

consent that the Senate stand in adjournment under the previous order, following the remarks of Senator KENNEDY of Massachusetts.

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

Mr. BURNS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### EDUCATION LEGISLATION AND SCHOOL SAFETY

Mr. KENNEDY. Madam President, last Tuesday, the Senate suspended consideration of the education bill. I hope that our Republican friends have just temporarily suspended the bill, and not expelled it. We owe it to the nation's schools, students, parents, and communities to complete action on this priority legislation.

So far, we have considered only eight amendments to the bill over six different days.

When the bankruptcy bill was on the floor, our Republican colleagues did everything they could to satisfy the credit card companies. That bill was debated for 16 days, and 67 amendments were considered.

Obviously, when the credit card companies want a bill, our Republican friends put everything else aside to get it done. But when it comes to education, the voices of parents and children and schools and communities go unheard.

We should be debating education. It's a top priority for parents. It's a top priority for communities. It's a top priority for the country. And, it should be a top priority for Congress.

It is wrong for the Senate to leave the nation's schools with so much uncertainty about whether and when they will get urgently needed help to ensure better teachers, modern schools, smaller classes, and safe classrooms.

Democrats are ready to debate and address these issues now, and finish Senate consideration of the Elementary and Secondary Education Act. But, we have no assurance from the Republican majority that we will be able to do so.

Clearly, there are strong disagreements about how to address the issue of education reform. But, we should all agree to make it a top priority for final action.

Republicans have made block grants the centerpiece of their education proposal. But, block grants are the wrong approach. They undermine the targeting of scarce resources to the highest education priorities. They eliminate critical accountability provisions that ensure better results for all children. The block grant approach aban-

dons the national commitment to help the nation's children obtain a good education through proven effective reforms of public schools.

The lack of commitment by our Republican colleagues to genuine education reform is also clear in the recent actions by the Senate and House Appropriations Committee.

Both bills eliminate critical funding for reducing class size and improving teacher quality. Instead, they put some of those funds into the title VI block grant.

Both bills do nothing to guarantee communities help for modernizing their school buildings.

Both bills eliminate critical funding for helping states to increase accountability for results and turn around schools that aren't getting results.

At the same time that they expand support for block grants and eliminate support for greater accountability, Republicans are cutting funds to communities to improve education. Under the President's budget request, communities would have received a total of \$4.05 billion in the coming fiscal year to reduce class size, modernize school buildings, and improve teacher quality. The Republican bill block grants these programs and cuts total funding by \$2 billion below the President's request in the House and \$500 million below the President's request in the Senate.

Under the Republican block grant scheme, communities get less aid and parents get no guarantee that their children's classes will be smaller, that their teachers will be better qualified, or that their schools will be safe and modern.

Block grants are the wrong direction for education and the wrong direction for the nation. They do nothing to encourage change in public schools.

In the Republican ESEA bill, states are not held accountable for educational results until after 5 years. By that time, many students will have lost five years of potential gains in student achievement.

Block grants also leave the door open for needless waste and abuse. They provide no focus on proven effective strategies to help schools. Senator DEWINE, in urging increased accountability, pointed out the poor history of states and local school districts in spending Safe and Drug-Free Schools and Communities funds. He characterized those dollars as being "raided" for pet projects or to support ineffective methods.

Under block grants, school districts and schools can use scarce public tax dollars to support fads and gimmicks, with no basis in research or proven practice. They can even use the funds to support the football team, buy computer games, or buy new office furniture, if they decide that these uses serve so-called "educational purposes."

In short, block grants provide no assurance that federal education funds will be used where they're needed most—to improve instruction and

teacher quality, strengthen curriculum, reduce class size, provide after-school learning opportunities, or support other proven strategies for helping all students reach high standards.

The Republican block grant also undermines local control, because it concentrates educational decision-making at the state level. By authorizing the state to decide whether it will enter into a performance agreement, the Republican bill gives the state ultimate authority to determine the parameters of the agreement, including which schools and which school districts will receive funds, and how funds may be spent. Far from giving local districts flexibility, as the policies and waiver provisions under current law do, the Republican block grants will increase the power of governors over local education policy at the expense of local districts, local school officials, and parents.

