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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, May 1, 2001, at 12:30.

Senate

MONDAY, APRIL 30, 2001

The Senate met at 2 p.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

The PRESIDING OFFICER. The prayer will be offered by the guest Chaplain, Rev. Richard Foth, Falls Church, VA.

PRAYER

The guest Chaplain, Rev. Richard Foth, offered the following prayer:

We stand in Your presence today, Almighty God, in awe of Your creation. No season reflects Your heart like springtime, with its songbirds and cherry blossoms, old memories and young love. Just outside this building, all nature shouts Your glory, Your grace, and Your creative power.

But, we need Your grace and creativity here, too, in this Chamber. For, in the lives of 100 Senators, we see men and women with whom we have something in common. Though elected to govern us, many grapple as we do in balancing work with family. They have spouses and children and grandchildren whom they love and dream for. On this spring afternoon, we ask Your blessings on the families of these public servants. Give them perspective and patience and protection. Where pain is real or frustration mounts, wrap them in Your arms, we pray, and hold them with a grip like all eternity.

As for the business of this week, we ask wisdom. Debate will be intense about money and programs. Differences will show up quickly and good thinkers will speak strong words in strong ways. Give our chosen leaders grace to bring more light than heat to the Senate

floor in the next 4 days and, in so doing, to move us ahead as a nation.

In the springtime of 2001, let the actions of this body help us to know one more time that we really are "one Nation under God, indivisible, with liberty and justice for all."

We ask these things in that name which is above every name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK DAYTON, a Senator from the State of Minnesota, 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 30, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK DAYTON, a Senator from the State of Minnesota, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. DAYTON thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3 p.m., with Senators permitted to speak therein for up to 10 minutes.

Under the previous order, the time until 2:30 p.m. shall be under the control of the Senator from Illinois or his designee.

The Senator from Nevada.

CONSIDERATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. REID. Mr. President, this week we are going to take up one of the most important pieces of legislation that will occur this entire Congress—not this year, not next year, but the entire Congress. That is the Elementary and Secondary Education Act—extremely important.

In the last Congress, we did not complete it. We were refused the opportunity to debate and amend this legislation—we, the Democrats, in the minority. Things have changed now. The Senate is divided 50–50. The time has come that we work together on this and all legislation.

Last week, we did some very important work. We only had one vote last

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



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week, but it was an extremely important vote. It was on brownfields legislation, legislation that will allow people all over the State of Nevada and all over the State of Minnesota to clean up spots that are lightly polluted. They are not Superfund sites, but they are sites that right now people are afraid to go onto and develop a shopping center or a park, the reason being, if they go upon the land, there will be a liability under the Superfund legislation. So the brownfields legislation, which passed last week 99-0, will allow these approximately 600,000 sites all over America to be cleaned up. It will create over half a million jobs. It will create tax revenues for local governments of about \$2.5 billion. It is important legislation. It is not the number of votes we have; it is what we do with them.

There is presently pending before the Senate a cloture vote. We are scheduled to take that tomorrow morning. I hope that will be vitiated, that we can just go to consideration of the bill.

There have been negotiations on this bill that continued even during the weekend. Staff and members of the committee worked very hard to come up with something on which we can all agree. There has been, as I understand it, general agreement on the substance of the bill. And that is important.

So I repeat, I hope we will be able to vitiate the cloture vote scheduled tomorrow. The cloture vote is not only unnecessary; it is unproductive. It is counterproductive. All the parties have been working in good faith in a bipartisan manner to work out the differences, just as we did with the brownfields legislation.

When this bill was reported out of committee, there were some problems with it. It passed 15-3, but there were still some minor problems. Even though we had an overwhelming majority when it came out of the committee, we said to those people who had some concerns, let's try to work them out; and we did. That is why the bill passed 99-0. The same can happen with this education legislation. People worked in good faith, in a bipartisan manner. Let's try to copy what happened in brownfields legislation.

There are two key areas in this legislation. The language differences I understand are pretty well resolved. There are some funding differences, and they have not been resolved. But I think we should do it the American way, the way we have been doing it in this country for over 200 years. Let's bring this bill to this body, and then we will have votes as to what we should do for the children of America as it relates to education.

It would be most unfortunate to not turn to the bill. It seems to me it is wrong not to work on this legislation, debate it, however it needs to be debated. We need to work out the policy differences. It is my understanding that that has pretty well been done.

As I indicated, when this bill was last worked on, we did not complete the

legislation. That was unfortunate. We cannot repeat the mistake that was made in the last Congress. As I have indicated, this is potentially the most significant legislation this Congress will consider. It has the potential to be a landmark act that will greatly improve our Nation's educational system.

No one—not Democrats, Republicans, or this administration—disagrees about the need for educational reform. The question is, How are we going to do it? Our schools are desperate for reform.

