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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable GEORGE ALLEN, a Senator from the Commonwealth of Virginia.

### PRAYER

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

Holy God, before Whom we dare not swagger in self-sufficiency, we humbly confess our need for You. We don't have all the answers; we are not always right; and we are not perfect in our judgments of people or what is best. We turn to You for wisdom, penetrating insight, and precise analysis. Bless the Senators to know that You give the day and You provide the way. Thank You for their deep desire to know what is right and do it, to discern Your best for America, and to pledge their lives, their fortunes, and their sacred honor to achieve it. We join with the psalmist, claiming Your promise: "The humble You guide in justice and the humble You teach Your way."—Based on Psalm 25:9. May our fresh praise for Your blessings be the antidote to any false pride. You alone are the source, security, peace, and hope because You alone are our Lord and Saviour. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable GEORGE ALLEN 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 bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 2, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable GEORGE ALLEN, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

STROM THURMOND,  
President pro tempore.

Mr. ALLEN 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.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

### SCHEDULE

Mr. THOMAS. Mr. President, today the Senate will resume the remaining hours of the postcloture debate on the motion to proceed on the education bill.

### CHARGING OF TIME

I now ask unanimous consent that the time until 10:30 a.m. be equally divided in the usual form and that it be charged accordingly under rule XXII.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. THOMAS. The Senate is expected to begin full consideration of the bill during today's session. Therefore, amendments will be offered, and votes on the amendments are expected. Members will be notified as the votes are scheduled. Senators are encouraged to work with the bill managers if they intend to offer amendments to the bill.

I thank my colleagues for their attention.

### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume postcloture consideration of the motion to proceed to S. 1.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I would like to have the opportunity to discuss the education bill for 10 minutes, please.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is so recognized for 10 minutes.

Mr. THOMAS. Mr. President, we come to the floor again today to consider education. I think, unfortunately, we are still talking about the postcloture motion and have not yet had the opportunity actually to move to the bill. We are hopeful there will be some decisions made in the next hour, hour and a half, so that we can come to the bill.

Clearly, there will be differences of our views with respect to this legislation. That is not a new idea. But we need to get on with it. We need to come to this Chamber and begin to make our arguments and, where there are differences of opinion, have amendments and move forward with them.

I think most people agree that one of the major issues before us is education. Certainly there are different views as to what the role of the Federal Government is with regard to elementary and secondary education. There are different views as to how much involvement the Federal Government ought to have with respect to financing elementary and secondary education.

I think most of us believe that is a primary function of the State and local governments, and has been traditionally over time, and I believe for good reason. No. 1, we want the control largely to remain there; indeed, it should remain there.

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



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With respect to money, even though, obviously, it is very important, money is not the only salvation for education. There needs to be policy changes. There needs to be more accountability, measurement of progress. Money alone—and we talked about this when I was in the Wyoming legislature—we know that money alone is not the only salvation, that there need to also be these other principles. But without money, of course, those things cannot be accomplished.

Since 1994, when the Republicans took over Congress as the majority, there has been a 50-percent increase in funding for education. We will hear about how the Republicans are reluctant to fund education properly. The fact is, this Republican Congress has funded it at a much higher rate than was done previously by the Democrats or, indeed, even suggested under the Clinton administration. It still is an issue, but the idea that Republicans have not been generous with money is just simply not factual.

There are other issues, however, that are really key to what we want to do with S. 1. First, it is symbolic that it is S. 1. That indicates that as we came into this Congress, education was our highest priority. So there we are.

There are a number of things that are very important. One is accountability. Title I of this bill indicates that when schools fail to adequately have progress, they will receive technical assistance from the Federal Government. In order to make sure there is progress, of course, there has to be some testing.

Clearly, there are different views about testing: Whether it ought to be mandated, whether it ought to be done only by the State's decision. I happen to believe the States ought to be the ones to decide how it is done. But there needs to be testing if you are going to have Federal funding. If you are going to have the kind of mobility we have where young people are going to school in Utah and end up working in New York, there needs to be some measure of whether or not those educational opportunities are going to be similar so that you can deal with the mobility we all have.

So under this title, there would be technical assistance available for schools where the progress was not up to the average and certainly not making advancement. If the school failed to have adequate progress in the second year, it would be placed in another category of corrective action. Students in that school then would begin to be able to transfer to other public schools.

This is one of the things where you measure performance and then give some kind of relief when, in fact, performance is not being exhibited. This does not, at the present time, include the private school options. Some argue, of course, that there ought to be vouchers for private schools. Again, there is a very legitimate difference of view as to that issue. I am sure it will

be discussed at some point during the consideration of this bill.

Accountability: Schools in a corrective action category that fail to make progress over 3 years would be required to do something different—to change staff, to close the school, to do something that would show that progress needs to be made.

We mentioned public school choice. That is there. We happen to have some experience in my hometown of Casper, WY, where they have started a number of charter schools. Casper, by the way, is not a big city—about 50,000 people. It is our second largest city in Wyoming. They have charter schools so there are some choices within the public school system so that parents can participate. In this bill there are opportunities for assistance in transportation for students of that kind and also some opportunities for low production schools for people to be able to use some of the Federal money for that.

The key to education, most everyone would agree, is teachers, quality teachers. We have excellent teachers generally, and teachers try very hard to do their things. I admire teachers very much, particularly since my wife is one in a public high school. On the other hand, we are going to find a time soon when there will be lots of teachers retiring and running into that, whatever profession it is, whether it is nurses or teachers. We are going to need a great number of new teachers, and there needs to be incentives for teachers to be trained. There needs to be some opportunities for teachers to have continuing education certainly and to do some things, to do some things particularly in specifics. If they are teaching math, if they are teaching science, there ought to be people who have really good backgrounds in that.

The technology, of course, is one of the things for which we will be searching—opportunities to do that.

Here we are, talking about accountability. We are talking about improving teaching opportunities, improving the skills of teachers so they can be, indeed, more effective in the teaching they do.

One of the areas, of course, is going to be flexibility. This is always a controversial thing with Federal money. With Federal money, do there have to be regulations that go with it to use it this way or the highway? No, it doesn't need to be that way. It can be much more flexible. I suppose in many things, but in education there is such a difference between the needs in small towns of Wyoming or Utah as opposed to downtown New York or Philadelphia. In many of the schools, that is one of the controversies we have had over time. With Federal money, according to the last administration, you had to use it for smaller class size. That is the only thing you can use it for, or you use it for construction of school buildings, and that is all you can use it for. Both of those, of course, are very important issues, but in dif-

ferent school districts those things are quite different.

I can take you to some schools in Wyoming where class size is not the issue. I went to a one-room school in Wapiti, WY. Class size wasn't the problem. Other things—technology, for example, access to the Internet, doing the kinds of technological things that may be in a particular school—are much more important. So this idea is to have some flexibility and to allow local school districts and the States to have, of course, the decisionmaking, along with the accountability. We can't just expect to send taxpayers' money out from the Federal level and say: Do whatever you want; we don't care what happens to it. That is not the point. The point is, use it for what you want with some accountability.

Other provisions: Of course, there are going to be reading initiatives. Most of us do believe that the ability to read, and read early, is certainly the first prerequisite to becoming successful in education. Bilingual education, of course, is one of the real keys to many of the students who have difficulty in meeting standards, and so is literacy in English. So there are going to be a number of these things.

School safety: Obviously, we have had lots of bad experiences in the last several years in terms of school safety. The Columbine incident sort of remolded our ideas about what we do there in terms of drug prevention and in terms of other kinds of safety. That will also be dealt with in this bill. So there are just really lots of things that are very helpful and things on which we need to move forward.

I am afraid we are going to find ourselves, before this week is over, dealing with the budget. I believe there is going to be some agreement there. So we continue to put off this very important issue, and we need to move forward with it.

I mentioned the expenditures. I wish I had some of those charts here. It is really interesting, as you look at a chart on expenditures versus reading scores that we have now, that expenditures go up fairly dramatically, up to about an \$8,500 per pupil expenditure in this country. But 12th grade reading, 8th grade reading, 4th grade reading stay very constant and, indeed, edge down a little bit in the 4th grade category.

So again, as we said, money is not the only element. Indeed, it may not be the most important element in terms of turning around where we are with respect to making improvements in our educational direction.

So these are the things we have talked about; these are the things that are before us. I don't find it particularly new that we have different views on how to do this. That is what this Senate is all about—to bring together different views, to bring together different representations of the needs of our individual constituencies, and yet to blend them in with the overall need

for the national values of education and what our role is in causing those things to be even better.

This morning we will be talking in fairly general terms about the generalities that are in this bill, which has received a great deal of attention and effort. It is a good one. It is generally supported, of course, by the administration, by the President who, by the way, had education as his No. 1 issue in his campaign. I have been very proud of the President, as a matter of fact, as someone who went out and talked about issues, put priorities on issues in his campaign, laid them before the people before the election, and now is committed to doing things he said he was going to do. That is as it should be.

I hope we are able to move forward and have an opportunity to debate these things and come to a favorable conclusion.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, I ask unanimous consent that following the Senator from Washington, the Senator from Idaho be able to speak.

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

Mrs. MURRAY. Mr. President, as the Senate gets ready to update our Nation's Federal education policy, I want to talk this morning about the importance of the education debate, some of the issues that we all agree on, the principles that guide my decision, and a few concerns I have as we look at this bill coming before us.

Since 1965, the Elementary and Secondary Education Act has defined how the Federal Government helps students across the country. In America, we believe that no matter where you are born, no matter who you are or where you come from, and no matter whether your parents are rich or poor, every child deserves an equal chance to succeed.

This law, the ESEA, puts that principle into practice. Forty years ago, many students did not get the help that they needed. Many lived in poor or rural areas that didn't have the tax base to support them. Many were discriminated against and many were left behind because they had special needs.

In 1965, Congress passed the historic Elementary and Secondary Education Act to fix those problems, providing a safety net for disadvantaged students, a stepping stone to help all students succeed, and a way to help us meet our education goals.

During the Cold War, ESEA helped us focus on building skills in math and science. Today, with our high-tech economy, ESEA is helping students learn to use technology. As we update

this law, we are not just changing letters on a page; we are changing the law that helps make our schools more equal, more fair, and more successful for students across the country. I take this responsibility very seriously.

The Senate may only debate education for a few weeks, but what we decide will be felt in classrooms across the country for a decade or more. So let's make sure we do this right.

As we begin this debate, there are some things about which all of us agree. We all agree that we want every child to reach his or her full potential. We all agree that taxpayer dollars should be used for efforts that we know work. We all agree that we can make a difference at the Federal level with what we do. Otherwise, this debate would not be so heated. We know that Federal support is an important part of every child's education.

Finally, we all want to be proud of America's schools. Today, there is a lot to be proud of. Every day, we hear stories about the progress kids are making. Every day, we talk to leaders who were inspired by teachers in our public schools—teachers who helped them succeed. I know I would not be here today without great public school teachers.

The truth is, we have made a lot of progress as a country in improving education. This is an opportunity to build on that progress. I have been in classrooms where teachers are excited and where the kids' eyes are bright and their minds are eager to learn.

In Washington State, our teachers, parents, educators, and businesses have put together annual assessments that are changing the way we think about education and expanding our possibilities. We are working on this bill because we know that States and local school districts want a Federal partner, and we are excited because we know that being a responsible partner can help make sure great things happen in every school.

Because we will be talking about a lot of different issues, I want to outline some of the principles I have developed to make sure we are doing what is right for our students.

First of all, we have to invest in the methods we know work. I have been saying this for years. It is critical as we update our Nation's education policy.

Second, we have to protect disadvantaged students and make sure they get the extra help and support they need.

Third, we have to make sure that public taxpayer dollars stay in public schools.

Fourth, we have to help meet the national education goals we are committed to, whether it is making sure that every child can read, making sure every child gets the skills they need for tomorrow's workforce, or making sure every child attends a school where they are safe.

Finally, we have to set high standards and provide the resources so all students can meet them.

Those are my five principles as we begin this debate on education policy.

Next, I want to outline some of the concerns I have at the start of this debate. First of all, so far, I do not see a commitment from this administration to provide the resources so all students can reach high standards. We can't just tell students they have to meet certain goals without giving them the support they need to get there. Just telling students they have to pass a test or their school will be reconstituted won't help a single student to learn to read or write.

So far, this administration has been very vocal about saying it will punish schools that don't improve. But it has been way too quiet on how they will provide the resources so students can improve. Imposing tests and punishments without resources will not help students to learn. It will just punish them.

I have a second concern, and this is about the President's testing plan. As we all know there is a lot of discussion about testing and whether or not it works. That is a debate we ought to have and I expect we will. But one thing is clear: We cannot require States to conduct these expensive tests on a yearly basis without also giving the States the resources to do what we are requiring.

As a former school board member and a State senator, I can tell you what will happen. President Bush will send an unfunded mandate to the States requiring them to test students every year. The States and the districts and the schools will have to take money—some estimate the cost at \$7 billion—away from things such as hiring teachers and developing curriculums to pay for the tests. That is going to end up hurting students.

If President Bush doesn't pay for the tests he is imposing, students will get hurt. I know a lot of my friends on the Republican side are very concerned about unfunded mandates from the Federal government to the States, so I hope they will follow through by ensuring that we fund the tests that we are demanding.

There is another important question related to these new Federal tests. How are we going to use the results of these tests? If we use test results to punish, we are not helping students. We should use those test results for what they are—a tool—to show us what areas need improvement. And we cannot stop there. We need to invest in the areas that need improvement. That is the right way to use tests: to make schools better and to allow students to learn.

Finally, as I look at this proposed bill, I see gaping holes. The bill leaves out dedicated funding for class size reduction, for school construction, for teacher recruitment, and for school libraries. We know these efforts have made a very positive difference for students across this country.

Amendments are going to be offered, as we work our way through this bill,

to make sure it funds those important efforts. I plan to introduce one myself on class size. I look forward to supporting a number of the others.

So as the Senate gets ready to begin this very important debate, I hope we will all remember that what we do here will have a real impact on students for years to come. We have an opportunity to bring success to every student across the country, to support the efforts that are working, and to continue our role as an important partner in educational excellence.

Students, parents, and teachers are looking for support and for leadership, and I am going to do everything I can to make sure we provide it.

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

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

The legislative clerk proceeded to call the roll.

Mr. CRAIG. 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. The Senator from Idaho.

Mr. CRAIG. Mr. President, as you know and certainly now as our country knows, for this week and until we have concluded, we are focused on the reauthorization of the Elementary and Secondary Education Act and the important role it plays in the future education of our young people.

By overwhelming majorities, Americans have said time and again that they want education in this Nation improved. We cannot improve education by merely throwing money at the problem. We have tried that for a long time. Yet the performance of our young people against the performance of other young people around the world simply does not rate as it should.

Our educational system does not need money alone, and that is why we have spent the last several years looking at the concepts that fall together to create a dynamic education program of the kind that is so important for the future of our country and our country's young people.

Increased funding alone, as I have mentioned, will not help. Do we need money? Of course we do, and with this bill, there is a substantial amount of more money authorized. What we really need to look at is the tremendous bureaucracy of education that has grown up over the years in the public systems in our country and does that, in fact, function in the dynamic ways that are necessary to stay on the edge of educating in a contemporary society. At the same time, we need to deal with all young people and all levels of learning that are so necessary to have a thorough and responsible system.

Our President has said time and again over the course of the last year that he wants to leave no child behind. Neither do we. The combination of our work, with the leadership of this new President, I believe, can accomplish

what Americans have been asking for a long time.

We have underperforming schools, and when we have underperforming schools we have children who have not been provided the opportunity to advance as rapidly as they are capable of doing.

Clearly, if schools are underperforming, then children are underperforming. And if they are not able to compete, then the likelihood is they run the risk of underperforming for the remainder of their lives.

With the reauthorization of this act and its modernization, we are creating levels of accountability that can become the cornerstone of the advancement of the quality of education in our country, the kind of accountability that will bring constant reform to the educational system.

Key to accountability is the commonsense notion that we should not allow Federal dollars to follow failure, but clearly we have. If we used the concept that the current system needed more money and the current system, in some instances, is failing, that is exactly what has been going on. We were financing failure without any level of measurement that would determine what that failure was and how it could be replaced.

Accountability is, without question, going to be the greatest key factor in what we do with the reauthorization and the modernization of this act: accountability in the schools and allowing the parents an element of measurement, working to improve those schools that are underperformers, but at some point if the system does not respond, giving the parents the flexibility to move that child elsewhere. Empowering parents and children in the educational system will, by its very character, push it toward reform.

It is that kind of dynamic we must demand of our public education system in this country. To strengthen, to assure that a free society always has access to a public learning system has been the strength of our country historically and can continue to be our strength. As we work in this area of education and work to reauthorize this legislation, that is clearly part of the goal toward passage of this act.

I am pleased to be a part of it. I will come back to the Chamber over the course of the next several weeks as we debate this issue to participate with my colleagues in explaining to the American people what we are attempting to do, what role the Federal Government can play with the States and local communities.

I and others believe that the bulk of the educational responsibility does reside with the State and the local communities. The funding, the tax base, the local school districts, the parents—that is where the greatest responsibility lies. With help, we set standards that are flexible, that fit States, that States can participate in, so it is not one Federal-size-fits-all, but there are

levels of measurement, and most assuredly there are levels of acceptance.

How do you determine an underperforming school? Clearly, that is determined by the child in that school who isn't performing at the required level.

All of these are components of what we work to accomplish in the reauthorization of this most important public law for our country. I am pleased to be part of it, involved with it, to work with my colleagues who spend most of their time in this area and understand it a great deal better than I. I am pleased the Senate is now focused on what really is one of the most important issues we will deal with this year. I am proud to have a President who has made education a priority and who has said and now is backing up not only in words but actions that in his tenure as President of our country no child will be left behind.

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

The PRESIDING OFFICER (Mr. ENSIGN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, we had an hour of postcloture debate. That time has expired. I ask unanimous consent that the next hour be equally divided and the time be counted under the provision of rule XXII.

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

Mr. THOMAS. Mr. President, there are efforts being made to come to some agreement to bring to the floor. I thank the Chair. 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. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BURNS. Mr. President, we opened up the debate on education. And, of course, they tell us that we have an agreement in principle. So at this point, for all who believe that it is good for kids, let's go on and do it. We are hearing a lot of words with regard to policy and money, and basically money will not be a part of this debate and should not be a part of this debate. There is a good reason for that.

We hear stories—some of them are not too good—about the condition of some of our schools. There is no doubt about it; we see some schools in very poor condition.

I represent the State of Montana. Some of its schools are on our Indian reservations, and some of our Native Americans are under crowded conditions. In fact, there are a couple of schools that we are going to replace to

help them get into new facilities next year; now young people are going to class in the janitor's closet.

Then we like to compare the good old days of our education. Sometimes I hear it said, in fact, that it is a wonder we as a nation have accomplished what we have because of our educational system. I don't want to talk about that. We should be talking about the successes of our system and the successes of yesteryear in education.

I went to a rural school. It was a country school with one room. I think it ranged in size anywhere from 18 to 25 or 26 kids. The eighth graders taught the first graders how to read. We only had one teacher.

