance and Supplemental Security Income for the Aged, Blind and Disabled; Evaluating Opinion Evidence'' (RIN0960–AE56), received February 28, 2000; to the Committee on Finance.

EC–7833. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Approval of Revisions to the Kentucky State Implementation Plan'' (FRL # 6545–5), received February 28, 2000; to the Committee on Environment and Public Works.

EC–7834. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides for the Houston/Galveston and Beaumont/Port Arthur Ozone Nonattainment Areas'' (FRL # 6543–1), received February 28, 2000; to the Committee on Environment and Public Works.

EC–7835. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona; Arizona Department of Environmental Quality; Maricopa County Environmental Services Department'' (FRL # 6545–2), received February 28, 2000; to the Committee on Environment and Public Works.

EC–7836. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Letter to Mr. John M. Daniel, Jr.''; to the Committee on Environment and Public Works.

EC–7837. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''National Emission Standards for Pesticide active Ingredient Production (40 CFR Part 63 Subpart MMM)—Applicability to new and Existing Sources''; to the Committee on Environment and Public Works.

EC–7838. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Letter to Union Carbide Corporation''; to the Committee on Environment and Public Works.

EC–7839. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Pretreatment Annual Report for the 1999 Reporting Year''; to the Committee on Environment and Public Works.

EC–7840. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Procuring Information to Conduct Initial Determinations and Verifications for Region VIII Facilities Under the CERCLA Offsite Rule''; to the Committee on Environment and Public Works.

EC–7841. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''40 CFR Part 63 Subpart DD–NESHAP for Off-site Waste and Recovery Operations''; to the Committee on Environment and Public Works.

EC–7842. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Simpson v. United States'', received February 28, 2000; to the Committee on Finance.

EC–7843. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2000 Census Count'' (Notice 2000–13), received February 28, 2000; to the Committee on Finance.

EC–7844. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 1275.—Other Definitions and Special Rules'' (Rev. Rul. 2000–12), received February 28, 2000; to the Committee on Finance.

EC–7845. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 2000–2), received February 28, 2000; to the Committee on Finance.

EC–7846. A communication from the Acting Deputy Associate Administrator, Acquisition Policy, Office of Acquisition Policy, General Services Administration transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation: Reissuance of 48 CFR Chapter 5 and Clarification on the Use of Selection Criteria for Architect Engineer Procurements'' (RIN3090–AE90/AH07), received February 28, 2000; to the Committee on Governmental Affairs.

EC–7847. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut and Rhode Island; Clean Fuel Fleets (Region 1)'' (FRL # 6542–3), received February 29, 2000; to the Committee on Environment and Public Works.

EC–7848. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polyvinyl Acetate, Carboxyl Modified Sodium Salt; Tolerance Exemption'' (FRL # 6389–8), received February 29, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and second time by unanimous consent, and referred as indicated:

By Mr. GRAMS (for himself and Mr. ALLARD):

S. 2126. A bill to ensure that the fiscal year 2000 on-budget surplus is used to reduce publicly held debt; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. BROWNBACK:

S. 2127. A bill to exempt agreements relating to voluntary guidelines governing telecast material, movies, video games, Internet content, and music lyrics from the applicability of the antitrust laws, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 2128. A bill to amend the Harmonized Tariff Schedule of the United States to clarify the classification of certain toys; to the Committee on Finance.

S. 2129. A bill to suspend temporarily the duty on HIV/AIDS drugs; to the Committee on Finance.

S. 2130. A bill to suspend temporarily the duty on HIV/AIDS drugs; to the Committee on Finance.

S. 2131. A bill to suspend temporarily the duty on Rhinovirus Drugs; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. FRIST, and Mrs. MURRAY):

S. 2132. A bill to create incentives for private sector research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Foreign Relations.

By Mr. REED:

S. 2133. A bill to temporarily suspend the duty on Solvent Blue 124; to the Committee on Finance.

S. 2134. A bill to temporarily suspend the duty on Solvent Blue 104; to the Committee on Finance.

S. 2135. A bill to temporarily suspend the duty on Pigment Red 176; to the Committee on Finance.

S. 2136. A bill to temporarily suspend the duty on benzenesulfonamide,4-amino-2,5-dimethyoxy-N-phenyl; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. DEWINE, Mrs. BOXER, Mr. DURBIN, Mr. LAUTENBERG, Mr. MOYNIHAN, Mr. SCHUMER, Mr. SMITH of Oregon, and Mr. WELLSTONE):

S. 2137. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SMITH of New Hampshire (for himself, Mr. SANTORUM, Mr. HELMS, Ms. LANDRIEU, Mr. STEVENS, Mr. ASHCROFT, Mr. INHOFE, Mr. MCCAIN, Mr. COVERDELL, and Mr. BROWNBACK):

S. Con. Res. 87. A concurrent resolution commending the Holy See for making significant contributions to international peace and human rights, and objecting to efforts to expel the Holy See from the United Nations by removing the Holy See's Permanent Observer status in the United Nations, and for other purposes; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMS (for himself and Mr. ALLARD):

S. 2126. A bill to ensure that the fiscal year 2000 on-budget surplus is used to reduce publicly held debt; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

SAVE OUR SURPLUS FOR DEBT REDUCTION ACT OF 2000

• Mr. GRAMS. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Save Our Surplus for Debt Reduction Act of 2000''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the Congressional Budget Office currently estimates that the Government will have a $23,000,000,000 nonsocial security surplus (on-budget surplus) in fiscal year 2000;

(2) Government spending in fiscal year 2000 will increase faster than the rate of inflation for a total of over $1,750,000,000,000;

(3) Government publicly held debt in fiscal year 2000 will be reduced by over $150,000,000,000, yet debt held by the public will remain in excess of $3,450,000,000,000 and cost over $200,000,000,000 in annual interest payments;

(4) Government revenues in fiscal year 2000 will be 20.3 percent of the Gross Domestic Product, which is the highest level since World War II; and

(5) nearly 40,000,000 citizens currently rely on social security and medicare, yet as more Americans retire over the next decade, these programs will begin running deficits and jeopardize their retirement.

(b) PURPOSE.—It is the purpose of this Act to ensure that the fiscal year 2000 on-budget surplus is used to reduce publicly held debt.

SEC. 3. REDUCTION OF PUBLICLY HELD DEBT.

(a) POINT OF ORDER AGAINST CERTAIN LEGISLATION.—Except as provided by subsection (b), it shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report if—

(1) the enactment of that bill or resolution as reported;

(2) the adoption and enactment of that amendment; or

(3) the enactment of that bill or resolution in the form recommended in that conference report;

would cause a decrease in the on-budget surplus for fiscal year 2000.

(b) EXCEPTION.—The point of order set forth in subsection (a) shall not apply to a bill, joint resolution, amendment, motion, or conference report if it—

(1) reduces revenues;

(2) implements structural social security reform; or

(3) implements structural medicare reform.

(c) WAIVERS AND APPEALS IN THE SENATE.—

(1) WAIVERS.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—

(A) LIMITATIONS.—Appeals in the Senate from the decisions of the Chair relating to subsection (a) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, joint resolution, amendment, motion, or conference report, as the case may be.

(B) SUPERMAJORITY.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 4. SUNSET PROVISION.

The provisions of this Act shall cease to have any force or effect on October 1, 2000.•

By Mr. BROWNBACK:

S. 2127. A bill to exempt agreements relating to voluntary guidelines governing telecast material, movies, video games, Internet content, and music lyrics from the applicability of the antitrust laws, and for other purposes; to the Committee on the Judiciary.

CHILDREN'S PROTECTION ACT OF 2000

• Mr. BROWNBACK. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children's Protection Act of 2000''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Television is seen and heard in nearly every United States home and is a uniquely pervasive presence in the daily lives of Americans. The average American home has 2.5 televisions, and a television is turned on in the average American home 7 hours every day.

(2) Television plays a particularly significant role in the lives of children. Figures provided by Nielsen Research show that children between the ages of 2 years and 11 years spend an average of 21 hours in front of a television each week.

(3) Television has an enormous capability to influence perceptions, especially those of children, of the values and behaviors that are common and acceptable in society.

(4) The influence of television is so great that its images and messages often can be harmful to the development of children. Social science research amply documents a strong correlation between the exposure of children to televised violence and a number of behavioral and psychological problems.

(5) Hundreds of studies have proven conclusively that children who are consistently exposed to violence on television have a higher tendency to exhibit violent and aggressive behavior, both as children and later in life.

(6) Such studies also show that repeated exposure to violent programming causes children to become desensitized to and more accepting of real-life violence and to grow more fearful and less trusting of their surroundings.

(7) A growing body of social science research indicates that sexual content on television can also have a significant influence on the attitudes and behaviors of young viewers. This research suggests that heavy exposure to programming with strong sexual content contributes to the early commencement of sexual activity among teenagers.

(8) Members of the National Association of Broadcasters (NAB) adhered for many years to a comprehensive code of conduct that was based on an understanding of the influence exerted by television and on a widely held sense of responsibility for using that influence carefully.

(9) This code of conduct, the Television Code of the National Association of Broadcasters, articulated this sense of responsibility as follows:

(A) ''In selecting program subjects and themes, great care must be exercised to be sure that the treatment and presentation are made in good faith and not for the purpose of sensationalism or to shock or exploit the audience or appeal to prurient interests or morbid curiosity.''.

(B) ''Broadcasters have a special responsibility toward children. Programs designed primarily for children should take into account the range of interests and needs of children, from instructional and cultural material to a wide variety of entertainment material. In their totality, programs should contribute to the sound, balanced development of children to help them achieve a sense of the world at large and informed adjustments to their society.''.

(C) ''Violence, physical, or psychological, may only be projected in responsibly handled contexts, not used exploitatively. Programs involving violence present the consequences of it to its victims and perpetrators. Presentation of the details of violence should avoid the excessive, the gratuitous and the instructional.''.

(D) ''The presentation of marriage, family, and similarly important human relationships, and material with sexual connotations, shall not be treated exploitatively or irresponsibly, but with sensitivity.''.

(E) ''Above and beyond the requirements of the law, broadcasters must consider the family atmosphere in which many of their programs are viewed. There shall be no graphic portrayal of sexual acts by sight or sound. The portrayal of implied sexual acts must be essential to the plot and presented in a responsible and tasteful manner.''.

(10) The National Association of Broadcasters abandoned the code of conduct in 1983 after three provisions of the code restricting the sale of advertising were challenged by the Department of Justice on antitrust grounds and a Federal district court issued a summary judgment against the National Association of Broadcasters regarding one of the provisions on those grounds. However, none of the programming standards of the code were challenged.

(11) While the code of conduct was in effect, its programming standards were never found to have violated any antitrust law.

(12) Since the National Association of Broadcasters abandoned the code of conduct, programming standards on broadcast and cable television have deteriorated dramatically.

(13) In the absence of effective programming standards, public concern about the impact of television on children, and on society as a whole, has risen substantially. Polls routinely show that more than 80 percent of Americans are worried by the increasingly graphic nature of sex, violence, and vulgarity on television and by the amount of programming that openly sanctions or glorifies criminal, antisocial, and degrading behavior.

(14) At the urging of Congress, the television industry has taken some steps to respond to public concerns about programming standards and content. The broadcast television industry agreed in 1992 to adopt a set of voluntary guidelines designed to ''proscribe gratuitous or excessive portrayals of violence''. Shortly thereafter, both the broadcast and cable television industries agreed to conduct independent studies of the violent content in their programming and make those reports public.

(15) In 1996, the television industry as a whole made a commitment to develop a comprehensive rating system to label programming that may be harmful or inappropriate for children. That system was implemented at the beginning of 1999.

(16) Despite these efforts to respond to public concern about the impact of television on children, millions of Americans, especially parents with young children, remain angry and frustrated at the sinking standards of television programming, the reluctance of the industry to police itself, and the harmful influence of television on the well-being of the children and the values of the United States.

(17) The Department of Justice issued a ruling in 1993 indicating that additional efforts by the television industry to develop and implement voluntary programming guidelines would not violate the antitrust laws. The ruling states that ''such activities may be likened to traditional standard setting efforts that do not necessarily restrain competition and may have significant procompetitive benefits... Such guidelines could serve to disseminate valuable information on program content to both advertisers and television viewers. Accurate information can enhance the demand for, and increase the output of, an industry's products or services.''.

(18) The Children's Television Act of 1990 (Public Law 101–437) states that television broadcasters in the United States have a clear obligation to meet the educational and informational needs of children.

(19) Several independent analyses have demonstrated that the television broadcasters in the United States have not fulfilled their obligations under the Children's Television Act of 1990 and have not noticeably expanded the amount of educational and informational programming directed at young viewers since the enactment of that Act.

(20) The popularity of video and personal computer (PC) games is growing steadily among children. Although most popular video and personal computer games are educational or harmless in nature, many of the most popular are extremely violent. One recent study by Strategic Record Research found that 64 percent of teenagers played video or personal computer games on a regular basis. Other surveys of children as young as elementary school age found that almost half of them list violent computer games among their favorites.

(21) Violent video games often present violence in a glamorized light. Game players are often cast in the role of shooter, with points scored for each ''kill''. Similarly, advertising for such games often touts violent content as a selling point—the more graphic and extreme, the better.

(22) As the popularity and graphic nature of such video games grows, so do their potential to negatively influence impressionable children.

(23) Music is another extremely pervasive and popular form of entertainment. American children and teenagers listen to music more than any other demographic group. The Journal of American Medicine reported that between the 7th and 12th grades the average teenager listens to 10,500 hours of rock or rap music, just slightly less than the entire number of hours spent in the classroom from kindergarten through high school.

(24) Teens are among the heaviest purchasers of music, and are most likely to favor music genres that depict, and often appear to glamorize violence.

(25) Music has a powerful ability to influence perceptions, attitudes, and emotional state. The use of music as therapy indicates its potential to increase emotional, psychological. and physical health. That influence can be used for ill as well.

SEC. 3. PURPOSES; CONSTRUCTION.

(a) PURPOSES.—The purposes of this Act are to permit the entertainment industry—

(1) to work collaboratively to respond to growing public concern about television programming, movies, video games, Internet content, and music lyrics, and the harmful influence of such programming, movies, games, content, and lyrics on children;

(2) to develop a set of voluntary programming guidelines similar to those contained in the Television Code of the National Association of Broadcasters; and

(3) to implement the guidelines in a manner that alleviates the negative impact of television programming, movies, video games, Internet content, and music lyrics on the development of children in the United States and stimulates the development and broadcast of educational and informational programming for such children.

(b) CONSTRUCTION.—This Act may not be construed as—

(1) providing the Federal Government with any authority to restrict television programming, movies, video games, Internet content, or music lyrics that is in addition to the authority to restrict such programming, movies, games, content, or lyrics under law as of the date of the enactment of this Act; or

(2) approving any action of the Federal Government to restrict such programming, movies, games, content, or lyrics that is in addition to any actions undertaken for that purpose by the Federal Government under law as of such date.

SEC. 4. EXEMPTION OF VOLUNTARY AGREEMENTS ON GUIDELINES FOR CERTAIN ENTERTAINMENT MATERIAL FROM APPLICABILITY OF ANTITRUST LAWS.