Just take the State of Nevada as an example. In one school district, which is the sixth largest school district in America—the Clark County School District—we have to build one new school every month to keep up with growth. Twelve new schools a year just barely makes it. We need some help. We not only need help in building and renovating schools in Nevada—as I indicated, we are building new schools—but around America the average school is almost 50 years old. We need to renovate those schools.

In some of the schools we talk about high tech and digital divide, and you can't put this equipment in these old schools. So we need help with construction moneys. We need smaller classrooms and we need curriculum reform.

I am not one who runs from people saying, well, this is a local problem; Congress, stay out of it. Education is a national problem. I don't apologize to anybody in indicating that Nevada needs help with education. Take, for example, the schools in Nevada. They are no different than in Minnesota, the State of the Presiding Officer. In the State of Minnesota, we are educating students because of a Federal edict for disadvantaged children, those who are handicapped because of emotional problems, physical problems, mental problems. I am glad we are doing that; they deserve an education just as any other child. But in Minnesota, Nevada, and the other 48 States, it costs a lot of money to educate these children—about 40 cents to a dollar more for every child. But the Federal Government has not lived up to its responsibility. We are paying less than 10 cents—far less than that—and because of that, local school districts have to get this money from other programs.

In the State of Nevada, in the Clark County School District, which I have talked about, they are actually considering having children pay to play football or basketball. They are actually considering having children pay to play sports. A lot of people can't afford to pay to have their kids play football. But poor kids need character-building athletics just as much as do well-off kids. How can we say this isn't a national problem? If in the Clark County district the Federal Government fully funded the program for educating the handicapped, they would have this money, which is millions of dollars, to enrich these curriculum programs, to do some of the things we know need to be done.

It is time to carry out reform. But we can't build a Cadillac model and fund it with a Model-T budget. We need to make sure that if we are going to have reforms, the reforms are something other than just words. If we are going to do a lot of testing—and I think we do now, but some experts believe testing in certain areas is needed—and we are going to hold back certain children from progressing—I was in my office today with a nice looking little boy from Nevada. He is 9 years old. He is here with his grandfather. I said: How are you doing? You are a fine-looking young boy. What grade are you in?

He said: I am in the third grade, but I was held back.

I said: Don't you ever tell anybody that you were held back. There is nothing wrong with being held back.

Well, this is the point I am making. Holding children back makes them embarrassed. He had to blurt out to a Senator that he was held back. He talked well and he was fine looking, and I am sure he will do fine. Some children need to be held back, but we need curriculum changes so if they are held back, they have summer enrichment programs so when the new school year starts, they are right with their buddies, their friends, with the little girls in the neighborhood. We have to make sure if we are going to do all this testing, this curriculum advantage stuff, they have enough money to give school districts the resources to help these children, so if they are held back, it is only on a temporary basis.

I hope we all understand—and I know everyone does—how important the education issue is. We can't play around with it. This cannot be a political game for the Republicans or the Democrats. Wouldn't it be nice if we buckled down and said, OK, this is what needs to be done, and then do it. Then we would all walk out of here—Democrats and Republicans—and have a joint press conference for a change, have our arms around each other saying we have improved education for kids in Minnesota, in Nevada, and every place else.

To do this, we are going to have to get off this kick that you can do it on the cheap. If we are going to do education reform right, it is going to cost money. It is going to cost taxpayers money—me, the Presiding Officer, all of us.

As Robert Kennedy said in a speech to a bunch of doctors when he was telling them about the needs in health care reform, as he talked about some of the things that needed to be done in education, the first question he was asked was: Who is going to pay for this? He said: You are.

Well, Mr. President, that is how it works. If we are going to do the things that need to be done to take care of children in America, we are all going to have to pitch in and pay for it. It may mean that we are going to have a tax cut that is less than \$1.6 trillion. It may mean that over the 10-year period we are going to have to have a few billion that will go to education rather

SCHEDULE

than tax cuts. Approximately 50 percent of the taxpayers will get the advantage out of the Bush tax cut. The top 1 percent will get 40, 50 percent of the tax cut. I will bet you we could go to every one of those so-called rich people and there isn't a single one of them who would object to lowering their tax break a little bit to help the kids of America have a better education. There isn't a single one. If there are, they would be very few. People in America want kids to have a good education.

So I say let's forget about the cloture vote, stop the posturing, and let's all join to reform education and pay for the reform. Let's not reform education and leave it without the resources to do so. Let's not have reform in name only. That would not help anyone.

We are very close to reaching agreement over the general principles that would serve as a foundation of this legislation. I hope the majority leader will vitiate the vote set for tomorrow, allow these issues to be resolved and just bring it to the floor, and we will start debating the issues. I expect that we can work this out without a lot of trouble. We could do it orderly. It would be a way to efficiently consider the bill.