The American people want a strong partnership that includes the important involvement of parents, local school boards, local community authorities, States, and the Federal Government. We are not looking to take over education. We are saying that educating the nation's children is a top national priority, and Congress ought to be a strong partner in efforts to improve education.

The Republican proposal says there will only be one member in the education partnership, and that will be the State. It won't be the local community or parents, because they give all of the funds to the States. Then the States make the judgment about how it is going to go down to the local level.

Parents want a guarantee that, with scarce resources, we are going to have accountability for results and for getting national priorities. They know and we know small class sizes work. We guarantee there will be a well-qualified teacher in every classroom.

We guarantee more afterschool programs, which are absolutely essential to help and assist children and enhance their academic achievement and accomplishment.

We guarantee strong accountability provisions.

We guarantee resources for technology in schools so we can eliminate the digital divide, as Senator MIKULSKI speaks to with great knowledge, awareness, and correctness.

But all of those efforts I have just mentioned are at risk with the proposal of the Republicans to just provide a blank check to the States and let the States work out what they might.

The Republican block grant approach abdicates our responsibility to do all we can to improve the current federal efforts. All that the GOP approach does is hand off the many current problems to states and local communities to solve.

Block grants are particularly harmful, because they abdicate our responsibility to help those most in need, such

as homeless children, migrant children, and immigrant children. States rarely spend their own funds to help these children now—and they won't do it under a block grant. These children need targeted federal assistance to help them succeed in school.

Prior to the time the Federal Government provided targeted programs for the homeless under the McKinney Act, the Emergency Immigrant Education program, and the Migrant Education program, these children were not getting the help they needed.

State help for these children is virtually nonexistent. The only help and assistance for any of these children is the assistance provided in the Elementary and Secondary Education Act. But the Republican bill wipes out these programs.

The parents of migrant children are among the most industrious, yet neglected, populations in the country. Poverty, mobility, health problems, isolation from the larger community are characteristics common to migrant families. In the 1997 to 1998 school year, an estimated 752,000 migrant children were counted as eligible for the Migrant Education Program. That would be block granted under the Republican blank check approach. Obviously, the States didn't worry about the problems of migrant children because they were here today and gone tomorrow. That has been the history. We are talking 752,000 children who are going to be cast adrift.

We had seen important progress, as I mentioned in the debate last week, where those working on the education of migrant children have worked out a process where they were able to get children's school records, provide some waivers that were essential to get children enrolled in the schools. We are having at least some positive impact in helping meet the needs of some of these children. With a block grant that goes to the States, that effort will be ended. Without the Federal Migrant Education Program, there are few incentives for schools to implement a means for improving instruction for migrant children.

The Republican block grant bill also wipes out assistance for the homeless children. Nationwide, homeless children are isolated and often stigmatized. They face significant barriers to obtain adequate services of all kinds, including education. According to the December 1999 report of the Interagency Council on the Homeless, most homeless children are young, 20 percent are age 2 or younger; 22 percent are age 3 to 5; 20 percent are age 6 to 8; and 33 percent are between 9 and 17.

According to a 1990 report from the Better Homes Fund, a nonprofit charity dedicated to helping homeless families, homeless children face extremely stressful situations. Each year, 90 percent of homeless children move up to three times; 40 percent attend two schools; 38 percent attend three or more schools; 21 percent of homeless

children nationwide repeat a grade due to homelessness, compared with only 5 percent of other children; 14 percent of homeless children are suspended from school, double the rate of other children.

This is what the National Coalition on Homeless says: The Federal program requirements that accompany McKinney funds focus upon State responsibility to ensure equal opportunity for homeless children and youth. They set forth the rights of homeless children to receive the same educational opportunities as their non-homeless peers.

Under the Republican proposal, States that opt for the block grant would no longer have to follow these programs. Without the McKinney Act requirements, homeless children and youth are shut out of school again, destroying their chance for school success. It is wrong for Congress to turn its back on these children.