(a) EXEMPTION.—Subject to subsection (b), the antitrust laws shall not apply to any joint discussion, consideration, review, action, or agreement by or among persons in the entertainment industry for the purpose of developing and disseminating voluntary guidelines designed—

(1) to alleviate the negative impact of telecast material, movies, video games, Internet content, and music lyrics containing violence, sexual content, criminal behavior, or other subjects that are not appropriate for children; or

(2) to promote telecast material that is educational, informational, or otherwise beneficial to the development of children.

(b) LIMITATION.—The exemption provided in subsection (a) shall not apply to any joint discussion, consideration, review, action, or agreement which—

(1) results in a boycott of any person; or

(2) concerns the purchase or sale of advertising, including (without limitation) restrictions on the number of products that may be advertised in a commercial, the number of times a program may be interrupted for commercials, and the number of consecutive commercials permitted within each interruption.

(c) DEFINITIONS.—In this section:

(1) ANTITRUST LAWS.—The term ''antitrust laws'' has the meaning given such term in the first section of the Clayton Act (15 U.S.C. 12) and includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45).

(2) INTERNET.—The term ''Internet'' means the combination of computer facilities and electromagnetic transmission media, and related equipment and software, comprising the interconnected worldwide network of computer networks that employ the Transmission Control Protocol/Internet Protocol or any successor protocol to transmit information.

(3) MOVIES.—The term ''movies'' means theatrical motion pictures.

(4) PERSON IN THE ENTERTAINMENT INDUSTRY.—The term ''person in the entertainment industry'' means a television network, any entity which produces or distributes television programming (including theatrical motion pictures), the National Cable Television Association, the Association of Independent Television Stations, Incorporated, the National Association of Broadcasters, the Motion Picture Association of America, each of the affiliate organizations of the television networks, the Interactive Digital Software Association, any entity which produces or distributes video games, the Recording Industry Association of America, and any entity which produces or distributes music, and includes any individual acting on behalf of such person.

(5) TELECAST.—The term ''telecast'' means any program broadcast by a television broadcast station or transmitted by a cable television system.●

By Mr. KERRY (for himself, Mr. FRIST, and Mrs. MURRAY):

S. 2132. A bill to create incentives for private sector research related to developing vaccines against widespread diseases and ensure that such vaccines are affordable and widely distributed; to the Committee on Foreign Relations.

VACCINES FOR THE NEW MILLENNIUM ACT OF 2000

● Mr. KERRY. Mr. President, today I am pleased to introduce the Vaccines for the New Millennium Act of 2000. I have the honor of being joined by the distinguished chairman of the Africa Subcommittee, Senator FRIST, and my friend, the Senator from Washington, Mrs. MURRAY. This bill addresses a catastrophic problem that needs our immediate attention.

The proportions of the AIDS calamity in Africa are stupefying. More than 33 million people are infected with HIV—95 percent of them in sub-Saharan Africa. This disease will kill more than 2.5 million this year. It has already orphaned 11 million children, and it will orphan 40 million by 2010. These numbers are incomprehensible. To put in perspective, nearly 60 people will become infected with HIV in the time it takes me to testify today.

In addition, tuberculosis will kill close to 2 million this year, and a person dies from malaria every thirty seconds. No nation—but particularly ours—as rich as we are in talent, technology and money—can fail to help turn this around.

We should remember: borders do not matter when you are dealing with contagion.

These epidemics are out of control. And if we are to reverse this death spiral, we need to institute bold new measures. We must provide new global health infrastructures which look at long-term solutions for disease eradication. And, until they are established, we must provide much-needed short-term financing for disease prevention and treatment.

Mr. President, a number of my colleagues have shown great leadership in trying to find a solution to the health emergencies in the developing countries.

I applaud the work of my friend, Senator DURBIN with whom I have joined on a number of bills this year. I also recognize and support the efforts of Senator BOXER and Senator SMITH for their work on the Global AIDS Plan. Senator MOYNIHAN and Senator FEINGOLD also have an important plan to prevent vertical transmission of HIV from mother to child. I have supported all these plans.

Mr. President, I think we need to acknowledge the scope of this epidemic requires a bold response which looks beyond just preventing and treating this disease. The epidemiology of this disease dictates lifetime adherence to preventive measures. I am fully supportive of prevention programs—I have seen their very positive effect in the AIDS Action Committee in Boston and in AIDS Project Worcester. The Outer Cape also has a tremendous program which I support every year in Provincetown and these are echoed in small towns across Massachusetts which have accessed CDC grants and instituted the absolute best of community-based programs. I have also been an early and consistent supporter of the Ryan White program which comes up for reauthorization this year.

But, Mr. President, we need a vaccine—for the United States and for the developing world.

Vaccines are the most cost-effective weapon in the arsenal of modern medicine to stop the spread of contagious disease, and they offer a relatively inexpensive means of lowering a society's overall cost of medical care. Prime examples of the success are the three million children whose lives are saved each year as a result of early childhood immunizations against diphtheria, polio, pertussis, tetanus, measles, and tuberculosis.

Mr. President, consider the alternatives we have now. Pharmaceutical products, like the highly touted antiviral ''cocktail'' for treating AIDS patients can cost, on average, as much as $15,000 a year. That is a princely sum for even wealthy countries but clearly, for nations with per capita incomes of $700 or $800 like Malawi, such treatments and drugs are nowhere in the real of affordability. They also require enormous infrastructure investments and medical compliance which is difficult to adhere to in this country let alone developing societies.

For these nations, finding an affordable vaccine for AIDS is really the only option that offers them an opportunity for gaining control over the AIDS epidemic.

Unfortunately, of the $2.4 billion or so spent on overall AIDS research last year, only a fraction was spent on AIDS vaccine research.

The World Bank estimates that perhaps between $280 million and $350 million was spend worldwide on finding a vaccine for AIDS in 1999, or somewhere between 10 and 15 percent of the total amount spent on AIDS research.

Furthermore, of the $300 million or so spent on HIV vaccine research, less than $50 million came from private sector research and development budgets. Simply put, our biotechnology and pharmaceutical industries do not believe that investing in AIDS vaccine research is a good investment.

So, Mr. President, we have a responsibility, an obligation, to change this perception. Investing in an AIDS vaccine is one of the best investments we as a nation can make. And for Africa, it is the only hope for survival.

And while continued and expanded investments in our research engines are vitally important—I am referring to AIDS research at the National Institutes of Health—the time has come for us to explore additional strategies for stimulating private sector AIDS vaccine research and development.

We must look for innovative financing mechanisms. We must instill the financial incentives for our pharmaceutical and biotechnology sectors to engage in areas that have previously ignored.

Mr. President, I was amazed to learn that of the $56 billion a year spent globally on health research, well over 90 percent is spent on research into health problems that concern only 10 percent of the world's population.

Amazingly, of the 1,200 new drugs commercialized between 1975 and 1997, only 13 were for tropical diseases—diseases such as malaria and tuberculosis which combined kill close to 3 million people a year.

Why is it that pharmaceutical companies don't invest in these diseases? Because there is no hope for finding a vaccine for malaria? No hope for finding an affordable vaccine for tuberculosis or HIV? Is the science just insurmountable?

Absolutely not.

Companies don't invest in these diseases because they don't foresee a profit. A malaria vaccine, while offering the potential to save millions of lives, does not offer the same return to shareholders as the return from Viagra, Lipitor, Prozac, or other blockbusters here in the United States. I don't blame the pharmaceutical industry for concern about their shareholders, but I believe it is morally imperative to jumpstart research into vaccines as quickly as possible.

What then, is the answer? Should we turn our back on these diseases as a casualty of the way free markets function? Should we dump billions into new government bureaucracies to tackle these problems? The answer on both counts is no. We as a nation, and as a responsible member of the international community, should create the market incentives to encourage our pharmaceutical and biotechnology companies, the best and brightest companies in the world, to invest in those diseases which are a scourge to the world.

What we need to do is give pharmaceutical companies the financial incentives to achieve what we know is possible and let them work their magic—these are the same engines of growth and technological progress which have helped extend life expectancy beyond what was imaginable at the turn of the century. Now, let's help them turn their attention to those diseases which kill millions upon millions in developing countries.

I think this type of public-private partnership is the most efficient means of addressing the world's growing health care pandemics. How would it world specifically?

The legislation I introduce today, the ''Vaccines for the New Millennium Act,'' provides a number of market incentives to encourage private sector investment in lifesaving vaccines. These incentives can be classified in one of two ways. Some of them provide a ''push'' mechanism—lowering the cost of R&D at the front end. Others provide a ''pull'' mechanism, demonstrating that a market will exist if the pharmaceutical companies provide the product.

On the push side, first, the bill expands on the research and development tax credit by increasing the credit rate from 20 percent to 50 percent for research related to developing vaccines for AIDS, malaria, tuberculosis, or any infectious disease which kills over 1 million people a year. The tax credit is incremental such that the credit applies to research spending which exceeds a base amount. In effect, the credit rewards incremental increases in lifesaving vaccine research—thus giving our drug companies an incentive for more focus on lifesaving vaccines.

Second, the bill allows small biotechnology companies which do not have tax liability to pass a smaller tax credit through to investors. Firms with assets under $50 million may choose to pass through a 25 percent tax credit to investors who provide financing for research and development on one of the priority vaccines. The credit would apply to stock issued after the date of enactment and used within 18 months to pay for qualified vaccine research expenses.

Both of these proposals have been endorsed by a combination of public health advocacy groups and industry—including AIDS Action Council, the Global Health Council, the American Public Health Association and the AIDS Vaccine Advocacy Coalition.

Third, the bill authorizes voluntary contributions to the Global Alliance for Vaccines and Immunizations and the International AIDS Vaccine Initiative. The Global Alliance for Vaccines and Immunizations is an international partnership recently established to expand and improve access to existing safe and cost-effective vaccines. It is being supported by a number of nations and international donors, including an incredibly generous founding gift by the Bill and Melinda Gates Foundation. A similar provision was included in the President's budget. By working to improve the delivery of existing vaccines, the Global Alliance not only offers the opportunity to save lives, it will improve health delivery systems for the distribution of future vaccines.

Fourth, the bill authorizes voluntary contributions to the International AIDS Vaccine Initiative. In effect, the initiative provides financing to industry in return for international access to the vaccine. For example, under a typical IAVI/industry agreement, IAVI will provide financing in exchange for an agreement with the manufacturer to sell the vaccine to developing countries at very reasonable prices. Once again, the Bill and Melinda Gates foundation provides a large portion of IAVI's funding.

To further accelerate the invention and production of lifesaving vaccines, the bill includes a tax credit proposed in the President's budget. Under the proposal, every dollar paid by a qualifying organization to buy a lifesaving vaccine would be matched by a dollar of tax credits—thereby doubling the purchasing power of nonprofit organizations and others that purchase vaccines for developing countries. The credit only applies to vaccines not yet developed, thus demonstrating the existence of a market if drug companies fill the void. The credit would apply to vaccines for AIDS, malaria, tuberculosis, or any other disease which kills over 1 million people annually.

The bill also establishes a Lifesaving Vaccine Purchase Fund. This approach has been advocated most prominently by Harvard economist Jeffrey Sachs, a witness on the third panel.

Under my proposal, Congress would authorize and advance appropriate $100 million a year, over ten years, to a fund for the purchase and distribution of newly-developed vaccines for AIDS, malaria, and tuberculosis. The first appropriation would not occur until a vaccine has been licensed and approved. In effect, by establishing a guaranteed market, the proposal would provide a real incentive for additional private sector research. However, the money would not be spent until the vaccine was developed, thus postponing any cost to the government.

Finally, the bill directs the Administration to initiate negotiations with officials of foreign governments for the establishment of an international vaccine purchase fund that would purchase and distribute in developing countries vaccines for malaria, tuberculosis, HIV, or any infectious disease which kills over 1 million people. It is assumed that if such an agreement is reached, the domestic fund described above would be integrated into the multilateral agreement.

This is a comprehensive plan, Mr. President, which I have worked on for two years. This past weekend, it was endorsed as a positive step by academics, pharmaceutical executives and governmental leaders at a high-level conference convened by the University of California at San Francisco, World Bank and the Global Forum for Health Research.

Congresswoman NANCY PELOSI will introduce identical companion legislation in the House and it is my hope that our colleagues will give it equally serious attention.●

By Mrs. FEINSTEIN (for herself, Mr. DEWINE, Mrs. BOXER, Mr. DURBIN, Mr. LAUTENBERG, Mr. MOYNIHAN, Mr. SCHUMER, Mr. SMITH of Oregon, and Mr. WELLSTONE):

S. 2137. A bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

HOLOCAUST EDUCATION ASSISTANCE ACT

● Mrs. FEINSTEIN. Mr. President, today Senator DEWINE and I are introducing a bill to provide funds to educational organizations to teach the history of the Holocaust. It is entitled the Holocaust Education Assistance Act. Cosponsoring the bill are Senators SMITH of Oregon, MOYNIHAN, LAUTENBERG, SCHUMER, BOXER, WELLSTONE, and DURBIN.

This bill authorizes $2 million each year for fiscal years 2001–2005 for a competitive grant program under which schools, museums and other nonprofit organizations could compete for grants to train teachers, conduct seminars and develop educational materials on the Holocaust. It is the companion bill to H.R. 3105, introduced by Representatives MALONEY, HORN, WAXMAN, and others.

The Holocaust is one of the most horrific events in human history. In the 1930s and 1940s, the German Nazi regime systematically slaughtered more than 6,000,000 Jews and other minorities under the guise of achieving a ''racially pure'' society. Hopefully, this bill can help ensure that the next generation of Americans learns some of the crucial lessons of the Holocaust. The most fundamental of these lessons is that racial and ethnic-based hatred endangers each of us, and that the violation of one person's rights threatens the freedom of all of us.

Five states mandate that the Holocaust be taught in schools. They are California, Florida, Illinois, New Jersey and New York. Eleven others recommend or encourage teaching the Holocaust in school. They are Connecticut, Georgia, Indiana, Massachusetts, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and Washington. The bill is needed because most teachers have little training and few resources to teach the history of the Holocaust. This bill does not mandate anything, but it does create a funding source for schools and communities that choose to teach youngsters about this horrible chapter of human history.

In my state, the following groups support the bill:

Holocaust Center of Northern California.
Los Angeles City Human Relations Commission.
Simon Wiesenthal Museum of Tolerance.
The Asian Pacific American Legal Center of Southern California.

The following national organizations support the Holocaust Education Assistance Act:

Agudath Israel of America.
American Gathering of Jewish Holocaust Survivors.
American Jewish Committee.
American Society for Yad Vashem, Inc.
Anti-Defamation League.
Association of Holocaust Organizations.
Braun Holocaust Institute.
Facing History and Ourselves.
Hatikvah Holocaust Education Resource Center.
Institute for Public Affairs of the Orthodox Union.
Museum of Jewish Heritage.
National Catholic Center for Holocaust Education.
Rabbinical Council of America.
Religious Action Center for Reform Judaism.
Simon Wiesenthal Center Museum of Tolerance.
United Synagogue of Conservative Judaism.
World Jewish Congress.