All of us could tell stories like that about our life as a young person in a rural setting. We could talk about that. We could also say how we graduated from a smaller high school. There were only 29 students in my graduating class. We could talk about all the things we missed in our education, but we don't. We like to talk about our accomplishments.

When we hear the debate in this Chamber, do we, as policymakers, have all of the answers to the challenges of public education and what it faces today? No, I do not think we do. We might think we do. We need to face the fact that we now come to a subject where success will be based on how we make choices. That is the basis for the debate.

The Founding Fathers of this country placed a high priority on public education. They did it for a simple reason. We cannot be a free society and understand the Constitution unless we do it with educated minds.

It is remarkable when you look at the documentation of the two great wars fought on this continent, in our country. If you look at the Revolutionary War, very small snippets of history are found in our history books because most of the people who participated in the Revolutionary War at ground level were illiterate. They could not read and they could not write.

Then almost 100 years later—not quite, about 90—we had the Civil War, of which we find documentation and letters that soldiers wrote home to their folks and to their loved ones, to their mothers and to their brothers and sisters, to their families and their friends. From those letters we piece together a complete history of the Civil War of this country. The Founding Fathers said that public education is a must. We have to have a high degree of literacy in this country if we are to maintain a free and responsible society.

Ever since those days, we have seen strong public support for public education. In fact, there has been overall support for a strong public school system throughout my life—until, I would say, maybe the last 10 years.

What happened along the way? And I say the only way we make a good,

sound argument is when we relate to how things are in our own neighborhood. There was a time when you could pass a school bond, and it was nothing to it. If you needed more money for buildings—brick and mortar—if you needed more teachers, if you needed more money to run the school, a school bond was fairly easy to pass because everybody supported the local schools and what they were doing.

I look at my own neighborhood and the support of the teachers and the schools. It is still there. But there is something missing because we have now experienced a history over the last few years of school bonds going down, voted down, to where it takes a real effort—a real public relations effort—to pass just an ordinary school bond.

There is a given in this debate: Anytime education comes before this body, it is sure to attract a great deal of attention. I do not know of a soul in the public sector or in this Chamber who does not have an opinion on education, and they will readily give it to you.

I have also found some other things to be true. Everybody knows how to run a school. That is another given. But I also have found that very few look at the record and can think their way through the idea that we have arrived at a time in the history of the evolution of public education and realize that systemic reform is now needed.

I am no different than most in this body. One could say: My schooling was sufficient for me; therefore, it would be good enough for our children. But we know that is not true. If we did that, then we would be stuck in low gear.

We have to look at this. Again, we should not be talking money. We should be talking accountability. If we are to have great support for public education, we have to have accountability. Everybody understands that.

Accountability means testing. It means the product that you are producing has to be a good one. Testing is the only way to do that. You can have a big argument about who is going to give the test and all that. I still say it should be left to the States. Testing also gives us, and public educators, the information needed to develop the sound support that public education should have.

We should be supporting the programs that work, reduce the bureaucracy, and give increased flexibility to those who run our schools.

I leave you with a closing thought. Money is not the answer. You will see many charts throughout the debate. As this chart shows, we have increased spending in education drastically. Look at the blue line on the chart. It goes right on up. That shows how we have increased spending on education. But look where the achievement line is on the chart. Have we improved reading and math? No. So money is not the answer. Systemic reform is what is needed.

I am looking forward to the debate. But I think we have to use some com-

mon sense because what we need to do now is restore the accountability in and the support for our public education system because it is the cornerstone of this free society.

Do not test the young people for reading. Do not test them for math. Test them on history because, I will tell you, that is where the seed of freedom remains in a society to be perpetuated for future generations.

Mr. President, in accordance with rule XXII, I ask unanimous consent that the remaining time under my control be yielded to the Senator from Texas, Mrs. HUTCHISON.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Mr. GREGG. I ask the Senator from Texas to yield me such time as I may consume.

Mrs. HUTCHISON. Mr. President, I yield the remainder of the time on the Republican side to the Senator from New Hampshire.

The PRESIDING OFFICER. Twelve and a half minutes is yielded to the Senator from New Hampshire.

Mr. GREGG. I thank the Senator from Texas.

I congratulate the Senator from Montana for his excellent statement on how we should approach educational reform—especially on his emphasis for the need for reform, not the need to put more dollars into education to follow dollars that have already failed in helping our children receive a good education.

I want to continue this discussion on education which was started so effectively by the Senator from Montana. I want to review very quickly where we are.

The President of the United States has made education his No. 1 priority. The Senate has aggressively pursued trying to address the issues which the President has raised. Specifically, we have tried to adjust, with the bill that is before us today, the role of the Federal Government in education.

The Federal Government has traditionally taken small parts of education and focused on them—whether it is the needs of special students or, in the case of this bill, the needs of students who come from lower income families. We have, as was pointed out so effectively by the Senator from Montana, not been very successful in our goal.

Our goal was to increase the educational capacity and achievement of kids from low-income families. We have spent \$120 billion trying to do that, and in fact during the decade of the 1990s we spent the majority of that money. Yet the educational scores and educational proficiency of kids from low-income families have actually deteriorated, according to the reviews that have looked at it, or remained the same, at best.

Unfortunately, the child who comes from a low-income family today reads at two grade levels below the children

from other families in the same classroom in the fourth grade. That is true right through the school system. That is true of math also. It is also true of the graduation rates where there has been a distinct dropoff in graduation rates of kids who come from low-income families and in their proficiency upon graduation. So we have not succeeded in addressing the needs of kids from low-income families even though we have spent a huge amount of money.

The President has suggested: Let's stop throwing money at the problem. Although he is significantly increasing the funds, he is suggesting: Let's first look at reforming the issue so we actually give these kids from lower income families more of a chance in America to be academically competitive with their peers and, therefore, to have the opportunity of the American dream. The American dream today depends on being educated and being able to compete in a technological society.

He has suggested four basic themes: First, that we change the Federal programs from being focused on bureaucracy to being focused on the children. It is called the child-centered approach: Second is that we give local teachers and parents and principals more flexibility, which is absolutely critical as to how they educate the child, especially the child from low-income family. They know what they need. We here in Washington don't know what they need. We can't categorize programs so that we are going to help a child. It is much more important that we give the principal and the teacher and the parent more capacity to control these dollars and have some decision processes which will lead to better education. So he has suggested more flexibility.

Third, however, in exchange for the flexibility, the President has said he expects and we should expect academic achievement. That means bringing the child up to the level of being competitive with their peers; in fact, doing even better than their peers in some programs. And fourth, the President has suggested that the academic achievement level be made accountable; in other words, that we not allow the low-income child to be left behind because we norm them in with every other child. We basically put them in with the law of averages, and by putting them there, we actually ignore them and lose them in the process.

His proposals make a great deal of sense as to fundamentally reforming the system, giving the system more flexibility, making it more child centered, expecting more academic accountability, and getting accountability of what is happening in our system in exchange for more money. These are positive steps, and that is positive reform. It is reflected in the bill that underlies this legislation and hopefully will be reflected in an agreement we can work out and we are attempting to work out with the Senator

from Massachusetts who I see just came to the Chamber. He has been such a major player in this issue for so many years.

I have been picking out certain sections of this bill to talk about to try to give people some exposure they might not have otherwise gotten because the bill is so big and complex. There are a lot of interesting issues in it. I am trying to focus on them in sequence just for the edification of my colleagues. Let me focus on one function today, and that is what we do relative to teachers, how we try to assist teachers.

There has been a debate raging in the Congress for the last few years which was energized, in great part, by President Clinton's initiative called classroom size. Essentially his proposal was: Let's put a lot of money out there to try to help schools hire more teachers because we know there is a teacher shortage. That is a given. There is a huge shortage in this country. His proposal was: Let's create a categorical program which says, here is a bunch of money, \$1.4 billion; you can use that, school systems, to hire more teachers and to try to reduce class size down to a ratio of 18 to 1.

This was an interesting proposal, and it was in some ways appropriate, but unfortunately the execution of it was not effective.

We have in this bill tried to reform that proposal and make it more effective. First, you should understand that teacher ratio is not necessarily the function of a better education. Much like putting more money into the problem, reducing the number of kids in a classroom does not necessarily improve education. If you put fewer kids in a classroom with a teacher who is incompetent, the kids still aren't going to learn any better. The competency of the teacher, the teacher's ability to actually teach and to be an exciting teacher who excites the minds and interests of the children with whom they are dealing, is the key category as to a teacher's capacity to improve that classroom.

That requires teachers who are well informed, teachers who understand and are teaching subject matters in which they have been trained, teachers who are up to date with the latest technology, if they happen to be in the science area, and the latest developments in the disciplines in which they are teaching, teachers who have had the chance to maybe go to an extra course or an extra workshop to learn to teach better. We in Washington cannot unilaterally decide whether a teacher in Epping, NH, or Cheyenne, WY, or San Francisco, CA, is going to be a good teacher or a bad teacher. We can't even decide whether the classroom size in that community is the right ratio.

It should be noted that the vast majority of the States in the country already have a classroom ratio which is below 18 to 1. I believe 41 States already have met that ratio. But that really isn't the issue. It really is the

local school district, the principal specifically, working with parents, working with the teachers in the class, who can understand whether they need more teachers to teach or whether they need their teachers who are teaching to be better educated on the subject matter, or whether they have some really good teachers in their classrooms who are being attracted to work outside the school system and they are afraid they are going to lose them because they can't pay them enough, or whether those teachers need technical assistance in order to communicate better to their students. We don't know that. We don't know any of those factors.

Unfortunately, the original program, as has been put forward and may be put forward as an amendment on the floor, was, we are going to tell local school districts: You must, in order to get these dollars, hire more teachers.

There are a lot of school districts in the country that don't need more teachers, but they do need the teachers they have to be better educated. They need to be able to retain the good teachers they have or they need more technology for those teachers.

What we have done in this bill is something called the Teacher Empowerment Act. We have merged the two major funding streams for teaching—Eisenhower grants and classroom size grants—and we have said: Here is a large pool of money. Last year it would have been \$2.3 billion appropriated and \$3.2 billion authorized. We have merged those two streams of money, and we are saying to local school districts: You can use this money to hire more teachers. If you have a classroom size issue, if you have a teacher need, you can use this money to hire teachers. But you don't have to hire teachers. You can also use this money to pay your good teachers more, or you can use this money to bring your teachers up to speed in the disciplines in which they are teaching, or you can use this money to give them the technical support they need in order to teach their courses better.

We are giving the local school districts a great deal more flexibility with these funds. We are actually giving them a lot more funds, but we are also giving them more flexibility. Rather than a specific top-down, Washington-knows-best approach, we are essentially saying: You, the local school districts, make the decisions as to what you need in the teaching area. These funds are dedicated to help you as a supplement, essentially, to your local efforts in teaching. And as a result, hopefully, the teaching in that school district will better serve the students in that school district.

I pick out this part of the bill to talk about because I think it reflects the overall thrust of this bill, which I believe is so positive in many ways. I have reservations about certain sections of the bill, but the overall thrust of the bill is in the right direction. This section on teaching reflects that.

This Teacher Empowerment Act is essentially saying: OK, local school districts, we understand you have a problem. We are going to try to help you with some dollars, but we are not going to tell you that you must do it one way or the other. We are going to give you a variety of options to solve the problems.

I view it as a cafeteria line, where the Federal Government says here are three or four different programs you can use. In the teacher areas, they include hiring more teachers, improving the pay of the teachers, improving the knowledge base of the teachers, or improving the technical support for the teachers; and, you, the local school district, can go down that cafeteria line and pick off the plate what you need to help your students in your classrooms. Rather than saying you only get one choice on your cafeteria line, we are saying you get four choices.

I think it is much more constructive. I think we will have a much more aggressive and effective impact on the quality of teaching—to the extent the Federal Government can assist in that.

It is basically the theme of this whole bill—at least of the President's proposals as they have come forward on the bill—to give the local communities more flexibility. Let's also hold them more accountable. There are, by the way, more accountability standards in this bill on teachers. We require higher levels of proficiency and of certification within the bill. So this is just one concept that I thought should be outlined as we go forward.

I thank the Chair and yield the floor.

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

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, what is the time situation?

The PRESIDING OFFICER. The minority has 29 minutes.

The Senator from Massachusetts has 20 minutes of his time under postclosure remaining.

Mr. KENNEDY. So is it possible for me to use that 20 minutes and then use a few minutes of the minority time?

The PRESIDING OFFICER. The Senator would have to get unanimous consent to do so.

Mr. KENNEDY. I ask unanimous consent to be able to use up to 9 minutes, which would be the total amount allocated to the Democrats.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. No. Mr. President, the Senator very kindly gave his time last night to the Senator from Vermont. So I ask unanimous consent that he be allowed to use the 29 minutes.

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

Mr. KENNEDY. Mr. President, I request just 15 minutes.

I thank the Senator from Texas. She is always gracious and courteous, as well as a gifted Senator.

I want to just take a few moments to go over the basic elements of the Elementary and Secondary Education legislation that will be before us this afternoon and then speak on what I consider to be the outstanding missing element in this bill. I ask the Chair to tell me when I use 10 minutes of my time.

The legislation we will be considering builds upon the excellent work done in a bipartisan way on the Health Education Labor and Pensions Committee. The bill includes the elements of our Committee bill plus some of the other agreements that have been worked out over the recent days.

The Nation's schools face many challenges that must be addressed if all students are to be challenged to achieve high academic standards. School enrollments are at record high levels and continue to rise. Large segments of the teaching force are preparing to retire. Diversity is increasing, bringing new languages and cultures into the classrooms, and family structures are changing. More women are participating in the workforce, creating a greater demand for quality before, after, and during summer school activities.

In addition, many of the Nation's school buildings are deteriorating and must be renovated and modernized so all students can learn in a safe learning environment. The demand for Internet skills is at an all-time high, but the supply of computers connected to the Internet is inadequate in school buildings located in the poorest districts.

The BEST bill is a good start toward improving student achievement in the Nation's public schools. This bill creates tough standards that must be established for States, districts, and schools which hold them accountable for improving student achievement. We must drive resources and support the most chronically failing schools to ensure they get the help they need to turn around and to succeed.

The bill requires that every child should be tested each year in grades 3–8, not as a punishment, but so that parents and educators know where every child stands and what more needs to be done to help them. We hope to strengthen provisions within the bill to ensure that these State tests are high quality, so that parents will know that the results of these tests are meaningful for their children.

All parents deserve a complete picture of what is happening in their child's school. A recent survey by the Center For Community Change found that 36 States produce some variation of a school report card that includes student achievement in other factors. Report cards will highlight school challenges and provide parents with information they can use to become more involved in their child's education. They will include information on student achievement by desegregated groups of students; graduation and dropout rates; teacher quality; infor-

mation on how schools have progressed in relation to their State standards and assessments; and information on schools identified for improvement.

Reading is the golden door to opportunity. Unfortunately, forty percent of fourth grade students do not achieve the basic reading level, and 70 percent of fourth graders are not proficient in reading. Children who fail to acquire basic reading skills early in life are at a disadvantage throughout their education and later careers. They are more likely to drop out of school and be unemployed. The BEST Act triples funding for the reading programs and strengthens the Reading Excellence Act to ensure that all children learn to read—and learn to read well early—so they have a greater chance for successful lives and careers.

Over the next 10 years, we will need to recruit more than 2 million teachers to teach the record number of elementary and secondary students in our public schools. Nothing in education is more important than ensuring a highly qualified teacher for every classroom. Research shows that what teachers know and can do is the most important influence on what students learn. Increased knowledge of academic content by teachers and effective teaching skills are associated with increases in student achievements.

The BEST bill includes strong definitions of professional development, mentoring, and highly qualified teacher and contains strong accountability and application requirements. In particular, the bill contains many of the elements that research indicates constitute effective mentoring and professional development—sustained, intensive activities that focus on deepening teachers' knowledge of content, collaborative working environments, and training that is aligned with standards and embedded in the daily work of the school.

Under this bill, limited-English-proficient students will get substantially more support to help them learn English and achieve high academic standards. We are experiencing a tremendous growth in the number of limited-English-proficient and immigrant students in our Nation's classrooms—from 3.4 million students in the 1997–98 school year to an estimated 4.1 million of our school children today.

Dramatic shifts are taking place in the growth of our immigrant population in the United States, and immigrant students are emerging in areas where their presence had previously been invisible. The most recent census data shows that, between 1990 and 1998, our States in the South have experienced a growth in the Hispanic population by 93 percent.

The BEST Act responds to this challenge by providing additional opportunities for success. The BEST Act increases the federal commitment to provide educational assistance to our limited English proficient students through the Bilingual Education Act.

When the program is appropriated at \$700 million, it will become a state formula program based on 67 percent LEP population, and 33 percent new immigrant population. Our bill responds to States in which the limited English proficient population has grown at a tremendous rate, and where there is little or no infrastructure in place to provide for the educational needs of these students.

Research shows that children who are home alone after school hours report higher use of alcohol, cigarettes, and marijuana. Nearly 45 million children ages 14 years and younger are injured in their homes every year and most unintentional, injury-related deaths occur when children are out of school and unsupervised. The bill expands the successful 21st Century Community Learning Centers, increasing the authorization from \$846 million to \$1.5 billion in fiscal year 2002. It also changes the program to a state formula program, ensuring students in every state will have expanded after-school opportunities. After-school opportunities are necessary to keep children safe before, after, and during summer school to keep children safe, help parents work, and expand children's learning opportunities. Yet demand for these programs continues outpace supply. According to a report from the U.S. Census Bureau last year, almost 7 million children aged 5 to 14 are left unsupervised on a regular basis during the after school hours.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. KENNEDY. I thank the Chair.

The PRESIDING OFFICER. The Senator has 19 minutes remaining.

Mr. KENNEDY. I thank the Chair.

Prior to the passage of the Class Size Reduction program in 1998, under the leadership of Senator MURRAY, more than 85 percent of the Nation's students were in classes with more than 18 students, and 33 percent were in classes of 25 or more students. Because of the Class Size Reduction Act, 1.7 million children are benefitting from smaller classes this year: 29,000 were hired with fiscal year 1999 funds; 1,247 are teaching in the first grade, reducing class sizes from 23 to 17; 6,670 are teaching in the second grade, reducing class size from 23 to 18; 6,960 are teaching in the third grade, reducing class size from 24 to 18; 2,900 are in grades 4-12; 290 special education teachers have been hired. And, on average, 7 percent of the funds are being used for professional development for these new teachers. We should continue the Class Size Reduction Act.

When we send children to crumbling schools, we send them the message that they don't matter. Fourteen million children attend schools in need of at least one major repair, such as fixed heating or plumbing systems. Half of all schools have at least one environmental hazard, like inadequate ventilation. One-third of all schools are more than 50 years old. Urban, rural, and suburban communities are struggling

with national school modernization costs of more than \$127 billion. The BEST bill as reported by the committee is silent on school construction needs.

We should really commit to leaving no child behind by fully funding title I. It takes resources, as well as testing and accountability, to do school reform right.

We should maintain our commitment to reduce class sizes for 2 million children instead of backing away from it. Senator MURRAY will address that issue.

We should provide subject matter training for every teacher in high poverty schools.