Finally, the block grant ignores the pressing needs of immigrant children. In 1997, the foreign-born population in the United States was 25.8 million, the largest in the Nation's history. In fiscal year 2000, States reported that more than 864,000 recent immigrant students were enrolled in schools, with an increase of these students of 55,000 over 1995. Large numbers of immigrant students traditionally have been enrolled in schools in seven States: Arizona, California, Illinois, Florida, New Jersey, New York, and Texas. However, with the increase of immigrant students in other States, the percentage in these States has fallen from 80 percent in 1995 to 71 percent in 2000.

This year, a number of other States reported a dramatic increase in the recent immigrant student enrollment: Connecticut, up 72 percent; Georgia, up 39 percent; Louisiana, up 34 percent; Michigan, up 35 percent; Missouri, up 50 percent; Oregon, up 28 percent; Tennessee, up 33 percent; Utah, up 38 percent. Immigrant students, particularly those with limited-English proficiency, are at significant risk of academic failure. Among all youth ages 16 through 24, immigrants are three times more likely to be drop outs than native born students.

Our overall goal in this legislation should be to write an education guarantee to parents, children, and schools, a guarantee that we will work with them to improve their schools and ensure every student receives a good education. We want to guarantee a qualified teacher is in every classroom. We want to guarantee small class sizes. We want to guarantee modern and safe schools. We want to guarantee after-school opportunities for children to help them succeed in school and stay off the street. We want to guarantee the parents have more opportunities for significant improvement in their public schools. We want to guarantee a good education for homeless children, migrant children, and immigrant children. We want a guarantee that States,

and schools are held accountable for results. We want to guarantee parents that their children are free from guns in their schools.

Yesterday, to celebrate Mother's Day, hundreds of thousands of mothers from across the United States marched on the Nation's Capital to insist we do more to protect children from the epidemic of gun violence that continues to plague our country. The Million Mom March has focused the attention of the entire country on this critical challenge. The question now is whether Congress will at long last end the stonewalling and act responsibly on gun control.

For many months, Democrats have continued to ask the Republican leadership for immediate action on pending legislation to close the loopholes in the Nation's gun laws, but every request so far has been denied. In fact, as a conferee on the juvenile violence legislation, in 8 months in caucus, we have had 1 day of meetings. The reason is because, evidently, the leadership is sufficiently concerned that perhaps as a result of a conference between the House and the Senate we might pass sensible and responsible legislation that deals with gun show loopholes in our present laws.

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Each day we fail to act, the tragic toll of gun violence climbs steadily higher. In the year since the killings at Columbine High School in Colorado, 4,560 more children have lost their lives to gunfire, and countless more have been injured. It is inexcusable that the Republican Congress continues to block every attempt to close the gaping loopholes that make a mockery of the Nation's current gun laws. The guns used to kill 9 of the 13 people murdered at Columbine High School were purchased at a gun show. The woman who bought the guns for the two young killers said she never would have purchased the weapons if she had to go through a background check.

Perhaps six year old Kayla Rolland in her first grade class in Flint, Michigan, would be alive today, if the gun her classmate used to kill her had a child safety lock on it. If Congress had listened after the school killing in West Paducah, Kentucky in 1997—or Jonesboro, Arkansas in 1998—or Columbine High School in 1999—thousands

more children would have been alive to celebrate Mother's Day yesterday.

By refusing to learn from such tragedies, we condemn ourselves to repeat them. How many wake-up calls will it take before Congress finally stops kowtowing to the National Rifle Association and starts doing what is right on gun control?

The evidence is all around us that more effective steps are needed to protect schools and children from guns. In a survey of over 100,000 teenagers conducted last month, 30 percent said they could get a gun in a few hours—and 11 percent said they could get a gun in one day. Four in ten of these teenagers said there are guns in their homes; more than half say they have access to those weapons themselves. The fact is there are more than a million children returning home today to homes where there are guns that are loaded and unlocked.

No other major nation on earth tolerates such shameful gun violence. According to a study by the Centers for Disease Control in 1997, the rate of firearm deaths among children 0–14 years old is nearly 12 times higher in the United States than in 25 other industrial countries combined.