The following regional organizations support the Holocaust Education Assistance Act:

Florida Holocaust Museum.
Hawaii Holocaust Center.
Holocaust Memorial Foundation of Illinois.
Holocaust Memorial Resource and Education Center of Central Florida.
Holocaust Resource Center & Archives, Queensboro Community College.
Jewish Community Relations Council of Greater Philadelphia.
Jewish Community Relations Council of New York.
New Mexico Holocaust and Intolerance Museum and Study Center.

Tennessee Holocaust Commission.
Tennessee Jewish Federation.
West Virginia Holocaust Education Commission.

As we enter the new century, we must remain vigilant to ensure that we do not forget the lessons of the last century. The admonition that ''those who forget history are doomed to repeat it'' is as true today as ever. After the Holocaust, survivors and others vowed not to let another such tragedy go unchallenged. Rallying behind the cry: ''Never again!'', Holocaust survivors made a promise to the memories of their mothers, fathers, husbands, wives and children. This bill provides a way for us to join with Holocaust survivors in keeping that promise. It ensures that future generations of Americans will remember that bigotry against any group poses a menace to society at large, and that the violation of an individual's rights places every person's freedom in peril.

I urge my colleagues to support this important bill.●

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. FEINGOLD, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 26, a bill entitled the ''Bipartisan Campaign Reform Act of 1999.''

S. 279

At the request of Mr. LOTT, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 279, a bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

S. 408

At the request of Mr. BRYAN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 408, a bill to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center.

S. 693

At the request of Mr. HELMS, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 936

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 936, a bill to prevent children from having access to firearms.

S. 1036

At the request of Mr. KOHL, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1036, a bill to amend parts A and D of title IV of the Social Security Act to give States the option to pass through directly to a family receiving assistance under the temporary assistance to needy families program all child support collected by the State and the option to disregard any child support that the family receives in determining a family's eligibility for, or amount of, assistance under that program.

S. 1144

At the request of Mr. VOINOVICH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1322

At the request of Mr. DASCHLE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1322, a bill to prohibit health insurance and employment discrimination against individuals and their family members on the basis of predictive genetic information or genetic services.

S. 1361

At the request of Mr. STEVENS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1361, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1419

At the request of Mr. LOTT, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month.''

S. 1458

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1458, a bill to provide for a reduction in the rate of adolescent pregnancy through the evaluation of public and private prevention programs, and for other purposes.

S. 1464

At the request of Mr. HAGEL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1464, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish certain requirements regarding the Food Quality Protection Act of 1996, and for other purposes.

S. 1563

At the request of Mr. ABRAHAM, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1563, a bill to establish the Immigration Affairs Agency within the Department of Justice, and for other purposes.

S. 1592

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1592, a bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to certain nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

S. 1700

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1700, a bill to amend the Federal Rules of Criminal Procedure to allow a defendant to make a motion for forensic testing not available at trial regarding actual innocence.

S. 1717

At the request of Mr. BOND, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1717, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

S. 1810

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1810, a bill to amend title 38, United States Code, to clarify and improve veterans' claims and appellate procedures.

S. 1921

At the request of Mr. CAMPBELL, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1921, a bill to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service.

S. 1952

At the request of Mr. ABRAHAM, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1952, a bill to amend the Internal Revenue Code of 1986 to provide a simplified method for determining a partner's share of items of a partnership which is a qualified investment club.

S. 1966

At the request of Mr. HAGEL, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 1966, a bill to provide for the immediate review by the Immigration and Naturalization Service of new employees hired by employers subject to Operation Vanguard or similar programs, and for other purposes.

S. 2003

At the request of Mr. JOHNSON, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2003, a bill to restore health care coverage to retired members of the uniformed services.

S. 2021

At the request of Mr. BROWNBACK, the name of the Senator from Rhode Island (Mr. L. CHAFEE) was added as a cosponsor of S. 2021 , a bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991.

S. 2042

At the request of Mr. HATCH, the names of the Senator from Alaska (Mr.

MURKOWSKI), the Senator from North Carolina (Mr. HELMS), and the Senator from Texas (Mr. GRAMM) were added as cosponsors of S. 2042, a bill to reform the process by which the Office of the Pardon Attorney investigates and reviews potential exercises of executive clemency.

S. 2044

At the request of Mr. CAMPBELL, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2044, a bill to allow postal patrons to contribute to funding for domestic violence programs through the voluntary purchase of specially issued postage stamps.

S. 2068

At the request of Mr. GREGG, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2074

At the request of Mr. ASHCROFT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2074, a bill to amend title II of the Social Security Act to eliminate the social security earnings test for individuals who have attained retirement age.

S. 2076

At the request of Mr. SCHUMER, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Louisiana (Mr. BREAUX), the Senator from Michigan (Mr. LEVIN), the Senator from Idaho (Mr. CRAIG), the Senator from Maine (Ms. SNOWE), the Senator from Maine (Ms. COLLINS), the Senator from Kentucky (Mr. BUNNING), the Senator from Tennessee (Mr. THOMPSON), the Senator from Utah (Mr. BENNETT), the Senator from New Hampshire (Mr. GREGG), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Delaware (Mr. BIDEN), the Senator from West Virginia (Mr. BYRD), the Senator from South Dakota (Mr. DASCHLE), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from California (Mrs. FEINSTEIN), the Senator from Idaho (Mr. CRAPO), the Senator from Illinois (Mr. FITZGERALD), the Senator from Missouri (Mr. ASHCROFT), the Senator from Montana (Mr. BURNS), the Senator from Georgia (Mr. COVERDELL), the Senator from New Mexico (Mr. DOMENICI), the Senator from Florida (Mr. GRAHAM), the Senator from Hawaii (Mr. INOUYE), the Senator from South Dakota (Mr. JOHNSON), the Senator from Nebraska (Mr. KERREY), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington (Mr. GORTON), the Senator from Texas (Mr. GRAMM), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. KYL), the Senator from Florida (Mr. MACK), the Senator from Maryland (Ms. MIKULSKI), the Senator from Virginia (Mr. ROBB), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Oregon (Mr. WYDEN), the Senator from Vermont (Mr. LEAHY), the Senator from Kansas (Mr. ROBERTS), the Senator from New Hampshire (Mr. SMITH), the Senator from South Carolina (Mr. THURMOND), the Senator from Alabama (Mr. SHELBY), the Senator from Oregon (Mr. SMITH), the Senator from Washington (Mrs. MURRAY), the Senator from North Dakota (Mr. CONRAD), the Senator from California (Mrs. BOXER), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Indiana (Mr. LUGAR), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 2076, a bill to authorize the President to award a gold medal on behalf of the Congress to John Cardinal O'Connor, Archbishop of New York, in recognition of his accomplishments as a priest, a chaplain, and a humanitarian.

S. 2097

At the request of Mr. GRAMM, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2097, a bill to authorize loan guarantees in order to facilitate access to local television broadcast signals in unserved and underserved areas, and for other purposes.

S. 2123

At the request of Ms. LANDRIEU, the names of the Senator from Indiana (Mr. BAYH) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 2123, a bill to provide Outer Continental Shelf Impact assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes.

S. CON. RES. 60

At the request of Mr. FEINGOLD, the name of the Senator from New York (Mr. MOYNIHAN) was added as a cosponsor of S. Con. Res. 60, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S.J. RES. 38

At the request of Mr. VOINOVICH, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S.J. Res. 38, a joint resolution to provide for a Balanced Budget Constitutional Amendment that prohibits the use of Social Security surpluses to achieve compliance.

S.J. RES. 39

At the request of Mr. CAMPBELL, the names of the Senator from Georgia (Mr. CLELAND), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wisconsin (Mr. KOHL), the Senator from Arkansas (Mr. HUTCHINSON), the Senator from New Hampshire (Mr. SMITH), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from New York (Mr. MOYNIHAN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Texas (Mr. GRAMM), the Senator from Kansas (Mr. ROBERTS), the Senator from Montana (Mr. BURNS), the Senator from Idaho (Mr. CRAIG), the Senator from Alabama (Mr. SESSIONS), the Senator from Rhode Island (Mr. L. CHAFEE), the Senator from New Mexico (Mr. DOMENICI), the Senator from Hawaii (Mr. INOUYE), the Senator from Nebraska (Mr. KERREY), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Nevada (Mr. REID), the Senator from Maryland (Mr. SARBANES), the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Colorado (Mr. ALLARD), and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S.J .Res. 39, a joint resolution recognizing the 50th anniversary of the Korean war and the service by members of the Armed Forces during such war, and for other purposes.

S. RES. 87

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. Res. 87, a resolution commemorating the 60th Anniversary of the International Visitors Program.

S. RES. 128

At the request of Mr. COCHRAN, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from New Mexico (Mr. DOMENICI), the Senator from Mississippi (Mr. LOTT), the Senator from Hawaii (Mr. INOUYE), and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. Res. 128, a resolution designating March 2000, as ''Arts Education Month''.

S. RES. 237

At the request of Mrs. BOXER, the names of the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Maryland (Mr. SARBANES), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. Res. 237, a resolution expressing the sense of the Senate that the United States Senate Committee on Foreign Relations should hold hearings and the Senate should act on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

S. RES. 257

At the request of Mr. CRAIG, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. ENZI), the Senator from New Hampshire (Mr. SMITH), and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. Res. 257, a resolution expressing the sense of the Senate regarding the responsibility of the United States to ensure that the Panama Canal will remain open and secure to vessels of all nations.

S. RES. 260

At the request of Mr. BOND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 260, a resolution to express the sense of the Senate that the Federal investment in programs that provide health care services to uninsured and low-income individuals in medically under served areas be increased in order to double access to care over the next 5 years.

AMENDMENT NO. 2825

At the request of Mr. ABRAHAM, the names of the Senator from South Dakota (Mr. DASCHLE), the Senator from Nevada (Mr. REID), the Senator from New York (Mr. SCHUMER), the Senator from Hawaii (Mr. INOUYE), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KERRY), the Senator from North Dakota (Mr. DORGAN), the Senator from New Jersey (Mr. TORRICELLI), the Senator from California (Mrs. BOXER), and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of amendment No. 2825 proposed to S. 1134, an original bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

At the request of Mr. FITZGERALD, his name was added as a cosponsor of amendment No. 2825 proposed to S. 1134, an original bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

SENATE CONCURRENT RESOLUTION 87—COMMENDING THE HOLY SEE FOR MAKING SIGNIFICANT CONTRIBUTIONS TO INTERNATIONAL PEACE AND HUMAN RIGHTS, AND OBJECTING TO EFFORTS TO EXPEL THE HOLY SEE FROM THE UNITED NATIONS BY REMOVING THE HOLY SEE'S PERMANENT OBSERVER STATUS IN THE UNITED NATIONS, AND FOR OTHER PURPOSES

Mr. SMITH of New Hampshire (for himself, Mr. SANTORUM, Mr. HELMS, Ms. LANDRIEU, Mr. STEVENS, Mr. ASHCROFT, Mr. INHOFE, Mr. MCCAIN, Mr. COVERDELL, and Mr. BROWNBACK) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

S. CON. RES. 87

Whereas the Holy See is the governing authority of the sovereign State of Vatican City;

Whereas the Holy See has an internationally recognized legal personality, which allows it to enter into treaties as the juridical equal of a state and to send and receive diplomatic representatives;

Whereas the diplomatic history of the Holy See began over 1,600 years ago, during the 4th century A.D., and the Holy See currently has formal diplomatic relations with 169 nations, including the United States, and maintains 179 permanent diplomatic missions abroad;

Whereas, although the Holy See was an active participant in a wide range of United Nations activities since 1946, and was eligible to become a member state of the United Nations, it chose instead to become a nonmember state with Permanent Observer status over 36 years ago, in 1964;

Whereas, unlike other geographically small countries such as Monaco, Nauru, San Marino, and Liechtenstein, the Holy See does not possess a vote in the General Assembly of the United Nations;

Whereas, according to a July 1998 assessment by the United States Department of State, ''(t)he United States values the Holy See's significant contributions to international peace and human rights'';

Whereas during the past year, certain organizations that oppose the views of the Holy See regarding abortion and the sanctity of human life have initiated an organized effort to pressure the United Nations to remove the Permanent Observer status of the Holy See; and

Whereas the removal of the Holy See's Permanent Observer status would constitute an expulsion of the Holy See from the United Nations as a state participant: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress

(1) commends the Holy See for its unique contributions to a thoughtful and robust dialogue in issues of international concern during its 36 years as a Permanent Observer at the United Nations;

(2) strongly objects to any effort to expel the Holy See from the United Nations as a state participant by removing its status as a nonmember state Permanent Observer;

(3) believes that any degradation of the status accorded to the Holy See at the United Nations would seriously damage the credibility of the United Nations by demonstrating that its rules of participation are manipulable for ideological reasons rather than being rooted in neutral principles and objective facts of sovereignty; and

(4) contends that any degradation of the status of the Holy See will damage relations between the United States and the United Nations.

Mr. SMITH of New Hampshire. Mr. President, I rise for the purpose of submitting a Senate concurrent resolution objecting to any efforts to expel or degrade the Holy See's current status as a nonmember permanent observer to the United Nations. It is hard to believe there are people in the world—indeed, in our own country—who wish to take away that status.

Throughout my tenure in the Senate and the House, I have worked to uphold the sovereignty of the United States, perhaps as much as anyone in the body. Recently, it has come to my attention that the sovereignty of the Holy See, the institution that represents the State of the Vatican City internationally, is being attacked by up to 400 nongovernmental organizations in a movement called ''See Change.'' That is S-e-e.

See Change is comprised of extremist groups, pro-choice groups, some extreme environmental organizations, and antireligious, atheist groups who want to take away this permanent status of the Holy See.

Specifically, the agenda of See Change is to pressure U.N. Secretary General Annan into revoking the Holy See's nonmember Permanent Observer status by attacking its status as the legal and diplomatic body that represents the sovereign country of the State of the Vatican City.

What an outrage. See Change believes it can use the smokescreen of the Holy See's unique sovereignty to silence its undisputed legal rights as a sovereign entity to voice its views on the sanctity of human life at the U.N. That is what this is about. It is about an attack on the sanctity of human life. It is an attack on the Pope for his views on the sanctity of human life.

Since the U.N. rules by the consensus of all members, See Change is attempting to pressure and intimidate the Holy See, the Secretary General, and other member countries of the U.N. to silence any opposition to what really is a pro-abortion agenda.

Currently, the Holy See is recognized by almost every nation in the world. Furthermore, the Holy See has sent and received diplomats since the 4th century and has possessed a permanent diplomatic mission since the 15th century.

As I stated before, a central argument that these nongovernmental organizations use is the issue of the Holy See's legally recognized authority to represent the citizens of Vatican City and the worldwide Catholic Church.

According to international law, sovereignty in its simplest form can be defined by a people, territorial entity, and a government with institutions that are recognized by the international community of nations. Without any doubt—since the 4th century—the Holy See acts as the legal and internationally recognized body that represents the people of Vatican City and Catholics around the world. The Holy See meets all those criteria. The Vatican State has a population of approximately 900 citizens, has a defined territory, and has institutions of government.

The sovereignty issue was irrefutably settled in 1929, when the Holy See and Italy signed and ratified the Lateran Treaty, which brought the Vatican City State into existence. Article 12 of this treaty states:

Diplomatic relations with the Holy See are governed by the rules of International Law.