New teachers should have mentors to pass on wisdom and keep them in the profession.

We should fix 5,000 crumbling schools over the next 10 years.

And we should ensure every child has a safe and supportive place to go after-school.

Without these types of investments, our efforts at school reform will fall of their own weight.

Mr. President, in order to reach the elements of this legislation, we have to provide the resources.

The fact is only one-third of the neediest children are going to benefit from what we have developed if we do not increase the funding. We are going to leave behind two-thirds of the children who qualify for assistance.

The fact remains, we have approximately 12 million poor children in America. We made a decision in the early 1960s to give special assistance to those children. It is still primarily a State and local responsibility.

When I listen to my colleagues on the other side talk about the failure of these programs, it is really an indictment of the failure of States and local communities to provide the kind of assistance which is necessary to make a difference to these children. We know what it takes to educate children. That is not a great mystery. We have many schools that annually produce very talented and creative students.

I will tell you, Mr. President, what I fear about this legislation.

Looking at the funding levels for this legislation, we see we are currently reaching one-third of these children. We state in this legislation that all of these children, the 12 million who are basically poor and somewhat smaller numbers who are actually eligible who are very poor. None of these children should be left behind.

Under the President's budget, in fiscal year 2001, 3.5 million children are served under title I funding; fiscal year 2002, 3.7 million; fiscal year 2003, 3.9 million; fiscal year 2004, 4.1 million, and fiscal year 2005, 5.2 million children.

The Democrats start off with the same base at 3.5 million, up to 5.2 million, 6.9 million, 8.6 million, and by fiscal year 2005, no child is left behind. That is the basic and fundamental gap.

This legislation offers these opportunities to only a small percent of the eligible children, and that is wrong.

We have fashioned a good bill that can benefit all children. So it is a reasonable question to ask: Why aren't we taking care of all the children? Why are we taking care of just one-third? Do we have the resources? Yes. Do we have the will? Evidently not. Do we have other priorities? Apparently so. A small percentage of the extraordinary tax cut of \$1.3 trillion, about \$5.3 billion a year over 4-years, would allow every one of these children to get the assistance they need to achieve success.

There is a high demand for after-school programs. Last year, there were more than 2,250 applications for after-school programs, and only 310 were funded.

What happens in these afterschool programs if we do not have enough resources? Why are afterschool programs so important? First, we have 7 million children between ages 9 and 13, who are left unsupervised after school hours. Afterschool opportunities are necessary to keep children safe, help parents work, and expand children's learning opportunities.

Do parents want this service? Yes. Do children need it? Yes. Are they effective? Yes. Do we have the money? No.

We are talking about the future of the country. We are talking about 80 percent of the children going to inner-city schools in the eighth grade are without an adequate math teacher who can teach them algebra. We know all educators will effectively agree if children do not learn algebra, they have a difficult time advancing on to college. Unless someone is going to help provide the well-trained teachers who can teach student necessary math skills, we are effectively saying to millions of children in the country, that opportunity is closed to them.

This issue effects the future of our Nation. We are talking about a world economy, a highly educated society; we are talking about updating skills; we are talking about continuing training programs for people in jobs so they can compete. Are we meeting that challenge at the local level? We are not. That is the extraordinary tragedy in this program.

This legislation is the basis of something that can be enormously important and, I believe, can make a real difference in the education of some of the neediest children in our country. However, we are going to fail to meet that test unless we have the resources. Unless we are going to provide those resources, we are going to fail our children.

We know that many poorer schools are more challenged today. We have added approximately 5 million specially challenged children, who were not in the schools 10 years ago. They are taking the tests.

We have seen the expansion of the number of homeless children in our

schools, some 600,000 homeless children. We have approximately 500,000 seasonal workers' children, a third attending school, and then moving on. We have migrant children in our school. We have challenges with different languages, with more than 4 million school age children who are either limited English Proficient or immigrants. We have seen an increase in separations and divorces, which has placed pressure on children. We have also seen the explosion of violence in our society—and in our schools. Many of the schools and teachers bear the brunt for dealing with those special needs. All of these factors are impacting children as they go to school.

We must not fail to do what works. That means a well-trained teacher in every classroom. It is amazing so many teachers in the inner-city schools working as long and as hard under such circumstances. They are extraordinary individuals making a difference in people's lives under extraordinary conditions. We need to give them help, assistance, and confidence. We need to make sure they will have the equipment they need to get a first-class education.

Why do we say education counts and then have children go to a crumbling school? It makes no sense. We can talk the talk but unless we are prepared to walk the walk, we fail the children.

We need accountability to make sure the children are actually learning. We want to make sure those schools will be safe. We want smaller class sizes in the early grades, so a teacher can take a little time with a child that has a particular need during the course of the day, rather than looking at the child as a number.

On this side of the aisle, we are virtually united in insisting we are going to get the resources to be able to do that.

We know now there are 10,000 failing schools. We also know that it costs about \$180,000 to turn a school around. There are a series of 57 different options that have been tried and tested that are suitable for different schools. It would take \$1.8 billion out of a trillion dollar budget, to try and turn schools around.

We are missing an extraordinary opportunity and responsibility in doing something about these children's education. If this is going to be a first priority for the administration, it ought to draw on first priority dollars and resources and invest in the children who need it. We ought to provide the resources necessary to leave no child behind, to reach every child before we even consider providing the tax breaks in the President's budget.

I yield the floor.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent, with the agreement of the minority, that Senator FRIST be given 10 minutes of the next 30 minutes of divided time, that

then Senator GORDON SMITH be given up to 5 minutes, following which the minority would have their 15 minutes, following which Senator BUNNING from Kentucky would have 20 minutes, following which the minority would have 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Tennessee.

Mr. FRIST. Mr. President, I rise to speak very briefly—for 10 minutes—on the Better Education for Students and Teachers Act, a bill that was passed out of the Health, Education, and Pensions Committee, a bill that speaks very well to the principles, to the ideals, to the practical application of what President George W. Bush has put forth as his principles for education reform.

Let me say at the outset, as most people know, that there is a lot of discussion today about funding. We have a bill with significant reforms that I hope will very soon be brought to the floor. That reform effort, which is terribly important, as we all know, and as both sides of the aisle agree, is being linked in concept, but also in process, to increased funding, as we just heard from my colleague from Massachusetts. I want to quickly provide some perspective about the funding side. While we have been talking a lot about the reform side, and will continue to talk about it, the funding side has been pushed aside. People know negotiations are underway. But I want to put it in perspective.

The primary argument for increased funds, according to the other side of the aisle, is that the modernization of the Elementary and Secondary Education Act requires increased funding to pay for those reforms. I want to make it very clear, again, to my colleagues and to people who may be watching this debate across the country, that when the Democrats were in charge of this body, that was not the principle that was applied. There was no dramatic increase in funding for reforms.

One example: In 1988 a Democrat Congress reauthorized the Elementary and Secondary Education Act, the same law enacted in 1965 that has been reauthorized seven times, and in the subsequent appropriation year—1989—a 5.1-percent increase in title I was enacted to cover those 1988 reforms.

Five years later, in 1994, a Democrat Congress reauthorized ESEA, again hailing at the time that it was the most significant reform package since the bill was initially put into effect in 1965. I quote a Senator from the other side of the aisle who said:

It is the most important reauthorization of ESEA since the landmark Act was passed in 1965.

That particular Senator went on to hail the bill's accountability and high academic standards. I want to point out that for the major comprehensive reform effort, at that time, to the title

I 1994 reauthorization, the Democratically-controlled Congress appropriated a mere 5.7-percent increase in the following year, fiscal year 1995.

So, when in control, the other side of the aisle has offered increases associated with reforms of somewhere between 5 and 6 percent a year. Yet in our negotiations several weeks ago they asked, not for what they had put forward, and appropriated, throughout their history of being in charge, which is an increase of 5 to 6 percent, but instead came to the table recommending, suggesting, insisting, on a 75-percent increase, and not in 5 years or 10 years, but in just 1 year.

At this moment negotiations are underway. I am not in the middle of those negotiations, but the figures being negotiated by the other side of the aisle are a 50-percent increase, a 49-percent increase. That ends up being about \$5.2, \$5.3 billion.

I point out to my colleagues that never, ever in the program's entire history has it grown by even \$1 billion. So these proposals are significant increases. But I hope that when agreement is reached in the next several days, whatever figure we end up with, that the American people will understand that it is a figure dramatically larger than any ever suggested by the other side of the aisle.

President George W. Bush has demonstrated a strong and remarkable leadership position in reforming and modernizing education. He has focused in particular—and this is reflected in the agreements and in the policy that is being formulated in a bipartisan way—on serving the most needy students, so that, indeed, no child will be left behind.

We have all talked a lot about the achievement gap which has not narrowed but in fact gotten wider over time, the gap between the most needy students and others, between the underserved and others. The commitment of the President of the United States, and the bipartisan commitment in the underlying policy, is something, again, that we need to keep first and foremost in our mind—putting the emphasis on children, on individuals, and not on bureaucracies, on programs, or, I would add, indeed, not just throwing money at a system uncoupled with reform.

The President of the United States has expressed a willingness to support the largest increase in education funding, focusing on title I, ever proposed in the 35-year history of the program. I mention that because we tend to lose perspective. The bottom line is this President has proposed, and we support, the largest increase ever in the 35-year history of the Elementary and Secondary Education Act.

We have a great opportunity as we go forward. We look at the failure of performance of ESEA, especially as we focus on the neediest students, and the opportunity to reform and modernize with, yes, an increase in investment, but also with reform that captures the

very best of what the American spirit is all about, and that is the creativity, the innovation, and the freedom to address issues and reward success rather than failure, as we have done in the past.

The underlying bill, which I am very hopeful will be released by the other side and brought to the floor so we can talk about it, stresses issues such as accountability.

Let me also point out that although people say we do not know what is in the underlying bill, that bill is before us, on all of our desks. Yes, there are modifications and there are certain agreements that are being reached that will be added to that bill. But they can look at that bill. I hope that bill will be brought to the floor. Basically, it does four things. No. 1, it increases accountability for student performance; No. 2, it rewards success; No. 3, it increases flexibility and freedom; and, No. 4, it puts emphasis on parents.

No. 1, it increases accountability for student performance. Over the last 24 hours in negotiations, we have reached general agreement on how to build in that accountability in a strict way. Yes, we give more freedom to innovate, but we link that to demonstrable results, measurable results. It is called average yearly progress. The technical aspects that have been worked out, and that language will be available shortly today.

No. 2, the BEST bill. It is called the B-E-S-T bill, Better Education for Students and Teachers Act. Again, the emphasis is on teachers and students. It focuses on what works. As I pointed out in my previous remarks on the floor, what is important is that we have an understanding, a measurement, of what works based on good science, on good research.

No. 3, the BEST bill will also reduce bureaucracy. It will get rid of red tape, and it will increase flexibility. That really comes back to the importance of having local control and innovation, of rewarding what works and recognizing what does not work. Additional flexibility will be given to the States, to the districts, and to the schools, stripping away the unnecessary and needless red tape that results in teachers not being able to teach; that takes time away from teaching; that prevents principals from spending time administering their schools.

No. 4, the underlying bill focuses on parents and on the individual student. It involves an element of choice. No longer will a child be locked into a school that fails today, that will fail next year, and the year after that, in spite of reform, in spite of additional resources. That child, for the first time in the history of this country, will be given an opportunity to choose another public school.

Those principles are accountability, rewarding success, reducing bureaucracy, increasing flexibility, and empowering parents.

I am very excited about this opportunity to move forward. I am very

hopeful that we can, even though the other side objects to its being brought to the floor.

I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Kentucky is recognized.

Mr. BUNNING. Madam President, I ask unanimous consent to be allowed to take my 20 minutes now and concede to the opponents or the opposition 20 minutes following my 20 minutes.

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

Mr. BUNNING. Thank you, Madam President.

Madam President, I rise today to talk for a few minutes in support of S. 1, the President's education reform bill.

We all agree that every child should receive a top-notch education, and that no child should be left behind. There isn't one Senator who disagrees with that.

But we can disagree on the best ways to meet this goal, and that's what much of the debate is going to be about.

I believe that the bill before us today deserves our support for a number of reasons. And it ensures that no child left behind is more than a campaign slogan—it's a promise to our families and their children.

First, the legislation makes badly needed changes to the Department of Education—changes that will help us do a better job at educating our kids.

In the past we've relied too much on creating new programs and the failed notion that spending more and more money, and that creating more and more government, are answers to the question of how to best educate our kids.

If that were true, Federal welfare spending would have ended poverty years ago.

And Federal education spending would have ensured that every child could read and write. That hasn't happened because money isn't the answer.

Many of my friends on the other side of the aisle talk about spending more money as if it were a magic pill that will fix all of our problems.

This just isn't true. Look at the schools in the District of Columbia. Per student spending there is among the highest in the land, and the school system has been in terrible shape for years.

More money and more programs aren't the answer. It might sound good. It might make some of us feel better. But it's a false promise that cheats our kids.

And I would like to remind my friends on the other side who are now questioning our commitment to kids that the last time Congress worked on reauthorizing the ESEA back in 1994 that they didn't say one word about linking the bill to appropriations—not one word.

So all of their complaining now rings a little bit hollow.

You can't prove your commitment to children, your commitment to education just by tossing around dollar figures. Talk is always cheap. There is a difference between just spending more money and spending it wisely. This bill recognizes that difference.

For instance, today there are 58 programs funded through the Elementary and Secondary Education Act alone, and we are going to spend approximately \$18 billion on these programs this year alone.

The bill before us simply doesn't just tack more programs onto current law and increase spending as part of a hollow promise to improve education.

That would be a cheap out, an easy way to make us all feel better. Instead, this legislation makes more fundamental and significant changes. It folds many of these programs into more constructive approaches, and repeals others that don't work.

That does not happen often in Washington—getting rid of a program that doesn't work.

But this bill does it. And I think it's going to make a difference for the kids. And by folding programs and some spending into block grants, we put more power in the hands of the local officials and teachers who are on the front lines and have the most experience with what methods really work.

Another good aspect in this bill is that it requires results and instead of just tossing funding at a problem, it injects serious accountability into education.

By testing students annually from grades three to eight, we make sure they are actually learning and not simply getting passed along to become someone else's problem.

And it holds teachers and school boards accountable for these results. If scores don't improve, the kids can leave those failing schools and funding will follow them to institutions that work and teach.

Schools that fail to educate their students will face the consequences. Parents will be notified and students will be allowed to transfer to other public schools.

If the problems continue, the school could be forced to implement a new curriculum, the school's staff could be replaced, or the school could be reopened as a charter school.

This legislation contains other promising initiatives, including the Reading First Program that makes sure all children read by the end of third grade.

Instead of social promotion, we are actually going to make sure that kids master the most fundamental skill of all—reading. And there is an Early Reading First program that focuses on reading for children ages 3 to 5.

I realize that this sort of testing and accountability is a change from the past for many and makes a lot of folks nervous.

However, there are times when change is necessary. And this is one of those times. We should not be happy

with the status quo when it comes to educating our children, and should always be looking for better ways to educate.

If something doesn't work, you change it. Fear of improvement or a fresh approach is no reason to continue to shortchange our kids. By requiring the States to test children, this bill maintains another crucial aspect of our educational system—local control.

Some of my colleagues might remember last year when President Clinton took a tour around the country to promote one of his education proposals. Some of the Washington bureaucrats put together a map of his tour that included a stop in Owensboro, KY.

Of course the map and the PR material they put out about the President's trip to Owensboro showed it being in the middle of Tennessee, and actually lopped off the western part of Kentucky and gave it to Illinois.

That is just a funny little mistake, but it demonstrates my point that Washington does not know best.

I definitely trust folks in western Kentucky—who know where Owensboro really is—to educate our Kentucky kids than officials who work here at the Department of Education.

I already talked a little but about block grants and about how they'll work. I'm also glad that the legislation strengthens the successful ED-Flex Program and I hope it eventually includes the important straight A's Program.

Those are crucial parts of this bill that guarantee local control and the best possible results. Under the President's plan, States test kids in grades 3–8 in reading and math, States are responsible for creating the tests as well as setting performance goals and creating a plan for ensuring that all of their students are proficient on their statewide tests within 10 years. Additionally, States will also administer a national test, called the National Assessment of Educational Progress in grades 4 and 8, to make sure all students across the country are not being cheated out of a good, positive education.

By protecting the role of State boards of education, we help ensure that local communities can play their traditional role in instructing our children. And just to make sure that the work gets done, the Federal Government will foot the bill for these testing procedures by paying for half of the cost of the statewide tests, and the full cost of the national assessment test.

Local education agencies will be held to the same standards of improving student achievement, and will face similar consequences if they fail. Just as students have to pay a penalty if they fail, so should teachers and schools if they fail in their responsibilities. Education is a serious business. There should be real consequences for failing our kids. We trust schools and educators with our kids' futures, and there is no reason why they shouldn't

be called to task for the results. Personally, I think that one of the most effective parts in this bill is the provision that gives children the power to change schools if their school fails them. To sum it up, in this legislation the money follows the kids. If a child escapes a failing school, the money used to help educate them follows them to an institution that works.

I support completely the choice of schools for children. I think it is the best way to give schools an incentive to do a good job. Competition is the way to ensure the best results when it comes to markets and practically every other part of our society. But for some reason, when it comes to education and our kids the opponents of choice say no. I don't know why the opponents of choice think that it won't work for kids and schools. I believe that this cheats our neediest students and takes power away from them. I look forward to this part of the debate. But even if we don't succeed in giving complete freedom of choice to students, the fact that this bill gives students in public institutions the power to change their schools is a dramatic improvement over the status quo.

In conclusion, I urge support for the bill. The legislation before us presents an important choice to us: Do we continue with the status quo, or do we take an important step in improving education for children, and ensuring a bright future for them? Do we listen to those who sing the tired old songs about more money and more money, or do we opt for real reform and accountability? I, for one, will vote to improve education and for a fresh start for our kids. I urge support for this legislation before us today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Madam President, I was not here when the order came for my 5 minutes in a unanimous consent agreement. I ask unanimous consent I be allowed 5 minutes now, and any time I get be added to the Democratic side. I will be very brief.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator may proceed.

#### THE BUDGET RESOLUTION AND UNINSURED AMERICANS

Mr. SMITH of Oregon. Madam President, I have come to this Chamber in the past to express my frustration when things have not seemed to be proceeding and we seemed to have been stuck in gridlock. Today is a very real exception to that feeling. I rejoice that we have a budget agreement, and that we are working on education reform that puts serious resources behind serious reform in our educational system.

I am here as well to thank the leaders of the conference committee on the Budget, specifically Senator DOMENICI and Senator LOTT on our side, and oth-

ers in the House and Senate who have, I am told, preserved the one thing I wanted most in this budget, which was a \$28 billion authorization for 3 years to expand health care to the uninsured.

I came to this issue not this year, but from the first year I entered public life as an Oregon State senator and won membership on our health care committee. I was not around when we created the Oregon Health Plan, but I did play a role in obtaining funding for it. The Oregon's Medicaid program, known as the Oregon Health Plan, has dramatically reduced the number of the working uninsured in the State of Oregon.