In fact, I heard it said best from a person who was out marching yesterday on The Mall for the Million Mom March. She was asked about the presence of guns in our society and responded that only the United States and the IRA allow virtually unlimited access to guns. At least the IRA are preparing to turn theirs in.

At the very least, Congress owes it to the nation's children to take stronger steps to protect them in their schools and homes.

Gun laws work. Experience is clear that tough gun laws in combination with other preventive measures have a direct impact on reducing crime. In Massachusetts, we have some of the toughest gun laws in the country. We have a ban on carrying concealed weapons. A permit is required to do so. Local law enforcement has discretion to issue permits, and an individual must show a need in order to obtain the permit. We have a minimum age of 21 for the purchase of a handgun. We have increased penalties for felons in possession of firearms. We have an adult responsibility law. Adults are liable if a child obtains an improperly stored gun and uses it to kill or injure himself or any other person. We require the sale of child safety locks with all firearms. We have a Gun-Free Schools Law. We have a licensing law for purchases of guns. We have enhanced standards for the licensing of gun dealers. We have a waiting period for handgun purchases. It takes up to 30 days to obtain a permit. We have a permit requirement for secondary and private sales of guns. We have a ban on the sale of Saturday Night Specials. We have a requirement for reporting lost or stolen firearms.

As Boston Police Commissioner Paul Evans testified last year in the Senate

Health, Education, Labor, and Pensions Committee, "Any successful approach to youth violence must be balanced and comprehensive. It must include major investments in prevention and intervention as well as enforcement. Take away any leg and the stool falls."

Commissioner Evans also stated that to be effective, efforts must be targeted and cooperative. Police officers must be able to work closely with churches, schools, and health and mental health providers. After-school programs are essential to help keep juveniles off the streets, out of trouble, and away from guns and drugs.

There are partnerships between the Boston Public Schools and local mental health agencies. School districts are employing mental health professionals. Teachers and staff focus on identifying problems in order to prevent violence by students. The Boston police work actively with parents, schools and other officials, discussing incidents in and out of school involving students. The Boston Public Health Commission promotes programs by the Boston Police Department.

In developing an effective approach like this, Boston has become a model for the rest of the country. The results have been impressive. The success of Boston's comprehensive strategy is borne out in these results:

From January 1999 through April 2000, no juvenile in Boston was killed with a firearm.

In 1990, 51 Boston young people, ages 24 and under, were murdered by a firearm. Last year, there were 10 such murders.

Reports from emergency rooms about firearm injuries are also down dramatically.

It's no coincidence that the firearm death rate in Massachusetts is significantly lower than the national average. When we compare states with tough gun laws to those that have weak gun laws, the differences are significant. In 1996, across the nation, the number of firearm-related deaths for persons 19 years old or younger was 2 deaths per 100,000 persons.

In states that have the weakest gun laws, the number was significantly higher:

Utah had 5.1 firearm-related deaths per 100,000 people—two and a half times higher than the national average.

Indiana had 5.9 firearm-related deaths per 100,000—three times higher.

Idaho had 6.9 firearm-related deaths per 100,000—three and a half times higher.

Mississippi had 9.2 firearm-related deaths per 100,000—four and a half times higher.

It is clear that strict gun laws help to reduce gun deaths. Yet, every time that Democrats propose steps to keep guns out of the hands of young people—proposals that would clearly save lives—our Republican friends have nothing to say but no. No to closing the gun show loophole. No to child

safety locks. No to support for stricter enforcement of current gun laws. No to every other sensible step to reduce the shameful toll of gun deaths.

Nothing in any of our proposals threatens in any way the activities of law-abiding sportsmen and women. Surely, we can agree on ways to make it virtually impossible for angry children to get their hands on guns. We can give schools the resources and expertise they need to protect themselves from guns, without turning classrooms into fortresses.