All states have equal standing under international law. I believe the Senate needs to send a strong, positive message to reaffirm the concept of state sovereignty. If we cannot do that in this body, then I do not know what we can do. I would like to remind Secretary General Kofi Annan about his duty to uphold the principle the United Nations considers most important in its charter—the legal equality of nations, which is Article 2(1).

Furthermore, this legal principle says all states are not similar in their

characteristics. For example, China contains about one-quarter of the human race while the State of the Vatican City contains a little fewer than 1,000 citizens.

Moreover, this Nation, the United States, is exponentially larger in physical size and political stature than, say, Bangladesh; however, both nations have equal status under international law.

Frances Kissling, president of Catholics for a Free Choice, said the Holy See sitting at the U.N. was like ''Euro-Disney sitting on the Security Council.'' Can you imagine? Surely, any person, American or not, would recoil at the irreverence of this statement and the ignorance, frankly, of the invaluable work the Holy See has undertaken to foster peace between fellow nations.

Highly respected U.N. leaders, such as Dag Hammarskjold, have, in fact, recognized the unique sovereign status of the State of the Vatican City and insisted on the presence of the Holy See at the U.N. In addition, U.N. Secretary General U Thant attempted to establish an increased stability of relations between the Holy See and the U.N.

Catholics for a Free Choice—I use that term loosely—a leading organization in the movement to remove the Holy See from the U.N., has set forth the following statement in their own web site:

> What place does a religious body—claiming to possess the universal ''objective truth'' and speak infallibly on moral matters—have in an intergovernmental institution like the United Nations?

I would like to point out that above the doors of the U.S. House Chamber are the reliefs of great lawmakers who had a profound impact on the moral and legal origins of this Nation. The most important lawmaker is Moses; his relief is placed higher, in the center of the Chamber, facing the Chair.

Why didn't anyone question the sovereignty of the Soviet Union and its Politburo, with the Communist ideology that it espoused, and the manner in which it imposed its will upon the satellite states of Eastern Europe under its control? I did not hear any criticism of them.

Should theocracies, such as Iran or even Israel, be threatened in the same manner if some extremist organization, opposed to their religious and social views, came forth?

The elected head of the Catholic Church, Pope John Paul II, has recently made trips to Cuba and Angola, where he was received by multitudes, millions of people, supporting his message of peace, the rule of law, and freedom represented by the Catholic Church and, indeed, by many other citizens, as well.

I am proud to say, in submitting this resolution, that as original cosponsors I have Senators COVERDELL, SANTORUM, LANDRIEU, HELMS, ASHCROFT, INHOFE, MCCAIN, STEVENS, and BROWNBACK. A bipartisan group has become original cosponsors. I urge my colleagues, in the name of what is right, to join with us in sponsoring this legislation.

AMENDMENTS SUBMITTED

THE AFFORDABLE EDUCATION ACT OF 1999

BINGAMAN AMENDMENT NO. 2863

Mr. BINGAMAN proposed an amendment to the bill (S. 1134) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; as follows:

Strike section 101 and insert the following:

''SEC. 101 FUNDS FOR ACCOUNTABILITY AND SCHOOL IMPROVEMENT.

''(a) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $275,000,000 for fiscal year 2001 and such sums as may be necessary for each of the succeeding fiscal years.

''(b) NATIONAL ACTIVITIES.—From the amount appropriated for any fiscal year under subsection (a), the Secretary of Education ('the Secretary') may reserve not more than 3 percent to conduct evaluations and studies, collect data, and carry out other activities relevant to sections 1116 and 1117 of the Elementary and Secondary Education Act of 1965 (hereafter in this section referred to as ''the ESEA''). .

''(c) ALLOCATIONS TO STATES.—The Secretary shall allocate the amount appropriated for any fiscal year under subsection (a) and not reserved under subsection (b) among the States in the same proportion in which funds are allocated among the States under part A of title I of the ESEA.

''(d) STATE USE OF FUNDS.—

(1) IN GENERAL.—Each State educational agency shall use funds received under subsection (c) to—

''(A) make allotments under paragraph (2); and

''(B) carry out its responsibilities under sections 1116 and 1117 of the ESEA, including establishing and supporting the State educational agency's statewide system of technical assistance and support for local educational agencies.

''(2) ALLOTMENTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—Each State educational agency shall allot at least 70 percent of the amount received under this section to local educational agencies in the State.

''(B) PRIORITIES.—In making allotments under this paragraph, the State educational agency shall—

''(i) give first priority to schools and local educational agencies with schools identified for corrective action under section 1116(c)(5) of the ESEA; and

''(ii) give second priority to schools and local educational agencies with other schools identified for school improvement under section 1116(c)(1) of the ESEA.

''(e) LOCAL USE OF FUNDS.—.

''(1) CORRECTIVE ACTION.—Each local educational agency receiving an allotment under subsection (d)(2)(B)(i) shall use the allotment to carry out effective corrective action in the schools identified for corrective action.

''(2) SCHOOL IMPROVEMENT.—Each local educational agency receiving an allotment under subsection (d)(2)(B)(ii) shall use the allotment to achieve substantial improvement in the performance of the schools identified for school improvement.''

GRAHAM (AND OTHERS) AMENDMENT NO. 2864

Mr. GRAHAM (for himself, Mr. ROBB, and Mr. BINGMAN) proposed an amendment to the bill, S. 1134, supra; as follows:

At the appropriate place, add the following:

TITLE —TRANSITION TO TEACHING

SEC. 1. SHORT TITLE.

This title may be cited as the ''Transition to Teaching Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) School districts will need to hire more than 2,000,000 teachers in the next decade. The need for teachers in the areas of mathematics, science, foreign languages, special education, and bilingual education, and for those able to teach in high-poverty school districts will be particularly high. To meet this need, talented Americans of all ages should be recruited to become successful, qualified teachers.

(2) Nearly 28 percent of teachers of academic subjects have neither an undergraduate major nor minor in their main assignment fields. This problem is more acute in high-poverty schools, where the out-of-field percentage is 39 percent.

(3) The Third International Math and Science Study (TIMSS) ranked United States high school seniors last among 16 countries in physics and next to last in mathematics. It is also evident, mainly from the TIMSS data, that based on academic scores, a stronger emphasis needs to be placed on the academic preparation of our children in mathematics and science.

(4) One-fourth of high-poverty schools find it very difficult to fill bilingual teaching positions, and nearly half of public school teachers have students in their classrooms for whom English is a second language.

(5) Many career-changing professionals with strong content-area skills are interested in a teaching career, but need assistance in getting the appropriate pedagogical training and classroom experience.

(6) The Troops to Teachers model has been highly successful in linking high-quality teachers to teach in high-poverty districts.

SEC. 3. PURPOSE.

The purpose of this title is to address the need of high-poverty school districts for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education, needed by those school districts, by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

SEC. 4. PROGRAM AUTHORIZED.

(a) AUTHORITY.—The Secretary is authorized to use funds appropriated under subsection (b) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this title.

(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this title, there are authorized to be appropriated $25,000,000 for each of fiscal years 2001 through 2006.

SEC. 5. APPLICATION.

Each applicant that desires an award under section 4(a) shall submit an application

to the Secretary containing such information as the Secretary requires, including—

(1) a description of the target group of career-changing professionals upon which the applicant will focus in carrying out its program under this title, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this title;

(2) a description of how the applicant will identify and recruit program participants;

(3) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

(4) a description of how the applicant will ensure that program participants are placed and teach in high-poverty local educational agencies;

(5) a description of the teacher induction services (which may be provided through existing induction programs) the program participants will receive throughout at least their first year of teaching;

(6) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, and support program participants under this title, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

(7) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

(A) the program's goals and objectives;

(B) the performance indicators the applicant will use to measure the program's progress; and

(C) the outcome measures that will be used to determine the program's effectiveness; and

(8) an assurance that the applicant will provide to the Secretary such information as the Secretary determines necessary to determine the overall effectiveness of programs under this title.

SEC. 6. USES OF FUNDS AND PERIOD OF SERVICE.

(a) AUTHORIZED ACTIVITIES.—Funds under this title may be used for—

(1) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

(2) training stipends and other financial incentives for program participants, not to exceed $5,000 per participant;

(3) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

(4) placement activities, including identifying high-poverty local educational agencies with a need for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

(5) post-placement induction or support activities for program participants.

(b) PERIOD OF SERVICE.—A program participant in a program under this title who completes his or her training shall serve in a high-poverty local educational agency for at least 3 years.

(c) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under subsection (a)(2), but fail to complete their service obligation under subsection (b), repay all or a portion of such stipend or other incentive.

SEC. 7. EQUITABLE DISTRIBUTION.

To the extent practicable, the Secretary shall make awards under this title that support programs in different geographic regions of the Nation.

SEC. 8. DEFINITIONS.

In this title:

(1) HIGH-POVERTY LOCAL EDUCATIONAL AGENCY.—The term ''high-poverty local educational agency'' means a local educational agency in which the percentage of children, ages 5 through 17, from families below the poverty level is 20 percent or greater, or the number of such children exceeds 10,000.

(2) PROGRAM PARTICIPANTS.—The term ''program participants'' means career-changing professionals who—

(A) hold at least a baccalaureate degree;

(B) demonstrate interest in, and commitment to, becoming a teacher; and

(C) have knowledge and experience that are relevant to teaching a high-need subject area in a high-need local educational agency.

WELLSTONE AMENDMENT NO. 2865

Mr. WELLSTONE proposed an amendment to the bill, S. 1134, supra; as follows:

At the appropriate place add the following:

SEC. . REPORT TO CONGRESS REGARDING EXTENT AND SEVERITY OF CHILD POVERTY.

(a) IN GENERAL.—Not later than June 1, 2001 and prior to any reauthorization of the temporary assistance to needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) for any fiscal year after fiscal year 2002, the Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall report to Congress on the extent and severity of child poverty in the United States. Such report shall, at a minimum—

(1) determine for the period since the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2105)—

(A) whether the rate of child poverty in the United States has increased;

(B) whether the children who live in poverty in the United States have gotten poorer; and

(C) how changes in the availability of cash and non-cash benefits to poor families have affected child poverty in the United States;

(2) identify alternative methods for defining child poverty that are based on consideration of factors other than family income and resources, including consideration of a family's work-related expenses; and

(3) contain multiple measures of child poverty in the United States that may include the child poverty gap and the extreme poverty rate.

(b) LEGISLATIVE PROPOSAL.—If the Secretary determines that during the period since the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2105) the extent or severity of child poverty in the United States has increased to any extent, the Secretary shall include with the report to Congress required under subsection (a) a legislative proposal addressing the factors that led to such increase.

KERRY AMENDMENT NO. 2866

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 1135, supra; as follows:

At the appropriate place, add the following:

TITLE —AMENDMENTS TO THE HIGHER EDUCATION ACT OF 1965

SEC. 01. SCHOLARSHIPS FOR FUTURE TEACHERS.

Part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) is amended by adding at the end the following:

''SUBPART 9—SCHOLARSHIPS FOR FUTURE TEACHERS

''SEC. 420L. STATEMENT OF PURPOSE.

''It is the purpose of this subpart to establish a scholarship program to promote student excellence and achievement and to encourage students to make a commitment to teaching.

''SEC. 420M. SCHOLARSHIPS AUTHORIZED.

''(a) PROGRAM AUTHORITY.—The Secretary is authorized, in accordance with the provisions of this subpart, to make grants to States to enable the States to award scholarships to individuals who have demonstrated outstanding academic achievement and who make a commitment to become State certified teachers in elementary schools or secondary schools that are served by local educational agencies.

''(b) PERIOD OF AWARD.—Scholarships under this section shall be awarded for a period of not less than 1 and not more than 4 years during the first 4 years of study at any institution of higher education eligible to participate in any program assisted under this title. The State educational agency administering the scholarship program in a State shall have discretion to determine the period of the award (within the limits specified in the preceding sentence).

''(c) USE AT ANY INSTITUTION PERMITTED.—A student awarded a scholarship under this subpart may attend any institution of higher education.

''SEC. 420N. ALLOCATION AMONG STATES.

''(a) ALLOCATION FORMULA.—From the sums appropriated under section 420U for any fiscal year, the Secretary shall allocate to each State that has an agreement under section 420O an amount that bears the same relation to the sums as the amount the State received under part A of title I of the Elementary and Secondary Education Act of 1965 bears to the amount received under such part A by all States.

''(b) AMOUNT OF SCHOLARSHIPS.—The Secretary shall promulgate regulations setting forth the amount of scholarships awarded under this subpart.

''SEC. 420O. AGREEMENTS.

''The Secretary shall enter into an agreement with each State desiring to participate in the scholarship program authorized by this subpart. Each such agreement shall include provisions designed to ensure that—

''(1) the State educational agency will administer the scholarship program authorized by this subpart in the State;

''(2) the State educational agency will comply with the eligibility and selection provisions of this subpart;

''(3) the State educational agency will conduct outreach activities to publicize the availability of scholarships under this subpart to all eligible students in the State, with particular emphasis on activities designed to assure that students from low-income and moderate-income families have access to the information on the opportunity for full participation in the scholarship program authorized by this subpart; and

''(4) the State educational agency will pay to each individual in the State who is awarded a scholarship under this subpart an amount determined in accordance with regulations promulgated under section 420N(b).

''SEC. 420P. ELIGIBILITY OF SCHOLARS.

''(a) SECONDARY SCHOOL GRADUATION OR EQUIVALENT AND ADMISSION TO INSTITUTION

REQUIRED.—Each student awarded a scholarship under this subpart shall—

''(1) have a secondary school diploma or its recognized equivalent;

''(2) have a score on a nationally recognized college entrance exam, such as the Scholastic Aptitude Test (SAT) or the American College Testing Program (ACT), that is in the top 20 percent of all scores achieved by individuals in the secondary school graduating class of the student, or have a grade point average that is in the top 20 percent of all students in the secondary school graduating class of the student;

''(3) have been admitted for enrollment at an institution of higher education; and

''(4) make a commitment to become a State certified elementary school or secondary school teacher for a period of 5 years.

''(b) SELECTION BASED ON COMMITMENT TO TEACHING.—Each student awarded a scholarship under this subpart shall demonstrate outstanding academic achievement and show promise of continued academic achievement.

''SEC. 420Q. SELECTION OF SCHOLARS.

''(a) ESTABLISHMENT OF CRITERIA.—The State educational agency is authorized to establish the criteria for the selection of scholars under this subpart.

''(b) ADOPTION OF PROCEDURES.—The State educational agency shall adopt selection procedures designed to ensure an equitable geographic distribution of scholarship awards within the State.

''(c) CONSULTATION REQUIREMENT.—In carrying out its responsibilities under subsections (a) and (b), the State educational agency shall consult with school administrators, local educational agencies, teachers, counselors, and parents.

''(d) TIMING OF SELECTION.—The selection process shall be completed, and the awards made, prior to the end of each secondary school academic year.

''SEC. 420R. SCHOLARSHIP CONDITION.

''The State educational agency shall establish procedures to assure that a scholar awarded a scholarship under this subpart pursues a course of study at an institution of higher education that is related to a career in teaching.

''SEC. 420S. RECRUITMENT.