So, again, I hope we realize that if there was ever an issue that calls for a bipartisan approach, it is educating the kids in our public school system. I am very favorably impressed that President Bush dropped his voucher proposal. He dropped it because it would not work. The money that was called for would only help rich people because, with the amount of money the poor student would get, they could not go to the private schools anyway. I appreciate the President backing off of that.

Now what we need to do is stop quibbling over a few dollars. I say a few dollars because when you compare the few billion dollars—less than \$10 billion—it would take to have a meeting of the minds on this bill to a \$1.6 trillion tax cut, it is really not much money. I hope we can do that. I think it would set such a great tone for this country. In every poll conducted in America, the No. 1 issue is education. Let's join together so we can say we improved education for the children of America. I think that would make a pretty good Congress and make us all happy and make the American people happy.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, I ask unanimous consent to proceed for 30 minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, on behalf of Majority Leader LOTT, I have the following announcement.

Today the Senate will be in a period for morning business until 3 p.m. Following morning business, I ask unanimous consent that the Senate resume consideration of the majority leader's motion to proceed to S. 1, the education reform bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DEWINE. Mr. President, again on behalf of Majority Leader LOTT, Senators are reminded that cloture was filed on the motion to proceed to the education bill last week. That vote will occur at 9:30 a.m. tomorrow. Following the vote, the Senate is expected to begin the 30 hours of postcloture debate. It is hoped that the debate time will not be necessary and that the Senate can begin action on that bill during Tuesday's session. Senators are further advised that they should be prepared for votes throughout the week.

Mr. REID. Will the Senator yield?

Mr. DEWINE. I certainly will yield.

Mr. REID. I stated before the distinguished Senator from Ohio arrived, I think there should be some consideration given to vitiating the cloture vote. I hope the Senator will transfer that information to the majority leader.

Mr. DEWINE. I will, indeed.

Mr. REID. We believe, on this side on the substantive issues, everybody is almost there. It appears the only difference we have is with the dollar numbers. The motion to proceed will be agreed to overwhelmingly anyway. It seems to me it will set the wrong tone for this important legislation if we have to go to it by a cloture motion having been filed.

Mr. DEWINE. I thank my colleague.

SAVING OUR SCHOOLS: EDUCATION REFORM IN AMERICA

Mr. DEWINE. Mr. President, the issue before us now, education reform in our elementary and secondary public schools, is certainly one of the most important issues facing our Nation. Education is something about which we all care passionately. I have a deep personal interest in education as a Ohioan and especially as a parent of eight children and also now the grandparent of six. I believe that a quality education for a child today is the key to that child's quality of life in the future. As parents and grandparents and citizens of our States and communities, we have an obligation to ensure that all children receive a solid education.

Failing to properly educate our children puts them at risk. As President John Kennedy once said: "A child miseducated is a child lost." That is a child lost to ignorance. A child lost to drugs, alcohol, or violence. A child lost to poverty and apathy.

As we debate reform of our schools, I believe it is vital that we look at exactly where we are as a society and how this is affecting our public education system. Our society, as I see it, is divided along economic and educational lines. This division is nothing new. Scholars and sociologists have been warning us for years that this is where our Nation was heading, particularly if we did not properly educate our children.

Unfortunately, we did not heed the warnings, and as a result, our Nation today is a nation split into two Americas: One where children get educated, and one where they do not. This gap in educational knowledge and the gap in economic standing is entrenching thousands upon thousands of children into an underclass and into futures filled with poverty and little hope and little opportunity.

That is exactly what is happening in my home State of Ohio and, tragically, what is happening across our country. Ohio generally is a microcosm of what we see in the country. When we look at this growing gap, the development of the two Americas, what we see in Ohio is also what we see in our Nation.

In Ohio, growing income and educational disparities are creating our very own permanent underclass, especially in Ohio inner cities and in Appalachia.

What we see in Ohio, if I can take the Presiding Officer and Members of the Senate to Ohio, is something we see in many States. Most of Ohio is doing very well economically and doing well educationally. The children have a great future.

When we look across Ohio, we see two areas where that is not taking place, where the children are not being educated as well as we would like and where the income level shows that disparity. One place is in Appalachia. There are 20 or 25 counties in Ohio that are Appalachian counties. The other area is in our core cities. Call them the inner cities. Call them the core cities. Either way, this is where we face most of our challenges.

We cannot underestimate or underestimate this problem. It is a problem that is not unique to Ohio. Rather, it is a huge societal problem, which is pushing society farther and farther apart, not closer and closer together. It is a problem we must address.

How do we do that? How do we enable children in the underclass to rise above their circumstances, those circumstances which are beyond their control? How do we bring about equality and opportunity so each child has a chance to lead a full, meaningful, productive life as an adult?

I believe the best way we can get to these children before we lose them is through education. Horace Mann, a former president of Antioch College in Yellow Springs, OH—a community where my wife and I grew up—who is known as the father of public education, once said: