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Senate

The Senate met at 10 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:

O God of love, give us a fresh experience of Your love today. Help us to think about how much You love each of us with unqualified acceptance and forgiveness. May the tone and tenor of our words to the people in our lives be an expression of Your love. You have called us to love as You have loved us. May we know when to express not only tough love but also when to be tender in withholding judgment or condemnation. Help us to love those we find it difficult to bear and those who find it a challenge to bear with us. All around us are people with highly polished exteriors that hide their real need for esteem, affirmation, and encouragement from us. Show us practical ways to express love in creative ways. May we lift burdens rather than become one; may we add to people's strength rather than becoming a source of stress. Place on our agendas the particular people to whom You have called us to communicate Your love. And give us that resolve of which great days are made: If no one else does, Lord, I will! Place in our minds loving thoughts and feelings for the people in our lives. Show us caring things we can do to enact what's in our hearts. Direct specific acts of caring You have motivated in our hearts. Don't let us forget, Lord. Give us the will to act, to say what we feel. Through Him who is Your amazing Grace. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE ENZI, a Senator from the State of Wyoming, 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. ENZI). The Chair recognizes the Senator from New Hampshire.

SCHEDULE

Mr. GREGG. Mr. President, on behalf of the leader, this morning Senator LIEBERMAN will be recognized to offer his alternative to S. 2, the Elementary and Secondary Education Act. Debate on this amendment is expected to consume the morning session.

At 12:30 p.m., the Senate will recess until 2:15 p.m. to accommodate the weekly party conference luncheons. When the Senate reconvenes, it will proceed to a vote on the Gregg amendment regarding teacher quality. It is hoped that an agreement regarding the Lieberman amendment can be reached so that votes can be stacked to occur at 2:15 p.m.

Following the disposition of the Lieberman amendment, the next two amendments in order are the Kennedy teacher quality amendment and the Jeffords-Stevens early childhood investment amendment.

Prior to today's adjournment, the Senate is expected to begin consideration of the African trade-CBI conference report.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

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

EDUCATIONAL OPPORTUNITIES ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Coverdell (for Lott/Gregg) amendment No. 3126, to improve certain provisions relating to teachers.

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized to offer an amendment.

AMENDMENT NO. 3127

Mr. LIEBERMAN. Mr. President, I ask that amendment No. 3127, an amendment in the nature of a substitute to the bill, be called up at this time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN] for himself, Mr. BAYH, Ms. LANDRIEU, Mrs. LINCOLN, Mr. KOHL, Mr. GRAHAM, Mr. ROBB, Mr. BREAUX, and Mr. BRYAN, proposes an amendment numbered 3127.

Mr. LIEBERMAN. 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.'')

Mr. KENNEDY. Is it necessary to set aside the pending amendment?

The PRESIDING OFFICER. It was done under the previous order.

Mr. KENNEDY. I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I am very proud to offer this amendment on behalf of the colleagues who have been mentioned, eight in number, and myself. We have worked for a very long time on the contents of this amendment. We have

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

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spent a lot of time in our home States and elsewhere observing what is happening in our public schools today, and this amendment is a response to what we have seen.

I would roughly categorize that in two ways, which I will describe in a little more detail.

The first is, there remains an unacceptable gap in achievement levels between children in America's public schools who are disadvantaged economically and those who are advantaged, and that is unfair and unacceptable.

Secondly, there is occurring, and has been occurring throughout our country over the last decade really, an extraordinary outburst of educational reform at the local level. Superior efforts are being made by teachers, by school administrators, by superintendents, by parents, by whole communities, to try to do everything possible to improve the status quo because when the status quo is not adequately educating our children, in this information age particularly, we are not achieving one of the great goals of our Government.

This proposal we make today is an attempt to respond to both of those observations and to use the 5-year reauthorization of the Elementary and Secondary Education Act as an opportunity to leverage Federal dollars, perhaps small in percentage in the overall cost of public education in our country but large in absolute terms, to do better at educating the poor and disadvantaged in our country and do much better at encouraging, facilitating, and financially supporting the extraordinary educational reform efforts going on around the country, I am pleased to say particularly in States such as my own State of Connecticut.

As we continue this debate on the ESEA, Congress itself is facing a major test, one that will likely be far more important to the future of millions of America's children than any of the school exams or assessments they have to take this year.

Our challenge in Congress is to reform, and in some ways to reinvent in some fundamental ways, our Federal education policy to help States and school districts meet the demands of this new century and to help us fulfill our responsibility to provide a quality education for all of America's children.

That is why I join today with eight of my colleagues, and perhaps at least one more, in offering this amendment to the bill before us that calls for a totally new approach to Federal education policy, one that we who cosponsor this amendment believe could also serve as a bridge to a bipartisan solution to this problem, to a bipartisan reauthorization of the ESEA. Of course, that has to be the goal to which all of us aspire. It may be an interesting debate on Federal education policy, it may be stimulating, it may be fascinating, it may even be educational, but if it is only a debate without a result, it does nothing for the children of our country.

We hope this proposal we are making today can be a bridge to a bipartisan reauthorization of ESEA. Our approach will refocus our national policy on helping States and local school districts raise academic achievement for all children. That has to be our priority. It would put the priority, therefore, for Federal programs on performance instead of process, on delivering results instead of developing rules.

I am asking not just how much we are going to spend on education or what specific pipes it goes through to the State and local districts, but on what comes out of the other end, which is to say how are our children being educated.

Our approach calls on States and local districts to enter into a new compact with the Federal Government to work together to strengthen standards and to improve educational opportunities, particularly for America's poorest children. It would provide State and local educators with significantly more funding from the Federal Government and significantly more flexibility in using that funding to meet their specific local needs.

In exchange, our proposal would demand real accountability and, for the first time, impose consequences on schools that continue to fail to show progress. You cannot have a system of accountability that winks at those who fail to appropriately educate our children.

In order to implement effective education policy, I think we have to first acknowledge that there are serious problems with the performance of many of our schools and that public confidence in public education will erode seriously if we do not acknowledge and address those problems now.

While overall student achievement is up, we must face the alarming achievement gap that still separates poorer minority Americans from better off white Americans.

According to the State-by-State reading scores of fourth graders, in the National Assessment of Educational Progress, the achievement gap between African American and Caucasian American students actually grew larger in 16 States between 1992 and 1998, notwithstanding the billions of dollars we have sent back to the States and local districts to reduce that gap over the last 35 years. The gap between Hispanic American students and white American students became larger in nine States over the same period of time. Perhaps most alarming is the data that reveals that the average African American and Latino American 17-year-old has about the same reading and math skills as the average Caucasian American 13-year-old. That is an unfair and unacceptable outrage. We must do something about it.

One recent report states:

> Students are being unconsciously eliminated from the candidate pool of Information Technology workers by the knowledge and attitudes they acquire in their K–12 years. Many students do not learn the basic skills of reasoning, mathematics, and communication that provide the foundation for higher education or entry-level jobs in Information Technology work.

One cause of this, I am afraid, is that we have not done a very good job in recent years of providing more of our children with high-quality teachers, a critical component to higher student achievement. After all, what is education? Education is one person, the teacher, conveying knowledge and the ability to learn to another person, a younger person, a student. We are failing to deliver enough teachers to the classroom who truly know their subject matter.

One national survey found that one-fourth of all secondary school teachers did not major in their core area of instruction. And note this. In terms of the inequity in the current system, in the school districts with the highest concentration of minority students, those students have less than a 50-percent chance of getting a math or science teacher who has a license or degree in those fields. So we are putting them behind before they even get started.

While more money alone will not solve our problems, we cannot honestly expect to reform and reinvent our schools without more money either. The reality is, there is a tremendous need for the additional investment in our public schools, not just in urban areas but in every kind of community, including, of course, poorer rural communities.

Not only are thousands of crumbling and overcrowded schools in need of modernization, but a looming shortage of 2 million new teachers to train and hire faces our country. Add to this billions in spiraling special education costs the local school districts have to meet and we can see we cannot really uphold our responsibility without sending more money back to the States and local school districts.

Trying to raise standards at a time of profound social turbulence for our poorest families means we will need to expend new sums to reach and teach children who in the past, frankly, have never been asked to excel, whose failure was accepted—in some senses perhaps even encouraged—who in the present will have to overcome enormous hurdles to do better.

At the same time that schools are trying to cope with new and complex societal changes, we are demanding that they teach more than they ever have before. Parents and potential employers both want better teachers, stronger standards, and higher test scores for all our students as well as state-of-the-art technology and skills to match.

It is a tribute to the many dedicated men and women who are responsible for teaching our children every schoolday across America that the bulk of our schools are as good as they are today in light of these broader contextual and sociological pressures. I believe—and I believe it is a fundamental

premise of our system of government in our education system—that any child can learn, any child. That has been proven over and over again in the best schools in my home State of Connecticut and in many of America's poorest cities and rural areas. There are, in fact, plenty of positives to highlight in public education today, which is something else we have to acknowledge, yet too often do not, as part of this debate.

I have made a real effort over the last few years to visit a broad range of public schools and programs in Connecticut. I can tell you that there is much happening in our schools we can be heartened by, proud of, and learn from.

There is the exemplary John Barry Elementary School in Meriden, CT, for instance, which has a very-high-poverty, high-mobility student population but, through intervention programs, has had remarkable success in improving the reading skills of many of its students.

There is the Side By Side Charter School in Norwalk—1 of 17 charters in Connecticut—which has created an exemplary multicultural, multiracial program in response to the challenges of a State court decision, Sheff versus O'Neill, to diminish racial isolation and segregation in our schools. Side By Side is experimenting with a different approach to classroom assignments, having students stay with teachers for 2 consecutive years to take advantage of the relationships that develop. By all indications, it is working quite well for those kids.

There is the Bridge Academy, which is a charter high school in Bridgeport, CT, formed, as so many of the most effective schools have been, by teachers from the public schools who wanted to go out and run their own schools to create the environment in which they believed they could best teach. It is a remarkable experience to visit this school in Bridgeport.

I remember when I went to the students a second time a couple months ago. Some people criticize charter schools and say they skim off the best students from the other schools. The kids laughed. One of the young women there, high school age, said, ''I think you can say, Mr. Senator, that what you have before you is the worst students from the public high schools.'' She said, ''I will go one step further. If I remained at the high school I was attending, I would not be in the high school; I would have dropped out by now. I was going nowhere.'' But there was something about this school, the Bridge Academy, which, she said to me, maybe was the smaller class size, interestingly. ''Maybe it is the fact that we know the teachers here really care about us. We are like a family here. Whatever it is, I have worked very hard and I have done things I thought I was never able to do. I am going to college next year.''

That is a remarkable story. I don't have the number with me, but a great majority of the students graduating there are going to college next year. They will probably have the acceptance letter on the central bulletin board in the school. But that is occurring. In Connecticut, we have the BEST program, which is building on previous efforts to raise teacher skills and salaries. It is now targeting additional State aid and training and, most importantly, mentoring support to help local school districts bring in new teachers and prepare them to excel. It is very exciting to see the more senior teachers—the mentors—committing time, with little or no extra compensation, to help the younger teachers learn how to be good teachers.

I think you have to say that is one of the reasons why Connecticut scores on the national tests have now gone to the top. It is one of the big reasons why they have, and it is why this BEST program of mentoring is cited by many groups, including the National Commission on Teaching in America's Future, as a model for us to follow.

A number of other States, including, by most accounts, North Carolina and Texas, have moved in the same direction, refocusing their education systems, not on process but on performance, not on prescriptive rules and regulations but on results. More and more of them are, in fact, adopting what might be called a reinvest, reinvent and responsibility strategy by, first, infusing new resources into their public education system; second, giving local districts more flexibility; and, third, demanding new measures and mechanisms of accountability to increase the chances that these investments will yield the intended return, meaning improved academic achievement by more students.

To ensure that more States and localities have the ability to build on these successes around the country and prepare every student to succeed in the classroom, which has to be our national objective, we must invest more resources. The amendment my colleagues and I are offering today would boost ESEA funding by $35 billion over the next 5 years. But we also believe that the impact of this funding will be severely diluted if it is not better targeted to the worst performing schools and if it is not coupled with a demand for results. That is why we not only increase title I funding for disadvantaged kids by 50 percent, but we use the more targeted formula for distributing those dollars to schools with the highest concentrations of poverty. That is why we develop a new accountability system that strips Federal funding from States that continually fail to meet their performance goals.

I wish to highlight for a moment our formula changes in title I on the hope that they will draw some attention to an area I believe is very worthy of debate, which is how best to target funds to the poorest children, the disadvantaged, who are still being left behind in great numbers in our education system.

Our formula distributes more of the new funding through the targeted grant formula enacted into law by Congress in 1994, which has never been funded by congressional appropriators. It is progressive, but there is no money in it. It ensures that no State will lose funds while providing for better targeting of new funds with those States with the highest rates of poverty. In other words, it has a hold harmless in the current level of funding under title I, but it takes the new money and targets it to those who need it most. I am calling for this targeting to the school districts receiving the highest percentage of poor children.