We have a tradition in our State of trying to take care of those who cannot take care of themselves. I express gratitude to my colleagues on the Democrat and Republican side for this budget agreement that will help our State and others do just that.

I believe we need tax reduction and tax reform. I think we are going to do something very significant in our generation with what we will likely adopt very soon in this body and the other, and that President Bush will sign. It will put real dollars into the pockets of working Americans.

But I must say how grateful I am that this budget item has been preserved—\$28 billion for the uninsured—because while we cut taxes for Americans, it is also appropriate that we care for those who cannot care for themselves.

Madam President, I ask unanimous consent an editorial from the Washington Post of this morning entitled "Timeout for the Uninsured" be printed in the RECORD.

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

[From the Washington Post, May 2, 2001]

#### TIMEOUT FOR THE UNINSURED

House conferees have been fighting with their Senate counterparts to reduce the spending levels in the congressional budget resolution. No doubt some cuts can be made in the Senate totals without the country's suffering harm. But at least one relatively minor Senate proposal deserves to remain.

Oregon Sens. Gordon Smith and Ron Wyden won inclusion in the budget of an additional \$28 billion over three years to reduce the number of Americans without health insurance. The money would mainly be spent on lower-income people. Exactly how would be up to the authorizing committees, but an add-on of some kind to Medicaid and/or the children's health insurance program that Congress enacted several years ago seems most likely. The modest expansion would hardly solve the un-insurance problem, but it would push in the right direction.

About a seventh of the population remains uninsured. Most are poor or near poor. They lack insurance mainly because they can't afford it. The administration has proposed a tax credit to help those whose employers don't offer insurance. But the credit would cover only part of the cost of an average policy, and most uninsured families still would find such a policy beyond their means. Some people think the industry might respond by offering only partial policies, but it's not clear that would be a good result, either.

The administration proposal has some interesting features and would do limited good, but limited is the operative word. The spending programs for the lower-income uninsured have shown themselves to be efficient ways of increasing coverage. Whatever the fate of the tax credit, they should be expanded. Much attention has lately been paid to the health care problems of the already insured. The elderly lack a drug benefit; people enrolled in managed care complain that care is sometimes sacrificed to cost. But at least these people have insurance. More than 40 million don't. The budget argument this year has been mainly about how large a tax cut to give the better-off. What about a timeout to pay a little heed to those who can't afford to get sick?

Mr. SMITH of Oregon. The Washington Post editorial states:

House conferees have been fighting with their Senate counterparts to reduce the spending levels in the congressional budget resolution. No doubt some cuts can be made in the Senate totals without the country's suffering harm. But at least one relatively minor Senate proposal deserves to remain.

They are referring to this \$28 billion that we can use to reduce the ranks of the uninsured. Currently that is about 17 percent of our fellow citizens, over 43 million Americans.

Senator WYDEN and I, when we came up with this idea, hoped we could cut this number in half. It is now up to the Finance Committee to achieve that. They have the money now authorized to accomplish that.

Good programs do exist for providing health care to the uninsured. Medicaid, as we all know, is working. It needs more resources. There is also the Children's Health Insurance Program, or CHIP, which has also reduced the number of uninsured children in this country.

One of the things I was most grateful to have been a part of when I first came to the Senate was a compromise between Senator HATCH and Senator KENNEDY for the CHIP program, which became the pivot point for the balanced budget agreement. Oregon's Children's Health Insurance Assistance Program has enrolled 13,000 children in our State. But there are more than 61,000 eligible children without coverage because of the limited amount of money budgeted for this purpose. Senator WYDEN and I hope the Finance Committee will expand this program to include their parents.

What we are doing is providing access to health care for low-income Americans. This is the No. 1 bipartisan agenda item we have. We have started on that plan and will build on its past successes.

I believe expanding coverage can be done in a way that will promote State flexibility, avoid new bureaucracies, and protect the employer-based coverage system, while providing a meaningful, affordable benefit to millions of Americans.

Our first component that we will propose to the Finance Committee will be to give businesses incentives to make quality health insurance more affordable for their low-income workers. Our

plan will give businesses a tax credit if they chip in more to offer quality health care to their low-income employees. Many low-wage employees are working hard but are having trouble paying the full amount for health insurance.

Second, our plan will extend Medicaid coverage to more low-income Americans. Many low-income adults who cannot afford or are not offered health insurance will be eligible for Medicaid coverage. As I indicated, we want to expand the CHIP program.

The PRESIDING OFFICER (Mr. BUNNING). The Senator's time has expired.

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent for 1 more minute.

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

Mr. SMITH of Oregon. We believe that expanding health insurance to millions of hard working low-income Americans will relieve the uncertainty and fear many people face, knowing that they are one illness away from losing their life savings or their home. It is the right thing to do. It is the right time to do it.

As the editorial in the Washington Post says:

What about a timeout to pay a little heed to those who can't afford to get sick?

I thank my colleagues on the budget conference committee for preserving this critical line item for the uninsured. I urge all my colleagues to vote for it when it comes out of this conference and then later when it is crafted into final form by the Finance Committee.

I yield the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### NATIONAL SECURITY

Mr. KERRY. Mr. President, yesterday the President of the United States gave a very broad outline of a new national security strategy that moves away from the reliance on deterrence and arms control towards missile defenses and unilateral arms reductions.

Frankly, the President's brief remarks raise more questions than they answer. I wanted to take a few minutes to address in this Chamber some of the key issues he touched on yesterday.

First, the President stressed that we must move away from our reliance on deterrence to keep our citizens and our allies safe from aggression or from nuclear blackmail. While I agree that in principle we want to find alternative methods of being able to protect ourselves from the potential of nuclear blackmail or terrorism, the hard reality is that there will always be a measure of deterrence in any approach we find with respect to the prevention

of attack or maintaining the security of the United States of America.

If there is a real potential of a rogue nation—and I underscore "if" there is a real potential of a rogue nation—firing a few missiles at any city in the United States, responsible leadership requires the most thoughtful steps possible to prevent losses as a consequence thereof.

The same is true of accidental launch. If at some point in time, God forbid, there were to be an accidental launch of a nuclear missile, the notion that any country in the world, if technology were available, should be subject to that possibility would be unacceptable. All of us in the civilized world need to take steps to try to protect ourselves against the potential of that ever happening.

Let me make it clear. The rogue missile rationale that has been offered on many occasions really merits much greater analysis than many people have given it. For a state to develop a missile capacity, it would require some measure of testing, some measure of actual deployment, such as we have seen in North Korea with its Taepo Dong 2. It would also require a launch site and capacity, all of which are detectable by the United States, all of which are traceable over a period of time.

If, indeed, a state is to such a degree a rogue state that we think its leadership might be in a position of firing one or two rogue missiles at the United States, we ought to also think beyond that as to what they would be inviting as a response. Clearly, one or two missiles clearly traceable, obviously coming from a particular rogue state, would invite their annihilation.

So when we measure threats, we don't just measure capacity to be able to do something. We measure the intent to do something. We measure the consequences of somebody doing something. Indeed, Saddam Hussein, who possessed weapons of mass destruction, saw fit not to use those weapons of mass destruction when we went to war against him, even when he was losing the war. The reason that he didn't was because, Secretary Baker made it patently clear what would happen to them if they did.

Even the most unreasonable, most demonized of leaders still calculates risk and still calculates the repercussions of his actions.

Indeed, our military, in making a judgment about the different tiers of threat we face, places the threat of a rogue missile attack at the very bottom of threats the United States might face.

Here we are in a debate about education and we are being told we are not sure we have enough money for education; we are not sure we have enough money for alternative and renewable fuels; we are not sure we have enough money for a prescription drug program for seniors; we are not sure we have

enough money to fix our schools and provide the next generation with the kinds of education we want—we need to balance what we get for our expenditures in terms of national security against other initiatives that also have an impact on the national security of our country.

I say, with respect, that the President's efforts with respect to the rogue missile threat seem to be willing to do things to the ABM treaty, to our relationships with Russia and China that go well beyond what we could possibly gain in terms of our security.

Let me come back to missile defense, which is really only a response of last resort when diplomacy and deterrence have failed. I support research and development of a limited missile defense system that, indeed, might have the ability to knock down one or two incoming missiles. I think it would be, in fact, a step forward for the United States to be able to at least know that we have that capacity. I suggest, very respectfully, that most scientists and most strategists who are well respected in this country recognize the extraordinary difficulties developing a system that might do much more than take out a selected number of missiles, and that if this were something more than a limited system, if it were a system designed to provide some kind of shield or some kind of larger protection against the potential of a larger attack, and was in fact deployed in that way, we would simply be inviting the kind of counterresponse we saw throughout the cold war, when we unilaterally initiated some advance in technology which the Soviet Union interpreted in a way that invited them to respond.

Most people who make judgments about the potential of knocking down missiles, given the difficulties of decoys, of the extraordinary technological difficulty of discerning the difference between artificial and real targets, the capacity of 1 warhead to potentially carry 100 different bomblets, which you have to discern the difference between in a matter of seconds—to suggest you can somehow have a system that is going to be 100-percent effective would be to stretch the imagination to where I think no strategist would want to go. I don't think anybody worth their salt in making judgments about potential conflict would come to a conclusion that one is 100-percent failsafe protected.

So if you are not 100-percent failsafe protected, you are still dependent, ultimately, on deterrence. We can't get rid of that equation. If you know you are going to suffer some damage, the judgment then becomes, well, how much damage? If we suffer that amount of damage, what is it going to take in return to be able to guarantee that they will, too? So, in effect, you are pushed back into a corner where you are still dependent on the mutual assured destruction equation—the very equation we have lived with since the beginning of the Cold War in 1945.

If you have a system that is 100-percent effective, you have also dramatically changed the equation of the balance of power because if you are sitting there and your adversary says, well, they have a system that is 100-percent effective against an intercontinental ballistic missile, so we had better deliver systems that completely avoid the intercontinental ballistic missile—if, indeed, they are an adversary—if China is sitting there and their strategists are saying the United States now has the ability to shoot down all of our missiles—they have a 100-percent effective defense—that means they have the first strike capacity because the minute you have developed a 100-percent defense, you have translated defense into offense because if you are 100-percent protected, you can fire with impunity first, knowing nothing hits you in return.

So what you have done is really turned on its ear the very concept of fear by both sides that the consequences of a conflict are so great that you avoid the conflict. In point of fact, one of the reasons the United States restrained itself from considering even greater escalation in Vietnam, and in other parts of the world in conflicts, was knowing that the Soviet Union and China have this extraordinary capacity to escalate to the ultimate confrontation. It was always the fear of the ultimate confrontation that drove us to restrain ourselves and ultimately to put in place the ABM Treaty.

The ABM Treaty represents the conclusion of Republican and Democrat administrations alike that we need to find a way out of the continuing escalation of the arms race. That is why we put it in place. It gave us a guarantee that we knew we could begin to reduce weapons because neither side was going to upset this equilibrium. That is why China and Russia are so deeply upset at what we are now considering doing—if we do it unilaterally. I am not against doing it if it is arrived at mutually. I want to research the capacity. I think there is a value to being able to say to New York City or Los Angeles, you are never going to be hit by a rogue missile or an accidental launch.

But what good is it if you deploy it in such a way that you abrogate the treaty that has held the balance and invite your adversaries to interpret it as the efforts of the United States to gain this superior edge, which then leads them into the same response—the tit-for-tat syndrome that led us through the entire arms race in the first place?

That arms race is completely traceable. We were the first people to actually use an atom bomb. People forget that. We used it for a noble purpose—to end the war and hopefully save lives. But we used it. After that, quickly Russia did an atom bomb. Then we did the hydrogen bomb. Russia did the hydrogen bomb. Then we did long-range bombers. They did long-range bombers. We put them on submarines, and they

put them on submarines. In one—maybe two—instances, they beat us. With Sputnik, they beat us. In every other instance, the United States led. We were the first to put out the more sophisticated weaponry capacity.

But what happened? Inevitably immediately it may have taken we found ourselves in this race. The whole purpose of the SALT talks and the START talks—now START I and START II—where we have the capacity to lower from 7,200 weapons down to the 3,500, is the notion that we have arrived at an equilibrium and we are prepared to ratchet down together to make the world safer.

I say to my colleagues, very simply, if we can get China and Russia and our allies to understand that a mutual deployment of a clearly verifiable, highly transparent system, mutually arrived at in protocol—if we can deploy that, all of us together, with a clear understanding of the reductions we are seeking, that could be salutary in its extraordinarily limited way.

But if the United States insists on moving unilaterally, abrogating a treaty, we will send a message to already paranoid hardliners in other countries that the United States once again wishes to have technological superiority. That will drive them to respond as a matter of their security perception and as a matter of their politics, the same politics we have, where a bunch of people sit around and say: How can you allow them to do that? You are a weak leader. You had better respond. If you don't respond, you are going to be thrown out of office. And they respond. What happens? We wind up spending trillions of dollars on something that takes us to a place that we will ultimately decide is more dangerous than the place we are in today and from which we need to back off.

Sam Nunn and DICK LUGAR, two of the most respected Senators—one former Member and one current Member of this institution—have led this body in a well known effort to reduce the nuclear threat from the former Soviet Union. We had distinguished bipartisan testimony in the Foreign Relations Committee a few weeks ago that we need some \$30 billion more than we are allocating now just to reduce the threat of the nuclear missiles we are trying to dismantle in the former Soviet Union. Yet we are talking about spending more than that to create a whole new round of mistrust and misunderstanding.

The President, yesterday, also stressed the fact that national missile defense is only one part of a comprehensive national security strategy. I could not agree more; it is. But let me underscore that missile defense will do nothing to address what the Pentagon itself considers a much more likely and immediate threat to the American homeland from terrorists and from nonstate actors, who can quietly slip explosives into a building, unleash chemical weapons into a

crowded subway, or send a crude nuclear weapon into a busy harbor.

I ask my colleagues: What do you think is the more likely scenario? Do you really believe that North Korea will leave the trail of a missile, a targetable trail and send a missile to the United States, and like the sleeping giant that was awakened in Pearl Harbor, have us return the compliment, or do you believe if they were intent on doing injury to the United States, they would take a little bottle of anthrax and drop it in the water system in Washington, DC?

What do you think is more likely? Do you think it is more likely perhaps that some rogue nation might say: Wait a minute, they have the ability to knock down our missile, so let's put one of these illegally purchased weapons in the marketplace—because we are not doing enough to stop proliferation internationally so they can go out and purchase a small nuclear weapon—and they bring it in on a rusty freighter under the Verrazano Bridge, and detonate a nuclear weapon just outside New York City.

I would like to see us focus on those things that most threaten us, not create these notions of false threat that require us to debate for hours to stop something that does not necessarily promise a very positive impact for the long-term interests of our Nation.

Obviously, the President gave very few details yesterday because he cannot. We do not have an architecture yet. We do not even have a budget yet. We do not even have enough successful tests yet to suggest we should be rapidly deploying and abrogating the ABM Treaty. What are we talking about?

The President said he wants to pursue technology that would allow us to intercept a ballistic missile at the boost phase when they are moving the slowest. I agree with that. In June of 2000, I called on the previous administration to explore the technology for a boost phase intercept system which would build on the current technology of the Army's land-based THAAD and the Navy's sea-based theater-wide defense system to provide forward-deployed defenses against both theater missile ballistic threats and long-range ballistic missile threats.

I welcome President Bush's commitment to investing considerable resources needed to make those systems capable of reaching the speeds necessary to intercept an ICBM. A forward-deployed boost phase intercept system would allow us to target relatively small ballistic missile arsenals and shoot down a very few accidental or unauthorized launches.

Deploying such a system, even though it might require amendments to the 1997 ABM Treaty Demarcation Agreement, would establish the line between theater missile defense systems that are not limited by the treaty and the strategic defenses that the treaty prescribes.

In a nutshell, these agreements allow the United States to deploy and test

the PAC-3, the THAAD, and the Navy theater-wide TMD systems, but they prohibit us from developing or testing capabilities that would enable these systems to shoot down ICBMs.

Russia might not be happy about that, but I believe they would prefer that to a system that would really scrap the entire treaty and all the limitations on strategic defenses that would come with it.

I agree that the strategic situation we confront today is worlds apart from the one we faced in 1972, but nothing in this changed environment suggests that we will be better off by walking away from the ABM Treaty. If somehow Russia and China are not persuaded by President Bush's assurances that our missile defense system is not aimed at undermining their nuclear deterrent capabilities, and instead they perceive a growing threat to their interests, they will act to counter that threat. We will not be safer if our NMD system focuses their energies on developing—and eventually selling—new ways to overwhelm our defenses.

The ABM Treaty can be amended to reflect our changed security environment. But to abandon it all-together is to welcome an arms race that will make us more vulnerable, not less.

The President made a point of announcing that he will begin high-level consultations with our allies about his plans for NMD and he stressed that he would seek real input from them as he moves forward. This is critical. Even if, as can be expected, our allies in Europe and Asia accept a U.S. NMD system, they have a lot at stake in how we develop and deploy that system. The President must take their views into account as he determines what architecture he will pursue and the timing of deploying. Clearly, these are important discussions that will require more than one or two cursory consultations.

The administration must also pay close attention to our allies concerns about Russia. Because they are keenly aware that a fearful, insecure Russia is a dangerous Russia, they have consistently stressed the importance of including Moscow in our discussions on NMD. Let me be clear: the importance of working with Russia as we move forward is not to suggest that Moscow has a veto over our missile defense plans. But we have an obligation to avoid unilateral steps that will throw our already tenuous relations with Russia into further turmoil. Serious discussions with Moscow on amending the ABM Treaty—even if they are not ultimately successful—will allow us to move toward NMD deployment transparently and with minimal provocation.

As with Russia, if an NMD decision is made absent serious discussions with China, the leadership in Beijing will perceive the deployment as at least partially directed at them. The Administration must try hard to reach a common understanding with China that there is a real threat from isolated re-

gimes bent on terrorism and accidental or unauthorized launches. The Clinton administration invested a great deal of time and diplomatic effort convincing Russia that the threat is real and it affects us both. We must make the same effort with China. If we fail to take this task seriously, we will jeopardize stability in the Pacific.

The President's proposal on NMD lacks specifics and his intentions on the ABM Treaty are vague. He and his advisors know that the American people will not support an expensive, ineffective NMD system, or one that comes at the expense of a Treaty that has made them safer over the last 20 years. So to sweeten the President's bad news on these two issues, he promised—again without any detail—to unilaterally reduce the U.S. arsenal of strategic nuclear weapons.

The proposal to unilaterally reduce U.S. nuclear stockpiles is an important and overdue first step toward reducing the nuclear danger. Unfortunately, before the President can make good on this promise, he will have to convince his Republican colleagues in the Congress to repeal a provision in the FY 98 Defense Department Authorization bill that prohibits the reduction of strategic nuclear delivery systems to levels below those established by the START I treaty.

Senate Democrats have tried for the last three years to repeal this provision, which prevents exactly the kind of nuclear reduction President Bush has spoken about. But they have been stymied by a Republican leadership that believes the U.S. should not move to START II arms levels even though the Senate ratified that treaty in 1996—before Russia has done so.