We must deal with these festering problems. There is ample time to act before this session of Congress ends this fall. We could easily act before the end of the current school year this spring. We could act this week, if the will to act is there. All we have to do is summon the courage and the common sense to say no to the National Rifle Association—and yes to the Million Mom March.

I want to take a moment or two more to talk about the issue which has been raised by others who say, really the answer is just Federal enforcement of existing gun laws.

The National Rifle Association calls in public for more effective enforcement of the nation's gun laws. But it has waged a shameful and cynical campaign over the years to undermine Federal enforcement activities by restricting the budget for the very enforcement it calls for.

Between 1980 and 1987, for example, the number of ATF agents was slashed from 1,502 to 1,180, a reduction of over 20 percent, and the number of inspectors dropped from 655 to 626 even as the number of licensed firearms dealers soared.

For the past 25 years, Congress has provided ATF with far fewer funds than necessary to support enough inspectors and agents to effectively enforce the nation's firearms laws. In 1973, ATF and the Drug Enforcement Agency had comparable numbers of agents and nearly equal funding—about \$250 million a year. From 1973 to 2001 we see the cuts—in the number of agents—that have been made when we had the Republican leadership here in the Senate and in the House.

By 1998, however, the number of DEA agents had almost tripled, from 1,470 to 4,261, while ATF's remained constant. 1,631 ATF agents were on payroll in 1998—only 9 more than in 1973. Yet there are more licensed firearm dealers in the United States than there are McDonalds franchises.

A substantial increase in funding is needed if we're serious about helping ATF enforce the gun control laws. At every opportunity, the NRA and the Republicans say "We don't need more gun laws. We need to enforce what's already on the books." Well, enforcement is exactly what Federal agents and prosecutors are doing. The facts are clear:

Overall firearms prosecutions are up. Criticism of Federal prosecution statistics ignores the basic fact that both

Federal and State authorities prosecute gun cases, and Federal authorities generally focus on the worst type of offenders.

The gun lobby says that the Federal Government should prosecute every case in which a person lies on the background check form, without exception. The fact is that ATF and DOJ do not have the resources to prosecute every case. Instead, their strategy is to have state law enforcement officials investigate and prosecute most of the gun violations while federal law enforcement officials pursue the more serious cases.

Although the number of Federal prosecutions for lower-level offenders—persons serving sentences of 3 years or less—is down, the number of higher-level offenders—those sentenced to 5 years or more—is up by nearly 30 percent—from 1049 to 1345.

Do you understand that, Madam President? The number of Federal prosecutions for low-level offenders serving a sentence of 3 years or less is down. The number of higher level offenders of 5 years or more is up more than 30 percent. Why don't our Republican friends quote those statistics?

At the same time, the total number of Federal and State prosecutions is up sharply—about 25 percent more criminals are sent to prison for State and Federal weapons offenses than in 1992, from 20,681 to 25,186. The number of high-level offenders is up by nearly 30 percent.

The total number of Federal and State prosecutions is up. Twenty-five percent more criminals were sent to prison for State and Federal weapons offenses in 1997 than in 1992.

The instant background check, which the NRA initially fought, is a successful enforcement tool. It has stopped nearly 300,000 illegal purchases since 1994. It has also resulted in the arrests of hundreds of fugitives.

Violent crimes committed with guns, including homicides, robberies and aggravated assaults, fell by an average of 27 percent between 1992 and 1997, and the Nation's violent crime rate has dropped nearly 20 percent since 1992.

The results speak for themselves. The increased collaboration among Federal, State, and local law enforcement has resulted in a more efficient distribution of prosecutorial responsibilities, a steady increase in firearms prosecutions on a cumulative basis, and, most important, a sharp decline in the number of violent crimes committed with guns.

Those are the facts. We will hear, as I have heard in the Judiciary Committee and in various debates: This is not really about more laws; what we need to do is prosecute.

The Republicans have cut the agents who are responsible for the enforcement of the laws by 20 percent, and on the other hand, we have seen the total prosecutions, not only the prosecutions but the results of those prosecutions—people going to jail as a result of the

combination of Federal, State, and local prosecutions—has increased significantly. I hope in these final weeks of debate we will not keep hearing those arguments that have been made.