We must face the fact that title I funds today are currently spread too thin to help the truly disadvantaged. According to a 1999 CRS report, title I grants are provided to approximately 90 percent of all local education agencies—way beyond what we would guess are the truly needy—and 58 percent of all public schools receive title I money.

Federal funds for poor children are currently distributed through two grants known as the basic grant and the concentration grant. In order to be eligible for the basic grants, through which 85 percent of title I money is now distributed, local school districts only need to have 10 school age children from low-income families, and these children must constitute only 2 percent of the total school age population. I want to repeat that because it is so stunning. When I first read it, I went back to my staff and the documents to see if I had read it right. This is the result of, frankly, a political formula. In order to be eligible for basic grants, through which 85 percent of title I funds are distributed—it is supposed to help disadvantaged kids—local districts only need to have 10 school age children from low-income families, and those children must constitute only 2 percent of the school age population. You can see how that money, therefore, is being spread so thin that a lot of poor kids are not getting help and a lot of kids who are not so poor, from schools in which there are few poor kids, are receiving that money.

Under the concentration grant, districts with a child poverty rate of 15 percent are eligible to receive funding. That is a little better but still minimal. With those low thresholds, we have to ask ourselves are we really living up to the original intent of the ESEA, which was to ensure that poor children have access to a quality education on the same level as more affluent children. I think the answer has to be, no, we are not. That is what the facts say. In fact, another number, which unsettled me even more, is one out of every five schools in America that has between 50 and 75 percent of its student body under the poverty level doesn't receive a dime of title I money. One out of every five schools in America that has half to three-quarters of its student population under the poverty level doesn't receive a dime of

title I money, which is supposed to benefit exactly those children.

I think we have to acknowledge that the current formula is not doing what it should be doing. It is a starting point and a way to draw our attention and resources back to the original intent of this act and the primary function of the Federal Government in education stated in 1965, which we are not fulfilling now, and that is to better educate economically disadvantaged children.

In calling for a refocus of our Federal priorities, we who have sponsored this amendment agree with those concerned that the current system of Federal education grants are both too numerous and too bureaucratic, too prescriptive, and too strong on mandates from Washington. That is why this amendment eliminates dozens of federally microtargeted, micromanaged programs that are redundant or incidental to our core national mission of raising academic achievement. We also believe we have a great overriding national interest in promoting a few important education goals, and chief among them is delivering on the promise of equal opportunity. It is irresponsible, it seems to us, to hand out Federal dollars to the localities with no questions asked and no thought of national priorities. That is why we carve out separate titles in those areas that we think are critical to helping local districts elevate the performance of their schools.

In other words, we consolidate almost 50 existing Federal categorical grant programs into the title I program for disadvantaged kids, the largest by far. And performance-based grant programs in which we state a national objective but give the local school district and the State the opportunity and the authority to work out their priorities are in meeting those objectives.

The first of these is title I with more money, $12 billion—a 50-percent increase in better targeting.

The second—a performance-based grant program—would combine various teacher training and professional development programs into a single teacher-quality grant, increase funding by 100 percent to $1.6 billion annually—the quality of our teachers is so important—and challenge each State to pursue the kind of bold, performance-based reforms, if it is their desire and choice, and higher salaries for teachers, as my own State of Connecticut has undertaken with great success and effect.

The third performance-based grant program would reform the Federal Bilingual Education Program and hopefully diffuse the ongoing controversy surrounding it by making it absolutely clear that our national mission is to help immigrant children learn and master English, as well, of course, as to achieve high levels of achievement on all subjects. We must be willing to back this commitment with more resources—the resources that are essential to help ensure that all limited English-proficient students are served better and are not left behind, and that the gap between their knowledge and that of the majority does not grow larger in the years ahead as it has in the years immediately past.

Under our approach, funding for limited English-proficient programs would be more than doubled to $1 billion a year and for the first time be distributed to States and local districts through a reliable formula based on the number of students who need help with their English proficiency. As a result, school districts serving large LEP—limited English-proficient—and high-poverty student populations would for the first time be guaranteed Federal funding and would not be penalized because of their inability to hire clever proposal writers for competitive grants.

The fourth performance-based grant title would provide greater choice within the public school framework by authorizing additional funding for charter school startups and new incentives for expanding local, intradistrict public school choice programs.

The fifth performance-based grant program in this amendment would establish and radically restructure the remaining ESEA and ensure that funds are much better targeted while giving local districts more flexibility.

In this new title VI, our amendment would consolidate more than 20 different programs into a single, high-performance initiatives title with a focus on supporting bold new ideas, such as expanding access to summer school and afterschool programs, improving school safety, and building technological literacy, which is to say to close the looming digital divide in our country for our children before it gets deep and unfixable.

We increase overall funding for these innovative programs by more than $200 million annually and distribute this aid through a formula that targets more resources for the highest poverty areas.

The boldest changes we are proposing are in the new accountability title. As of today, we have plenty of rules and requirements on inputs, on how funding is to be allocated and who must be served, but little if any attention to outcomes on how schools ultimately perform in educating children. This amendment would reverse that imbalance by linking Federal funding to the progress State and local districts make in raising academic achievements. It would call on State and local leaders to set specific performance standards and adopt rigorous amendments for measuring how each district is faring and meeting these goals. In turn, States that exceed those goals would be rewarded with additional funds, and those that fail repeatedly to show progress would be penalized. In other words, for the first time there would be consequences for schools that perform poorly.

In discussing how exactly to impose those consequences, we have run into understandable concerns about whether we can penalize failing schools and school systems without also hurting the children.

The truth is we are hurting too many children right now, especially the most economically and sociologically vulnerable of them, by forcing them to attend chronically troubled schools that are accountable to no one—a situation that is just not acceptable anymore. Our amendment minimizes the potential negative impact of these consequences on students.

It provides the States with 3 years to set their performance-based goals and put in place a monitoring system for gauging how local districts are progressing. It also provides additional resources for States to help school districts identify and then improve low-performing schools.

If after those 3 years the State is still failing to meet its goals, the State would be cut in its administrative funding by 50 percent. Only after 4 years of underperformance would dollars targeted for the classroom through the new title VI be put in jeopardy. At that point, protecting kids by continuing to subsidize bad schools honestly becomes more like punishing them.

I want to point out that at no point would our proposal cut title I funding, or the largest part of ESEA—the part focused on the needs of our poorest children.

Another concern that may be raised is that these performance-based grants are open-ended block grants in sheep's clothing. There are substantial differences between a straight block-grant approach and our performance-based grant proposal. First, in most block grant proposals, the accountability mechanisms are often nonexistent or, if they are, they are quite vague. Our bill would have tangible consequences pegged not just to raising test scores in the more affluent areas, but to closing the troubling achievement gap between them and students in the poor, largely minority districts.

We believe our amendment embraces a commonsense strategy—reinvest in our public schools, reinvent the way we run them, and restore a sense of responsibility in our schools to the children who we are supposed to be educating and to their parents. Hence the title of our bill, ''The Public Education Reinvention, Reinvestment, and Responsibility Act,'' which we call RRR for short.

I guess you could say our approach in this amendment is modest enough to recognize that there are no easy answers, particularly not from the Federal Government, for turning around low-performing schools, to lifting teaching standards, to closing the debilitating achievement gap, and that most of those answers won't be found in Washington anyway. But our proposal is bold enough to try to harness

our unique ability to set the national agenda and recast the Federal Government as an active catalyst for educational success instead of a passive enabler of failure.

Finally, this debate raises again for all of us in the Senate the basic question: Did we come here to produce or to posture? Are we going to be practical or are we going to be partisan?

At this moment, when our constituents seem to be telling us everywhere in the country that the deed they most want us to do is to help reform the public schools of this country, are we going to be content with a debate that does not produce a bill?

At this moment, the apparent answers to these questions are not encouraging. But there is still time. And we hope this amendment can be the path to bipartisan discussions, compromises, and ultimately educational reform.

I thank my colleagues who are cosponsors of this bill for the contributions that each and every one of them has made. I urge my fellow Members of the Senate in the time ahead to take the time to look at our proposal with an open mind—nobody will like every part of it—and to see if there is enough here to form the basis of a bridge that a significant majority of us can walk across to achieve a bipartisan reauthorization of the Elementary and Secondary Education Act.

I thank the Chair. I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Hampshire.

Mr. GREGG. Mr. President, is there a time allocation under this bill?

The PRESIDING OFFICER. There is a time allocation.

Mr. GREGG. Mr. President, let me begin by saying I congratulate the Senator from Connecticut for bringing forward an amendment that has a lot of interesting, creative ideas, ideas that are attractive to myself and other Members on the other side of the aisle that find attractive the proposals presented; and the accountability proposals and the idea we should allow local communities and States to have more flexibility in the management of the funds which come from the Federal Government, with an expectation they produce a better level of achievement for their students.

These are ideas which we think make sense. We have some reservations about some proposals within the amendment, but I hope we can work over time with the Senator from Connecticut and his cosponsors on his side of the aisle to evolve a bipartisan package. I think there is significant opportunity for that. I congratulate the Senator for his efforts.

The amendment that was set aside, offered by Senator LOTT, is called the Teachers' Bill of Rights. That amendment involves four items: First, a commitment that allows, under the underlying bill, S. 2, to make sure we use the dollars of the Teacher Empowerment Act, which is $2 billion, to hire high-quality teachers, teachers who have the qualifications to teach the subjects they are supposed to be teaching. In turn, it has accountability standards which we expect from the States for using the money to hire quality teachers, to show they have hired the quality teachers, and as a result student achievement has improved.

The thrust is not directed at institutions or school systems but is directed at children and making sure children's achievement improves in the context of giving States more flexibility but expecting more accountability. This amendment tracks that proposal. It gives more dollars to the local districts and the States to hire quality teachers, but it expects the quality teachers to be able to show results. It specifically requires accountability in showing either student achievement is increasing or that the teachers who are teaching in the core curriculums they are assigned to—math teachers teaching math, for example—actually know the subject and are capable of teaching the subject to the children.

In addition, the bill has an authorization of $50 million to encourage midcareer professionals to come into the teaching profession, a very important proposal that came forward with Senator HUTCHISON of Texas, Senator FRIST, and Senator CRAPO, a good idea that allows using dollars to attract folks who have gone through their professional career in the private sector and decided they wanted to give back a little bit to society and have decided to go into public education. This assists them in doing that. We are starting to attract a fair number of people from that career path. It is important to encourage.

The fourth element of the Teachers' Bill of Rights is the very important proposal from Senator COVERDELL limiting teacher liability as they pursue professional activities in teaching children. This is a problem for teachers. Most teachers say their big concern is they will get sued because a child is on the playground, gets injured, and they are held responsible. They are afraid of the impact on their family to have such a lawsuit occur. This is an attempt to try to mitigate that in a reasonable way. It is a good proposal.

These are the four elements of the Teachers' Bill of Rights amendment. I hope my colleagues can support that amendment which is not overly controversial. It is a good proposal.

Speaking about the general debate we have been involved in for the last week on the issue of ESEA, it has been an interesting and a very substantive debate. It has, however, involved clear distinctions on policy in how we approach the question of education in this country.

On our side of the aisle, we believe very strongly that we should have an approach to elementary education that stresses the child and stresses the need for the child to do better, especially the low-income child, which is where the bill focuses.

Third, it gives the State, the teachers, principals, and superintendents flexibility as they try to address that issue of how it gives low-income children a better education.

Fourth, it expects academic accountability. We give flexibility to States and they have to produce academic accountability. Low-income children have to do better than in the past. We have spent, as I mentioned a number of times, over $130 billion in title I over the last 35 years. Yet the academics of our low-income children have actually gone down over that time period. As a result, we are seeing the gap widen between the non-low-income child and the low-income child in the school systems. The statistics are stark. The Senator from Connecticut cited a number of them. The most stark is that the average low-income child reads at two grade levels below their peers by the fourth grade; that difference expands as they move into high school years.

We believe strongly there has to be a different approach. We have to allow the local school districts flexibility and expect academic achievement.

On the other side of the aisle, I have been interested by the tenor of the debate. A large percentage of the positions taken on the other side have been to attack the idea of giving flexibility and power to the States, subject to accountability standards in the area of achievement. There has been a clear and aggressive response and attack coming from the other side of the aisle on the leaders of our States and our school districts across this country. It has been focused to a large extent on the Governors. There seems to be a deep suspicion on the other side of the aisle about Governors, which I find discouraging, having been a former Governor. I think there are about 12 or 16 of us in this room. I see one other former Governor in the room right now on the other side of the aisle.