I hope we can move immediately to repeal this prohibition and begin the process of cutting our strategic arsenal in half—from more than 7,000 warheads today to the 3,500 allowed under START II. While those reductions are underway, the President should immediately proceed to talks with Russia on a START III agreement, which could bring our arsenal to below 2,000 warheads and codify similar, transparent, verifiable and irreversible reductions by Russia.

Mr. President, for 40 years, the United States has led international efforts to reduce and contain the danger from nuclear weapons. We can continue that leadership by exploiting our technological strengths to find a defense against ballistic missiles, and by extending that defense to our friends and allies. But we must not jeopardize stability in Europe and Asia by putting political ideology ahead of commitments that have kept us safe for decades.

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—MOTION TO PROCEED—Continued

Mr. KERRY. Mr. President, I ask unanimous consent to proceed for a few

minutes within my hour on the motion to proceed.

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

Mr. KERRY. I thank the Chair and my colleagues. I will be brief. I see the Senator from Maryland is here, as well as others.

Mr. President, I do not think there is a person in the Senate who does not view education as the single most important domestic priority this year. A number of us have been working for a long period of time to advance the dialog with respect to education. Indeed, a couple of years ago, we Democrats were prepared to move forward on the Elementary and Secondary Education Act. We were prevented from doing so because, frankly, our colleagues on the other side, for political reasons, were unwilling to allow President Clinton to be the person who signed a bill that passed education reform in the country.

Politics trumped real reform. Politics trumped, once again, the interests of young people in our country.

I remember JOE LIEBERMAN, others, and myself talking for hours with Paul Coverdell, our late colleague, with Slade Gorton, and others trying to find the common ground so we could move forward on this critical issue.

Here we are this year with Democrats having moved in ways that many people would have argued they never would have moved previously. There has been a challenging of the orthodoxy that has governed the debate on education for a long period of time. So we have a consolidation of programs. We have an effort to deal in a realistic way with the problem of accountability.

It used to be there were some pretty one-sided discussions. Some people on the other side of the aisle thought it was just good money chasing after bad, and so they did not even want to talk about resources. All the discussion was about an alternative to the public education system—fundamentally, vouchers. On this side there was fundamentally only a discussion about school construction or class size. Nothing happened. Most important, nothing happened for our kids. The schools did not get much better, except in isolated instances where extraordinary leadership managed to break through.

The fact is that 90 percent of America's children go to school in public schools. There are not enough vouchers and there are not enough private and parochial schools to offer enough choice to all of the students of this generation to get the education they need by alternatives.

The bottom line is if 90 percent of America's children go to school today in public schools, if we are going to have the workforce we need for the future, but equally important, if we are going to have the skilled labor force we need, and much more important, if we are going to have young people who grow up to understand the obligations

of citizenship, who have the capacity in an age of managing more information to be able to process the information and translate it into good civic activities, the acceptance of values, the acceptance of family responsibilities, the acceptance of community responsibilities, then every student, indeed, better have the best of opportunities.

I have joined with JOE LIEBERMAN, EVAN BAYH, MARY LANDRIEU, BLANCHE LINCOLN, JOHN BREAUX, TOM CARPER, and a host of Democrats in agreeing we have to change the dynamics of this debate; that we need strict accountability; that we cannot put money into a school and allow it year after year as a consequence of some kind of reform to fail. But everybody in this institution knows there are countless communities in the United States of America that just cannot afford to do the basics. Property tax is what funds education. Come to Lawrence, New Bedford, or Holyoke, MA, or countless other communities in America where they don't have the tax base, particularly through the property tax, where people are on fixed incomes trying to hang on to a home and cannot afford higher property rates. In many States, there are limits on what can be raised on the property tax—mine among them.

The question is, how do we provide adequate numbers of teachers to have a class size where a teacher can actually cope with children? How do we keep school doors open into the evening if the community can't pay the custodians or the additional teachers or have remedial classes? How do we put in the technology if they can't afford to buy it?

The bottom line is, we have put in place in this bill an enormous change, a sea change, in how we are prepared to try to encourage accountability, to encourage reform and encourage change. But we cannot do it if there isn't an adequate commitment of resources for IDEA, the greatest burden we hear principals talk about in schools, to the capacity to be able to have a teacher for certain classes. We have some schools where 80 percent of the children in the school do not have an algebra teacher. Teachers are teaching out of field.

Test students all you want, but if they do not get the fundamentals, they will be in deficit from the beginning.

This is a choice for the Senate. Either we fund education reform to the degree that will empower it to actually take place or we will invite an incredible new round of cynicism. We will pass something and call it reform, and teachers and parents across the country will say: Thank God, reform at last. It is coming. But if you don't empower them to be able to do it, you can see the next wave of discussion. It will be: The public schools have failed; they did not live up to the expectations. We gave them the opportunity, and they didn't make it. Now it is alternatives.

I am not going to buy into, as I think many of my colleagues will not buy

into, a false equation of reform. We insist there be adequate funding of those communities that simply do not have the ability to be able to make the difference. That is the best of what the Federal Government exists for in the sense we assert a national priority, something in the interest of everybody in this country—educating our kids, making sure they have values, making sure they are in safe communities, where they can grow up to full citizenship. We share the capacity of our country to be able to guarantee that no child is left behind.

In the budget that President Bush has presented, with only a 5 percent increase in disadvantaged children's funding, how can one possibly live up to that promise? This is not a political fight. This is not a political food fight. This is not just Washington somehow being the same.

I respect President Bush's effort to change the tone and be bipartisan. Right now, the only bipartisanship has been movement on our side of the aisle to consolidate the programs, to move toward a more sensible regime for accountability. The question we are asking is, where is the bipartisanship on the other side of the aisle that moves toward us with respect to this critical element of funding?

You can have accountability, but if you don't have adequate funding to make it happen, it is a complete sham and waste of time. Likewise, we believe you can have a lot of money but if you don't have the accountability, it is equally a sham and waste of time. If we are prepared to change the dynamic and provide this country with education reform it deserves, we must be prepared to adequately fund the reform effort.

I reserve the balance of my hour, and I ask unanimous consent I be permitted to speak again within the hour, if necessary.

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

The distinguished Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I rise to speak on the motion to proceed to the Elementary and Secondary Education Act, and I yield myself 15 minutes.

I hope we will proceed. I intend to vote for the motion to proceed so we can get on the bill and get serious in the Senate about addressing the compelling human needs that exist in America's public schools.

I believe education is the most important crucial rung in our Nation's opportunity ladder. During the coming days, we will discuss how we can strengthen this opportunity ladder. The Elementary and Secondary Education Act is only the first step. It sets the framework for reform, and also it will establish how we will address our public education.

We do need reform in our public schools, and at the same time we need to have the resources to put the reforms into action. However, if we put

the reforms on the Federal law books but do not put the resources in the Federal checkbook, this will be a hollow opportunity.

There are some on my side of the aisle who question whether we should embark upon testing. First, I stand squarely in the corner of supporting the concept of accountability. I also stand squarely in the corner of supporting testing, but making sure the Federal Government does pay the bill.

In the State of Maryland, we have had testing for more than a decade. Testing enabled us to provide an inventory of where our schools were, what schools needed intervention and what type of intervention.

I view testing like a CAT scan. It gives an inventory of where the problems might be and identifies other areas of potential problems. I believe we should proceed with testing and also aggressively fight for the resources. At the same time, we should not hold up on getting an inventory of where we are.

In keeping with this principle, I support six priorities for educational reform. One is something I am calling "digital opportunity." I know the Presiding Officer is deeply troubled about the need to have more people educated in math, science and technology in order to meet our growing national security needs. The Rudman-Hart report clearly indicates we need to have children technologically competent, not only for the new economy but also for the new security threats facing the United States of America. Issues such as cyberterrorism are an example of why we need to make the availability of educational technology a priority.

I worked very hard to have a series of amendments creating digital opportunity. One, a national goal that every child be computer literate by the time they finish the eighth grade. I enjoyed bipartisan support on this issue in the committee and it passed. To make the goal a reality, I offered an amendment to make technology funds more robust and more effective. The BEST bill authorizing \$1 billion for education technology.

The new technology block grant that President Bush is advocating is something I will support because it will mean the programs will no longer be scattered through the Department of Education. As we are dealing with the scattered problem, we also have to deal with the skimpy problem and make sure we have the funds for hardware, software, and teacher training.

I know, also, we are not considering the e-rate in ESEA. Sometimes in legislation the best thing we can do is do no harm. The Bush administration talked about eliminating the E-rate or consolidating the E-rate with ESEA technology programs. I am pleased that in our discussion with the White House they clarified the E-rate will be a subject of further discussion in the future. I am a big supporter of the E rate. I hope we do not change it.

A weakness in the bill is that it focuses entirely on schools and not enough on the communities where children learn. Everybody does not entirely learn in school. Many people learn in structured afterschool activities and in the community. This is why I will offer an amendment on community tech centers, to establish 1,000 community tech centers, throughout the United States of America. That means that they can be run by non-profits including the Boys and Girls Clubs, faith-based organizations, and Latino heritage organizations. Let's get tech into the community. In some instances our children are in schools that are so dated they cannot be wired. We want to make sure our kids are wired for the future.

We also need to focus on teachers, recruiting the best, training the best, and retaining the best. I am pleased the education bill authorizes almost \$3 billion for teacher training. At the same time, we could use more. I believe we need at least \$2 billion more for teacher training to bring them into the classroom and also to upgrade their skills.

Another priority I believe we need to focus on is smaller class size. Everyone will tell you we do need smaller class sizes. I will be supporting Senator MURRAY's effort to continue to try to hire 100,000 new teachers for our classrooms.

Coming back to where children learn, I support structured afterschool activities. Children need structured afterschool activities where they can learn, have fun, and be safe. In many of these neighborhoods this is absolutely crucial.

Speaking of safety, this then takes us to school modernization. The average school in the United States of America is 42 years old. Many of them are crumbling. Many are dated. Some are even dangerous. We really need to work out how we can be a partner with State and local governments on the improvement of schools to modernize those facilities.

The other area where we also need to keep our commitment is on funding for IDEA, the Individuals with Disabilities Education Act. The Federal Government passed, some years ago, a mandate that local school districts are supposed to come up with individual education plans for children who are disabled. We promised them if they did that, they would get 40 percent of the cost from the Federal Government. Guess what. We only provide about 15 percent. In Maryland it's 9 percent. I believe we should keep the policy, but let's really, now, meet that mandate. If over the next 3 years we could work every year to increase the funding for IDEA, the money would go right into the school districts. It would help the local communities. It would alleviate a lot of the financial pressure on the state and locals to serve our special kids, without us becoming the schoolmarm or chairman of the school board in local school districts.

These are the issues on which I look forward to working. I believe we can move the bill on a bipartisan basis. Let's have reform with resources so we can have results. Those are the three R's I want: Reform, resources, and results. Let's get our kids and our country ready for the 21st century. We have made great progress in the past, and I know we can do so in the future.

I yield the floor. I yield back any time I may not have consumed.

The PRESIDING OFFICER. The distinguished Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I would like to be recognized on the motion.

The PRESIDING OFFICER. The Senator is recognized. The minority has 16 minutes 6 seconds remaining.

Mr. NELSON of Florida. Mr. President, I listened closely to the eloquent comments of our colleague from Massachusetts this morning. It was his late brother, President Kennedy, in 1962, who said in a message to the 87th Congress: "A child miseducated is a child lost."

Today, nearly four decades later, these words ring truer than ever. Far too many of our children, particularly poor and minority children, remain miseducated today despite efforts over the years to strengthen and reform America's public schools. The latest tests by the National Assessment of Educational Progress, for example, showed that only 32 percent of our Nation's fourth graders were proficient or better in reading and more than one-third of the fourth graders read below basic minimum standards. That is unacceptable, especially today, when the consequences of such poor performance have never been greater.

In this era of rapid technological change, business and industry require highly skilled, highly educated workers. If we fail to improve our school systems, many of our young people will be locked out of well-paid jobs and denied opportunities to succeed in a changing global economy. We cannot deny them that opportunity, nor can we deny this Nation the talent and skills it needs to grow and prosper. This 107th Congress must lead so no child is left behind.

As for their leadership thus far, I wish to compliment many of our colleagues who have engaged in tough and bipartisan negotiations aimed at ensuring that we adequately address our Nation's educational priorities. The administration has proposed one plan, and some parts of it are very good. They are certainly in step with the reforms many of us have advocated in the past—particularly as I tried to articulate in this last election cycle in Florida. But other parts of the administration's plan are seriously flawed or are grossly underfunded. At the outset we must decide to put partisan interests aside and do what is right for our children.

By the way, more than 90 percent of our children attend public schools. We

must debate and resolve the important issues that still separate us, keeping in mind our common goal of giving every child the opportunity to succeed, not only in school but also in life.

The teachers and public schools in Melbourne, FL, along with my parents, gave me my start and instilled in me a lifelong love of learning. Public elementary and secondary schools gave me the opportunity to go on to college and to law school, and to serve in the Army and the Florida legislature and the U.S. House of Representatives. That public school education also allowed me to serve as Florida's State treasurer and as a member of the State cabinet, as a member of the State board of education, overseeing public education. Now I have the privilege of being here as a Member of the Senate.

I am forever indebted to my teachers and to those schools. Those schools were good ones, located in a growing, prospering community along the east coast of Florida. I was blessed. As we know and as the recent reading scores demonstrate, not every child is that fortunate. Too many of them come from broken families, too busy putting food on the table to worry about the absence of books in their homes. Too many attend failing schools in failing neighborhoods, or crumbling schools with overcrowded classrooms. Too many have outdated textbooks, insufficient numbers of books to go around, and tired teachers who believe they lack the support they need.

Thanks to economic growth and the fiscal discipline imposed by the Congress, we now have a unique opportunity this session to help our States and local school districts address these problems. We have an opportunity not only to provide more of the financial help needed but also to ensure that those dollars help produce a better education for our children. We must not squander that opportunity now.

I am encouraged that the White House has emphasized education. I also am encouraged that progress has been made in the negotiations so that we can give the States and school districts greater flexibility on spending while also holding them more accountable for results. These are goals we all share.

I am confident that we can resolve our remaining differences on this legislation and work out the details on how best to achieve those goals that we share. But I am also convinced that the administration's commitment to leave no child behind will be nothing more than an empty slogan unless we bolster it with sufficient resources needed to get the job done. Reform without resources is not reform.

In this regard, the President's demand for excessive tax cuts contradicts his pledge to do right by America's schoolchildren. I believe that it would be reckless to risk a return to the annual budget deficits that you and I, Mr. President, experienced in the 1980s and return to mounting national debt by

committing this Nation to a tax cut that could overwhelm the projected surplus. It is a tax cut that is said to be \$1.6 trillion, but in a real estimate of what it would cost in terms of deficit reduction, it is \$2.5 trillion. It would be reckless to use the surplus for that instead of investing any increase in Federal education over the next 10 years. The White House claimed its proposed budget would provide an 11.5 percent increase for education in the coming fiscal year. But the real increase would be half that amount, and could leave the States with unfunded mandates, something the Congress in 1995 vowed that it would never do—put unfunded mandates on the States.

If we are truly to leave no child behind, then we can do a whole lot better. We must do better.

In my view, there is no higher priority than providing a first-rate education for the children in our public school systems. Our Federal Government, which now provides just 7 percent of the money for all of our schools nationally, ought to provide a larger investment for school construction, for dropout prevention, for smaller and safer classes, for teachers who are both well trained and well paid, and for programs that assist children with preschool education and afterschool care.

The amendments we adopted last month in our Senate budget resolution would strengthen the Federal investment in public education and children with disabilities by more than \$250 billion over the next decade. We can also help failing schools succeed by strengthening our programs for disadvantaged children and targeting additional Federal money to needy students and to the poorest schools, some represented by the distinguished Senator who honors me with his presence here, the distinguished Senator from West Virginia.

Along with increased support, the education bill that Congress enacts this year should provide for greater accountability. It should condition future help on academic performance standards set by the States and measured by testing students yearly and uniformly within each State.

We also need to ensure that the States set meaningful standards and measure real progress.

We can do all of this in part by using the National Assessment of Educational Progress tests of fourth and eighth grade students and as a way to audit the results of the yearly State reading and math tests that would be provided under this bill in grades three through eight.

So the States do their thing, with their own accountability, but we then will have a national measure, a standard by which to compare the States with the National Assessment of Education Progress test. This will then enable us to confirm that Federal dollars were well spent.

Parents have an important role to play. They are entitled to timely re-

port cards from their school districts on the performance of their children's schools, not just their individual child's report card. If, despite our best efforts, a school continues to fail, they ought to have a choice so their kids are not trapped in failure. But when the Nation's taxpayers are paying for it, the choice ought to involve public schools, and not private ones, if it is public school money.

I believe our negotiations are on the right track for providing options for transfers to charter schools, magnet schools, or other schools within a district, or for extra help from outside tutoring to summer school.

I want to make sure that we don't divert public school tax dollars to private schools through vouchers. We need to improve public schools that perform poorly. We don't need to abandon them. As we make our schools and local school systems accountable, we also need to give them more control and greater flexibility to use the Federal funds in ways that better meet local needs. I believe that we can consolidate programs and cut bureaucratic strings without sacrificing those Federal initiatives that are an essential part of the solution.

For example, we know that children learn better in smaller classes. Why in the world would we want to abandon our national commitment to reducing class size, to building new schools and renovating the old ones if we know that creates an environment in which children can better learn? We can do better.

In February, I joined with 10 other Senators in introducing the Public Education Reinvestment, Reinvention, and Responsibility Act, which we call the three Rs. Its aim is to streamline the Federal role in education and eliminate some of the bureaucratic strings that hinder local school districts. Its goal is to establish a clear national priority to ensure that every child has a chance at a quality education. These priorities include—and let's think about these; they are common sense—closing the achievement gap between poor and more affluent children; helping immigrant children learn English; improving teacher quality; reducing class size in the early grades; spurring innovative practices; and promoting choice within the public school framework.

I am pleased that many of our proposals are now embraced in the committee bill that is now pending before us. As our deliberations proceed, I will be fighting to ensure that they receive adequate funding.

We must succeed in this endeavor. Failure is not an option. We cannot afford to abandon our young people. In the long run, such failure would be far more costly than investing in quality education for all of our children.

Let us make sure that no child is miseducated, and let us make sure that no child is lost.

I thank the distinguished Senator from West Virginia for being kind

enough to be interested and to be on the floor as I present my maiden speech on education.

I yield the floor.

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

Mr. BYRD. Mr. President, I ask unanimous consent that the Senator from Florida may have 3 additional minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the Chair and thank the distinguished Senator from Florida for yielding. I thank him for the thoughtful remarks he has just made. I heard him as I was in my office, and I came to the floor because I knew I would hear something worth listening to. I gave some time to the Senator from Florida. I am very impressed with his dedication to his Senate duties, and I appreciate his love for the Senate. I am going to have a few remarks later concerning education and our schools and this legislation. I will want to scan very carefully—perhaps it would not be scanning—I will want to study very carefully the words of the Senator from Florida before I make my own remarks.

I thank him for his contribution to the Senate and for his contribution to the debate on this extremely important subject. I look forward to reading his comments and hearing him from time to time. It is a pleasure to work with him.