''In carrying out a scholarship program under this section, a State may use not less than 5 percent of the amount awarded to the State under this subpart to carry out recruitment programs through local educational agencies. Such programs shall target liberal arts, education and technical institutions of higher education in the State.

''SEC. 420T. INFORMATION.

''The Secretary shall develop additional programs or strengthen existing programs to publicize information regarding the programs assisted under this title and teaching careers in general.

''SEC. 420U. APPROPRIATIONS.

''There are authorized to be appropriated, and there are appropriated, to carry out this subpart $10,000,000 for each of the fiscal years 2001 through 2005, of which not more than 0.5 percent shall be used by the Secretary in any fiscal year to carry out section 420T.''.

SEC. 02. LOAN FORGIVENESS AND CANCELLATION FOR TEACHERS.

(a) FEDERAL STAFFORD LOANS.—Section 428J of Higher Education Act of 1965 (20 U.S.C. 1078–10) is amended—

(1) in the matter preceding subparagraph (A) of subsection (b)(1), by striking ''for 5 consecutive complete school years'';

(2) by amending paragraph (1) of subsection (c) to read as follows:

''(1) AMOUNT.—

''(A) IN GENERAL.—The Secretary shall repay—

''(i) not more than $5,000 in the aggregate of the loan obligation on a loan made under section 428 or 428H that is outstanding after the completion of the second complete school year of teaching described in subsection (b)(1); and

''(ii) not more than $5,000 in the aggregate of such loan obligation that is outstanding after the fifth complete school year of teaching described in subsection (b)(1).

''(B) SPECIAL RULE.—No borrower may receive a reduction of loan obligations under both this section and section 460.''; and

(3) by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, to carry out this section $50,000,000 for each of the fiscal years 2001 through 2005.''.

(b) DIRECT LOANS.—Section 460 of the Higher Education Act of 1965 (20 U.S.C. 1087j) is amended—

(1) in the matter preceding clause (i) of subsection (b)(1)(A), by striking ''for 5 consecutive complete school years'';

(2) by amending paragraph (1) of subsection (c) to read as follows:

''(1) IN GENERAL.—The Secretary shall repay—

''(A) not more than $5,000 in the aggregate of the loan obligation on a Federal Direct Stafford Loan or a Federal Direct Unsubsidized Stafford Loan that is outstanding after the completion of the second complete school year of teaching described in subsection (b)(1)(A); and

''(B) not more than $5,000 in the aggregate of such loan obligation that is outstanding after the fifth complete school year of teaching described in subsection (b)(1)(A).''; and

(3) by adding at the end the following:

''(i) APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, to carry out this section $50,000,000 for each of the fiscal years 2001 through 2005.''.

LANDRIEU (AND LIEBERMAN) AMENDMENT NO. 2867

(Ordered to lie on the table.)

Mrs. LANDRIEU (for herself and Mr. LIEBERMAN) submitted an amendment to be proposed by them to the bill, S. 1134, supra; as follows:

At the appropriate place, insert the following:

TITLE —TEACHER AND PRINCIPAL QUALITY AND PROFESSIONAL DEVELOPMENT

SEC. 1. TEACHER AND PRINCIPAL QUALITY AND PROFESSIONAL DEVELOPMENT.

(a) SHORT TITLE.—This title may be cited as the ''Public Education Reinvestment, Reinvention, and Responsibility Act''.

(b) PROGRAMS.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended to read as follows:

''TITLE II—TEACHER AND PRINCIPAL QUALITY AND PROFESSIONAL DEVELOPMENT

''SEC. 2001. PURPOSE.

''The purpose of this title is to provide grants to State educational agencies and local educational agencies in order to assist their efforts to increase student academic achievement through such strategies as improving teacher and principal quality and increasing professional development.

''SEC. 2002. DEFINITIONS.

''In this title:

''(1) FULLY QUALIFIED.—The term 'fully qualified' means—

''(A) in the case of an elementary school teacher (other than a teacher teaching in a public charter school), a teacher who, at a minimum—

''(i) has obtained State certification (which may include certification obtained through alternative means), or a State license, to teach in the State in which the teacher teaches;

''(ii) holds a bachelor's degree from an institution of higher education; and

''(iii) demonstrates subject matter knowledge, teaching knowledge, and the teaching skills required to teach effectively reading, writing, mathematics, science, social studies, and other elements of a liberal arts education; and

''(B) in the case of a secondary school teacher (other than a teacher teaching in a public charter school), a teacher who, at a minimum—

''(i) has obtained State certification (which may include certification obtained through alternative means), or a State license, to teach in the State in which the teacher teaches;

''(ii) holds a bachelor's degree from an institution of higher education;

''(iii) demonstrates a high level of competence in all subject areas in which the teacher teaches through—

''(I) completion of an academic major (or courses totaling an equivalent number of credit hours) in each of the subject areas in which the teacher provides instruction; or

''(II) achievement of a high level of performance in other professional employment experience in subject areas relevant to the subject areas in which the teacher provides instruction; and

''(iv) achieves a high level of performance on rigorous academic subject area tests administered by the State in which the teacher teaches.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965, that—

''(A) has not been identified as low performing under section 208 of the Higher Education Act of 1965; and

''(B) is in full compliance with the public reporting requirements described in section 207 of the Higher Education Act of 1965.

''(3) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(4) POVERTY LINE.—The term 'poverty line' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act) applicable to a family of the size involved, for the most recent year.

''(5) SCHOOL-AGE POPULATION.—The term 'school-age population' means the population aged 5 through 17, as determined on the basis of the most recent satisfactory data.

''(6) STATE.—The term 'State' means each of the several States in the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 2003. PROGRAM AUTHORIZED.

''(a) GRANTS AUTHORIZED.—The Secretary shall award a grant, from allotments made under subsection (b), to each State having a State plan approved under section 2005, to enable the State to raise the quality of, and provide professional development opportunities for, public elementary school and secondary school teachers, principals, and administrators.

''(b) RESERVATIONS AND ALLOTMENTS.—

''(1) RESERVATIONS.—From the amount appropriated under section 2015 to carry out this title for each fiscal year, the Secretary shall reserve—

''(A) ½ of 1 percent of such amount for payments to the Bureau of Indian Affairs for activities, approved by the Secretary, consistent with this title;

''(B) ½ of 1 percent of such amount for payments to outlying areas, to be allotted in accordance with their respective needs as determined by the Secretary, for activities, approved by the Secretary, consistent with this title; and

''(C) such sums as may be necessary to continue to support any multiyear partnership program award made under parts A, C, and D of this title and under title IV of the Goals 2000: Educate America Act (as such titles and Act were in effect on the day preceding the date of enactment of the Public Education Reinvestment, Reinvention, and Responsibility Act) until the termination of the multiyear award.

''(2) STATE ALLOTMENTS.—From the amount appropriated under section 2015 for a fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall allot to each State having a State plan approved under section 2005 the sum of—

''(A) an amount that bears the same relationship to 50 percent of the remainder as the school-age population from families with incomes below the poverty line in the State bears to the school-age population from families with incomes below the poverty line in all States; and

''(B) an amount that bears the same relationship to 50 percent of the remainder as the school-age population in the State bears to the school-age population in all States.

''(c) STATE MINIMUM.—For any fiscal year, no State shall be allotted under this section an amount that is less than ½ of 1 percent of the total amount allotted to all States under subsection (b)(2).

''(d) HOLD-HARMLESS AMOUNTS.—For fiscal year 2001, notwithstanding subsection (b)(2), the amount allotted to each State under this section shall be not less than 100 percent of the total amount the State was allotted under part B of this title (as this title was in effect on the day preceding the date of enactment of the Public Education Reinvestment, Reinvention, and Responsibility Act) for the preceding fiscal year.

''(e) RATABLE REDUCTIONS.—If the sums made available under subsection (b)(2) for any fiscal year are insufficient to pay the full amounts that all States are eligible to receive under subsection (d) for such year, the Secretary shall ratably reduce such amounts for such year.

''SEC. 2004. WITHIN STATE ALLOCATION.

''(a) IN GENERAL.—Each State educational agency for a State receiving a grant under section 2003(a) shall—

''(1) set aside 10 percent of the grant funds to award educator partnership grants under section 2013;

''(2) set aside not more than 5 percent of the grant funds to carry out activities described the State plan submitted under section 2005; and

''(3) using the remaining 85 percent of the grant funds, make subgrants by allocating to each local educational agency in the State the sum of—

''(A) an amount that bears the same relationship to 60 percent of the remainder as the school-age population from families with incomes below the poverty line in the area served by the local educational agency bears to the school-age population from families with incomes below the poverty line in the area served by all local educational agencies in the State; and

''(B) an amount that bears the same relationship to 40 percent of the remainder as the school-age population in the area served by the local educational agency bears to the school-age population in the area served by all local educational agencies in the State.

''(b) HOLD-HARMLESS AMOUNTS.—

''(1) FISCAL YEAR 2001.—For fiscal year 2001, notwithstanding subsection (a), the amount allocated to each local educational agency under this section shall be not less than 100 percent of the total amount the local educational agency was allocated under this title (as this title was in effect on the day preceding the date of enactment of the Public Education Reinvestment, Reinvention, and Responsibility Act) for fiscal year 2000.

''(2) FISCAL YEAR 2002.—For fiscal year 2002, notwithstanding subsection (a), the amount allocated to each local educational agency under this section shall be not less than 85 percent of the amount allocated to the local educational agency under this section for fiscal year 2001.

''(3) FISCAL YEARS 2003–2005.—For each of fiscal years 2003 through 2005, notwithstanding subsection (a), the amount allocated to each local educational agency under this section shall be not less than 70 percent of the amount allocated to the local educational agency under this section for the previous fiscal year.

''(c) RATABLE REDUCTIONS.—If the sums made available under subsection (a)(3) for any fiscal year are insufficient to pay the full amounts that all local educational agencies are eligible to receive under subsection (b) for such year, the State educational agency shall ratably reduce such amounts for such year.

''SEC. 2005. STATE PLANS.

''(a) PLAN REQUIRED.—

''(1) IN GENERAL.—

''(A) COMPREHENSIVE STATE PLAN.—The State educational agency for each State desiring a grant under this title shall submit a State plan, developed in consultation with the entity or agency, if other than the State educational agency, that is responsible for teacher certification or licensing in the State, to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(B) TEACHER CERTIFICATION OR LICENSURE.—The entity, or agency, if other than the State educational agency, that is responsible for teacher certification or licensing in the State, shall develop, in consultation with the State educational agency, and submit to the State educational agency the portion of the State plan described in subparagraph (A) that addresses teacher certification or licensure.

''(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 14302.

''(b) CONTENTS.—Each plan submitted under subsection (a) shall—

''(1) describe how the State is taking reasonable steps to—

''(A) reform teacher certification, recertification, or licensure requirements to ensure that—

''(i) teachers have the necessary teaching skills and academic content knowledge in the academic subjects in which the teachers are assigned to teach;

''(ii) such requirements are aligned with the challenging State content standards;

''(iii) teachers have the knowledge and skills necessary to help students meet the challenging State student performance standards;

''(iv) such requirements take into account the need, as determined by the State, for greater access to, and participation in, the teaching profession by individuals from historically underrepresented groups; and

''(v) teachers have the necessary technological skills to integrate more effectively technology in the teaching of content required by State and local standards in all academic subjects in which the teachers provide instruction;

''(B) develop and implement rigorous testing procedures for all teachers to ensure that the teachers have teaching skills and academic content knowledge necessary to teach effectively the content called for by State and local standards in all academic subjects in which the teachers provide instruction;

''(C) establish, expand, or improve alternative routes to State certification of teachers, especially in the areas of mathematics and science, for highly qualified individuals with a baccalaureate degree, including mid-career professionals form other occupations, paraprofessionals, former military personnel, and recent college or university graduates who have records of academic distinction and who demonstrate the potential to become highly effective teachers;

''(D) reduce emergency teacher certification;

''(E) develop and implement effective programs, and provide financial assistance, to assist local educational agencies, elementary schools, and secondary schools in effectively recruiting and retaining fully qualified teachers and principals, particularly in schools that have the lowest proportion of fully qualified teachers or the highest proportion of low-performing students;

''(F) provide professional development programs that meet the requirements described in section 2011;

''(G) provide programs that are designed to assist new teachers during their first 3 years of teaching, such as mentoring programs that—

''(i) provide mentoring to new teachers from veteran teachers with expertise in the same subject matter as the new teachers are teaching;

''(ii) provide mentors time for activities such as coaching, observing, and assisting teachers who are being mentored; and

''(iii) use standards or assessments that are consistent with the State's student performance standards and the requirements for professional development activities described in section 2011 in order to guide the new teachers;

''(H) provide technical assistance to local educational agencies in developing and implementing activities described in section 2010; and

''(I) ensure that programs in core academic subjects, particularly in mathematics and science, will take into account the need for greater access to, and participation in, such core academic subjects by students from historically underrepresented groups, including females, minorities, individuals with limited English proficiency, the economically disadvantaged, and individuals with disabilities, by incorporating pedagogical strategies and techniques that meet such students' educational needs;

''(2) describe the activities for which assistance is sought under the grant, and how such activities will improve students' academic achievement and close academic achievement gaps of low-income, minority, and limited English proficient students;

''(3) describe how the State will establish annual numerical performance objectives under section 2006 for improving the qualifications of teachers and the professional development of teachers, principals, and administrators;

''(4) contain an assurance that the State consulted with local educational agencies, education-related community groups, nonprofit organizations, parents, teachers, school administrators, local school boards, institutions of higher education in the State, and content specialists in establishing the

performance objectives described in section 2006;

''(5) describe how the State will hold local educational agencies, elementary schools, and secondary schools accountable for meeting the performance objectives described in section 2006 and for reporting annually on the local educational agencies' and schools' progress in meeting the performance objectives;

''(6) describe how the State will ensure that a local educational agency receiving a subgrant under section 2004 will comply with the requirements of this title;

''(7) provide an assurance that the State will require each local educational agency, elementary school, or secondary school receiving funds under this title to report publicly the local educational agency's or school's annual progress with respect to the performance objectives described in section 2006; and

''(8) describe how the State will coordinate professional development activities authorized under this title with professional development activities provided under other Federal, State, and local programs, including programs authorized under titles I and III and, where appropriate, the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act of 1998.

''(c) SECRETARY APPROVAL.—The Secretary shall, using a peer review process, approve a State plan if the plan meets the requirements of this section.

''(d) DURATION OF THE PLAN.—

''(1) IN GENERAL.—Each State plan shall—

''(A) remain in effect for the duration of the State's participation under this title; and

''(B) be periodically reviewed and revised by the State, as necessary, to reflect changes to the State's strategies and programs carried out under this title.

''(2) ADDITIONAL INFORMATION.—If a State receiving a grant under this title makes significant changes to the State plan, such as the adoption of new performance objectives, the State shall submit information regarding the significant changes to the Secretary.

''SEC. 2006. PERFORMANCE OBJECTIVES.

''(a) IN GENERAL.—Each State receiving a grant under this title shall establish annual numerical performance objectives with respect to progress in improving the qualifications of teachers and the professional development of teachers, principals, and administrators. For each annual numerical performance objective established, the State shall specify an incremental percentage increase for the objective to be attained for each of the fiscal years for which the State receives a grant under this title, relative to the preceding fiscal year.

''(b) REQUIRED OBJECTIVES.—At a minimum, the annual numerical performance objectives described in subsection (a) shall include an incremental increase in the percentage of—

''(1) classes in core academic subjects that are being taught by teachers who have degrees from institutions of higher education, and who are fully certified or licensed by the State in the academic subjects that the teachers are assigned to teach;

''(2) new teachers and principals receiving professional development support, including mentoring for teachers, during the teachers' first 3 years of teaching;

''(3) teachers, principals, and administrators participating in high quality professional development programs that are consistent with section 2011; and

''(4) fully qualified teachers teaching in the State, to ensure that all teachers teaching in such State are fully qualified by December 31, 2005.

''(c) REQUIREMENT FOR FULLY QUALIFIED TEACHERS.—Each State receiving a grant under this title shall ensure that all public elementary school and secondary school teachers in the State are fully qualified not later than December 31, 2005.

''(d) ACCOUNTABILITY.—

''(1) IN GENERAL.—Each State receiving a grant under this title shall be held accountable for—

''(A) meeting the State's annual numerical performance objectives; and

''(B) meeting reporting requirements specified by the Secretary.

''(2) SANCTIONS.—Any State that fails to meet the requirement described in paragraph (1)(A) shall be subject to sanctions. The Secretary shall reduce by an appropriate percentage the amount the State is entitled to receive for administrative expenses. The Secretary shall provide technical assistance, if sought, to a State subjected to the sanctions.

''(e) SPECIAL RULE.—Notwithstanding any other provision of law, the provisions of subsection (c) shall not supersede State laws governing public charter schools.

''(f) COORDINATION.—Each State that receives a grant under this title and a grant under section 202 of the Higher Education Act of 1965 shall coordinate the activities the State carries out under such section 202 with the activities the State carries out under this section.

''SEC. 2007. OPTIONAL ACTIVITIES.

''Each State receiving a grant under section 2003(a) may use the grant funds—

''(1) to develop and implement a system to measure the effectiveness of specific professional development programs and strategies;

''(2) to increase the portability of teacher pensions and reciprocity of teaching certification or licensure among States, except that no reciprocity agreement developed under this section may lead to the weakening of any State teacher certification or licensing requirement;

''(3) to reform tenure systems;

''(4) to develop or assist local educational agencies in the development and utilization of proven, innovative strategies to deliver intensive professional development programs that are cost effective and easily accessible, such as programs offered through the use of technology and distance learning;

''(5) to provide assistance to local educational agencies for the development and implementation of innovative professional development programs that train teachers to use technology to improve teaching and learning and that are consistent with the requirements of section 2011;

''(6) to provide professional development to enable teachers to ensure that female students, minority students, limited English proficient students, students with disabilities, and economically disadvantaged students have the full opportunity to achieve challenging State content and performance standards in the core academic subjects;

''(7) to increase the number of women, minorities, and individuals with disabilities who teach in the State and who are fully qualified and provide instruction in core academic subjects in which such individuals are underrepresented; and

''(8) to increase the number of highly qualified women, minorities, and individuals from other underrepresented groups who are involved in the administration of elementary schools and secondary schools within the State.

''SEC. 2008. STATE ADMINISTRATIVE EXPENSES.

''Each State receiving a grant under section 2003(a) may use not more than 5 percent of the amount set aside in section 2004(a)(2) for the cost of—

''(1) planning and administering the activities described in section 2005(b); and

''(2) making subgrants to local educational agencies under section 2004.

''SEC. 2009. LOCAL PLANS.

''(a) IN GENERAL.—Each local educational agency desiring a grant from the State under section 2004(a)(3) shall submit a local plan to the State educational agency—

''(1) at such time, in such manner, and accompanied by such information as the State educational agency may require; and

''(2) that describes how the local educational agency will coordinate the activities for which assistance is sought under this title with other programs carried out under this Act, or other Acts, as appropriate.

''(b) LOCAL PLAN CONTENTS.—The local plan described in subsection (a) shall, at a minimum—

''(1) describe how the local educational agency will use the grant funds to meet the State performance objectives for teacher qualifications and professional development described in section 2006;

''(2) describe how the local educational agency will hold elementary schools and secondary schools accountable for meeting the requirements described in this title;

''(3) contain an assurance that the local educational agency will target funds to elementary schools and secondary schools served by the local educational agency that—

''(A) have the lowest proportion of fully qualified teachers; and

''(B) are identified for school improvement under section 1116;

''(4) describe how the local educational agency will coordinate professional development activities authorized under section 2010(a) with professional development activities provided through other Federal, State, and local programs, including those authorized under titles I and III and, where applicable, the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act of 1998; and

''(5) describe how the local educational agency has collaborated with teachers, principals, parents, and administrators in the preparation of the local plan.

''SEC. 2010. LOCAL ACTIVITIES.

''(a) IN GENERAL.—Each local educational agency receiving a grant under section 2004(a)(3) shall use the grant funds to—

''(1) support professional development activities, consistent with section 2011, for—

''(A) teachers, in at least the areas of reading, mathematics, and science; and

''(B) teachers, principals, and administrators in order to provide such individuals with the knowledge and skills to provide all students, including female students, minority students, limited English proficient students, students with disabilities, and economically disadvantaged students, with the opportunity to meet challenging State content and student performance standards;

''(2) provide professional development to teachers, principals, and administrators to enhance the use of technology within elementary schools and secondary schools in order to deliver more effective curricula instruction;

''(3) recruit and retain fully qualified teachers and highly qualified principals, particularly for elementary schools and secondary schools located in areas with high percentages of low-performing students and students from families below the poverty line;

''(4) recruit and retain fully qualified teachers and high quality principals to serve in the elementary schools and secondary schools with the highest proportion of low-performing students, such as through—

''(A) mentoring programs for newly hired teachers, including programs provided by master teachers, and for newly hired principals; and

''(B) programs that provide other incentives, including financial incentives, to retain—

''(i) teachers who have a record of success in helping low-performing students improve those students' academic success; and

''(ii) principals who have a record of improving the performance of all students, or significantly narrowing the gaps between minority students and nonminority students, and economically disadvantaged students and noneconomically disadvantaged students, within the elementary schools or secondary schools served by the principals; and

''(5) provide professional development that incorporates effective strategies, techniques, methods, and practices for meeting the educational needs of diverse groups of students, including female students, minority students, students with disabilities, limited English proficient students, and economically disadvantaged students.

''(b) OPTIONAL ACTIVITIES.—Each local educational agency receiving a grant under section 2004(a)(3) may use the subgrant funds—

''(1) to provide a signing bonus or other financial incentive, such as differential pay for—

''(A) a teacher to teach in an academic subject for which there exists a shortage of fully qualified teachers within the elementary school or secondary school in which the teacher teaches or within the elementary schools and secondary schools served by the local educational agency; or

''(B) a highly qualified principal in a school in which there is a large percentage of children—

''(i) from low-income families; or

''(ii) with high percentages of low-performance scores on State assessments;

''(2) to establish programs that—

''(A) recruit professionals into teaching from other fields and provide such professionals with alternative routes to teacher certification, especially in the areas of mathematics, science, and English language arts; and

''(B) provide increased teaching and administration opportunities for fully qualified females, minorities, individuals with disabilities, and other individuals underrepresented in the teaching or school administration professions;

''(3) to establish programs and activities that are designed to improve the quality of the teacher and principal force, such as innovative professional development programs (which may be provided through partnerships, including partnerships with institutions of higher education), and including programs that—

''(A) train teachers and principals to utilize technology to improve teaching and learning; and

''(B) are consistent with the requirements of section 2011;

''(4) for tenure reform;

''(5) to provide collaboratively designed performance pay systems for teachers and principals that encourage teachers and principals to work together to raise student performance;

''(6) to establish professional development programs that provide instruction in how to teach children with different learning styles, particularly children with disabilities and children with special learning needs (including children who are gifted and talented);

''(7) to establish professional development programs that provide instruction in how best to discipline children in the classroom, and to identify early and appropriate interventions to help children described in paragraph (6) learn;

''(8) to provide professional development programs that provide instruction in how to teach character education in a manner that—

''(A) reflects the values of parents, teachers, and local communities; and

''(B) incorporates elements of good character, including honesty, citizenship, courage, justice, respect, personal responsibility, and trustworthiness;

''(9) to provide scholarships or other incentives to assist teachers in attaining national board certification;

''(10) to support activities designed to provide effective professional development for teachers of limited English proficient students; and

''(11) to establish other activities designed—

''(A) to improve professional development for teachers, principals, and administrators that are consistent with section 2011; and

''(B) to recruit and retain fully qualified teachers and highly qualified principals.

''(c) ADMINISTRATIVE EXPENSES.—Each local educational agency receiving a grant under section 2004(a)(3) may use not more than 1.5 percent of the grant funds for any fiscal year for the cost of administering activities under this title.

''SEC. 2011. PROFESSIONAL DEVELOPMENT FOR TEACHERS.

''(a) LIMITATION RELATING TO CURRICULUM AND CONTENT AREAS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a local educational agency may not use grant funds allocated under section 2004(a)(3) to support a professional development activity for a teacher that is not—

''(A) directly related to the curriculum for which and content areas in which the teacher provides instruction; or

''(B) designed to enhance the ability of the teacher to understand and use the State's challenging content standards for the academic subject in which the teacher provides instruction.

''(2) EXCEPTION.—Paragraph (1) shall not apply to professional development activities that provide instruction in methods of disciplining children.

''(b) PROFESSIONAL DEVELOPMENT ACTIVITY.—A professional development activity carried out under this title shall—

''(1) be measured, in terms of progress described in section 2006(a), using the specific performance indicators established by the State in accordance with section 2006;

''(2) be tied to challenging State or local content standards and student performance standards;

''(3) be tied to scientifically based research demonstrating the effectiveness of such activities in increasing student achievement or substantially increasing the knowledge and teaching skills of teachers;

''(4) be of sufficient intensity and duration (such as not to include 1-day or short-term workshops and conferences) to have a positive and lasting impact on teachers' performance in the classroom, except that this paragraph shall not apply to an activity that is 1 component described in a long-term comprehensive professional development plan established by a teacher and the teacher's supervisor, and based upon an assessment of the needs of the teacher, the teacher's students, and the local educational agency;

''(5) be developed with extensive participation of teachers, principals, parents, administrators, and local school boards of elementary schools and secondary schools to be served under this title, and institutions of higher education in the State, and, with respect to any professional development program described in paragraph (6) or (7) of section 2010(b), shall, if applicable, be developed with extensive coordination with, and participation of, professionals with expertise in such type of professional development;

''(6) to the extent appropriate, provide training for teachers regarding using technology and applying technology effectively in the classroom to improve teaching and learning concerning the curriculum and academic content areas, in which those teachers provide instruction; and

''(7) be directly related to the content areas in which the teachers provide instruction and the State content standards.

''(c) ACCOUNTABILITY.—

''(1) IN GENERAL.—A State shall notify a local educational agency that the agency may be subject to the action described in paragraph (3) if, after any fiscal year, the State determines that the programs or activities funded by the agency under this title fail to meet the requirements of subsections (a) and (b).

''(2) TECHNICAL ASSISTANCE.—A local educational agency that has received notification pursuant to paragraph (1) may request technical assistance from the State and an opportunity for such local educational agency to comply with the requirements of subsections (a) and (b).

''(3) STATE EDUCATIONAL AGENCY ACTION.—If a State educational agency determines that a local educational agency failed to carry out the local educational agency's responsibilities under this section, the State educational agency shall take such action as the agency determines to be necessary, consistent with this section, to provide, or direct the local educational agency to provide, high-quality professional development for teachers, principals, and administrators.

''SEC. 2012. PARENTS' RIGHT TO KNOW.

''Each local educational agency receiving a grant under section 2004(a)(3) shall annually report to the State in which the agency is located information, in the aggregate, on the professional qualifications of teachers in schools served by the agency, including the percentage of such teachers teaching with emergency or provisional credentials, the percentage of class sections in such schools that are not taught by fully qualified teachers, and the percentage of teachers in such schools who are fully qualified.

''SEC. 2013. STATE REPORTS AND GAO STUDY.

''(a) STATE REPORTS.—Each State educational agency receiving a grant under this title shall annually provide a report to the Secretary describing—

''(1) the progress the State is making in increasing the percentages of fully qualified teachers in the State to ensure that all teachers are fully qualified not later than December 31, 2005, including information regarding—

''(A) the percentage increase over the previous fiscal year in the number of fully qualified teachers teaching in elementary schools and secondary schools served by local educational agencies receiving funds under title I; and

''(B) the percentage increase over the previous fiscal year in the number of core classes being taught by fully qualified teachers in elementary schools and secondary schools being served under title I;

''(2) the activities undertaken by the State educational agency and local educational agencies in the State to attract and retain fully qualified teachers, especially in geographic areas and content subject areas in which a shortage of such teachers exist; and

''(3) the approximate percentage of Federal, State, local, and nongovernmental resources being expended to carry out activities described in paragraph (2).

''(b) GAO STUDY.—Not later than September 30, 2004, the Comptroller General of the United States shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a study setting forth information regarding the progress of States' compliance in increasing the percentage of fully qualified teachers, as defined in section 2002(1), for fiscal years 2000 through 2003.

''SEC. 2014. EDUCATOR PARTNERSHIP GRANTS.

''(a) SUBGRANTS.—

''(1) IN GENERAL.—A State receiving a grant under section 2003(a) shall award subgrants, on a competitive basis, from amounts made available under section 2004(a)(1), to local educational agencies, elementary schools, or secondary schools that have formed educator partnerships, for the design and implementation of programs that will enhance professional development opportunities for teachers, principals, and administrators, and will increase the number of fully qualified teachers.

''(2) ALLOCATIONS.—A State awarding subgrants under this subsection shall allocate the subgrant funds on a competitive basis and in a manner that results in an equitable distribution of the subgrant funds by geographic areas within the State.

''(3) ADMINISTRATIVE EXPENSES.—Each educator partnership receiving a subgrant under this subsection may use not more than 5 percent of the subgrant funds for any fiscal year for the cost of planning and administering programs under this section.

''(b) EDUCATOR PARTNERSHIPS.—An educator partnership described in subsection (a) includes a cooperative arrangement between—

''(1) a public elementary school or secondary school (including a charter school), or a local educational agency; and

''(2) 1 or more of the following:

''(A) An institution of higher education.

''(B) An educational service agency.

''(C) A public or private not-for-profit education organization.

''(D) A for-profit education organization.

''(E) An entity from outside the traditional education arena, including a corporation or consulting firm.

''(c) USE OF FUNDS.—An educator partnership receiving a subgrant under this section shall use the subgrant funds for—

''(1) developing and enhancing of professional development activities for teachers in core academic subjects to ensure that the teachers have content knowledge in the academic subjects in which the teachers provide instruction;

''(2) developing and providing assistance to local educational agencies and elementary schools and secondary schools for sustained, high-quality professional development activities for teachers, principals, and administrators, that—

''(A) ensure that teachers, principals, and administrators are able to use State content standards, performance standards, and assessments to improve instructional practices and student achievement; and

''(B) may include intensive programs designed to prepare a teacher who participates in such a program to provide professional development instruction to other teachers within the participating teacher's school;

''(3) increasing the number of fully qualified teachers available to provide high-quality education to limited English proficient students by—

''(A) working with institutions of higher education that offer degree programs, to attract more people into such programs, and to prepare better new, English language teachers to provide effective language instruction to limited English proficient students; and

''(B) supporting development and implementation of professional development programs for language instruction teachers to improve the language proficiency of limited English proficient students;

''(4) developing and implementing professional development activities for principals and administrators to enable the principals and administrators to be effective school leaders and to improve student achievement on challenging State content and student performance standards, including professional development relating to—

''(A) leadership skills;

''(B) recruitment, assignment, retention, and evaluation of teachers and other staff;

''(C) effective instructional practices, including the use of technology; and

''(D) parental and community involvement; and

''(5) providing activities that enhance professional development opportunities for teachers, principals, and administrators or will increase the number of fully qualified teachers.

''(d) APPLICATION REQUIRED.—Each educator partnership desiring a subgrant under this section shall submit an application to the appropriate State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may reasonably require.

''(e) COORDINATION.—Each educator partnership that receives a subgrant under this section and a grant under section 203 of the Higher Education Act of 1965 shall coordinate the activities carried out under such section 203 with any related activities carried out under this section.

''SEC. 2015. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title $1,600,000,000 for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will conduct an oversight hearing on Wednesday, March 1, 2000 on the Report prepared by the National Academy of Public Administration entitled ''A Study of Management and Administration: The Bureau of Indian Affairs.'' The hearing will be held in the Committee room, 485 Russell Senate Building and will begin at 9:30 a.m.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet during the session of the Senate on Wednesday, March 8, 2000 at 9:30 a.m. to conduct a hearing on draft legislation to reauthorize the Indian Health Care Improvement Act of 1976. The hearing will be held in the Committee room, 485 Russell Senate Building.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, March 8, 2000, in Room SR–301 Russell Senate Office Building, to conduct a hearing, followed by an executive session, on the nominations of:

Danny Lee McDonald, of Oklahoma, to be a member of the Federal Election Commission for a term expiring April 30, 2005 (reappointment); and

Bradley A. Smith, of Ohio, to be a member of the Federal Election Commission for a term expiring April 30, 2005, vice Lee Ann Elliott, resigned.

For further information concerning this meeting, please contact Hunter Bates at the Rules Committee on 4–6352.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that a full committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Wednesday, March 8, 2000, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to examine energy supply and demand issues relating to crude oil, heating oil, and transportation fuels in light of the rise in price of these fuels.

Those who wish to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. Presentation of oral testimony is by Committee invitation only. For further information, please contact Jo Meuse or Brian Malnak at (202) 224–6730.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that H.R. 1615, a bill to amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment, has been added to the list of bills scheduled for a hearing by the Subcommittee on March 8, 2000 at 2:30 p.m.

The hearing will take place on Wednesday, March 8 at 2.30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

For further information, please contact Jim O'Toole or Kevin Clark of the Committee staff at (202) 224–6969.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be allowed to meet during the session of the Senate on Wednesday, March 1, 2000. The purpose of this meeting will be to discuss the Agriculture Trade Agreement with China.

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

COMMITTEE ON ARMED SERVICES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the

Senate on Wednesday, March 1, 2000 at 9:30 a.m., in open session, to receive testimony on the Defense authorization request for fiscal year 2001 and the future years defense program.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, March 1, 2000, at 9:30 a.m., on the nominations of Carol Carmody and John Goglia to be members of the National Transportation Safety Board.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, March 1 at 9:30 a.m., to conduct an oversight hearing. The committee will consider the President's proposed budget for FY 2001 for the Department of the Interior.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 1, 2000, at 10:45 a.m. and 2 p.m., to hold two hearings.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, March 1, 2000, at 9:30 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session for the consideration of S. 2, the Educational Opportunities Act, during the session of the Senate on March 1, 2000.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. COVERDELL. Mr. President, I ask unanimous that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, March 1, 2000 at 9:30 a.m. to conduct an oversight hearing on the Report prepared by the National Academy for Public Administration entitled: ''A Study of Management and Administration: The Bureau of Indian Affairs.'' The hearing will be held in the committee room, 485 Russell Senate Building.

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

COMMITTEE ON THE JUDICIARY

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, March 1, 2000, at 10 a.m., in SD226.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. COVERDELL. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentations of the Disabled American Veterans. The hearing will be held on Wednesday, March 1, 2000, at 10 a.m., in room 345 of the Cannon House Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 1, 2000 at 9:30 a.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Wildlife, and Water be authorized to conduct a hearing to examine the Environmental Protection Agency's proposed rules regarding changes in the total maximum daily load and NPDES permit programs pursuant to the Clean Water Act, Wednesday, March 1, 1 p.m., hearing room (SD–406).

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Emerging Threats and Capabilities Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 1, 2000 at 2:30 p.m., in closed and open sessions to receive testimony on Cyber Security and Critical Infrastructure Protection, in review of the Defense authorization request for fiscal year 2001.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, March 1, 2000, at 2 p.m., in SD226.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Science, Technology, and Space Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, March 1, 2000, at 2:30 p.m. on Next Generation Internet 2000.

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

NATIONAL SUSTAINABLE FUELS AND CHEMICALS ACT OF 1999

On February 29, 2000, the Senate amended and passed S. 935, as follows:

S. 935

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—BIOMASS RESEARCH AND DEVELOPMENT ACT OF 2000

SEC. 101. SHORT TITLE.

This title may be cited as the ''Biomass Research and Development Act of 2000''.

SEC. 102. FINDINGS.

Congress finds that—

(1) conversion of biomass into biobased industrial products offers outstanding potential for benefit to the national interest through improved strategic security and balance of payments, healthier rural economies, improved environmental quality, near-zero net greenhouse gas emissions, technology export, and sustainable resource supply;

(2) the key technical challenges to be overcome in order for biobased industrial products to be cost competitive are finding new technology and reducing the cost of technology for converting biomass into desired biobased industrial products;

(3) biobased fuels, such as ethanol, have the clear potential to be sustainable, low cost, and high performance fuels that are compatible with both current and future transportation systems and provide near zero net greenhouse gas emissions;

(4) biobased chemicals—

(A) can provide functional replacements for essentially all organic chemicals that are currently derived from petroleum; and

(B) have the clear potential for environmentally benign product life cycles;

(5) biobased power can provide environmental benefits, promote rural economic development, and diversify energy resource options;

(6) many biomass feedstocks suitable for industrial processing show the clear potential for sustainable production, in some cases resulting in improved soil fertility and carbon sequestration;

(7)(A) grain processing mills are biorefineries that produce a diversity of useful food, chemical, feed, and fuel products; and

(B) technologies that result in further diversification of the range of value-added biobased industrial products can meet a key need for the grain processing industry;

(8)(A) cellulosic feedstocks are attractive because of their low cost and widespread availability; and

(B) research resulting in cost-effective technology to overcome the recalcitrance of cellulosic biomass would allow biorefineries to produce fuels and bulk chemicals on a very large scale, with a commensurately

large realization of the benefit described in paragraph (1);

(9) research into the fundamentals to understand important mechanisms of biomass conversion can be expected to accelerate the application and advancement of biomass processing technology by—

(A) increasing the confidence and speed with which new technologies can be scaled up; and

(B) giving rise to processing innovations based on new knowledge;

(10) the added utility of biobased industrial products developed through improvements in processing technology would encourage the design of feedstocks that would meet future needs more effectively;

(11) the creation of value-added biobased industrial products would create new jobs in construction, manufacturing, and distribution, as well as new higher-valued exports of products and technology;

(12)(A) because of the relatively short-term time horizon characteristic of private sector investments, and because many benefits of biomass processing are in the national interest, it is appropriate for the Federal Government to provide precommercial investment in fundamental research and research-driven innovation in the biomass processing area; and

(B) such an investment would provide a valuable complement to ongoing and past governmental support in the biomass processing area; and

(13) several prominent studies, including studies by the President's Council of Advisors on Science and Technology and the National Research Council—

(A) support the potential for large research-driven advances in technologies for production of biobased industrial products as well as associated benefits; and

(B) document the need for a focused, integrated, and innovation-driven research effort to provide the appropriate progress in a timely manner.

SEC. 103. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the Biomass Research and Development Technical Advisory Committee established by section 106.

(2) BIOBASED INDUSTRIAL PRODUCT.—The term ''biobased industrial product'' means fuels, commercial chemicals, building materials, or electric power or heat produced from biomass.

(3) BIOMASS.—The term ''biomass'' means any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues, plants (including aquatic plants), grasses, residues, fibers, and animal wastes, municipal wastes and other waste materials.

(4) BOARD.—The term ''Board'' means the Biomass Research and Development Board established by section 105.

(5) INITIATIVE.—The term ''Initiative'' means the Biomass Research and Development Research Initiative established under section 107.

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(7) NATIONAL LABORATORY.—The term ''national laboratory'' means a facility or group of facilities owned, leased, or operated by a Federal agency (including a contractor of the Federal agency) for the performance of research, development, or engineering.

(8) POINT OF CONTACT.—The term ''point of contact'' means a point of contact designated under section 104(d).

(9) PROCESSING.—The term ''processing'' means the derivation of biobased industrial products from biomass, including—

(A) feedstock production;

(B) harvest and handling;

(C) pretreatment or thermochemical processing;

(D) fermentation;

(E) catalytic processing;

(F) product recovery; and

(G) coproduct production.

SEC. 104. COOPERATION AND COORDINATION IN BIOMASS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of Energy shall cooperate with respect to, and coordinate, policies and procedures that promote research and development leading to the production of biobased industrial products.

(b) PURPOSE.—The purpose of the cooperation and coordination shall be to—

(1) understand the key mechanisms underlying the recalcitrance of biomass for conversion into biobased industrial products;

(2) develop new and cost-effective technologies that would result in large-scale commercial production of low cost and sustainable biobased industrial products;

(3) ensure that biobased industrial products are developed in a manner that enhances their economic, energy security, and environmental benefits; and

(4) promote the development and use of agricultural and energy crops for conversion into biobased industrial products.

(c) AREAS.—In carrying out this title, the Secretary of Agriculture and the Secretary of Energy, in consultation with heads of appropriate departments and agencies, shall promote research and development to—

(1) advance the availability and widespread use of energy efficient, economically competitive, and environmentally sound biobased industrial products in a manner that is consistent with the goals of the United States relating to sustainable and secure supplies of food, chemicals, and fuel;

(2) ensure full consideration of Federal land and land management programs as potential feedstock resources for biobased industrial products; and

(3) assess the environmental, economic, and social impact of production of biobased industrial products from biomass on a large scale.

(d) POINTS OF CONTACT.—

(1) IN GENERAL.—To coordinate research and development programs and activities relating to biobased industrial products that are carried out by their respective Departments—

(A) the Secretary of Agriculture shall designate, as the point of contact for the Department of Agriculture, an officer of the Department of Agriculture appointed by the President to a position in the Department before the date of the designation, by and with the advice and consent of the Senate; and

(B) the Secretary of Energy shall designate, as the point of contact for the Department of Energy, an officer of the Department of Energy appointed by the President to a position in the Department before the date of the designation, by and with the advice and consent of the Senate.

(2) DUTIES.—The points of contact shall jointly—

(A) assist in arranging interlaboratory and site-specific supplemental agreements for research, development, and demonstration projects relating to biobased industrial products;

(B) serve as cochairpersons of the Board;

(C) administer the Initiative; and

(D) respond in writing to each recommendation of the Advisory Committee made under section 106.

SEC. 105. BIOMASS RESEARCH AND DEVELOPMENT BOARD.

(a) ESTABLISHMENT.—There is established the Biomass Research and Development Board to coordinate programs within and among departments and agencies of the Federal Government for the purpose of promoting the use of biobased industrial products by—

(1) maximizing the benefits deriving from Federal grants and assistance; and

(2) bringing coherence to Federal strategic planning.

(b) MEMBERSHIP.—The Board shall consist of:

(1) The point of contact of the Department of Energy designated under section 104(d)(1)(B), who shall serve as cochairperson of the Board.

(2) The point of contact of the Department of Agriculture designated under section 104(d)(1)(A), who shall serve as cochairperson of the Board.

(3) A senior officer of each of the following agencies who is appointed by the head of the agency and who has a rank that is equivalent to the points of contact:

(A) The Department of the Interior.

(B) The Environmental Protection Agency.

(C) The National Science Foundation.

(D) The Office of Science and Technology Policy.

(4) At the option of the Secretary of Agriculture and the Secretary of Energy, other members appointed by the Secretaries (after consultation with members described in paragraphs (1) through (3)).

(c) DUTIES.—The Board shall—

(1) coordinate research, development, and demonstration activities relating to biobased industrial products—

(A) between the Department of Agriculture and the Department of Energy; and

(B) with other departments and agencies of the Federal Government; and

(2) provide recommendations to the points of contact concerning administration of this title.

(d) FUNDING.—Each agency represented on the Board is encouraged to provide funds for any purpose under this title.

(e) MEETINGS.—The Board shall meet at least quarterly to enable the Board to carry out the duties of the Board under subsection (c).

SEC. 106. BIOMASS RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the Biomass Research and Development Technical Advisory Committee to—

(1) advise the Secretary of Energy, the Secretary of Agriculture and the points of contact concerning—

(A) the technical focus and direction of requests for proposals issued under the Initiative; and

(B) procedures for reviewing and evaluating the proposals;

(2) facilitate consultations and partnerships among Federal and State agencies, agricultural producers, industry, consumers, the research community, and other interested groups to carry out program activities relating to the Initiative; and

(3) evaluate and perform strategic planning on program activities relating to the Initiative.

(b) MEMBERSHIP.—The Committee shall consist of the following members appointed by the points of contact:

(1) An individual affiliated with the biobased industrial products industry.

(2) An individual affiliated with an institution of higher education who has expertise in biobased industrial products.

(3) two prominent engineers or scientists from government or academia who have expertise in biobased industrial products.

(4) An individual affiliated with a commodity trade association.

(5) An individual affiliated with an environmental or conservation organization.

(6) An individual associated with State government who has expertise in biobased industrial products.

(7) At the option of the points of contact, other members.

(c) DUTIES.—The Advisory Committee shall—

(1) advise the points of contact with respect to the Initiative; and

(2) evaluate whether, and make recommendations in writing to the Board to ensure that—

(A) funds authorized for the Initiative are distributed and used in a manner that is consistent with the goals of the Initiative;

(B) the points of contact are funding proposals under this title that are selected on the basis of merit, as determined by an independent panel of scientific and technical peers; and

(C) activities under this title are carried out in accordance with this title.

(d) MEETINGS.—The Advisory Committee shall meet at least quarterly to enable the Advisory Committee to carry out the duties of the Advisory Committee under subsection (c).

SEC. 107. BIOMASS RESEARCH AND DEVELOPMENT INITIATIVE.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Board, shall establish and carry out a Biomass Research and Development Initiative under which competitively-awarded grants, contracts, and financial assistance are provided to, or entered into with, eligible entities to carry out research on biobased industrial products.