Here are some of the quotes from Members on the other side of the aisle about Governors or State leadership. Senator WELLSTONE:

> But honest-to-goodness, Washington, DC, and this Congress is the only place I've been where people say, ''Let's hear from the grassroots, the Governors are here.'' I mean, Governors are not what I know to be grassroots. Could be good Governors, bad Governors, average Governors. But my colleagues have a bit of tunnel vision here thinking that decentralization and grassroots is the Governors.

Senator KENNEDY on the issue of local control:

> What priority do these children get in terms of the States? They didn't get any priority when this bill was passed in 1965, even with requirements that the funds go down to the local community. This legislation is going to effectively give it to all of the States, as I mentioned. I think that is basically and fundamentally in error. As I mentioned, what are we trying to do?

A little suspicious about what would happen if the money goes to the States.

Senator SCHUMER:

I understand the desire to keep schools locally controlled. But a block grant, a formula for waste, and much of it going to the Governors, so that money doesn't even trickle down.

As an editorial comment, the evil Governors will get their hands on it.

Senator KENNEDY:

We need a guarantee. We don't need a blank check. We want to make sure the money's going to go to where it's needed and not go to the Governors' pet programs and pet projects and pet leaders in the local communities and their States.

Once again, the evil Governors strike.

Senator MURRAY:

The Republican approach would take the things that are working and turn them into block grants, and their block grant does not go to the classroom. It goes to the State legislatures and—it goes to the State legislatures and adds a new layer of bureaucracy between the education dollars and the students that is so important.

There it is, the evil State legislatures.

Senator DODD:

. . . What are we saying in this bill or trying to say is back in that community I won't be able to make it absolutely equal. But I would like to get some resources into that school. Now I've got to trust—trust your good Governors.

Said with a bit of sarcasm, the Governors, once again, are being pointed out as being inappropriate sources to be trusted in our institutions.

Senator REID:

What Republicans are saying essentially is let's give the money to the Governors; if they want to concentrate more efforts on low-income students, they can, but if they don't, they don't have to.

The Governors are the force of evil, it appears, in the educational systems of America.

It is very surprising language. I am tempted to say it is the Governors who actually have been doing the original thinking in the area of education. In fact, ironically, if you look at what has happened in education, you will see in the issue of class size reduction, which is such an important question we have debated on this floor, 22 States have implemented major class size reductions. In fact, most of those States implemented those projects before there was any class size initiative adopted at the Federal level.

In the area of school accountability, 40 States have initiated report cards already. These have been initiated, I suspect, by the Governors in those States, as was the class size initiative, I suspect, initiated by the Governors in those States.

In the area of charter schools, before there was any idea of a Federal charter school initiative, 2,000 charter schools had been initiated at the local and State level. Once again, it would be the Governors who initiated those charter schools; 2,000 of them have been initiated across this country. In fact, the National Educational Goals Panel, which is probably the most objective reviewer of what is happening in education, looking at it from a national perspective—they don't have too much of an agenda. They have a little agenda, but they have not too much, and the NEPA test is something that comes out of that agenda—said States such as North Carolina and Texas, which were cited by the Senator from Texas as States very effective in raising the scores of low-income students—they said in their studies they cannot attribute any gains to Federal activity. They attribute the gains to the fact that in the States, the local communities, the local policy has been the force for educational excellence.

I am not here necessarily to defend, carte blanche, Governors, because I suspect Governors make mistakes. But Governors have as their primary responsibility the issue of education. A Governor is not going to stop halfway through the day, is not going to stop talking about education and suddenly go on to the African trade agreement and the Caribbean Basin agreement, which is exactly what we are going to do in a couple of hours. Then we are going to be on to an appropriations bill on military construction. Then we are going to be on to an appropriations bill on agriculture.

Governors, for the most part, think about education probably 40 to 50 percent of their time. Why? Because 40 to 50 percent of the dollars that are spent at the State level in most States—not New Hampshire, ironically, but in most States—are education dollars. That is the biggest item in their budget, so they spend almost all their time on that issue.

It is not as if they come to this issue as some sort of force for darkness. But if you listened to our colleagues on the other side of the aisle, you would think so. This bill gives more authority to the State Governors and to the local schools and to parents and to teachers—by the way, subject, however, to significant accountability—and you would think the Governors were part of the Evil Empire, that they came from the dark side. Maybe you would think they are related to Darth Vader, if you listened to Senator MURRAY, Senator REID, Senator DODD, Senator KENNEDY, Senator WELLSTONE, Senator SCHUMER.

So I decided to make up a chart. It is very obvious to me, as I listen to the debate, the other side of the aisle has met the enemy and the enemy is the Governors. That is the problem with education according to the other side of the aisle. So I got pictures of all our Governors, our good Governors. I am sure they are all good Governors. A few of them are Democratic Governors. Surprisingly, a majority are Republican Governors. That was not the case when I was a Governor, but I am glad to see that is the case today. I am thinking to myself: All these good people, they are the enemy. I did not know that.

Poor Governor Shaheen, she has some problems in New Hampshire, I have to admit. She is trying her best, but she has had some tough times. She got some tough cards dealt to her. But she is really interested in education. I know that. She is a Democratic Governor.

I know some of our Republican Governors—John Roland, from Connecticut, he has dedicated an immense amount of thought and creativity to being a leader on education. I will bet there is not a Governor here, not one of these enemy Governors, who has not got a very creative idea on education moving in their State, an extremely creative idea, something we have not thought about here in the Federal Government but something that is actually producing academic achievement by the kids in that State, something that is actually producing results.

That is an ironic concept for us in Washington. We don't necessarily work on results. We spent 35 years on title I, spending $130 billion. We did not care about results. We did not care if the kids did any better. We wanted to get them in the school systems, and that worked, but we didn't really care whether they did any better. So now we bring forward a bill which says we care about the kids and we want achievement, and how is it attacked? It is attacked on the grounds it is going to give more power to the Governors and the Governors are really not responsible people and should not be given that power.

I have to say, I find that extremely disingenuous, just on the face of it. But I also find it inappropriate on the grounds that Governors really do care. They are pretty close to the people. They are elected just as we are. Some of them are elected more often than we are—in fact, I think most of them—so they are answerable to the people a few more times than we are.

I do think this response, which is essentially: you can't do anything because it might be a block grant to the Governors, is inappropriate. By the way, nothing we have in here is really a block grant at all because there is tremendous accountability pressure. The fact is, we set this up as a cafeteria line so States can go through and pick out what program they think is going to work best for them. But that gives too much authority to the States, to choose something that might actually work, because the Governors cannot be trusted.

This attack on this bill, which is quite honestly the gravamen of the opposition, is that we are taking the power out of Washington. Although I put it in humorous terms, that really is the gravamen of the opposition. We are taking the power out of Washington; we are taking the strings away from Washington; we are returning the authority back to people actually giving the education in expectation, with accountability standards, that we expect achievement.

That is the difference here. There is a lobby in this city that wants to maintain control over these dollars at all costs, even if it means the dollars are not producing any results or any significant results that benefit the kids to whom they are directed. We have 35 years of record that show us these kids have lost out; we have lost generations of young children who were low-income, who were not able to pursue the American dream because they could not read and they could not write. We cannot tolerate that any longer.

I believe, very strongly, we should give authority back to these folks subject to the conditionality that they produce achievement. That is a reasonable approach, in my opinion. I am interested that the other side has rejected this approach and basically looks at the Governors as the opposition.

Another way you could look at this is, what do you get for Federal dollars that are controlled by the Federal Government versus what you get for State dollars controlled by State governments—these Governors, these people who do not know how to administer their programs and clearly are going to be inefficient?

Let's look at it at the State levels. It takes 25 people in the State government in Georgia to administer $1 billion of Georgia's State money. It takes 116 people to administer the $1 billion that comes from the Federal Government—more than four times the number of people it takes to administer State dollars. That is people sitting at desks, answering mail, doing forms, who are not teaching, who are not helping kids get a better education but who are simply pushing paper through the system.

It gets even worse for the State of Florida. For every $1 billion spent, it takes 46 State employees in Florida for Florida State dollars; for every $1 billion of Federal money spent, it takes 297 employees to manage that money—46 to 297.

So these terribly inefficient folks who really should not be given the authority to manage the money because they really do not know what they are doing, at least with their dollars they appear to know what they are doing. They are getting their dollars out to the kids. Their dollars go to the classrooms. They don't end up in some room in some big building in Tallahassee for filling out forms. Most of the people in the big room in Tallahassee filling out forms are doing it to fulfill Federal responsibilities.

You do not have to look at just Florida and Georgia. The commissioner of education in Colorado said the involvement of the Federal Government has served ''only to confuse almost everyone.'' Actually, he used the words ''nearly everyone.''

Lisa Graham Keegan, the superintendent of public education in Arizona:

Every minute we spend making sure we're in compliance with all those pages of Federal regulations means one less minute we can spend to help teachers with professional development, improving curriculum, developing our own testing standards and insuring all the children are getting the help they need to succeed.

That pretty much sums it up. I think there is a good case you could make, and I believe we have made it, that the States, local school districts, the principals, the teachers, and the parents are just as concerned about education as anybody in this room, and maybe even more so because they have actually got the kid in the school in which they have to invest.

The case can also be made—and I think we have made it—that these dollars will be effectively and efficiently handled because they are going to be subject to conditions which are reasonable, which basically require academic achievement to improve amongst our low-income children.

I believe the case can be made, looking at the statistics, that the States are already doing the job better than we are doing; that they are not absorbing huge amounts of the dollars in bureaucracy but, rather, are putting those dollars into the classroom, which is where they should end up.

When I hear the other side talk about the poor suffering Governors as being the problem, I shake my head and think, what can they be thinking, because clearly they are inaccurate. I believe our approach to this bill is the right approach. Let's give the Governors, the local schools, parents, and teachers some flexibility, and let's expect them to produce results.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I will take about 3 minutes because we do want to hear particularly from the cosponsors. Since I was mentioned in the remarks of my good friend from New Hampshire, I think I should respond.

I have been listening for the last 4 days in the Senate to how the schools that are serving underserved children and disadvantaged children are in crisis in America. We have heard that in speech after speech on the other side of the aisle and many on this side as well as from myself because of the challenges we are facing. The fact remains today the Governors have 96 cents out of every dollar. Do my colleagues understand that? The Federal Government has maybe 6 or 7 cents out of the dollar. They have 96 cents. If the schools are not working well, I believe perhaps we ought to have educational recommendations in programs that have been tried and tested and are working. The Governors have had their chance, and they have come up short on this issue. We have been making that case.

Finally, on title I funds, 98.5 cents out of every title I dollar goes to the local level; 1 percent is retained at the State level. I would like to hear from my friend from New Hampshire what the basis of his study is, but we have the GAO reports, studies, and allocations. I know, for example, with respect to the old block grants that used to go to the States in higher education, very little of that ever got out of the State offices because the Governors in those States, including my own State of Massachusetts, used that money to fund the departments of education for child and maternal care. I doubt a nickel of that ever—also in my own State of Massachusetts—helped people because it was all absorbed as a result of the flexibility. We are trying to get away from that.

I yield the floor. I thank the Senator from Indiana for his patience.

Mr. WELLSTONE. Mr. President, I ask the Senator for 10 seconds. My understanding is that following the Senator from Indiana, the Senator from North Carolina is going to speak. I ask unanimous consent that I follow the Senator from North Carolina.

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

The Senator from Indiana.

Mr. BAYH. Mr. President, I am somewhat disappointed that our colleague from New Hampshire has left the floor and taken with him the chart with the pictures of the 50 Governors of the States. For 8 years, my picture would have been on that chart, and, I must say, it is a much better looking group now that I am no longer there.

All joking aside, if we are going to make progress on this very important issue, it is necessary for us to stop pointing fingers and instead work together to make progress.

There was always a tendency, when we gathered as Governors, to point to Washington as the source of many of our problems. Now that I have the privilege of serving in this body, I see from time to time there is a tendency to look at the State and local levels in a similar spirit. The truth is, we need cooperation to make progress on this critical issue.

I begin my remarks by giving credit to those who helped us lay the foundation for progress on the Lieberman amendment, which I believe very strongly offers our best chance for a bipartisan compromise and progress to help improve the quality of education for our students.

I am pleased my colleague from Connecticut has returned to the floor. Without his courage, dedication, and devotion to this issue, we would not be here today, nor have the opportunity for the progress we now have. I publicly salute Senator LIEBERMAN for his commitment to this very important issue.

Secondly, I thank our colleague from Massachusetts, Senator KENNEDY, who is still with us on the floor, and Senator DASCHLE, our Democratic leader, for their cooperation in including our accountability provisions within the Democratic alternative that was voted on last week. Also, I thank them for their understanding of our commitment to the importance of targeting

resources to those children who are most in need and making progress on that very critical issue in the days and years ahead.