(Mrs. CLINTON assumed the chair.)

Mr. NELSON of Florida. Madam President, just in the remaining moment, I say to the Senator from West Virginia what a tremendous role model he has been to all of us new Senators, including the Senator now presiding in the chair. What a tremendous pillar of historical example he has been in carrying forth the traditions of the Senate and imparting those traditions to the new Senators, and then in his vision for the future to keep alive those traditions.

I have been so educated sitting in this Chamber listening to Senator BYRD bring in the history of the world to make his point on a particular argument in which he might be engaged. He recalls to mind, for me, the great orators who have been in this Chamber. Again, that is another part of he being a wonderful role model for all of the new Senators.

So I am eternally grateful, and I am especially honored that he would think me worthy of coming and listening to my comments today on education.

Mr. BYRD. Madam President, I thank the distinguished Senator for his generous and overly charitable remarks. I thank him very much.

Mr. NELSON of Florida. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Madam President, I ask unanimous consent that the next

30 minutes of postcloture debate be equally divided between the majority and Senator HOLLINGS from the minority and that the time be deducted from each individual Senator as provided under rule XXII.

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

Mr. THOMAS. Madam President, I am waiting for one of our Senators. In the meantime, let me again say how important it is that we move on with what we started to do in this Chamber. We have been working on the education bill now for a very long time. The committee has done a great deal of work. But we find ourselves now sort of postponing consideration of the bill. This is the third time I have been in this Chamber today to ask for another hour of postcloture activity.

The time has come, certainly, for us to begin consideration of the bill, to begin to move forward, to begin to talk about those areas of disagreement, and to begin to offer the amendments that need to be considered.

I think, clearly, this bill is one of the most important issues on which we will be working. We have talked for a long time about the need for accountability. We have talked for a very long time about the need for additional funding. We have talked a long time about the flexibility that should exist when we have Federal money going to local and State governments so that there can be enough changes made to allow for the differences that exist in communities. Certainly that is important.

We have talked a lot about how we need to help teachers become more efficient and more effective in that they are the most important aspect of education.

We have talked about parental choice so that students can move between public schools in the various communities at the choice of the parent. Certainly that is an important item.

There will never be agreement on all these things among all of us, but certainly it is an issue with which we have to proceed. I look forward to that.

Madam President, I yield the floor to my friend from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. I thank the Chair and thank the distinguished Senator from Wyoming for his leadership in this debate.

Madam President, I will just take a few moments to again speak on the very important issue of education and the legislation we have pending before us, and to urge my colleagues to support the motion to proceed.

I believe we have spent close to a week—perhaps more than a week—talking about education without having yet taken a single vote on an amendment.

I believe this issue is of such great importance that while we do not want to shortchange the amount of time we spend on this issue, and while we do not want to short circuit the process,

we also do not want to become victims of the process.

I saw last year where we spent weeks on the Elementary and Secondary Education Act, and where we had other items of important business that would interrupt the education debate, and where we would return to the education debate, and while there was never a formal filibuster, the effect last year was to have a filibuster by amendment and by process, so that extraneous amendments prevented us from ever getting a final vote on the Elementary and Secondary Education Act and the reauthorization of this important bill. The losers, as always, are the American people and, more critically, the children of this country.

I urge my colleagues to allow us to proceed with the bill. I know there are good-faith negotiations occurring on important subjects. I have been involved in those. I think they are in good faith. I applaud the efforts that are ongoing. But we have spent a long time on this issue. The differences now are fairly small, whether it be in funding or whether it be in policy. It is critically important that we go ahead and proceed to consider the bill and begin the process of offering amendments and debating this issue.

The process of what occurred in the Health, Education, Labor, and Pensions Committee and the bill that was voted out of that committee, as well as the bipartisan policy agreements that have been reached through negotiations, have produced, I suspect, 95-percent agreement now on policy. In both of these instances—both the committee and the negotiated agreement—we have taken a tremendous step forward in education in this country and have made a tremendous move toward real educational reform.

Let me mention a few of the areas. Let's reiterate them again. We must have accountability in educational reform. To pour billions of dollars more into the Federal contribution to educate our children without requiring real accountability would not only be foolhardy but would be a waste of taxpayers' dollars. So we must have accountability.

The bill that is before us—the negotiations and what has resulted from those negotiations—brings us real accountability, and it transforms the way we have thought about accountability for the last 35 years. What it has been in the past has been asking the local schools, local education authorities: Are you spending the money the way we prescribed that you spend it? That is what we have defined as accountability. Did you fill out the paperwork correctly? Did you cross the t's correctly? Did you dot the i's correctly? Did you spend it the way we prescribed you to spend it?

Whether it made good sense locally or not, whether it was in the best interest of the children or not, if it conformed with what we in Washington believed was the right way to spend it, we

said, then that is accountability. You have met the accountability requirements.

We have changed that and gone in a whole new direction. We have said every child ought to be tested every year. We ought to know whether or not children are learning. We are taking a giant step away from how old are you, what grade should you be in, have we shuffled you through the system, to what do you know.

I have heard the critics of testing and the testing proposals. Testing is by no means perfect, but I ask my colleagues, is there a better way to measure what children know? The answer is, of course, no. That is the best tool we have to know whether or not children are progressing academically, whether or not they should be moved ahead and promoted. That is very important. If you are going to have real accountability, you must not only measure through testing; there must be consequences to those schools that are not teaching, that are not succeeding, that are not preparing their students to go out into the workplace and compete in this global economy.

Under this bill, there are real consequences for those schools that will not teach and will not change. Yes, additional resources; yes, additional help, but in the end, if a school will not change and it will not teach and the children are being trapped in a school that is handicapping their future, then we say, in this legislation, there should be consequences to those schools.

The best consequence, the best way you hold schools accountable is to ensure that parents have greater choices. Yes, after schools are given an opportunity to improve and to address the shortcomings of failing schools, and still they do not make the changes, then we would say parents should have the right to take those children and move them to the public school of their choice. I would prefer that the choices be expanded, but in the bill before us at least there is the expansion of parental choice in the sense that they can go to another public school. Competition is good in any sector in our economy. It is good in business and in education. The public schools will be better when that element of competition is injected.

The evidence is overwhelming, whether you look at Milwaukee, WI, or whether you look at the State of Florida, that where you have competition, you have improvement in the public schools.

We recently heard from the Milwaukee superintendent of schools, the longest choice program in the Nation. His testimony was that the public schools in Milwaukee are better today because of the choice element, because parents of low-income children have the right to take those children and move them into a private, public, parochial, or charter school where they have a whole range of options; that choice has made the public school sys-

tem better. We suggest in this legislation that real consequences mean greater parental choice.

We also say that where a school will not change and will not teach, those parents should be able to find supplemental services to assist in the education of their children. Parents should not be forced to sacrifice the future of their children because they happen to be in a school that will not make the academic investment in those children.

We say, yes, if a parent has children who are in a school that after years does not improve and is still not doing the job, is still a failing school, the parents ought to be able to take those children to a Sylvan Learning Center or they should be able, with their title I dollars, to hire a tutor. They ought to be able to take that portion of the Federal contribution to local education and ensure that their children are not sacrificed in a failing system.

Accountability is a huge part of the legislation that is before the Senate and that I hope we will begin voting on soon.

A second aspect of this legislation is the consolidation that occurs. One of the frustrations of local educators for many years has been the plethora of programs that we have created at the Federal level, oftentimes well intended, oftentimes with a very good purpose in mind, and frequently never funded by the Federal Government, just authorized without any funding. Sometimes when we question officials at the Department of Education about how many programs they have, it is very difficult to get a clear, unequivocal answer. They simply don't know how many programs are under their jurisdiction that have been created through the years, since the department was established, authorized, some funded, some not funded, some having wilted away but still on the books. They don't know how many programs there are.

We know that while it has been repeated frequently during the debate on education that we contribute between 7 and 9 percent of the local school's budget from the Federal Government, we contribute about 50 percent of the paperwork with which local educators are required to comply. That is probably the best gauge of how many Federal mandates accompany that 7 to 9 percent of the funding at the local level.

What the President has suggested and what the committee has produced in the committee deliberations is a bill that consolidates this plethora of Federal programs into a more manageable, more simple stream of funding for the local schools. The funding is still there but, as a result, there is far greater flexibility than there has been in the past because we have consolidated these many programs.

That is something that needs to be done. Local educators acknowledge that. Yes, every program has a constituency. When we try to consolidate,

to eliminate, we hear from those constituencies. But let the educators of this country realize, there is no reduction in funding. In fact, the funding is dramatically increased in this legislation.

The flexibility for local educators to use those resources in the area they feel is most essential for local educational reform is enhanced under this legislation. Whether that is class size reduction, hiring more teachers, whether it is tutors, school nurses, whether it would be a form of merit pay, paying the best teachers more, enhanced flexibility would be there for these local educators under this legislation. So consolidation is a very important part of what we are doing in this education reform.

Then what I hope comes out of the ongoing negotiations is a form of the President's proposal regarding charter States. This was a bold initiative that President Bush campaigned on and spoke eloquently about and that has been whittled down and whittled down and diminished and deluded, but there is a form of it still remaining. We are talking about perhaps seven States as a demonstration project with perhaps 25 local educational authorities or school districts that would be given the option of applying for this new status created called charter States. In last year's deliberations, we called it the Straight A's Program.

The concept is we will give States broad new flexibility to consolidate streams of funding and to make local education reforms in exchange for strict accountability standards.

The concept of charter schools has for years been used successfully across the country. That is why they are increasing in number. We say to a charter school: You have a waiver in effect from local and State education requirements in exchange for results we expect from what you are doing in that charter school. If it works at the local school, why shouldn't it work if we give States, the laboratories of democracy, that kind of flexibility. So States would be given a new element of freedom and flexibility in exchange for a performance agreement with the Department of Education and the Secretary of Education as to what they intend to accomplish and how they intend to accomplish it and ensuring that there is going to be increased annual yearly progress.

That is a good deal for schools; it is a good deal for States; and it is a good deal for the American people. There will be a little bit of that proposal that survives so that a few States can apply, and a few States will be willing to try it, to break out of the old mold. The result will be an example that a lot of other States will want to try in the future.

I commend the President for his strong emphasis upon early childhood

education and particularly his emphasis upon reading programs, his willingness to triple funding for reading programs. So often the tragedy of shuffling children through the system all begins in kindergarten and first grade and second grade, where the foundation is not adequately laid. The President's emphasis upon reading is to be commended and is an important part of this legislation as well.

One aspect that I and my staff have been involved in, that will not get a lot of attention but is going to be a very significant step, is the change that is made in the bilingual education program.

Historically, that has been a competitive grant program. Many States that have had growing minority populations—particularly—in the State of Arkansas, with a growing population have received almost nil under the current system. Because of the changes made in the legislation, we will not only have increased funding nationwide, but we will have a formula that will benefit many of these States such as Arkansas and Alabama, and many of the rural States that have fared so poorly under the past approach on bilingual education. In addition, there will be emphasis—in fact, a requirement—on teaching English in these programs.

This is a huge step in the proper direction of reform. I know my colleague, Senator BOND, is on the floor. I am anxious to hear what he has to say on this subject. Senator BOND has been involved in education for years.

I will conclude by addressing an issue that we have heard repeatedly on the floor, and we are going to hear a lot more about it in the next couple weeks, and that is the issue of spending. For those who say this is an unfunded mandate upon the States, for those who say it is unconscionable to do education reform without fully funding the Elementary and Secondary Education Act, I just say: Where have you been? This is the first time that the Republican Senate, with a Republican Congress and with a Republican President, has had an opportunity to reauthorize the ESEA. Historically, with a Democrat President and Democrat Congress, the funding increases when ESEA has been reauthorized, have been between 5 and 6 percent. So to demand that the only way you will support education reform is if there is a full commitment to funding ESEA for the next so many years is really disingenuous.

The President has made a strong commitment to dramatic increases in education funding—in fact, more than in any other Cabinet department—and has been willing to move even higher on those numbers in the negotiation process across the aisle.

So I just plead with my colleagues on both sides of the aisle that we not allow a bogus debate on funding to distract us from the very important task of giving the children of this country and the families of this country the

kind of education reform they deserve, and that will truly put meaning behind what has become a very popular phrase—"leaving no child behind." We are leaving them behind today. We have an opportunity to leave far fewer behind. Every child can learn if given the opportunity and the expectations.

This legislation, through accountability and flexibility, testing requirements, through increased funding, does many good things in moving us in the right direction toward greater educational opportunity for every child in America. I hope that we get on with it, get on the bill, and pass the bill and send it to the President, who has been a dynamic leader on education reform in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Madam President, I know I am out of order, but I do not see a representative from the other side. I ask unanimous consent that I may be allowed to proceed out of order for up to 8 minutes.

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

Mr. BOND. Madam President, I rise today to support President Bush's education initiative and S. 1, the Better Education for Students and Teachers Act. As a new member of the Health, Education, Labor, and Pensions Committee I have been involved in the tremendous bipartisan progress that has been made in Congress thus far on public education reform. I look forward to the swift conclusion of the debate, the signing ceremony that will take place, but most importantly—the improvements to public education that will result to ensure that "no child is left behind."

It is obvious that the American public places improvement of our public education system as a top priority. Parents and communities are aware of the same statistics that have been provided to us. Our children are not reading at the basic level. Too many students never graduate from high school. U.S. students lag behind too many countries in science and math. Our higher education institutions are spending too much money on remedial education and businesses have to spend billions of dollars teaching their employees what the schools did not teach them.

I believe there is agreement that education, while a national priority, is a responsibility and obligation of the state and local communities. The education of our children has always been carried out and implemented at the local level. The American public is interested in the debate here in Washington, but they understand what really matters is what takes place in the schools and classrooms around the country—not the Senate or House floors.

The decisions that are going to improve children in a particular school district are going to be made by the

teachers, parents, school board members, and administrators who know the names of the children, know their problems, know their opportunities.

Every single one of us have a vested interest in the success of today's generation and future generations of youth in this country. Therefore, we have a vested interest in the improvement of our public education system.

For many decades Congress has debated numerous education issues, including the federal role and federal funding. Even after the completion of this specific debate, discussions and debates will continue. The debates continue because we are constantly seeking ways to improve upon our public education system.

However, we must be careful. One of the main reasons that I support President Bush's plan and S. 1 is because it streamlines and consolidates many of the countless individual education programs that exist. We have all read the reports and have heard several colleagues talk about the 760 education programs scattered throughout 39 different federal agencies. According to the Education Commission of the States, "In the 1999–2000 budget, the federal government spent almost \$44 billion on elementary and secondary education programs. This funding was spread across 35 different education programs in 15 different federal departments."

All the programs that exist today were started with good intentions. Some I have advocated and numerous others I have supported. All along, all of us have tried to do the right thing. But—what have they gotten us?

Today, our good intentions have gotten us burdensome regulations, unfunded mandates, and unwanted meddling. Parents, teachers, and local school officials have less and less control over what happens in the classroom. The myriad of federal education programs make the jobs of our school administrators and teachers harder than they should be. Teachers are taken of the task of teaching, preparing lesson plans, taking on after school student activities and instead are researching for grant opportunities, reading regulations, preparing applications, filling out paperwork requirements, complying with cumbersome rules, and reporting on how they spend the little federal funding received. We even have teachers and administrators that decide that the little extra federal funding is not worth the time and effort that it will take to apply and comply so they do not even bother with the process. Instead of empowering parents, teachers, and local school officials we have empowered the federal government and bureaucrats.

We have slowly eroded the opportunity for creativity and innovation on the local level and have established a system where supposedly the Olympians on the hill know what is best for the peasants in the valley.

Knowing where we now are, how can we afford to keep spending our federal

education dollars in the same way we have been doing for years if it is not simulating academic success for our children? We can't. Not only will I not stand for it, but parents, teachers, school boards, communities, and businesses cannot afford to stand for continued lackluster performance and failure in some cases.

The President's education plan and S.1 are huge steps in the right direction recognizing that the answer to improving public education does not lie within the Halls of Congress or in the granite buildings of the downtown Washington education establishment. As an editorial from one of my homestate newspapers, the Southeast Missourian stated, "The answer to fixing America's educational woes rests with individual school boards and passionate educators. The bureaucrats must reduce the red tape and mandates that are strangling our schools. Give those who know best the time, talent and incentives to finally fix public education." I agree with what the Southeast Missourian said.

The President's proposal and S. 1 stress high academic achievement for all students so the achievement gap that exists will erode. The legislation stresses the importance of literacy and making certain our children can read. We know that reading is a basic, essential, and fundamental tool for personal growth and self-sufficiency. Reading provides the foundation for all other learning and eventually for productive employment. Accountability, as well as flexibility, are incorporated in the Bush plan and S. 1 to ensure that the needs of the individual child and school can be addressed while also ensuring that our tax dollars are resulting in academic success. Finally, one of the most important aspects from my perspective—advocacy for increased parental involvement. It is very simple and well documented. Children whose parents are involved in their education from the very beginning are more successful in school and score higher on tests. Parents are a child's first teacher, and we can do things to help them be better teachers.

Parental involvement, especially as it relates to early childhood education, is something that everyone has heard me talk a lot about, and they are going to hear more about it.

There is bipartisan recognition that we must try something new to improve our public education system. My dear friend and colleague, the Senate leader from the other side of the aisle, Senator BYRD, said the following on the Senate floor in the 105th Congress:

... when one goes the last mile of the way and concludes from what he sees, from what he hears, and from what he reads, concludes from analytical reports about public education that we are not doing well, that there is something working, then it seems to me that, in the interest of the public schools system, we may have to try a little different approach, else the confidence of the American people in that system and the support of the American people for that system are going to erode. We see that happening.

From all the newspaper articles, television reports, letters to the office, et cetera, we know that the American people want more, demand more, and deserve more when it comes to public education. Let's put partisan rhetoric aside, let's move past the squabbling, and let's move forward on our common goal. Let's get on with our business. Let's have our votes. We want to be a positive contribution to educating our children for a lifetime of achievement.

Madam President, I ask unanimous consent that the next 30 minutes of postcloture debate be equally divided between the majority and minority parties and the time deducted from each Senator as provided under rule XXII.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. HUTCHISON. Madam President, I rise to speak again on the education bill that I hope will be before the Senate very shortly. We have been talking about this bill off and on for 2 weeks. It is time for the Senate to get down to the real debate.

Let us bring the bill forward, propose amendments, let everyone have their say, and send a bill to President Bush he can sign. We have the opportunity in this debate to change the course of public education in this country, and I believe it needs changing.

We have seen year after year, in the last 25 years in this country, more spending going into public education from the Federal level but not improvements in the overall education of our children. I do not think throwing more money at education is the only answer. We are going to put more money into education, but we are going to do it in a reformed education system. In fact, we need to shake up the system.

We have some very good public schools in our country, but we don't have a uniform standard of public schools where we can say all of them meet the test of giving every child the chance to reach his or her full potential with a public education. That should be the standard. We must be able to help each individual child learn in the best way that child possibly can, if that child is going to reach his or her full potential. That is exactly what we are trying to do with the bill we hope to bring up soon.