I mentioned Boston a few moments ago and about the stringent gun laws. Also, as Chief Evans has pointed out, we need effective prosecution; we need the laws, but we need prevention as well.

In Boston, between 1990 and 1999, homicides dropped by 80 percent.

In 1990, there were 152 homicides in Boston as compared to 31 in 1999. Indeed, serious crime across the board is at its lowest level in 30 years.

In 1999, no juvenile in Boston was murdered by a gun and none so far this year.

In 1990, 51 young Boston people, age 24 and under, were murdered by a firearm. Last year, there were 10; this year, thus far, 3.

Between 1990 and 1999, there was an 80-percent drop in young people age 24 and under murdered by a firearm.

There can be effective efforts, and they are making them. We ought to continue to eliminate, to the extent possible, the proliferation of weapons in the hands of children and those who should not have them. Every day in this country 12 children die. We need to make sure we take steps, including safety locks, parental responsibility, smart-gun technology, and the range of options to cut into that figure dramatically. We can do that. We cannot solve all the problems of violence in our society, but we can make a very important downpayment on it. That power is in our hands. I hope very much we will heed the mothers of this country who spoke out yesterday and listen to their message. They have spoken the truth with power. We should respond. I look forward to working with my colleagues in making sure we do.

Madam President, I yield the floor.

#### STAR PRINT—REPORT ACCOMPANYING S. 2507

Mr. DORGAN. Madam President, I ask unanimous consent that the report accompanying S. 2507 be star printed with the changes that are at the desk. I understand this has been agreed to.

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

Mr. DORGAN. Madam President, I ask unanimous consent to speak in morning business for 10 minutes.

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

#### FEDERAL RESERVE BOARD

Mr. DORGAN. Madam President, I thought I had seen some fairly unusual and Byzantine proposals around this town, but one that was described in last Friday's Washington Post almost takes the cake. Going back some years, there was a proposal by the U.S. Post Office that would allow people to file

change of address forms in the event of a nuclear war. I thought that was rather bizarre. One can imagine being under nuclear attack and trying to find the road to the post office to leave a forwarding address. That is not very likely. There is a proposal even goofier than that.

On Friday, May 12, John Berry, a Washington Post staff writer—someone for whom I have respect and he is an excellent writer and thinker—wrote an article about "Rate Forecasts Climbing." He was talking about interest rates. John describes the thinking of some members of the Federal Reserve Board and the Open Market Committee about what they intend to do with interest rates. I wish that this story, however, included an analysis of opposing views and there are some.

Here is the situation: Tomorrow morning at 9:30, there will be a meeting in this town of the Federal Reserve Board of Governors and regional Fed bank presidents—five of them—who will make decisions about interest rates. The speculation is they will increase interest rates by one-half of 1 percent despite the fact there is no evidence of inflation that suggests they should do this.

It is the same as deciding they are going to tax the American people. In fact, the rate increases last June, August, November, February, March, and now tomorrow—we will have another, mark my words—those rate increases have added about \$1,210 in interest charges to the average household. If one has a \$100,000 home mortgage, one is paying \$100 more a month because of what the Federal Reserve Board has done. Every household is paying on average some \$1,210 more per year in interest charges.

That is from the folks who meet in secret and effectively impose a tax on every single American. The only difference is, when it is done in this Chamber in the form of taxation, there is a debate and then a vote. It is done in the open. Tomorrow, the Federal Reserve Board will deal with interest rate questions in secret.

At 9:30, if those who are paying attention to C-SPAN want to go down to the Federal Reserve Board and say, I want to be involved in this discussion, they will be told: No, you cannot be involved; this is secret; the doors are locked; we intend to make decisions about your life and you can have no involvement.

Here is what the Washington Post article said about what these folks are going to think tomorrow which I think is bizarre. They are saying that American workers are becoming more productive and because the productivity of the American worker is up, they believe that justifies higher interest rates.

It used to be the same economists who cannot remember, in most cases, their home telephone numbers and their home addresses but who can tell us what is going to happen 5 years or 7