I thank our colleagues on this side of the aisle, the moderate Democrats, the so-called new Democrats, cosponsors on this amendment with Senator LIEBERMAN and myself who have now constituted a critical mass which has moved the discussion beyond stale partisanship and instead into a realm of reconciliation and progress that will enable us to make advancement in the cause of improving the quality of our children's education.

Finally, to our colleagues on the other side of the aisle, I thank them for accepting our outstretched hands. We have had ongoing fruitful negotiations. They are not completed yet. There are still significant, outstanding issues that need to be resolved, but I hope we have helped clear the air around this place to create a climate in which real progress can be made and discussions can take place. We had cordial, substantive discussions on a bipartisan basis, leaving politics at the door and instead focusing on the challenge that concerns us all: providing a quality education for all of America's children, particularly those less fortunate.

I care deeply about this issue because I believe improving the quality of education for all of America's children, along with the cause of keeping our nuclear arms under control and addressing the disintegration of the American family, is one of the greatest challenges of our time. It is one of the greatest challenges of our time because it is intricately tied up, bound up with addressing the important factors that face the American people today.

First, the economy. In an information age, in a globalized world economy, premium upon knowledge, skills, and know-how is more critical to economic success than ever before. Money flows around the globe, technology flows around the globe, and information flows around the globe. People do move but not as much as those other factors I mentioned. If one looks at the long-term competitive advantage of nations, one of the very best things we can do to ensure the future economic vitality of our country is to guarantee that we have a workforce with the skills necessary to compete successfully with our competitors from abroad.

I once heard Alan Greenspan speaking to the 50 Governors saying the single most important factor in determining the long-term productivity growth rate which, more than anything else, determines whether we are going to be prosperous as a country or not, is the skill levels of our workers today and the education levels of our children, the workers of tomorrow. So improving the quality of education is critically important to our long-term economic well-being as a society.

What kind of society we will be will also be determined by whether we meet the education challenge today. The growing gap between haves and have-nots in our country is really an education gap, a knowledge gap, a skills gap, and if we are going to avoid, for the first time in our Nation's history, being divided into a country of haves and have-nots with an upper class and the lower class almost permanently shut out of opportunity, if we are going to avoid that, it will be because we give every child growing up in our country—even those from the wrong side of the tracks, even those growing up in homes less fortunate than others—the skills necessary to compete and succeed in the world in the 21st century.

Finally, the vitality of our democracy is at stake. I believe strongly in something Thomas Jefferson, one of the founders of the Democratic Party, once said. Thomas Jefferson happened to be our very first education President as well. He was the founder of the University of Virginia. Thomas Jefferson once said that a society that expects to be both ignorant and free is expecting something that never has been and never shall be.

Jefferson was right when he spoke those words in the early 1800s. If he were alive today, he would realize they resonate with more truth than even when he spoke them.

The complexity of the issues we face today, the critical decisions that face the American people require an even greater level of understanding and knowledge than in Thomas Jefferson's day.

Our economy, the nature of our society, and the very vibrancy of our democracy are all bound up in the way in which we resolve the educational challenges facing our Nation. This is why many of us have concluded we need to do better. The status quo is not good enough. The solutions of yesterday are inadequate to meet the challenges of tomorrow and the 21st century.

My colleague from Connecticut spoke eloquently to many of these factors. I have behind me a chart representing some of the NAEP scores. As you can see, we must do better. Sixty percent of America's children—at least 60 percent—are below proficient when it comes to reading, the very gateway to opportunity and literacy. Seventy-five percent of America's children are below proficient in mathematics, the gateway to sciences and the hard disciplines.

For America's less fortunate children, as the chart behind me demonstrates, the progress we need to make is even more significant if they, too, are to share in the fruits and the bounties that constitute the American dream.

I used to be amazed at the number of freshmen entering college, particularly in our 2-year institutions and those that are not the flagship sites for our State universities, who, of course, had received high school diplomas but who had to go back in their first year of college matriculation to do high school work. Something had broken down. Something wrong had taken place that they received a high school diploma and yet had to go back and do high school work upon entering college.

We are resolved we will do better. Our approach represents not only a significant break from business as usual when it comes to national education policy; it represents a significantly increased national commitment to the cause of improving America's education system for every child with a significantly stepped up Federal commitment.

It is woefully inadequate that only one-half of 1 percent of Federal investment today goes into our schools. We must do better. Yet we do not want Federal micromanagement or intrusive Federal control. It has to be a cooperative effort with State and local communities.

That is where our approach embodies what I would like to call the sensible center. Let's start with investment. We disagree with those who say no additional resources are necessary because we know we cannot expect our local schools to do the job unless we give them the tools with which to get that job done.

Resources. Dollars are an important part of those tools to ensure that they can meet the challenge of giving every child a quality education. But we also disagree with our colleagues who say just more money is the only thing that needs to be done to meet the challenges in education.

Instead, we combine significantly increased Federal investment in education with significant accountability and insistence upon results. We provide for a 50-percent increase every year in title I investment; a 90-percent increase in investment for professional development, to ensure that there are qualified, highly motivated teachers in every classroom; a 30-percent increase in investment for innovation, trying new ways to meet the challenges that confront us; and a 50-percent increase in investment for charter schools, magnet schools, and public school choice.

We have struck the sensible center: Increased investment, yes, not just throwing more dollars on the problem but insisting upon better education for all of America's children.

Accountability. We have also chosen the sensible center there between those who would have no additional accountability and those who would seek micromanagement from Washington, DC.

Our approach focuses upon outcomes rather than inputs. We focus upon how much our children can read and write, add and subtract, rather than just how Federal dollars happen to be spent. Accountability is one of the linchpins in educational progress. It is at the heart of our approach.

Streamlining. Some would call it consolidation. Again, we struck the sensible center between those who would seek no accountability for the

expenditure of Federal dollars whatsoever—block grants; that is not something we support—and those, on the other hand, who would seek Federal micromanagement.

Ours is the solution for the information age. We get away from an industrial age model in which the Federal Government would seek to find one or two solutions that work and impose them upon everyone.

Instead, in an era of flexibility and speed, to meet the necessity of rapid change and innovation, we provide for dollars to be targeted at less advantaged students, spent in five broad categories keenly related to academic success but then allowing for the flexibility to tailor-make those investments in ways that will be most meaningful and most productive at the local level because every school district across America is not exactly alike, and, we, at the Federal level, need to recognize that.

Senator LIEBERMAN and I have spoken of the targeting. It is vitally important. Again, we need to target the additional investment at those children who are most in need. We provide a factor in our formula that will guarantee that no school district would see their title I funding cut. That, too, defines the sensible center.

Finally, let me touch upon a couple of other factors.

The importance of competition. We rejected the thinking of those who would go to a purely market-based system of vouchers because in a purely market-based system there are winners and losers. What of the losers? What of them? We have a national commitment to them to ensure that they, too, get the education they need because it would be a tragedy not only for them but for the rest of us if we allowed them to fall through the cracks of educational and lifetime opportunity. But at the same time, we embrace the forces of the marketplace in competition because we know that will provide for more parental choice, greater innovation, and, ultimately, more productivity within the public school system.

So we have provided for the forces of the marketplace while retaining the genius of the public education system, which is a commitment to a better education not just for the few, not just for those who would succeed competitively in a marketplace but for everyone.

Finally, let me say, once again, I am grateful for the progress that has been made. The seeds of progress have been firmly planted. We cannot yet tell whether they will bear fruit in this session of Congress or in the next. But I thank my colleagues who have brought us to this point, both within my own caucus and those on the other side of the aisle. If we are going to make progress on this important subject, it will be by working together, not pointing fingers or seeking to assign blame.

So I will conclude by citing some words spoken by Winston Churchill, in a moment more dramatic than this, when he said: We have surely not reached the end, nor perhaps have we reached the beginning of the end, but at least—at least—we have reached the end of the beginning.

So let us begin to make progress for America's schoolchildren. Let us agree, on a bipartisan basis, to increase our commitment to their academic future. Let us agree on the importance of accountability, the forces of competition within the public school system, and the need for professional development. Let us agree upon these things.

Let us begin to move forward. If we do, it will not only improve the future for our children and the institutions of academic success across our country, but we will also begin to reinstill the confidence and trust of the American people in their ability to govern themselves. And that, perhaps, is the most important beginning of all.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia.

Mr. COVERDELL. I will take a second. While the Senator from Indiana and the Senator from Connecticut are here, I would like to state that there are ongoing discussions, on a bipartisan basis, to try to see if this can be brought together. While we do not know what the conclusion is, the beginning of the end is certainly here. They are fruitful, no matter what happens in the long-term nature of the debate.

I compliment both Senators for the effort they have extended to reach out, along with Senator GREGG, Senator GORTON, and others, who have been instrumental in this ongoing work. I commend you to keep at it and see if we cannot come to a resolution.

I thank the Senator from North Carolina for giving me a moment to compliment these two Senators.

The PRESIDING OFFICER. Under the previous agreement, the Chair recognizes the Senator from North Carolina.

Mr. HELMS. I thank the Chair for recognizing me.

I ask unanimous consent that it be in order for me to deliver my remarks seated.

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

Mr. HELMS. Mr. President, may I inquire of the Chair if it is in order for me to offer an amendment to the bill under the existing unanimous consent agreement? I believe it is not.

The PRESIDING OFFICER. It would not be.

Mr. HELMS. That is my understanding. I thank the Chair.

Mr. President, I genuinely regret that it is not possible for me to offer an amendment at the present time, but I do wish to raise an issue that continues to cause confusion and frustration and hard feelings in the schools and in the courts at all levels. It involves an issue that deserves careful consideration by the Senate, and it seldom comes up; but I have made the decision that I am going to bring it up from time to time and have the Senate vote on it. All of us should be willing to stop pussyfooting and take a stand, unequivocally, clearly and honestly on the issue of school prayer.

There is no question about the absurdity of the Senate remaining silent while some judge somewhere says that a high school football team cannot even engage in a simple prayer before the whistle blows the start of the game.

Equally absurd is the denial of a valedictorian of a high school of the right to include a brief invocation in her remarks. But that sort of thing is going on all over the country.

I believe Benjamin Franklin and the other patriots, whom we refer to today as our Founding Fathers, made clear the power of—and the need for—prayer when they met at Philadelphia to set in motion this great land of freedom. It is very clear what Benjamin Franklin meant when he lectured his fellow colleagues. He said, ''We should close the windows and the doors and get down on our knees and pray for guidance.''

I have lived a large part of my life believing there should never be any limits on the right of public prayer. I never heard of a high school student being debased or deprived of his rights, or having any problem as a result of school prayer. We had prayer every day in every school I attended, and my recollection is that all of us got along pretty well. No student was ever shot, or raped, or found to have drugs on his or her person, let alone a gun, in any school that I attended. But then along came Madalyn O'Hair and her crusade against school prayer. That was in 1962 when she stirred up a few atheists and agnostics, and ultimately some judges, who contrived out of the whole cloth a fanciful argument that somebody's rights might be violated if a simple prayer were allowed in school. It was always allowed every day in the schools of America until Madalyn O'Hair came along. Since the systematic removal of nearly all aspects of religious expression from the schools, there have been repeated disasters of all kinds, cataclysmic things we never believed would happen.

From teen crime to teen pregnancy, so many young people are sinking in a quicksand of immorality. Would these heartbreaking events have occurred if prayer had not been banned from the schools? I don't think they would. When that question is raised, my response is that such things didn't happen before prayers and religion were banned from the schools.

There is still time to fix this problem. We can restore prayer in school. By the way, the distinguished occupant of the Chair this morning may have recalled that I offered this same amendment I am discussing right now to the Senate in 1994. It passed overwhelmingly, with 74 other Senators agreeing that a more sensible policy regarding

prayer in schools is essential and necessary. But that amendment was gutted—gutted—at the eleventh hour for partisan reasons, which I am not going to get into now. On some occasion, I may describe exactly how that happened.

In any event, the amendment I would like to have offered this morning allows students to exercise their first amendment prerogative of prayer.

Under the amendment:

No funds made available through the Department of Education shall be provided to any State, or local educational agency, that has a policy of denying, or that effectively prevents participation in, prayer permissible under the Constitution in public schools by individuals on a voluntary basis.

I must say that once more my amendment clearly states that:

No person shall be required to participate in prayer in a public school.

If a student doesn't want to pray, he or she, under no circumstances, will be required to do so. Therefore, I regret the parliamentary situation under which the Senate is operating this morning, which prevents my calling up this amendment for consideration.

Let me say this: I steadfastly believe that any education bill that does not protect the first amendment rights of students to engage in voluntary prayer is incomplete, and I intend to raise this issue subsequent to this morning as often as it takes until the right to voluntary school prayer is guaranteed once and for all.

I ask unanimous consent that the text of my amendment, No. 3128, now at the desk, be printed in the RECORD.

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

AMENDMENT NO. 3128

At the end, add the following:

SEC. ___. FUNDING CONTINGENT ON RESPECT FOR CONSTITUTIONALLY PERMISSIBLE SCHOOL PRAYER.