I will talk about a couple of amendments I want to include in the bill that are not included now. One is to help bring more good teachers into the classroom. Every Member knows of a teacher shortage in a public school in

their area. Rural schools have problems, urban schools have problems getting qualified teachers in some of the core subject matters, and especially math and science are lacking in qualified public teachers.

We are trying to add some creativity into the process by giving incentives to school districts to bring more people into the teaching profession. We must be a partner with the States. It is the States that set the salaries and the benefits and the hours for the teachers. That is first and foremost what needs to be improved. I don't know of one public school teacher making enough money—not one. Not even in our best public schools are teachers making what they are worth. Our teachers should be making what our major corporate CEOs are making. What they are doing is more important than what any corporate CEO could possibly do. They are determining if our democracy is going to stay intact. We should pay them more. Most States are trying to do that.

My home State of Texas is in its legislative session now and they are looking for ways to augment what teachers are paid, as well as benefits for teachers. I imagine most States are trying to do it because I think we all agree, public school teachers are not being paid what they are worth.

We can do more at the Federal level where we can't set the salaries and we can't set the hours and we can't set the school days. We can be creative. We can reach out, and we have done so, as in the Troops to Teachers Program which would go for the many wonderfully qualified military personnel who are retiring, sometimes at the age of 40, 45. They are looking for a second career. We want them to go into teaching. Many of them have skills where there are teacher shortages.

For instance, a military person is fluent in French, Spanish, Chinese, or Japanese. We have schools all over our country that cannot teach these courses because they don't have qualified teachers. We are offering incentives for alternative certification to get those people into the classrooms in their areas of expertise, although they don't have educational certification or educational degrees.

Someone has a math degree, but they didn't get an educational degree. However, they are very qualified to teach math. Why not give them an incentive to come into the classroom and teach the area in which they are expert?

My amendment will be called careers to classrooms. It is modeled after the Troops to Teachers Program. It says to a retiree of a computer firm, perhaps one of the wonderfully successful computer firms that has done well and the person can retire at the age of 40, 45, 50, or 55, if they would like to do something else, they are not ready to retire, why not encourage them to teach computer skills to our young people in the classroom by offering an incentive for an alternative certification for that

teacher to be able to come into the classroom with a minimum of hassle, a minimum of bureaucratic red tape. Let's break the red tape. Let's get the qualified people into our classrooms, targeting the schools that have teacher shortages—rural schools and urban schools.

My careers to classrooms amendment will be just such an incentive that we hope will reach out to more teachers or more potential teachers and bring them into the classroom and enrich the experience of the young people in the classroom.

The second amendment I am planning to offer, along with Senator SUSAN COLLINS, with the help of Senator BARBARA MIKULSKI and others, is the single sex option for public schools. I believe if our public schools are going to compete, we are going to have to give every option to parents. Many parents can afford to send their children to private schools. So they have their young girl attend a girls' school, or their boy attend a boys' school.

However, if you go to public schools or you cannot afford to send your children to private schools, you probably don't have that single sex option. It has proven, time and time and time again, some young people at certain ages, usually in that junior high school to high school age range, and not later than elementary school, some young people do so much better in a single sex atmosphere. It was found girls do better in math in a single sex atmosphere in those age levels. It was found that rowdy boys do better in a single sex atmosphere, particularly in an urban setting.

Why not allow parents the options? We are not talking mandate. Many parents prefer to have their children in co-educational schools. Some parents might want to give a special needs child that single sex atmosphere. They can't afford to send their children to private schools, so why not let them have the option of going to their school board and saying they would like to have a single sex math class in the fifth grade in the elementary school. Why not give them the option? We want to take away the barriers being put in front of the parents, putting schools in fear they may be sued if they have a single sex educational opportunity.

There would be a requirement for a comparable opportunity for young people of the other sex. That is fair. We want that to be allowed, also.

We want to offer all the options a parent could possibly have if the parent had the opportunity to go to parochial schools or private schools for their children. We want those options to be available in public schools. I will offer the single sex amendment to this bill because I want to grow the opportunities; I don't want to kill them. I want public schools to be the best.

I always like to proudly say I am a total product of public schools. I grew up in a small town of 15,000. I went to

public schools. I graduated from the University of Texas and the University of Texas Law School. I want every child to have the same opportunity I had. I want every child to be able to go to public school and compete in any arena. I have competed in debates, I have had opponents who have had a wonderful Harvard education, and I won. I couldn't have done that without the quality public education.

I want every child to have the same opportunity I had so that young people with private school degrees and public school degrees will have the equal opportunity to reach their full potential.

Madam President, the choices are what make our country great. The basis we must provide is quality public education. I am excited about the opportunity to reform education, and I am excited about the President's plan. I am excited about what Congress will be able to do to make sure that future generations have the quality public education that has been the foundation of our democracy. That is what I want for every child for the future in our country.

I hope we can get on to the bill. I think it is time. We have talked about policy and all the priorities that we have for a long time—about 10 days now. It is time for us to start amending this bill and going forward so we will have the winds of change in this country in public education. I urge my colleagues to come together and make it happen.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. FRIST. I ask unanimous consent I may speak notwithstanding the previous agreement. If someone from the other side of the aisle arrives to the floor, I will yield.

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

Mr. FRIST. Madam President, I rise to continue our discussion as we prepare to bring to the floor a very important bill that I believe realizes the dream of the President of the United States, his campaign pledge, the vision he has put forward of dramatically shaping and reshaping and modifying and changing Washington and the Federal Government's role in education.

We are at a unique time. I believe never before in this body, at least in the history of the last 35 years since the Elementary and Secondary Education Act was first enacted, have the American people, and their Representatives on both sides of the aisle, been so focused on education, kindergarten through 12th grade, and the reform of education so that we truly leave no child behind.

With that attention and that focus, come great expectations. I believe as a Congress we must seize that opportunity. We must work together, both sides of the aisle, to work with the President of the United States and take advantage of that opportunity to creatively improve how the Federal Government addresses education and to answer the question: What is the appropriate Federal role and how can we best leverage that Federal role to leave no child behind?

I spoke a little bit to that point yesterday. It was to get Washington out of the business. Remember, of the total amount of money spent on education for K-12 in this country, only 7 percent comes from the Federal Government—from the taxpayer, I should say, through the Federal Government.

In my mind, it means we need to change that Washington role from one of regulator to one of education investor—to invest in education and to regulate only to the degree that we accomplish that goal of reducing the achievement gap, of boosting the academic achievement of all children to make them more ready for the world they inherit. It comes down to the concept of allowing innovation and creativity to address the problems we have identified and then coupling the freedom to innovate and create, the freedom to teach with measurable results, which clearly is a Federal role, to couple whatever requirements and assessments we place, mandates—yes, mandates—that we place in terms of testing and assessing that we attach to freedom and flexibility, to have those measurable results.

We must continue, I believe, to cut the redtape, to cut the unnecessary bureaucracy that has resulted from a litany, a myriad of programs that were all well-intended. They were Federal programs passed in this body over the last 35 years, but they have resulted in a complex network of overlapping responsibility in terms of the target population: excessive and confusing bureaucracy, and paperwork. We need to get rid of the overly prescriptive Federal mandates on the Federal role in education, those mandates put on the floor, taken through the legislative arena, and imposed on our communities. I believe it is our opportunity today to cut that red tape and remove those overly prescriptive mandates.

I think the result of our discussion and debate on this bill, once we are allowed to bring it to the floor, will result in innovation, in creativity, all of which will translate, again, to leaving no child behind.

One aspect of our bipartisan discussion of the last 3 months that I look forward to talking more about at the appropriate time is what is called Straight A's, the Academic Achievement for All Act. That is why it is called Straight A's, which really in a demonstrable, optional way allows for a consolidation of a lot of the programs that we have inherited—given that

consolidation of programs in funding all the way down to the State or down to the district—and allows those funds to be used but attaches them to demonstrable, measurable results of academic achievement.

This is, again, a demonstration program that hopefully will allow up to seven States to participate. They will have what is called a performance agreement. In that performance agreement with the Secretary of the Department of Education and the administration, there will be high standards, high accountability, measurable results coupled with freedom, with consolidation of programs so we can, with a performance agreement, link, to the maximum extent possible, flexibility and freedom to innovate with measurable results.

I see we have other Members on the floor. As I said, by unanimous consent I will be glad to yield the floor at this juncture and look forward to coming back and continuing a discussion of what is in the underlying bill as well as what I hope will be added to the bill over the course of the day as the language becomes available.

Madam President, I request recognition to briefly speak on behalf of the leader.

The PRESIDING OFFICER (Mrs. LINCOLN). Without objection, it is so ordered.

Mr. FRIST. Madam President, I ask unanimous consent that the next 60 minutes of postcloture debate be equally divided between the majority and the minority parties and the time be deducted from each individual Senator as provided under rule XXII.

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

The Senator from Connecticut is recognized.

Mr. LIEBERMAN. Madam President, I thank my colleague from Tennessee.

Madam President, I rise today to speak about the landmark educational reform bill and plan we are currently debating, and in fact are currently negotiating, a plan that, I think, if it reaches its proper drafting conclusion and, most importantly, is adequately funded, will spur bold changes and innovations in our public schools and will ultimately help improve the quality of education for every child in Connecticut and every child in America.

It is premature at this moment to talk about this comprehensive legislation with total certainty and in all of its details, so I intend to make a fuller statement about the bill once the negotiations are complete. But I did want to come to the floor today as we work out the final pieces of this complicated policy puzzle to offer both a few congratulations and a few concerns about what I would call this important near element on reauthorization of the Elementary and Secondary Education Act.

Let me start by saying how encouraged I am about the process we have followed for formulating this plan to

reauthorize ESEA and its prospects for stirring a real revolution in our public educational system.

The discussions we have had over the last several weeks involving Senate Democrats and Republicans and the White House have been a model of how this place should work. There has been civility. There has been healthy debate. There has been disagreement from time to time. But there has also ultimately been a shared sense of common purpose. We have had our disagreements—some of them profound—but the Members and our staff have negotiated in good faith and with good will. In doing so, I think we have demonstrated that we can find common ground on a consequential issue and move this country forward as we do so. This can be a real breakthrough given some of the rancor and division that have plagued the education debate too often in recent years.

I commend our leaders, my colleagues from both parties, the President, and representatives from the White House who participated in these negotiations. I think we all want to realize the same goal, which is the best public educational system in the world. We all understand that today we have significant challenges ahead of us if we are going to achieve that goal.

We all want to close the persistent achievement gap separating the haves in our society from the have-nots. That is by far the biggest hurdle I think we have to overcome. We all want to deliver on the promise of equality and opportunity for every child. We all want to increase the supply of highly skilled workers, which we all know is critical to our future economic competitiveness and the long-term prosperity and security of this Nation. Now, through the reforms in this bill, we are not just talking the same points of principle; we are actually walking the same path to progress.

I am particularly encouraged and gratified that a number of the ideals and ideas that Senator BAYH and I and so many other Members of the new Senate Democratic coalition have been advocating for the past few years through our three R's reform bill and that so many of these ideas presented by the distinguished occupant of the Chair, and other colleagues, are reflected in the historic agreement on a core bipartisan amendment to ESEA that we are very close to achieving.

As some of my colleagues know, we started out with the three R's bill with the new vision of education policy, one that focuses not on progress but on performance, not on rules and regulations but on results, not so much on what we put into the system, although obviously that is important, but ultimately on the real test, which is what we get out of the system. What are the results? How well are our children being educated?

We drew up a reform blueprint that translates these principles into policies, calling for increased investments

to help our public schools, help every child learn at a high level, for greater flexibility to allow the local educators to decide, as they know best, how best to spend their Federal dollars to meet the specific needs of their students, and also to encourage innovation and experimentation with different educational reform models at the local level.

We have in this bill stronger accountability. That is the way we test the results. That is the way we make sure we are not giving up on any child in America and that we are going to take them to the highest level their God-given potential gives them to achieve in education. That is particularly true of low-income and minority students. We propose this new equation, which we call invest in reform, and insist on results, as a possible bridge to a bipartisan compromise.

Last year, President Bush went across a bridge of his own and embraced some of those same goals and values and articulated a similar reform plan for realizing them, and for encouraging and accelerating the growing movement in many States towards standards and accountability—focus on results. What are our children learning?

This year, the President made that plan a legislative priority and signaled his seriousness not just on the subject of education but on the kind of educational reform that is embraced in our three R's bill.

It was focused on transforming the Federal Government into a catalyst for change, on demanding results, and on no longer tolerating failure, so that this bill, about which we are now debating a motion to proceed and around which negotiations are continuing and coming ever closer to a bipartisan agreement, builds on that common ground we have forged on those critical innovative ingredients to the recipe of reform.

The centerpiece of the three R's plan and of the President's blueprint was a tough new accountability system that would reward States in making real progress in meeting high standards while sanctioning those that did not and would require local districts to take strong remedial action to fix chronically failing schools.

We are not going to sit back and let schools continue to fail to educate our kids. We are not going to continue to push kids ahead from one grade to another just because a year has passed, regardless of whether the school has taught them anything or whether they have made progress.

This is a system that tracks the progressive reform that State leaders around America, including my own State of Connecticut, have already implemented. It has proven effective.

I will say that in the negotiations that have gone on over the last few weeks, we have had some differences on how to set those standards for judging performance, which is to say, How do

we define progress for our students? How do we strike the right balance between truly holding schools and States accountable for raising academic achievement, and particularly closing the achievement, without setting the bar so high that we end up grading most schools as failing?

We have worked through those problems over the last few weeks.

I want my colleagues to know that we have reached an agreement certainly on policy on a reasonable and realistic middle ground. That agreement is now being drafted. Hopefully, we will have the opportunity to present it in this Chamber before very long. But it is a significant, real, and hopeful agreement.

While I would have liked, in some ways, to have made the provisions stronger, I have not given up hope of enhancing them in our discussions with the House. I do think this agreement is suitably explicit and demanding, as well as suitably fair, and will achieve our goal of driving real change and bold reform. I hope soon to be able to share the details of that agreement with our colleagues.

But as much as I appreciate this significant bipartisan achievement, I remain deeply concerned—as I believe almost all my colleagues on this side of the aisle do—about one missing, indispensable ingredient to the recipe for genuine educational reform in America, and that is investment. It is clear to us that these reforms will not work without a significant increase in resources from the Federal Government.

To date, the Federal Government supplies only about 7 cents of every dollar spent on public schools in America. Under the President's current budget, we will not provide much more than that. Some would go a step further and suggest we may, in fact, be setting up schools and children to fail if we do not back up the new demands for results that are in this bill—which we all agree are critically important—with new dollars to meet those demands. If that becomes the case, then we do not have a system of genuine accountability; we have a system that sets standards and does not help the local school districts meet those standards.

We clearly recognize, of course, that money alone will not solve the problems plaguing our public schools. Money will not spur innovation and lasting reform, and it will not streamline inert and inefficient bureaucracies. Money will not set high standards and hold schools responsible for meeting them.

That is why we New Democrats pushed so hard in this bill to shift our Federal focus from process to performance, to streamline duplicative and ineffective programs, to accentuate the freedom of local teachers to innovate—they are the heart of our whole educational system—to have principals enact reforms, superintendents to set new standards, and try new, bold ideas.

That is why we pushed so hard to recognize that we cannot have more blue ribbon schools without less redtape. And not least of all, that is why we who advanced the three R's bill decided that imposing real consequences on schools and districts that chronically fail to educate disadvantaged children is a necessary and critical element of a true educational reform proposal.

But we also recognize that money is a crucial part of the equation. We simply cannot expect States and local districts to improve the quality of teaching and reduce class size to help every child—for instance, an immigrant child to master English, to reconstitute chronically underperforming schools, and in particular to end the national disgrace of having African American and Latino American children reading and doing math, on the average around our country, at a level that is substantially below their fellow students in America's schools—if we do not substantially increase our investments in our public schools. This is something most Americans recognize, which is why there is overwhelming support for significantly increasing our national investment in education.

At home, in conversations I have had with people in Connecticut, and from public opinion surveys I read about American attitudes, it is clear that the American people put education at the top of their priority list, and sensibly so. The American people know you cannot bring millions of children, particularly low-income children who cannot read, up to grade level on the cheap. It cannot be done.

Consider a few specific examples, such as teacher quality. The reality is that we must hire, train, and ultimately retrain about 2 million new teachers over the next several years—2 million new teachers over the next several years.

The reality is, 95 percent of urban school districts are experiencing a shortage of qualified math and science teachers and that 50 percent of new teachers quit high-need schools during the first 3 years of their teaching there.

The reality is, educational reform will not succeed if we do not provide every child with a good teacher. Many people in our society do important work, but no one in our society today does more important work than a good teacher. We learned that lesson in Connecticut, which has invested millions of dollars—tens of millions, hundreds of millions—over the last several years to raise teachers' salaries, to attract and train high-quality professionals, and develop a nationally recognized mentoring program to nurture young teachers in their early years in the profession. That has produced, I am proud to say, one of the best teaching forces in the Nation. In turn, they have helped to produce consistently high scores by Connecticut students on national education tests.

The bill we are working on will push all of America in all of America's

school districts to take similarly strong steps to strengthen the quality of their teaching force, setting a firm goal of having all teachers in the highest poverty districts highly qualified within 4 years. But reaching that benchmark is clearly going to take a significant increase in funding for recruitment, retention, and professional development. We have an obligation—since we are making these demands on the local school districts and on the schools and on the teachers—to help States meet those high standards by giving them adequate financial resources to do so.

Also, consider title I, the heart of our traditional Federal focus on disadvantaged children. Here again, the distinguished occupant of the Chair, the junior Senator from Arkansas, and I have talked often about this problem. It is real, from the cities of Connecticut to the cities and towns of Arkansas. The reality is that one-fifth of urban and rural districts, with 50 to 75 percent of their students living in poverty, receive no title I funding today. It is hard to believe.

Title I was a program established 35 years ago to help disadvantaged kids, low-income kids. Yet today, I repeat, one-fifth of urban and rural districts, with 50 and 75 percent of their students living in poverty, receive no title I funding. That is, in good part, because we do not target those dollars well with the formulas we are using today. That is a shortcoming we are working very hard to fix in these negotiations that are ongoing. But it is also because we are not providing the resources—enough money—to fully serve disadvantaged children and carry out our responsibilities under the Elementary and Secondary Education Act.

According to independent estimates, it would take \$17 billion to fully fund title I, an increase of about 100 percent above current funding levels. That is an annual number.

The accountability system we are working on now will help make title I a much more effective program for kids in high-poverty districts—whether they live in Connecticut, Arkansas, or anywhere else throughout America—requiring States and local districts to turn around chronically underperforming schools, empowering parents whose children are trapped in those failing schools with new choices and new options to help their kids get a better education, sanctioning States that do not make progress in raising the academic achievement of disadvantaged students, and closing the gap between the haves and the have-nots.

Again, we cannot expect those interventions to succeed, those choices to be meaningful, or those sanctions to be fair if we do not invest in reform while we are insisting on results. That means infusing title I with substantial increases in funding.