(b) PURPOSES.—The purposes of grants, contracts, and assistance under this section shall be to—

(1) stimulate collaborative activities by a diverse range of experts in all aspects of biomass processing for the purpose of conducting fundamental and innovation-targeted research and technology development;

(2) enhance creative and imaginative approaches toward biomass processing that will serve to develop the next generation of advanced technologies making possible low cost and sustainable biobased industrial products;

(3) strengthen the intellectual resources of the United States through the training and education of future scientists, engineers, managers, and business leaders in the field of biomass processing; and

(4) promote integrated research partnerships among colleges, universities, national laboratories, Federal and State research agencies, and the private sector as the best means of overcoming technical challenges that span multiple research and engineering disciplines and of gaining better leverage from limited Federal research funds.

(c) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—To be eligible for a grant, contract, or assistance under this section, an applicant shall be—

(A) an institution of higher education;

(B) a national laboratory;

(C) a Federal research agency;

(D) a State research agency;

(E) a private sector entity;

(F) a nonprofit organization; or

(G) a consortium of 2 or more entities described in subparagraphs (A) through (E).

(2) ADMINISTRATION.—After consultation with the Board, the points of contact, on behalf of the Board, shall—

(A) publish annually 1 or more joint requests for proposals for grants, contracts, and assistance under this section;

(B) establish a priority in grants, contracts, and assistance under this section for research that—

(i) demonstrates potential for significant advances in biomass processing;

(ii) demonstrates potential to substantially impact scale-sensitive national objectives such as sustainable resource supply, reduced greenhouse gas emissions, healthier rural economies, and improved strategic security and trade balances; and

(iii) would improve knowledge of important biomass processing systems that demonstrate potential for commercial applications;

(C) require that grants, contracts, and assistance under this section be awarded competitively, on the basis of merit, after the establishment of procedures that provide for scientific peer review by an independent panel of scientific and technical peers; and

(D) give preference to applications that—

(i) involve a consortia of experts from multiple institutions; and

(ii) encourage the integration of disciplines and application of the best technical resources.

(d) USES OF GRANTS, CONTRACTS, AND ASSISTANCE.—A grant, contract, or assistance under this section may be used to conduct—

(1) research on process technology for overcoming the recalcitrance of biomass, including research on key mechanisms, advanced technologies, and demonstration test beds for—

(A) feedstock pretreatment and hydrolysis of cellulose and hemicellulose, including new technologies for—

(i) enhanced sugar yields;

(ii) lower overall chemical use;

(iii) less costly materials; and

(iv) cost reduction;

(B) development of novel organisms and other approaches to substantially lower the cost of cellulase enzymes and enzymatic hydrolysis, including dedicated cellulase production and consolidated bioprocessing strategies; and

(C) approaches other than enzymatic hydrolysis for overcoming the recalcitrance of cellulosic biomass;

(2) research on technologies for diversifying the range of products that can be efficiently and cost-competitively produced from biomass, including research on—

(A) metabolic engineering of biological systems (including the safe use of genetically modified crops) to produce novel products, especially commodity products, or to increase product selectivity and tolerance, with a research priority on the development of biobased industrial products that can compete in performance and cost with fossil-based products;

(B) catalytic processing to convert intermediates of biomass processing into products of interest;

(C) separation technologies for cost-effective product recovery and purification;

(D) approaches other than metabolic engineering and catalytic conversion of intermediates of biomass processing;

(E) advanced biomass gasification technologies, including coproduction of power and heat as an integrated component of biomass processing, with the possibility of generating excess electricity for sale; and

(F) related research in advanced turbine and stationary fuel cell technology for production of electricity from biomass; and

(3) research aimed at ensuring the environmental performance and economic viability of biobased industrial products and their raw material input of biomass when considered as an integrated system, including research on—

(A) the analysis of, and strategies to enhance, the environmental performance and sustainability of biobased industrial products, including research on—

(i) accurate measurement and analysis of greenhouse gas emissions, carbon sequestration, and carbon cycling in relation to the life cycle of biobased industrial products and feedstocks with respect to other alternatives;

(ii) evaluation of current and future biomass resource availability;

(iii) development and analysis of land management practices and alternative biomass cropping systems that ensure the environmental performance and sustainability of biomass production and harvesting;

(iv) land, air, water, and biodiversity impacts of large-scale biomass production, processing, and use of biobased industrial products relative to other alternatives; and

(v) biomass gasification and combustion to produce electricity;

(B) the analysis of, and strategies to enhance, the economic viability of biobased industrial products, including research on—

(i) the cost of the required process technology;

(ii) the impact of coproducts, including food, animal feed, and fiber, on biobased industrial product price and large-scale economic viability; and

(iii) interactions between an emergent biomass refining industry and the petrochemical refining infrastructure; and

(C) the field and laboratory research related to feedstock production with the interrelated goals of enhancing the sustainability, increasing productivity, and decreasing the cost of biomass processing, including research on—

(i) altering biomass to make biomass easier and less expensive to process;

(ii) existing and new agricultural and energy crops that provide a sustainable resource for conversion to biobased industrial products while simultaneously serving as a source for coproducts such as food, animal feed, and fiber;

(iii) improved technologies for harvest, collection, transport, storage, and handling of crop and residue feedstocks; and

(iv) development of economically viable cropping systems that improve the conservation and restoration of marginal land; or

(4) Any research and development in technologies or processes determined by the Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Board, to be consistent with the purposes described in subsection (b) and priorities described in subsection (c)(2)(B).

(e) TECHNOLOGY AND INFORMATION TRANSFER TO AGRICULTURAL USERS.—

(1) IN GENERAL.—The Administrator of the Cooperative State Research, Education, and Extension Service and the Chief of the Natural Resources Conservation Service shall ensure that applicable research results and technologies from the Initiative are adapted, made available, and disseminated through their respective services, as appropriate.

(2) REPORT.—Not later than 5 years after the date of enactment of this title, the Administrator of the Cooperative State Research, Education, and Extension Service and the Chief of the Natural Resources Conservation Service shall report to the committees of Congress with jurisdiction over the Initiative on the activities conducted by the services under this subsection.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to funding provided for biomass research and development under the general

authority of the Secretary of Energy to conduct research and development and demonstration programs (which may also be used to carry out this title), there are also authorized to be appropriated $49,000,000 to the Department of Agriculture for each of the fiscal years 2000 through 2005 to carry out this title.

SEC. 108. ADMINISTRATIVE SUPPORT AND FUNDS.

(a) IN GENERAL.—To the extent administrative support and funds are not provided by other agencies under subsection (b), the Secretary of Energy and the Secretary of Agriculture may provide such administrative support and funds of the Department of Energy and the Department of Agriculture to the Board and the Advisory Committee as are necessary to enable the Board and the Advisory Committee to carry out this title.

(b) OTHER AGENCIES.—The heads of the agencies referred to, or appointed under, paragraphs (3) and (4) of section 105(b) may, and are encouraged to, provide administrative support and funds of their respective agencies to the Board and the Advisory Committee.

SEC. 109. REPORTS.

For each fiscal year that funds are made available to carry out this title, the Secretary of Agriculture and the Secretary of Energy shall jointly transmit to Congress a detailed report on—

(1) the status and progress of the Initiative, including a certification from the Board that funds authorized for the Initiative are distributed and used in a manner that is consistent with the goals of the Initiative; and

(2) the general status of cooperation and research efforts carried out by each Secretary with respect to sustainable fuels, chemicals, and electricity derived from biomass, including a certification from the Board that the points of contact are funding proposals that are selected on the basis of merit, as determined by an independent panel of scientific and technical peers.

SEC. 110. SUNSET.

This title and the authority conferred by this title shall terminate on December 31, 2005.

TITLE II—AUTHORIZATION OF APPROPRIATIONS FOR ETHANOL RESEARCH PILOT PLANT

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to construct a Department of Agriculture corn-based ethanol research pilot plant a total of $14,000,000 for fiscal year 2000 and subsequent fiscal years.

ORDERS FOR THURSDAY, MARCH 2, 2000

Mr. COVERDELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Thursday, March 2. I further ask unanimous consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on the pending Hatch-Mack amendment to S. 1134, the education savings account bill.

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

PROGRAM

Mr. COVERDELL. Mr. President, for the information of all Senators, the Senate will resume consideration of the Hatch-Mack amendment No. 2827 regarding the marriage penalty tax at 9:30 a.m. tomorrow. Following 30 minutes of debate, at approximately 10 a.m., the Senate will proceed to a vote on or in relation to the amendment.

The managers are actively working on scheduling the remaining amendments that need to be acted upon. It is possible the bill may be completed as early as tomorrow evening. Therefore, Senators can expect votes throughout the day and into the evening.

ORDER FOR ADJOURNMENT

Mr. COVERDELL. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator WYDEN.

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

The PRESIDING OFFICER. The Senator from Oregon.

PRESCRIPTION DRUG AFFORDABILITY

Mr. WYDEN. Mr. President, this morning the Democratic Policy Committee had a very important hearing on the issue of prescription drug coverage under Medicare for the Nation's older people. We heard from senior citizens, we heard from pharmacists, we heard from gerontologists, extraordinarily compelling testimony about why this prescription drug benefit is so important.

Frankly, I do not think there is a single Member of the Senate, whether they are a Democrat or a Republican, who would not be moved by what we heard this morning. The senior citizens, as we hear again and again in townhall meetings at home, are pointing out that they cannot afford their prescription medicines.

The pharmacists went into detail about how frustrated they are that so many of the older people lack bargaining power in the marketplace, bargaining power that can help them drive down the cost of their medicine. I thought the gerontologists we heard from this morning were very compelling in making the case of how so many of these drugs today can promote wellness and help seniors stay healthy and keep from racking up these extraordinary medical bills that are so often incurred and require hospitalization under what is called Part A of the Medicare program.

It is so important that we come together as a body to address this issue. Senator DASCHLE, in particular, mentions to me on almost a daily basis how he wants to reconcile the various bills. He wants to reach out to colleagues on the other side of the aisle. In particular, I praise my colleague, Senator SNOWE. She and I have worked for over a year on a bipartisan effort with respect to prescription drugs.

I know colleagues on the other side of the aisle are interested in this issue as well. Frankly, I think any Member of the Senate who heard what the Democratic Policy Committee heard this morning had to have been moved by how great the need is for prescription drug coverage for seniors.

One of the issues that has come up in recent days is this question of whether private insurance companies are going to be interested in this benefit and whether they are going to be willing to update their policies. We are hearing a lot of talk that maybe they are not and they are not going to come forward.

I guess we are starting to hear from the same crowd who said doctors and hospitals in the early sixties were not going to participate in the Medicare program. It is preposterous to say private insurers are not going to participate once we go forward and enact a responsible bipartisan prescription drug program for seniors under Medicare.

What the Snowe-Wyden legislation does is make it very clear the money that would be earmarked under our bipartisan bill would be made available to pick up the prescription drug portion of a senior citizen's private health insurance bill.

The Presiding Officer, who has great expertise in this area as well, knows that the vast majority of seniors have these private policies—Medigap policies, HMO policies, a variety of private policies today.

I am absolutely convinced that when we go forward to enact this program on a bipartisan basis, as we heard in the Democratic policy session this morning, private insurance companies all over this country will tear up their existing contracts with older people and add the prescription drug program that we enact this year to their coverage. By the way, they would not be required to do it. Under our legislation and other bills, this would be voluntary for both private insurance companies and for older people.

The reason why I believe private insurance companies are going to be very eager to participate is that they will not be able to be competitive with the various other companies in an area unless they offer the benefit.

If you took a Salt Lake City, UT, or a Portland, OR, or a Denver, CO, where there are a variety of insurers, once we enact this program, seniors are going to go to private insurers and ask: Are you offering this particular benefit? Because we see the Congress has passed a law making available funds to pick up the prescription drug portion of a senior citizen's private health insurance bill.

I think all this talk about how private insurance companies are not going to be interested in offering this benefit is incredibly farfetched. While our proposal and the other good proposals that

are offered are voluntary, we are already hearing from insurance companies that they are going to be very interested in offering this benefit. In fact, many of them are going to believe they have to do it in order to be competitive in their community.

I hope—I did want to be brief tonight—we can go forward in the days ahead and act on this matter as priority business before the Senate. I intend to keep coming to the floor to bring to the attention of this body cases from home and from across this country of older people who, when they are done paying their prescription drug bills, literally have only a few hundred dollars a month to pay for their food and their rent and their utilities. It is outrageous, in a country as good and strong as ours, that we have not updated our health care system to provide this coverage.

Because I have come to the floor now 25 times in 3 months to talk about this issue, and Senator DASCHLE's effort to bring the Senate together, to reach out to colleagues on the other side of the aisle, I am asked all the time: Can America afford to cover prescription drugs for older people? My response is: We can't afford not to cover prescription drugs.

What the gerontologists told us today is that if you want, for the long-term, to promote wellness and to keep seniors healthy, make these drugs—the drugs that lower blood pressure and cholesterol—available to seniors because with them seniors will be able to stay healthy and not rack up these much larger medical bills that are incurred when they are ill.

One of the most striking examples I have seen in this discussion involves the anticoagulant drugs, the drugs that prevent strokes. It might cost $1,000 or $1,500 for a senior to get those drugs for a year—certainly that is expensive—but if, through drugs such as that, you can prevent stroke—which will cost upwards of $100,000—it seems to me it makes a very clear case that we ought to be offering this benefit.

I recognize that colleagues have different views as to how to go about doing it. Several of my Democratic colleagues have bills. I do not expect to have the last word on this subject. I know colleagues on the other side of the aisle have legislation, as well. I am very honored to have been able to team up with Senator SNOWE for 15 months now in an effort to pass this prescription drug benefit on a bipartisan basis.

But let us make sure this issue does get addressed, and addressed in this Congress. Because to let this become fodder for another political season, and to have the back and forth that would go on in a political campaign, where one side blames the other side, is not productive. That is not what Senator DASCHLE wants to have, as he tries to bring together the various approaches that have been offered by Members of the Senate. I know there are a number of Republicans who want to avoid that kind of train-wreck scenario where you do not act on this issue; instead, it just becomes the fodder for another political campaign.

What the Democratic Policy Committee heard this morning from seniors, from pharmacists, from gerontologists, ought to be compelling to every Member of this body—Democrats, Republicans, liberals, and conservatives.

Let us debate the specifics about how to go about offering this benefit, but let us make sure this issue gets done because I do not think it is right for the country to wait any longer to move forward on an issue that is so vital to health care reform.

I intend to keep coming back to the floor to address this issue. The session held by the Democratic Policy Committee was so compelling this morning that I wanted to take a couple minutes to bring it to the attention of the Senate.

I wish to make it clear that I look forward to working with all of my colleagues on a bipartisan basis. The Presiding Officer—the Senator from Utah—and I have talked about health care on a number of occasions since I have been in the Senate. He has great expertise. We are going to involve him in this cause and get it done in a bipartisan way.

I think this morning's program by the Democratic Policy Committee was another step in the right direction.

With that, Mr. President, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until tomorrow at 9:30 a.m.

Thereupon, the Senate, at 6:27 p.m., adjourned until Thursday, March 2, 2000, at 9:30 a.m.