(a) SHORT TITLE.—This section may be cited as the ''Voluntary School Prayer Protection Act''.

(b) PROHIBITION.—Notwithstanding any other provision of law, no funds made available through the Department of Education shall be provided to any State, or local educational agency, that has a policy of denying, or that effectively prevents participation in, prayer permissible under the Constitution in public schools by individuals on a voluntary basis.

(c) SPECIAL RULES.—No person shall be required to participate in prayer in a public school. No State, or local educational agency, shall influence the form or content of any prayer by a student that is permissible under the Constitution in a public school.

Mr. HELMS. Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, without losing my right to the floor, I yield for a moment to my colleague from Florida.

Mr. GRAHAM. Mr. President, for the purposes of a unanimous consent request, I ask unanimous consent that after the Senator from Minnesota, the Senator from Louisiana be recognized next, and then an intervening Republican, and then myself to be the next Democrat, and then Senator LINCOLN be the next Democrat after that.

The PRESIDING OFFICER. Is there objection?

Mr. COVERDELL. Mr. President, reserving the right to object, I think I heard it correctly. The Senator from Florida said that following the next Republican he would be in order, and then Senator LINCOLN would be the next Democrat following the next Republican; is that correct?

Mr. GRAHAM. Senator LANDRIEU is the first, I will be the next, Senator LINCOLN would be after myself, with the intervening Republicans.

The PRESIDING OFFICER. The way the Chair understands the unanimous consent request, Senator WELLSTONE is the present Senator, and then Senator LANDRIEU, and then the Senator said there would be a Republican, and then there would be himself and Senator LINCOLN; is that correct?

Mr. GRAHAM. Mr. President, the idea would be that these would be the next three Democrats, and if there were Republicans, they would be intervening in order to maintain the alternating nature of the debate.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Reserving the right to object—I will not object—historically, although we get away from the history, those who are the principal proponents are generally recognized to make the case before opposition speaks. So we have tried to go back and forth. We have done pretty well. Since there are a number on our side who are prime sponsors, generally, as a courtesy, we have followed that historically and traditionally. We have gotten away from that.

I think the proposal is eminently fair. If it is all right, we might let them go in order to make the presentation, and then I would be glad to hear from two or three on the other side. These are all prime sponsors. Generally, in order to be able to make the case, I think we ought to have a chance to hear from them, certainly before the noon hour. I ask that we extend the time a bit before going into recess because I think they ought to be heard in outlining the presentation on the agreement. I have no objection.

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

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I shall be brief because a number of Senators are here who want to get the floor. I want to respond briefly to Senator GREGG. Then I want to raise one question for Senator LIEBERMAN. I wanted to speak to his amendment. I thought that was one way of being respectful. Then I want some Senators who are sponsoring this amendment, sometime after they make their presentation, to speak to the concerns I will raise in a moment.

First of all, however, I want to respond to the Senator from New Hampshire because all of this is a matter of record. The Senator brought out pictures of Governors and talked about when he was Governor. I think that is sort of beside the point. I don't remember anybody using such language, and I don't know that anybody implied such a thing. But I will say that when I talk about grassroots, I kid around about the Governors. People say: Let's hear from the grassroots.

Let me give you an example of what I consider grassroots—the National Campaign for Jobs and Income Support. This is a coalition of about 1,000 community groups, including faith-based and neighborhood organizations.

I had a chance to speak at their gathering in Chicago. Most of them are of color, and many are of low- to moderate-income.

They just released a study which I think speaks to one of the issues here. This is not, I say to Senator GRAHAM and others, responding to his amendment but in response to Senator GREGG's comments.

First of all, when we went through the debate on the welfare bill, I heard the discussion about this many times. Those who were for it said they didn't want the bill to be punitive. They talked about child care, food stamps, transportation, and health care. This study was just released this past weekend by this coalition. The problem, according to the study, is that many States are denying working poor families benefits to which they are legally entitled. That, of course, undermines the very incentives that Congress had in mind on behalf of the working poor.

Mr. President, I ask unanimous consent that this article entitled ''Fair Deal for the Poor'' by E.J. Dionne, Jr. be printed in the RECORD.

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

[From the Washington Post, May, 2000]

FAIR DEAL FOR THE POOR

(E.J. Dionne, Jr.)

It's fashionable to talk about poor Americans left out of the economic boom. It's not fashionable to do much about their problems.

In Congress and on the campaign trail, a favorite pastime for members of both parties is to brag about the welfare reform bill passed in 1996. The bragging is over the sharp drop in the welfare rolls brought about by a prosperity that has created so many new jobs, and also by the bill's tough welfare-to-work provisions.

George W. Bush regularly boasts about the decline in Texas's welfare rolls, while Al Gore trumpets his premier role in pushing welfare reform against the wishers of some of the leading voices in his own party.

It's hard to oppose the core principle behind the welfare bill: Public assistance should be temporary and the system should help the poor find jobs and pursue independence.

But supporters of the bill insisted they weren't just being punitive. They said they wanted benefits—Medicaid, food stamps, child care, transportation assistance and

children's health insurance—to follow poor people off the rolls and help support them as they found their footing in the workplace. These benefits are especially important to the children of the poor, and no member of Congress likes to look mean to kids.

The problem, according to a new study released this past weekend, is that many states are denying the working poor benefits to which they are legally entitled. That undermines the incentives Congress pledged to put in place on behalf of the working poor.

''Even if you're a proponent of welfare reform, you'd be shocked at what's happening,'' says Lissa Bell, policy director of the Seattle-based Northwest Federation of Community Organizations. If the purpose of welfare reform is ''self-sufficiency,'' that idea is ''not being adequately reflected'' in actual administration of the programs, she says.

What Bell and her co-author, Carson Strege-Flora, found were many cases of states and localities violating federal rules by imposing waiting periods for programs that are supposed to have none; creating cumbersome application rules to make it hard for eligible people to get benefits; and misinforming the working poor about what help was available to them.

Now, if there is good news in any of this, it is that community groups around the nation are organizing to put the cause of the working poor at the center of the national debate. Paradoxically, those who were most critical of the welfare bill when it passed may end up saving welfare reform by insisting that those willing to labor hard for low wages be lifted out of poverty.

''The people who are being denied access to these programs are people who work,'' says Deepak Bhargava, director of the National Campaign for Jobs and Income Support, which sponsored the study. The Campaign is a coalition of about 1,000 community groups, including faith-based and neighborhood organizations. ''Its goal is to put poverty back on the national agenda,'' he says.

The devolution of power to the states, an idea associated with conservatives, is unleashing a wave of activism by the poor and their supporters. ''The interesting thing about the devolution phenomenon,'' Bhargava says, ''is that it's really put the ball in the court of the community organizations.'' They are demonstrating ''a new level of sophistication about public policy politics.''

But in the end, he says, these groups will also look to Washington to make sure states run programs for the working poor by the rules. And Washington will necessarily play a large role in any serious expansion of benefits for those who work but are still trapped in poverty. Universal health care would be a nice place to start.

''Poverty is the great invisible problem in the national discourse,'' Bhargava says. ''. . .There hasn't been much political pressure from the people affected. And the problem is usually defined by the success of welfare reform in getting people off the rolls, as opposed to the failure to make much of a dent in the poverty rate.''

This ought to be the most promising of times for programs to alleviate poverty. Public coffers at all levels are bulging, thanks to good economic times. The old welfare system is dead, and most government assistance is now flowing to those who work—meaning that the vast majority of voters approve of the values now embedded in the programs.

If we're not willing to do more to help the working poor what does that say about our much-advertised commitment to the value of work? And how devoted are we to that sentiment now roaringly popular on the campaign trail compassion?

Mr. WELLSTONE. Mr. President, I quote from the article:

''Even if you're a proponent of welfare reform, you'd be shocked at what's happening,'' says Lissa Bell, policy director of the Seattle-based Northwest Federation of Community Organizations. If the purpose of welfare reform is ''self-sufficiency,'' that idea is ''not being adequately reflected'' in actual administration of the programs, she says.

What Bell and her co-author, Carson Strege-Flora, found were many cases of states and localities violating federal rules by imposing waiting periods for programs that are supposed to have none; creating cumbersome application rules to make it hard for eligible people to get benefits, and misinforming the working poor about what help was available to them.

Here is my point to my colleague, Senator GREGG, and to others. The point is this: There are many fine Governors, but there is a reason why over 30 years ago we said there are certain core standards. We used the word ''accountability''—a certain core accountability when it comes to the poorest children in the country. And we are not about to support legislation that does away with a commitment to migrant children, a commitment to homeless children, a commitment on the part of the Federal Government that says to every State and school district there will be programs that will respond to the special and harsh circumstances of these children's lives. We are not going to leave this up to the States because even if there is some abuse and that is all there is, it is too much.

That is the point, I say to Senator GREGG.

Second, very briefly on the amendment that is before us, I thank my colleagues for their good work. I wanted to express the main concern I have. This is the one provision of this legislation which troubles me.

Could I ask my colleagues to shut that door at the top, please.

The PRESIDING OFFICER. The Sergeant at Arms will restore order.

Mr. WELLSTONE. Thank you, Mr. President.

One of the provisions in this amendment says if there has not been adequate progress on the part of title I children—there is a 4-year period that you look at, and then we do this assessment, and if there has not been adequate progress, then 30 percent of the funds which are title VI funds, as I understand it, are withheld from these school districts.

I just want to say to my colleagues that I think this is a mistake. I think we should have the assessment. I think we should know. But, as I see it, when you hold back the funds—and I think we can talk about how we may need to have different teachers; we may need to have different principals, but when we actually cut the funds in a variety of these different programs, I think the children are the ones who are paying the price.

This is near and dear to my heart. I think this is a mistake.

Here is the parallel that I would draw. I have been trying over the last month to come to the floor and say: Look, when we have these high-stakes tests for third graders and whether they go on to fourth grade, for God's sake, let's also make sure they have the resources to be able to pass these tests and that each of these children has the same opportunity to achieve. If we don't do that, I think this will be punitive.

I don't understand what some of my colleagues are doing. I think it is a big mistake to basically say to these schools and these school districts, especially when I see that they are the ones—I heard this debate this morning. I heard the Senator from Indiana. I thought it was kind of interesting. He said, you know, I heard the debate. Is it the Governors' fault or is it not the Governors fault?

I think in many ways we are at fault. I think it is pathetic how little of the National Government budget—I heard anywhere from one-half of 1 percent to 2 percent of our overall budget—goes to education. I still argue, look, we should be a player for prekindergarten, and we are not doing it. It is as if we forgot. It is as if we will jump on a bandwagon and get off of it quickly. A year ago all of us were talking about the development of the brain. You have to get it right by the age of 3. Some of these kids come to school way behind. They fall further behind. Let's get that right. Let's do that.

We know from all of the research that has been done—whether we like it or not—that probably the two most important variables above and beyond a good teacher are the educational attainment and the income attainment of families. We are doing precious little, even with all of these surpluses and a booming economy, to change any of these circumstances that would so crucially affect how well children do.

The assumption is, if you are not trying hard enough, we are going to cut off the money. I think it hurts the kids.

I don't mind where Senator BINGAMAN and others are going on accountability. I think there are ways in which we can make it clear that there may have to be some reconstitution in terms of some of the personnel, albeit even there I am a little wary because I don't accept the assumption that the big problem is the teachers aren't trying hard enough or the principals are not trying hard enough or there isn't enough commitment. But, in any case, I don't like the sanction part. I think that is a big mistake because the kids are the ones who pay the price on this, as I understand this provision.

That was one concern I wanted to raise. I want my colleagues to speak to it because that is the way this debate should take place.

The only other concern I want to register, because there are plenty others who want to speak—some have said don't even raise it because we don't want to get into a big debate about it. But on paraprofessionals, I like some of

the changes that have been made with the language on this. There is language that I think says the only way you can hire paraprofessionals is to replace paraprofessionals.

I know what you are trying to get at, which is we don't want paraprofessionals actually doing the teaching. The teachers should be doing the teaching, and we don't want poor school districts to have the paraprofessionals who aren't certified and other school districts to have more.

On the other hand, it seems to me this may be a little bit too inflexible because as long as we make sure the teachers are doing the teaching, sometimes additional teaching assistants can make a huge difference in general above and beyond title I.

The second point I want to make is if we are going to talk about professional development for paraprofessionals—this happened, I say to Senator LIEBERMAN, about 3 weeks ago. I was back home. Sheila and I went to a gathering of cafeteria workers. We flew halfway across the State to be there. Sheila was a teaching assistant 19 years ago when we were married. She dropped out of school to put me through school. All the kids thought she was a librarian; she didn't have a college degree. She was a teaching assistant.

In addition, there were food service workers, teaching assistants, custodians, and the bus drivers. One of the things they said: We don't mind more professional development, and we don't mind saying go back and get an associate degree, but please remember, many of us who have these jobs don't have a lot of income. We can't just give up a job to go back to school. We can't just take a sabbatical.

We ought to be very careful, as we talk about this for these paraprofessionals. If we want them to receive more training, if we want them going back to school, make sure they are able to do so; many can't right now.

Those are the two questions I raise. I am prepared to yield the floor.

Mr. DODD. I know the sponsors are here. I know there is a limited amount of time. The sponsors of the amendment want to be heard.

I rise to commend Senator LIEBERMAN and the others—Senators BAYH, GRAHAM, LINCOLN, LANDRIEU, BRYAN, KOHL, ROBB, and BREAUX—who have offered this amendment. I want to commend them on their commitment and their ideas in working toward the goal before all of us today—accelerating the pace of reform in our schools.

We have worked hard together on this issue for months, and in some cases, for years. Senator LIEBERMAN and I are fortunate to come from the same state, Connecticut, which is a national leader in school reform and student achievement and a constant source of ideas for both of us—so we have worked together on this issue for some time.

And contrary to what some may have heard, there is significant agreement among all of us about the direction of federal education policy. As is always the case, we hear more about the planes that don't fly and the issues that divide us than the planes that do fly and the issues that unite us.

Our agreements are many and significant. First and foremost, we all agree the status quo is not good enough for our schools, our children, our nation, or for us. We agree that the federal government must be a leader, a partner and a supporter of local, public schools. We agree that federal dollars and efforts must be targeted on the neediest students and work to address the achievement gap that plagues too many of our schools and communities.

Beyond policy goals, we agree on many specifics of this proposal—a strengthened, reform-oriented Title I program; accountability for federal dollars and for progress in increasing student achievement; public school choice; a clear class size authorization; targeting of dollars to needy children; and a significant reinvestment in the public schools. These are the core issues of the debate before us—and core areas of agreement that unite all Democrats.

In particular, they unite us against the bill before us, S. 2. A bill which abandons the federal commitment to needy students, to high standards for all children, and to the goals and progress of school reform. We all stand against this vision for America's children.

I do, however, differ with my colleagues on the extent of consolidation they propose in their substitute—the other issues can and were worked out in our alternative. On consolidation, I believe it is appropriate to carefully examine programs and focus our federal programs on areas that demand a national response. I supported many of the provisions of S. 2 which eliminate a significant number of programs—Goals 2000, School to Work—but I cannot go quite as far as my good friends go in their proposal.

I think what is lost is that all-important support of local programs in areas like after-school, school safety, education technology, character education, school readiness, and literacy. The efforts that focus attention, attract dollars and produce results.

Let me give you one example that I know well—after-school programs. The 21st Century Community Learning Centers program was created in 1994 and was first funded at $750,000 in FY 1995; it has grown to $453 million in FY 2000. It grew because it is focused on after-school, which we know is desperately needed, so we funded it, and funded it substantially. Thousands of grants of significant size flow to needy school districts to support strong, comprehensive after-school programs.

The proposal before us would eliminate this strong program and instead have a small portion of the dollars that reach the local level go to support after-school programs. I believe this would not leverage change in this area; it would not attract the dollars needed and it would not meet our goals in as targeted a way. I believe we better leverage our dollars through our federal partnership directly with local schools in these areas than we would through a more generic funding approach such as offered in this bill.

So I cannot support this substitute today. I want to continue to work with my colleagues on these issues—their ideas have contributed a great deal to this debate. We made substantial progress putting together the Democratic Alternative, which we all supported. Our schools need many voices, many supporters and I welcome my colleagues to these issues, to this debate and ultimately to the effort to better serve our children.

We have had 25 or 30 hearings over the last year and a half or 2 years on the Elementary and Secondary Education Act, trying to get at the very issues and develop consensus. Participation is strongly welcomed. I look forward to an ongoing process.

This does not end today, tomorrow, or the next day but will take some time to reach the level of success we want accomplished in our public education environment in this country.

I thank my colleague for yielding, and my compliments to the authors.

Mr. WELLSTONE. I am pleased to yield.

Mr. LIEBERMAN. Mr. President, briefly, if I may respond to the two questions, and I appreciate the comments of my colleague from Connecticut.

It has been a pleasure, as always, to work with the Senator and others. We have made progress. I am grateful for his acknowledging that. I am also grateful for his long-time progressive leadership in this whole area of public education. I thank my friend from Minnesota for his kind words about the bill.

I respond briefly to the two good and fair questions. We struggled with both of them, particularly the question that if we set up a system where we give more money for education, and we want to reorient the program so we are not just arguing about how much money we will send or, when the auditors come from Washington, they do not just ask if we are spending the money in the particular paths we were told to spend it in, but that somebody asks: What is the result? Are the kids educated?

That is what we want to see happen, to put teeth into it. We believed we had to reward and punish. We have bonuses for schools and States that do well. How do we have answers without punishing the kids? That is a struggle. One answer is that the kids, particularly poor kids, are too often punished by the status quo because they do not get a good education and they are trapped by income. They have nowhere else to

go even though their parents clearly want a better way.

We have set this out over a period of years and allowed the States themselves to set the standard of adequate, clear progress. We are not setting an absolute standard. We are saying: You set the standard for each school district, for each school. The standard is, how much do you want to improve each year from the base, where they are now—not where an idealized base might be but where they are now.

Our first sanction: When a school fails to achieve its adequate clear progress for 2 years, it goes on to a ''troubled'' list and extra money comes in to help the school. If after 4 years it does not get raised—the kids are the victims, they are being punished—at that point, the bill says the school system has a choice: Radically restructure the school into a charter school, perhaps, or something similar within the public school system, or close it and give every child and their parents the right to go to a higher performing public school in the district.

Beyond that, if the State continues not to make the adequate yearly progress, the Senator is right, after 3 years they get 50 percent taken from the State administrative budgets. That was our attempt to impose penalties without hitting the kids.

Finally, after 4 years, if there is no adequate yearly progress, something is really wrong, then we take 30 percent of title VI, the public school innovation title. Yes, that reduces some programs that could be enrichment and improvement programs, but at some point we have to put teeth in the system to make it work.

In no event, I stress to my friend from Minnesota, do we ever take any money away from title I for disadvantaged kids. That, we thought, would be unfair. We will not touch the basic program to help disadvantaged kids learn better.

I was surprised that in my State of Connecticut when we introduced the bill, the area of the bill that got the most concern was from the paraprofessionals themselves who feared we were going to force them to get a college degree or put them out of jobs. Our aims are exactly what the Senator has said. I was surprised to learn that 25 percent of title I money around the country is spent on paraprofessionals. Some of that is very well spent because they supplement what the teacher is doing or they provide nonteaching support for children which can be critical to the child's ability to learn.

Our basic aim is what the Senator from Minnesota said. Let's not shortchange poor kids by asking paraprofessionals who are not trained to be teachers to be their teachers. Suburban schools would not accept that. We shouldn't accept it for our poorest children. Let's try to help them upgrade themselves. Also, we provide State-adopted certification programs for the paraprofessionals.

I hope my answers have been responsive.

Mr. WELLSTONE. Mr. President, since the Senator was responding to my concerns, I have a couple of comments.

First, I absolutely meant to thank the Senator for his effort. I don't want this to be a deal where I love you on the floor and then vote against your amendment. I want to make it clear I am thinking it through before the final vote. I appreciate what the Senator said, but I still think it doesn't speak to the concern I am trying to register.

For example, if you don't get it right in terms of these kids, then you are going to be cut. The problem is, there are other kids in the schools who may not be title I kids but they also need the help. The reason for that is title I is funded at the 30-percent level. In Minnesota, in St. Paul, when you get to a school that has fewer than 65 percent low-income kids, they don't get any of the money. All other schools get some of the money. There are a lot of other kids affected by cuts in the programs.

I am all for putting ''teeth'' into this. Again, I think the Bingaman amendment goes in the direction of accountability, and he talks about reconstitution. There are some definite proposals that do have teeth that say, look, we have to be accountable. I think ultimately it is a mistake to have your sanctions and trigger the cuts in what little assistance we give. We will end up cutting some of the scant resources we do give to schools which help kids.

I do not believe we should do that. I am going to make that point again, especially since I do not think we have in the Congress done anywhere close to what we should do to live up to our national vow of equal opportunity for every child. I believe this is a mistake. We are hurting the wrong people on this.

On professional development, again I appreciate the sensitivity of my colleague's response, but I actually was saying one other point, which was I still think we can make it crystal clear. The Senator has the teachers doing the teaching when they should be doing the teaching, but I do not understand why we have such an inflexible requirement that the only additional paraprofessionals hired would be hired to replace paraprofessionals. Some school districts say they need additional assistants who can help them do more one-on-one work.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I commend my colleague from Connecticut for his leadership on this issue, and I also commend my colleague from Indiana, whose insights as a former governor have been invaluable. A group of us have joined with them to call for a change in the role the Federal government plays in its partnership with our States and local governments in the area of education.

Before I begin, I would also compliment our great colleague from the State of Massachusetts for his leadership over the years —actually over the decades and throughout his entire lifetime —for being a tireless champion for education, particularly the education of children who are poor, children out of the mainstream, and children who are disabled. I thank him for his leadership.

There is a growing number of us in Congress who feel the need to stand up and say no to maintaining the status quo; that the status quo, while there is some incremental progress across the board in education, is not enough, is not happening quickly enough, and is leaving behind millions and millions of children, many of whom are least equipped with resources and families to help to educate them.

As I said a few weeks ago, in 1965, when the Federal Government first stepped up to the plate, the Elementary and Secondary Education Act, as signed by President Johnson, was 32 pages long and contained 5 programs. Today, the current law is 1,000 pages long—1,000 pages of instructions, prescriptions, unfunded mandates and micromanagement from the Federal level. It contains over 50 programs, 10 of which are not even funded.

At that time, the world of education was much different. In 1930, there were 260,000 elementary and secondary schools. Today, there are 89,000. Schools were smaller. Children were given more individual attention. Despite the tremendous increase in population, one can see the numbers of schools have declined.

Years ago, there were qualified teachers in the classrooms, because, to be very honest, while teaching was and still is wonderful, the fact is, laws, customs, and traditions barred many exceptional women and exceptional minorities from any other line of work. So the profession of teaching was the great beneficiary.

Today, that is no longer the case. Women and minorities are moving into different fields. Our schools have become larger and the demands on teachers have become greater. As a result we have less qualified individuals attracted to the field of teaching when the need for high quality teachers is even greater than ever before.

Years ago—and not that long ago—school violence meant a fist fight on the school playground. Today, unfortunately, it means a loaded automatic weapon in a cafeteria. The use of drugs in schools is increasing. A lot has changed in education over the last 35 years.

People say the prize belongs to those who are the quickest, the swiftest, and the smartest. I think the prize belongs to people most able to adapt to change, and that is really the argument. It is about change. It is about the status quo not working for the vast majority

of our children. It is about the fact the world has changed. The facts supporting public education have changed. Yet we find ourselves in Congress, at least too much to my mind, arguing for more of the same: more programs and more money, not recognizing these fundamental shifts that have occurred.

The prize belongs not always to the swiftest and the smartest, but those most able to change. The Lieberman-Bayh amendment is about changing these 1,000 pages to give more flexibility to local governments to make better decisions about how to reach the children who need to be reached. It is about targeting the money to needy kids. When the first bill was passed by this Congress and signed by President Johnson, the intention was excellent, to bridge the gap between the advantaged and the disadvantaged. The intention was to use Federal dollars to invest in the education of poor children. This intention has been lost in these 1,000 pages. Under the present title I formula, a school need only have 2% of their children in poverty to be eligible for title I funding. As a result, 1 in 5 schools with between 50% and 75% poverty receive no funding at all. Our formula would do what Title I funding was intended to do, serve poor children.

Our amendment, the Three R's proposal, is about increasing flexibility and accountability at the local level. If we try to provide more flexibility to the States, but we also do not provide, along with that accountability, increased investments, at best it is an unfunded mandate, at worst it is a hollow promise.

We are actually doubling the funding, as the Senator from Connecticut has pointed out, for title I and targeting the money to be sure the new money is getting to the poor children, the disadvantaged children, and the children for whom we need to close the educational gaps. Along with the increased funding comes real accountability. The taxpayers will appreciate the fact we are not just dumping more money into a growing problem, but we are securing our investment in education and rewarding states who make real strides in closing the achievement gaps are closed quickly and in a more appropriate fashion.

Senator BAYH made reference to these numbers but did not focus on the specifics of this chart. I believe it is important for the American people to know the reason some of us refuse to accept the status quo. Mr. President, I am sure you will agree that test scores are quite startling; they are quite troubling.

This chart shows, the performance scores of several minorities on the 1996 NAEP. One will notice that under the status quo, under these 1,000 pages, while there have been some improvements, only 26 percent of the white children are proficient level in math, only 8 percent of Native Americans, 7 percent of Latinos, and 5 percent of African American children.

If we are not satisfied with these numbers—which I am not, and I do not think there are many in this Chamber on the Republican or Democratic side who are satisfied with these numbers—we need to do something different. Funding more programs with more money is not going to work.

In response to something Senator KENNEDY said—and I think he is accurate on this one point—money from the Federal Government represents only 7 percent. If these test scores are what is happening with 92 percent of the funding, then let's not continue to do the same things or give it all to the Governors. He is absolutely correct.

Obviously, the money is not targeted to help these kids increase their student performance; the State dollars, the 92 percent, is not targeted, because if it was, these numbers would be improving significantly. The answer is not to sit by and do nothing; the answer is to lead by example. Let the Federal Government begin by taking its 7 percent and targeting the poor children so these test scores can improve, and we hope the States, the Governors, and the local education authorities will take their money and do the same thing so we can improve these test scores.

This next chart shows the eighth grade math scores: 23 percent of all children, at the eighth grade level, are scoring at the proficient level; only 4 percent of African Americans; 8 percent of Latinos; 14 percent of Native Americans; and 30 percent of the Caucasian children.

But I would like to do more than show you the numbers. Here is a chart showing an excerpt from the recent NAEP writing test. I have heard too much on this floor that you cannot test kids, that the tests are too high stakes. I want to share this with you so you can understand how dire this situation is. I am a strong believer in tests. I believe we have to have some objective measure to see how well our children are doing or how poorly they are doing.

Perhaps the tests should not serve as 100 percent of what we use to judge whether a child should be moved forward or not, but clearly, we have to have, as well as parents and taxpayers have to have, some way to judge if the children are doing well or not.

For those who say we cannot test them, let me just read from a real test. This is from a fourth grader whose writing is rated ''unsatisfactory.'' I am going to read it for you because you can hardly interpret it. But this represents what the National Assessment of Educational Progress rates as ''unsatisfactory.'' This was written by a fourth grader. He was asked to communicate a minimal description of his room. He writes:

> My room is very cool it white I got wester picture I got a king sides bed I have wester toys I got wester wall paper on my wall. I got wester t-shirt on my wall. I got

That is a writing sample of a fourth grader whose writing was rated ''unsatisfactory.''

Let me give you a sample of writing that is rated as ''approaching basic'' for a child in the fourth grade. This would be at a minimum. All States are different, but these are the kinds of tests we are talking about supporting in this amendment. This fourth grader is ''approaching basic,'' is not at ''basic'' yet. But this fourth grader writes:

> there to the left is my jeep and my cat. there to the right is my swimming pool and my dog and my waterguns. And to my left of my bed is my trampoline and maid. And by the wall is my roller blades and my nantendo—
>
> spelled N-A-N-T-E-N-D-O—
>
> 60 four.

These two samples represent the writing skills of over 50% of those in public schools. 50% of these kids can't master spelling or formulating sentences. We have to do better than this in our public schools.

So I just want to argue that life is high stakes. We have to be supportive of tests—not a Federal test, not something mandated from Washington—but we have to be about accountability, about real testing, so we can tell whether our children are reading, whether they are able to compute. We have to be able to identify what schools are not performing, not so we can punish the children or punish the parents, but so we can help them.

In conclusion, let me say, again, times have changed. The status quo is not sufficient. The amendment we have outlined, the Three R's, gives greater investment, greater accountability, greater flexibility, and more choice. Hopefully, it will spur greater outcomes faster so that children do not lose the only opportunity they have—one life, one chance at education—so they can graduate with a diploma that means something and go on to have a job, a career, and build a life they can be proud of in the greatest democracy on the face of the Earth. To do any less is falling down on our job.

No system is perfect. I will only conclude by saying that perhaps the amendment we offer is not perfect, but it is offered with great sensitivity and great commitment and great dedication, to urge both sides to try to move away from the rhetoric and move to recognizing the failings of the current system.

We do not want to abandon public schools and move to total block grants or total vouchers, but we want to move to a bill that creates the right kind of partnership, where kids can learn, parents are happy, taxpayers are happy to give money because the system is working, teachers are feeling fulfilled—most importantly, children are learning. That is what our amendment attempts to do.

I urge my colleagues, on both sides of the aisle, with all due respect to the other issues that have been talked about, to adopt our amendment, to move us in a new direction, away from the status quo, to a chance where children can actually learn to read, to

write, and to compute, and to take advantage of the tremendous, unprecedented, historic opportunities that exist in the world today.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Under the previous agreement, the Chair recognizes the Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Louisiana for her insightful remarks, and particularly with regard to what is too common, where our schools are not performing and our students are not performing at the level at which they need to perform.

We have a responsibility to make sure what we do in this body facilitates improvement in the system we have today—a system that has been in place for 35 years and is producing the kind of results that have been shown.

This is certainly a time for review and change, for altering and improving. To suggest we cannot do that is beyond credibility. We absolutely can improve what we are doing. We need to. We have to make sure that what the Federal Government does is a positive event with regard to actual learning in the classroom—which is what this is all about—and not a negative impact on learning in the classroom.

In a minute, I am going to share some examples of a Federal law that is absolutely undermining the ability of local school systems to educate, to create a learning environment where kids can reach their maximum potential. Wouldn't it be awful if we passed a law in Washington that actually made it more difficult to create a learning environment in the classrooms of America? The truth is, we have. We need to change that.

I appreciate what the Senator from Louisiana said about testing. There are limits to what testing can show, but when you test thousands and thousands of kids all over a State, you can know whether or not those kids are basically performing at the grade level at which they ought to be performing. We can learn that from a test.

I do not believe in a Federal test. That would be the Federal Government saying to the 50 States, that provide 94 percent of all the money for education in America: This is what your students must learn. If they don't pass this Federal test, they are not learning adequately, and therefore we have in Washington this school board of 100 Senators who would have to decide what is important and crucial in America.

I do not believe in that. I think that would be against our history. It would be against the policy of this Nation since its founding because schools have been a State and local instrumentality. The Federal Government has only been able to assist marginally. In some ways, we have contributed to its downfall in undermining education.

The test scores are important. Over a large number of people—not for every child—they give us very accurate indications of whether learning is occurring. I support that. In fact, I have been on the Education Committee a little over 1 year. We have many debates about accountability. Our friends on the other side of the aisle say: We need more accountability. Your plan, SESSIONS—this idea of turning more of the money over to the schools so they can use it as they see fit within their system—lacks accountability.

But I say to you, the present system totally lacks accountability. The system that has been proposed by the Members on this side has absolutely the kind of accountability that should be part of an education bill.

For example, we have approximately 700-plus education programs in America. Do you think that is not true? Would you dispute that with me? We have over 700 education programs in America, according to the General Accounting Office. Isn't that stunning? If a school system wants some money out of a program, they have to have a lawyer and a grant-writing expert just to find out where the money is and how it might be available to them. Many of these programs are ineffective and should not be continued.

We have all of these programs. What our friends on the other side of the aisle are saying, too often, is—I don't think my friend from Louisiana is saying this, perhaps—if you don't have strict rules about how this money is spent, and you can only spend it for a specific thing, you don't have accountability.

What do we have today in America? We have the Federal Government spending billions of dollars on education. We are pouring that money into schools right and left, and many of the school systems have a total inability to create a proper learning environment, and education and learning is not occurring.

Is that accountability? They may be following all the paperwork and spending the money just as they said, but the fundamental question of education is learning. If learning is not occurring, then we are not having accountability, are we?

What this program says to every school system in America—at least the 15 that choose it, and perhaps others in different ways, but 15 States in this country, if they choose it, would be able to have a substantial increase in their flexibility to use Federal money, with less paperwork, less rules, and less complaints about how they handle it. The only thing they would be asked to do is to create a testing system and an accountability system in their school system that can determine at the beginning of the year where children are academically, and go to the end of the year and see if they have improved.

What else are we here about? What is education about if not learning? That is the only thing that counts. That is the product of all of our efforts. It is not how many teachers, how many buildings, how many textbooks, or how many football fields they have. The question is, Is learning occurring? This way we would have that. The school systems would basically say to the Federal Government: Give us a chance. You give us this money and let us run with it. Let us create a learning environment we think is effective. Give us a chance and we will put our necks on the line. We tell you we are going to increase learning in the classroom and we are going to have an objective test to show whether or not we are doing it. If we don't do it, we will go back under all your rules and paperwork.

There is a myth here, and some have denigrated the role of Governors. But I don't know a Governor in America who isn't running for office and promising to lead and do better in education.

I see the Senator from Georgia. Do we have a time problem?

Mr. COVERDELL. We are under a little bit of a constraint.

Mr. SESSIONS. I will finish up soon.

In Alabama, our general fund budget, where all the funds are appropriated, is $1.2 billion. The education budget in Alabama is almost $4 billion. Do you hear that? In Alabama, we spent almost $4 billion on education and $1 billion on everything else. Do you think the Governor isn't concerned about that? Do you think the State legislature is not concerned about that? The primary function of State government in Alabama, and in every State in America, is education. That is where the responsibility needs to be, and that is where we need to empower them to use creative ideas to improve the system.

I have offered an amendment on the subject of special education; IDEA regulations are disrupting our classrooms. We have examples in our State of two people bringing a gun to school and one being put back in the classroom because he is a special student. The other was kicked out for the year as is every other student. We have created a separate rule of law, a separate rule of discipline, by a Federal mandate from Washington, in every schoolroom in America.

I have been in 15 schools this year in Alabama. This is one of the top concerns I hear from teachers and principals everywhere. They are concerned about that. I think I will talk about that later. I talked about it previously. I will also talk about this regulation, this Federal mandate, that is clearly not a help to the States but a major detriment. It is bigger and stronger and more burdensome than most people in this country have any idea. I think we need to talk about it more.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, to clarify the sequence of events, we had a unanimous consent agreement that recognized Senators back and forth. We got off of it. I am going to suggest this.

I have talked to the Senator from Florida, and we will hear from Senator COLLINS for a few minutes, then Senator GRAHAM, then a Republican, and then Senator LINCOLN. Then we will be back in order.

Mr. GRAHAM. Mr. President, are we going to break at 12:30?

Mr. COVERDELL. Mr. President, I think we will try to accommodate another 5 or 10 minutes so these Senators can be heard. I think the appropriate recognition would now be the Senator from Maine, briefly.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Florida. I rise to commend the Senator from Connecticut, the Senator from Florida, the Senator from Arkansas, the Senator from Louisiana, and all of those who have been involved in putting together the Lieberman amendment, for their efforts. It is a typical approach taken by the Senator from Connecticut to so many legislative issues, in that he is looking for a responsible and responsive approach that is innovative and attempts to bridge the partisan gap.

I don't support all of the provisions of the Lieberman amendment, but I commend the Senator and his cosponsors for recognizing that we do need to take a new approach, that we need to focus on whether or not our students are learning, rather than focusing on whether paperwork and regulations are complied with.

I commend the authors of this legislation for their efforts to focus the debate on giving States and local school boards more flexibility in using Federal funds to meet the greatest need in their communities. I also commend them for focusing on accountability, for making sure our Federal education efforts bear the fruit of increased student achievement, and help to narrow the gap that troubles all of us in the learning of poor children versus those from more affluent communities and affluent families.

One of the reasons we need more flexibility in using Federal funds can be found in Maine's experience under two Federal programs. Maine is fortunate in having small classes. In the classes in Maine, on average, the ratio is only 15 to 1.

So our problem and challenge is not class size. Yet Maine had to get a waiver to use the Federal class size reduction moneys for professional development which is, in many schools in Maine, a far greater need than the reduction of class size. One school board chair, from a small town in eastern Maine, wrote to me that they have received $6,000 under the Federal Class Size Reduction Program. Clearly, that is not enough to hire a teacher. They did receive permission from the Federal Government to use that effectively for professional development.

But my point is, why should this school system, or the State of Maine, have to get permission from the Federal Government to use those funds for the vital need of professional development?

The second example I have discussed previously, and it has to do with Maine's effort to narrow the achievement gap between poor and more wealthy students in high schools. Maine has done an outstanding job—and I am proud of this—in narrowing the achievement gap between disadvantaged and more advantaged children in the elementary schools. In fact, it has virtually disappeared. So that is not the need under title I funds for the State of Maine right now. We still, however, have a considerable gap when those title I children get to high school.

Maine came up with a very promising approach that was put out by the Maine Commission on Secondary Education that set forth a plan for narrowing the achievement gap among high school students. But, here again, it required a waiver from Federal regulations for Maine to use its funding for this purpose.

So, again, I do think we need more flexibility and accountability. I commend my friends on the other side of the aisle for their steps in that direction. I hope we can continue to work and see if it is possible for us to come up with a bipartisan package we could support that would help bridge the partisan gap and make a real difference in the futures of our students.

I yield the floor.

Mr. REID. Mr. President, with the consent of my friend, Senator COVERDELL, I ask unanimous consent that immediately following the scheduled vote at 2:15 there be 2½ hours remaining for debate on the Lieberman amendment, to be equally divided in the usual form, and that following the use or yielding back of time, the Senate proceed to vote in relation to the pending amendment without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. GRAHAM. Mr. President, I commend the Senator from Maine for her very thoughtful remarks. She focused on the large issues that are appropriate for the Senate, and she spoke in the spirit of the importance of what we are dealing with, the future of American children, and the necessity that we approach it with a level of seriousness and bipartisanship. I thank her for her very succinct, extremely valuable contribution to this debate.

In that same vein, I wish to share an observation that some of us heard recently by a prominent American historian, Steven Ambrose. He is best known for his numerous books on military history, particularly on World War II, but he has also written a Pulitzer prize-winning book on the Lewis and Clark Expedition—an expedition which opened up much of America to serious study and exploration. It was an expedition that took place between 1804 and 1806. It comprised traversing some 7,600 miles of the recently acquired Louisiana Purchase in the northwest corner of the United States. What Mr. Ambrose pointed out is that the average length of each day of the Lewis and Clark Expedition was 15 miles. But the techniques used by Lewis and Clark between 1804 and 1806 were exactly the techniques that Julius Caesar would have used if he had the same assignment, which is to say that for a period of over 2,000 years their had been virtually no progress in man's mastery of the field of transportation. Since Lewis and Clark, in less than 200 years, we have had an explosion of transportation advancement. We are now in the process of building in space an international space station which will become the platform for which we will explore the universe.

That is how much progress we have made in 200 years after 2,000 years or more of stagnation. What is the explanation? What has happened that last allowed us to make this much progress?

According to this eminent historian, the single most significant fact that has allowed the 200 years of progress has been the fact that we committed ourselves as a nation—and much of the world—to the proposition of universal education; that we are allowing, for the first time in the history of mankind and in the last 200 years of America, hopefully, every human to reach their full potential.

He used the example of the Wright brothers. If the Wright brothers had been born 100 years earlier—just four generations earlier than in fact they were born—by all accounts, given the nature of their family and its economic and social standing, both of the Wright brothers would have been illiterate, and therefore the world would have been denied the ingenuity which played such a critical part in all of these great advancements which now benefit all of us.

We are not talking about a trivial issue. We are talking about a fundamental issue that has reshaped America and reshaped the world in the last two centuries, and which will reshape us again in this new 21st century and the centuries beyond. We are dealing with one of the most basic issues facing the world and America.

I am pleased that the Senate's new Democrats, with much of the membership having spoken on the floor this morning, have taken on this issue as our first contribution to the policy today in the Senate. That is, I hope, illustrative of the seriousness of our group and its desire to be a constructive part of helping the Senate and the American people develop policy in basic areas such as education.

I think we would all agree that there are certain important principles that

we should look at as we approach what the Federal role should be in education. Those would include words such as ''accountability,'' ''reward,'' ''excellence,'' and ''resources.''

On February 5, I asked a group of Florida educators to meet together in Tampa to discuss what they believe, based on their professional experience, to be some of the priorities the Congress should look at as it reauthorizes the fundamental education act for our Nation, the Elementary and Secondary Education Act.

Here are some of the responses from this group of educators.

First, not necessarily in priority on their points, was the importance of additional resources; that if we are going to achieve our purposes, we must have a Federal commitment as well as a State and local commitment which is commensurate to the challenge that is before us.

The RRR response to this request: It will increase the Federal role in education by more than $30 billion over the next 5 years, the most significant increase in funding since the program was established in 1965.

To underscore the importance of this, we talked about the implications of this chart. This chart is an attempt to indicate what has happened in America over the last 150 years in terms of the requirements for self-sufficiency by an older adolescent or young adult in America.

In 1850, there was a relatively limited amount of knowledge required to be self-sufficient. Literacy was not such a requirement. Many Americans functioned very effectively at a high level of self-sufficiency without being able to read or write in 1850.

Today, there has been a four-time explosion in the requirements of knowledge for an American to be self-sufficient. That explosion has not been a straight line. It has been an explosion driven by technology. Note the major increase in the knowledge demands that occurred in the late and early 20th century commensurate with the movement of America from a rural economy to an industrial economy. But the big increase has come well within our lifetime.

Coincidentally, it almost starts at the time the first Elementary and Secondary Act was passed in the mid-sixties with an explosion of knowledge requirements as Americans entering the workforce had significantly greater expectations of what their skill level would be, particularly in areas of mathematics and communication skills.

Mr. President, the second aspect of this chart is an attempt to indicate that one of the fundamental relationships in the acquisition of knowledge by Americans has been the relationship between what the family can contribute to that knowledge and what is provided by a formal educational institution, which we typically refer to as a school.

In the 1850s, the family provided more than half of the knowledge of their children. Typically, they were doing so by educating the children to be able to read and write to achieve that level of literacy.

It was the development of science and technology that began to effect the relationship of what a family and what a school was expected to provide to children's education. As science and technology has become more pervasive and more complex, the relative proportion of knowledge provided by the school and that which could be provided by the typical family has altered.

Whereas, in 1850 the family was providing two-thirds of the education, today the school is providing about two-thirds of the education.

The significance to me of this chart is the challenge that we as a society have to assure that all American children have an opportunity to acquire this much greater level of education; that our schools which are being called upon to provide a larger and larger share have the necessary resources—human resources, financial resources, and resources of support by the community—in order to carry out their responsibility.

We are going to be voting shortly on some major trade agreements with Caribbean countries—Central American countries, African countries, and China. One of the recurring realities of all of those trade agreements is that we are opening our markets broader and broader to countries whose standard of living and whose per capita annual incomes are dramatically lower by factors of 20, 30, 40 times what they are in the United States.

The only way the United States is going to be able to compete and maintain our standard of living is to assure that all Americans are getting this level of knowledge so that they can be full participants in the most effective and most competitive economy in the world—the economy of the United States of America.

Again, this chart underscores the seriousness of the issue we are considering.

We spent a good deal of time at that Tampa meeting with educators discussing this chart and its implications. The educators told me in addition to resources, they wanted more flexibility, the opportunity to adapt to the specific needs of the communities and the children they serve. That is the approach taken in the RRR program. We focus on results more than process and, thus, allow more flexibility to achieve those results. The educators said they don't mind accountability if there are resources there to realistically achieve the goals that have been sought. RRR demands accountability but provides the resources needed to accomplish these goals.

Not only do we increase the total amount of resources by some $30 billion over 5 years, we also target these resources to the children who are most in need. When President Johnson talked about America's role in education, he was specifically talking about the chasm that existed between the abilities of poor children and more advantaged children to achieve what would be required to be competitive in the world.

The Federal role has been targeted at these at-risk children. We need to refocus our commitment. I am sorry to say there has been a tendency for the formulas that distribute Federal education money to succumb to the temptation to have everybody get some piece of the Federal dollar. The consequence of that is the funds have been so diluted we have been unable to focus a sufficient quantity on those children who need it the most and who are most dependent upon that additional Federal support in order to be able to achieve their educational needs.

Our very focused and stated position in the RRR legislation is that we believe, as a nation, this Congress needs to recommit ourselves to the proposition that the purpose of Federal assistance is to aid those children who are most at risk and that we should demonstrate that commitment by having a formula that targets the money to those children who are greatest in need. With that, we can then talk seriously about accountability.

The Senator from Alabama talked about what I call process or product accountability where we count the number of books in the library. There are other forms of accountability that assess overall student performance. The type of accountability we are advocating is an accountability that focuses on what the school and what the local educational agency can do to contribute to a student's educational attainment. It is what I describe as a value-added approach. How much did the school experience add to the educational development of the child?

I have been very critical of the educational assessment program which is currently being used by my State, by the State of Florida. The basis of my criticism is it does not assess the value added by schools; rather, it is an assessment of the total influences that have affected a student's performance. The most fundamental of those influences has nothing to do with what the school contributed but, rather, relates to the socioeconomic status of the family from which the child came.

I spoke on an earlier date and submitted for the CONGRESSIONAL RECORD a very thoughtful analysis of the Florida plan by a professor at Florida State University, Dr. Walter Tshinkel. In that assessment, Dr. Tshinkel took the schools in Leon County, FL, which is the county of which Tallahassee, the State capital, is the county seat, and observed that if you looked at the affluence and poverty statistics of the various neighborhoods in Tallahassee and Leon County and assigned a letter grade based on that data alone without testing a single student, that 26 of the

33 school districts in the Leon County School District would have received exactly the same grade as they did when student test scores were taken into account.

That says to me what we have been essentially testing in Florida is not what the school contributes, but the socioeconomic status of the children who come into that school.

Professor Tshinkel went on to say if, in fact, you did assess on value added, what the school had contributed, you had almost a reversal of results. Schools that got F's actually should have gotten A's because they did the most to advance the students for which they had responsibility, and the schools that got A's should have gotten F's because they started with a very advantaged group of students and did not make that great of a contribution to their educational advancement.

RRR provides accountability for what the schools can be held accountable for, what they can reasonably contribute to a student's development and hence a student's performance.

Another topic discussed at our Tampa roundtable was professional development. It was very helpful that most of those who participated were current classroom teachers. These teachers are yearning for new avenues for professional development, for the time to be able to take advantage of these opportunities. The RRR will allow this to happen with a major new national focus on seeing that all of our teachers—those who are entering the profession and those who are at an advanced position as professional educators—have an opportunity to continue their professional development and enhancement. We can only do this in a comprehensive manner.

We believe strongly these principles are a key to achieving the challenge that America faces to provide the knowledge necessary for all Americans to be able to compete effectively in this rapidly changing world in which we live.

If this line on the chart of the increased need for knowledge to be self-sufficient in the world as it exists today is a harbinger of where that line would go in the 21st century, the challenge for American education and the challenge for this Congress to be responsive to the Federal role in education is a stunningly great challenge that requires the most serious attention of the Senate.

I thank all of my colleagues who have contributed to this debate, who have worked to bring forward to the Senate a proposal I believe is worthy of our task. Every 6 years we have a chance to analyze the programs that affect American children, from kindergarten to the 12th grade. This should be an opportunity not just to tinker around the edges, not just to make minor course corrections, but to look at the challenge we face to assure all American children, particularly those who enter the classroom with the least advantages, will have an opportunity to be successful, and through their success to contribute to the success of America.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. KYL].

EDUCATIONAL OPPORTUNITIES ACT—Continued

VOTE ON AMENDMENT NO. 3126

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 p.m. having arrived, the Senate will proceed to vote in relation to amendment No. 3126. The yeas and nays have not been ordered.

Mrs. HUTCHISON. 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 question is on agreeing to amendment No. 3126. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Nebraska (Mr. HAGEL), the Senator from Delaware (Mr. ROTH), and the Senator from Tennessee (Mr. THOMPSON) are necessarily absent.

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—97

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

NOT VOTING—3

Hagel	Roth	Thompson

The amendment (No. 3126) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3127

Mr. KENNEDY. Mr. President, I believe we have an agreement on the time on our side. Am I correct?

The PRESIDING OFFICER. Two and a half hours on the Lieberman amendment equally divided.

Mr. KENNEDY. I think we had an understanding with our colleagues that the distinguished Senator from Arkansas was going to be recognized to speak at this time for up to 15 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mrs. LINCOLN. Thank you, Mr. President. I also would like to thank all of my colleagues who have worked so diligently on these issues, and particularly Senator LIEBERMAN and Senator BAYH who I have been working alongside on the proposal that is before us right now. I also would like to compliment Senator KENNEDY's staff for all the work they have put in, as well as the wonderful bipartisan spirit that has been shown by Senators GREGG, COLLINS, GORTON, and HUTCHINSON in trying to bring about this issue of great importance on behalf of our Nation and on behalf of our children.

I am proud to join my colleagues on the floor today to talk about a bold, new education plan that we hope will provide a way out of the current stalemate over reauthorizing ESEA. I must admit that I am disappointed because so far we have turned one of the most important issues we will debate this year into yet another partisan standoff.

I can't tell you how frustrated I am that we face the real possibility that our children will be forced once again to the back of the bus while partisan politics drive the legislative process off a cliff.

I would like to focus on a comment that was made by one of my colleagues earlier in this debate. Senator LANDRIEU mentioned that we had one chance at reaching each of these individual children in our Nation who are the greatest blessings in this world.

Each year we fall behind in making the revolutionary changes to move our educational system to where it needs to be in order to provide our children with the source of education they need in order to meet the challenges of the coming century. Each year that we fail to do that—if that happens this year—is one year in a child's life that we cannot replace; one year in a child's life that cannot be reproduced or given back to them in terms of what they need to know to be competitive.

If I have learned one thing since my first campaign for Congress in 1992, it