Unfortunately, the Bush administration has to date been unwilling to match their commitment to reform

that we are so near agreement on with commensurate resources on which we are still some distance from agreement. The President's initial proposal for ESEA programs included only a \$700 million increase for the next fiscal year and less than \$500 million for title I. In the last few days, the White House has increased that now to a total number of more than \$2 billion. But this counteroffer is still far from sufficient to meet either the needs we have identified or the demands we will place on America's schools with this legislation.

That is particularly hard to justify when we know that we are projecting a \$200 billion surplus for next year, \$69 billion of which apparently will be spent on the President's tax plan. That is almost 35 percent of the projected surplus next year for the tax plan and a little more than 1 percent for additional funding for education.

We can do better. Hopefully, together, as we have come some substantial distance on most of the critical policy issues facing American education over the last several weeks in our bipartisan negotiations, we can similarly close the gap when it comes to our remaining disagreement on resources to make reform real.

In the same spirit in which we have negotiated this agreement to insist on results, we appeal today to the President to join us in investing in reform. We have a unique opportunity at this moment, and we cannot afford to let it slip away. The truth is, we can afford to give every child in America a quality education. That is our responsibility and, if we do it right, that will guarantee that our future is brighter.

Mr. KENNEDY. Madam President, I wonder if the Senator would be good enough to yield for a question.

Mr. LIEBERMAN. I certainly would.

Mr. KENNEDY. First of all, I commend the Senator for an excellent presentation and, more importantly, for all of his good work in the past weeks in helping move the process along and for the work that has been done in the past.

As the Senator spoke, one of the points he underlined was the need for additional funding. As we understand funding, for the Senator from Connecticut and myself, we are talking about investments. We are talking about investing in children and in their future and our Nation's future. The Senator has made that case very effectively.

I join with the Senator from Connecticut in the importance of developing the kind of blueprint which has been developed which we believe can really make a difference if it reaches out to the children who are out there who need the assistance. One of the major struggles and one of the major battles has been over funding.

Yesterday, we saw the President and our Republican friends make the announcement on the budget for this year and projected over future years. In that budget, the negotiators found \$1.35 tril-

lion in tax cuts over the next 11 years. Yet they declined to find the funding which would be necessary to support the amendment of our colleague and friend, Senator HARKIN.

As my colleague remembers, Senator HARKIN, during the budget debate, initiated an amendment that was passed with strong bipartisan support for \$250 billion for education over the life of the budget. That virtually disappeared in these negotiations. That cannot be found. The position of the Senate, which was bipartisan, and the majority, is virtually eliminated.

I find it difficult. In looking over this budget and consulting with members of the Budget Committee and asking them whatever happened to it, it just disappeared. It virtually was eliminated. In that was the funding, as the Senator remembers, for the expansion of Head Start Programs. It had funding in terms of increased funding on title I. It had additional programs in terms of child care support, the block grant program, other programs that were targeted on children and needy children.

We have been told in these conversations that we have had with the administration: We are prepared to give some funds, some additional funds for title I, but we are unable to make a commitment in future years.

I notice in those budget figures that came out from the Budget Committee, they are prepared to list for millionaires what the reduction of their inheritance tax will be in the year 2011. Here we have, for the wealthiest individuals, a very clear roadmap about how their taxes are going to be reduced in 2011, but we can't get the administration to commit that over the next 4 years they are prepared to allocate sufficient funds so that the benefits of this bill will reach the children who are qualified to benefit from the program.

Is the Senator from Connecticut troubled by that development?

Mr. LIEBERMAN. Responding, if I may, to the Senator from Massachusetts, this Senator certainly is troubled by that.

Let me say, before I respond directly, what a pleasure it has been to work with the Senator from Massachusetts on this bill. There is not a better lawmaker/legislator in the literal meaning of that word in this Chamber than the Senator from Massachusetts. I have seen his talents, his persistence, his knowledge, and his great skill as an advocate at work. I have actually enjoyed the experience.

I thank him for his leadership. He has been responsible for successive advances in the quality of life in our country, particularly for our children. If we can bring this one to a conclusion, it will be yet another extraordinary accomplishment that he has led, working not just with members of this party but across the aisle and, in fact, with the White House.

The numbers the Senator from Massachusetts cites are troubling to me. They are particularly troubling today,

as the two of us have said, because we have essentially reached agreement on the core issues relating to this bill. Our staffs are drafting and we will meet again later in the day, but this is a substantial accomplishment. It shows that we have common purposes, and we can reach common ground across party lines, across Pennsylvania Avenue, because what is on the line here is the well-being of our children and the future of our country.

All of these agreements we have now reached and are drafting are just not going to mean anything much unless we help the States and local governments and school districts meet the additional responsibilities we are placing on them through this bill.

The Senator from Massachusetts has spoken about the amendment to the budget resolution introduced by Senator HARKIN, our colleague from Iowa. It passed with bipartisan support. It took over \$200 billion from the tax plan, used it to pay down the debt, took a similar amount, over \$200 billion, and asked that it be invested in education. This expresses the concern across the aisle here in the priority placed on education.

In that amendment, as I read it, over the 10 years there was approximately \$100 billion of that money that was to go through the Elementary and Secondary Education Act that we are considering now, about \$50 billion there for the first 5 years which we are considering as part of this authorization; therefore, \$10 billion a year. That is what was voted by this Senate in a bipartisan vote.

Here we are with the President saying to us that the most he can do at this point, as I understand it, is somewhat over \$2 billion. And while so much more next year—\$69 billion—is being put into the tax cut, 35 percent of the projected surplus in the tax cut, 1 percent is in education. I agree with the Senator. It doesn't make any sense to say we can't make a long-range commitment to the children of America for their education, but we can, in the budget resolution, somehow make a long-range commitment to the wealthiest taxpayers who, if I may say so personally, don't need the help as much as the children of America.

So the Senator is right. I say, again, when you think about the plenty that we have available to us, when you think about the strong economy we have had for the last several years, and the restraint we have shown at the Federal Government level that produces these extraordinary surpluses ahead, the likes of which we have never seen before, this all comes down to priorities and choices. How do we want to invest this money?

I say proudly, with the Senator from Massachusetts, who has been the leader, we want to invest it in our children's education.

The PRESIDING OFFICER. Under the previous order, the 30 minutes allotted to the Democrats has expired.

The Senator from Tennessee.

Mr. FRIST. Madam President, I want to take the next 7 or 8 minutes to complete the remarks I had begun 30 or 40 minutes ago. It really boils down to this whole theme of a change, a change in the Washington approach to education, from kindergarten through 12th grade. That is very much what I believe the underlying bill is all about. We recognize that 35 years and \$125 billion later, we have failed to accomplish the original goal of the 1965 Elementary and Secondary Education Act. We have not met that goal, that is we have not reduced the achievement gap between the served and underserved, or the advantaged and disadvantaged, and we want to accomplish that, working together in a bipartisan way, under the leadership of President Bush and the principles he has laid out.

An important element of the President's plan is flexibility based on local identification of the problems and challenges facing schools today, coupled with strong accountability—accountability for the taxpayer dollars that are being invested, accountability in exchange for the freedom that we, through this legislation, will give local schools, teachers, school districts, communities and States in return for measurable results.

As I mentioned, we must cut the red tape and get rid of the overly prescriptive regulations, which we know have not worked. We must change the Washington approach, and transform the Federal role from that of education regulator, which has not worked, to education investor, because we are investing in education, in policies that we know are successful, in programs that work. We must not reward programs that don't work by investing in them further.

Education investor versus education regulator. To me that's what it's all about.

One element of our education investment plan is a piece of legislation called Straight A's. The formal name, of course, is the Academic Achievement for All Act—a lot of A's in there, which is why we call it Straight A's. That is an easy way to remember what it is all about.

Ultimately, Straight A's addresses the fact that we know there is excessive regulation out there—well-intended, but excessive. It addresses the fact that we know there are and hundreds of programs, again well-intended, but programs that straitjacket our teachers to the point that they can no longer teach because they are spending all their time complying with federal law. Rather than teaching that individual child face-to-face, they are doing paperwork.

Straight A's will free them up of that red tape, get those regulations off their backs, so they can do what we want them to do, what we'd like to hold them accountable for doing: teaching our children. Yes, it's what they want, but more importantly, it's what our children need and deserve.

Today they do not have that flexibility.

Straight A's is an optional program. There is no school district that must participate in this demonstration project if it chooses not to. That is the way it is outlined and presented in the bill. It is an optional program, limited to just seven States. Even if there is a great demand, we will limit it to seven States. Personally, I would like to increase the number of participation states, but in negotiations we decided that as many as seven States would have the option of being freed from regulations if they agree to be held accountable for strong, measurable results.

Straight A's is not a block grant. We hear that, and it scares people. Block grant means when you give money to a group of people en bloc instead of having a hundred different programs and saying the money has to be used for a computer or software or to hire another teacher. The idea is to give that money in the aggregate. This is not a block grant program. It is a performance grant, linked to results. There is strong accountability. It is not just giving the money away. I think we have done that for too long. If you look at the last 35 years, we have spent about \$120 billion. And for that \$120 billion we neither received nor demanded results.

What I think is great about this bill is that it provides both local control and flexibility. Local folks receive the funds, they are held accountable for results, but how they use those funds is up to them.

Teachers in a classroom know what they need. Is it a piece of software? If so, they can use the money for that. Is it a new computer? If so, they can use the money for that. Smaller class size? Those things are best determined by an individual school or perhaps an individual subject area of a school. Why should we be dictating that from above when local schools, teachers or parents can make those decisions and participate in the process?

It might be that this money could be used for reducing class size or improving technology, or hiring better teachers. I can also be used for teacher development. If, for example, a teacher does not feel qualified to teach in a certain area, that money, available for the first time, can be used for teacher development, to ensure that every child in this country is given the opportunity to be in a safe classroom, drug-free classroom, with an excellent teacher at the head of that class.

So, this is not a block grant, it is a performance agreement. Accountability is part of that agreement, it is written in. You will hear a lot about accountability, accountability and high standards, because we all feel very strongly that boosting student achievement, reducing that achievement gap, is the essence of accountability measurement.

For this increased flexibility we have built even higher standards of account-

ability. We have very specifically addressed the idea of targeting both for the title I component and the title II component. An element of targeting is written into the bill, and the demonstration project, to ensure that the money goes to the people who need it the most.

Today, States, localities, and school districts are the engines of change. Not Washington. We are locked into a system where change is not allowed. That is the sort of reform I am very hopeful we will be able to debate and put forward. We want to support that engine of change that is going on in States all across America. We want to encourage it, make it possible, because there are teachers out there who care, who want to teach, who will teach, if we get rid of the bureaucracy.

We have parents who care, nobody cares more about children than parents. But right now, they have little in the way of choice, very little power to direct resources. We talk about supplemental services and how important they are so parents can have some element of choice, some way to direct their taxpayer dollars in a direction that will benefit their children.

This is very different than the current system. That system over the last 35 years, involved always thinking up new programs, and funding those programs—usually inadequately—hoping it would do some good. So that now we have hundreds of programs each with their own bureaucracy, each their own requirements, each inadequately funded, and all of which have resulted in the failure we see today.

I just want to share with my colleagues what the Chicago school system officials—again, this is not partisan—reported to the task force on education that we conducted in the Budget Committee under the leadership of Senator PETE DOMENICI. Those officials from the Chicago school system extolled the virtues of flexibility and credit much of the success they have seen in Chicago to this increased flexibility. I quote:

We know the system and we believe we know the things that it needs to have in order to improve. So the more flexibility we have with Federal and State funds, the easier it is to make those changes.

It makes sense. People at the local level can best identify those needs. So we need to free up, get rid of those unnecessary regulations which have tied their hands, that have prevented them from boosting student achievement and reducing that achievement gap.

We will have time, hopefully, in the next several days to continue the discussion of this concept of flexibility, accountability, and local control. I appreciate the opportunity to share with my colleagues this concept of Straight A's which will be a part of the underlying agreement by allowing greater flexibility, coupled with those demands of achievement.

Washington will become, not the education regulator, but the education investor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I thank the Senator from Tennessee for his leadership in the area of education. We do have an opportunity to reform the system. What Senator FRIST was discussing on the issue of accountability is the key. We can pass all the laws in the world. We can pass all the regulations that fill the books, but if we do not have accountability, it will not work.

We know that because it has not worked so far. We have poured in more money. We have tried to give mandates; we have given them red tape; we have given regulations; but that has not helped.

What we need to do is have accountability. We need parents, teachers, and principals to work together to determine what is best in any particular area. Then we need to test to see if it is working, not so we can point fingers. We need to test so we can identify weaknesses and strengthen those weaknesses. That is the difference.

We have 15 more minutes of our time, but I understand the Democrats would like to start a little early. I ask Senator SESSIONS to take up to 10 minutes, and then we will allow the Democrats to take the rest of the time until we determine the next amount of time that we will have on the subject.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I appreciate the opportunity to speak. I thank the Senator from Texas for her steadfast leadership and commitment to education. She has been a stalwart on these issues and cares about them deeply.

I also appreciate the leadership on the Health, Education, Labor, and Pensions Committee of Dr./Senator BILL FRIST of Tennessee. He is one of the champions for doing something different this time.

Yes, we have the largest increase in spending percentage-wise in education than any other budget item, but that is not what is so special about our education debate today.

Our debate today is about children. Our debate today is about making sure what we do furthers not just a system that has not been as effective as it should be, but actually furthers learning. That magic moment in a classroom when a child and teacher come together and learning occurs is what it is all about. Nothing else really counts.

When you visit schools as I have for the last year, 25 or more schools around the State, and talk to teachers, principals, and superintendents, and you hear them express their deep frustration at the burdensome strings that are attached to the Federal Government's education funding. The Federal Government only makes up about 10 percent of education spending—90 percent of it is funded by the State, and well it should be. States have always

been the primary engine of education in America. The Federal Government does not need to take over.

I do not think there is anyone who will stand up and defend a major, massive Federal takeover of education in America, but we are paying a substantial sum of money. We spend \$125 billion improving the education of low-income children, trying to narrow the gap, and it has not worked.

What do you learn when you talk to the teachers and principals? They are frustrated. They tell me the paperwork is substantial; the regulations are burdensome; the money they get can only be used for certain programs which may not be programs they need in their school, and they cannot use the money for things they think are important and would improve learning in their school system.

They tell me the Federal Government—and I spend a lot of time dealing with this issue—is creating mandates under IDEA. School officials are not able to discipline children with disabilities who are disrupting a classroom. They must keep them in the classroom day after day, even though the child is not benefiting from being in the classroom and even though that child is disrupting the other children in the classroom.

I started in recent months to ask teachers, Which would you rather do: Take the 10 percent from the Federal Government or let them go away and run the schools the way you want to run them?

You would be surprised how many say: Take your money and leave us alone. That is shocking. I am not sure they really meant that, but their hands went up when I asked that question. It reflects a deep frustration that we are not being good partners in this deal.

How do these programs come about? How have we ended up with 700 Federal education programs in America? It is something like this: Some State develops a good idea for an education program. A Senator or Congressman hears about it. He thinks it is popular and would be popular back home if he authored a bill to fund that kind of program around the country, and program after program gets adopted over the years.

Some are good, some not good. Some may have been good 15, 20 years ago, but are not good today. Some of the programs are successful, and my colleagues have to understand that some of those special programs were successful because the teacher who ran it was special, and they could make certain things happen in a way that cannot be replicated with a teacher who does not have that passion to run that particular program. So we created all these systems.

We send the money and say: You can only use it for this science instruction, this reading instruction, this math instruction. It has burdened our school systems and has not created as much good will as we would like.

I believe our legislation today is a big step in the right direction. This legislation is designed to provide a way to give schools more money with less strings in return for accountability.

Many Senators have talked about accountability. It seems to me they have a misconception of what accountability actually is. They seem to think accountability is when somebody spends Federal Government money precisely, exactly as written in a rule book. They think that if they spend it that way, that is accountability, even though learning has not been improved one bit.

The growing consensus, I think, is bipartisan. Our bill came out of the committee almost unanimously. We believe accountability means finding out if the children are learning. Have they benefited from the instruction or are they falling behind? We must look at those test scores and make sure they are brought up to speed. We must ask what can be done, at the earlier grades, to identify when children are falling behind? We must not let even one child fall behind.

When the Secretary of Education, Dr. Paige, was in Houston, he doubled the number of students passing the basic Texas proficiency test. Dr. Paige says if you love children and care about them, you will test them and find out if they are keeping up. If they are not, and you love them, you figure out a way to help them do better. He did that in Houston. Some say he got a lot of extra money to administer these tests, but he did not. The third or fourth year he picked up bit extra, but in 5 years he doubled the test scores mainly through changes in policy by doing things differently, with the passion to achieve. If schools in his system were not conforming, he confronted them, and fixed them. He did not let continue to fail.

In Alabama we have an excellent State superintendent of education and some wonderful schools and magnificent teachers. The new superintendent believes in testing. He has been testing for some time, and test scores are moving upward. Some say the tests in Alabama may be the most difficult in the Nation. Students cannot get a degree if they do not pass the basic proficiency test, and the test scores are moving up. If a school allows children to move to a higher grade without learning, the State superintendent can take over the school system and fix it. The State is putting a lot of money into this testing, and we need to know it is being spent well.

Let's get out of the business of micromanaging schools. Let's make sure progress is being made, that children achieve, that the school system is not leaving children behind, that they are not being abandoned, are not given up on. Because when children reach the ninth grade, still unable to read, unable to do basic math, they drop out of school with no prospects for any good economic future.

We can do better. Every child may not be able to handle advanced mathematics and the high sciences, but most children are able to do the basic reading, writing, and mathematics necessary to be successful in America today.

Some complain about tests, calling it punishment, a way to categorize or stigmatize a child. I don't see it that way. Neither does Dr. Paige who believes it is part of a good education. The way to teach is to find out how children are learning and progressing. When we know what they need, we can do it better. I think it is the right thing to do.

First, we want the States to conduct the tests. We encourage them to develop tests that fundamentally are fair and objective. If a test focuses on basic reading, basic math, basic science, and students are tested on those things, how can anyone complain if a teacher teaches to the test? Isn't that what we want? Don't we want to make sure that the basics are not being overlooked in the classroom?

I am excited about the possibility today that, across the Nation, we could achieve a fraction of the progress that our Secretary of Education achieved in Houston.

Mrs. HUTCHISON. Will the Senator yield?

The distinguished Senator from Alabama mentioned Rod Paige was the superintendent of schools in Houston before he became Secretary of Education. What struck me most about Rod Paige's attitude was that he wanted testing. He wanted parents to have a choice. He wanted parents to be able to send their children wherever they thought they could get a better chance. He was open to it. Because he was open, the public schools ended up winning the competition. More students came into public schools rather than into private schools because he said, I want parents to have the freedom.

He has had the experience at the grassroots level. He is not somebody reading about it out of the book. He has been there. He had a troubled school system, and he turned it around by seeking creativity, by seeking openness, by seeking choice, by seeking more opportunities for parents, because he wants parents to know they are getting the very best chance for their children.

That is what struck me about Rod Paige's style of leadership.

Mr. SESSIONS. I agree. That is precisely the way I feel. To hear him talk with such compassion and concern and determination was exciting.

His advice was, "[If we don't care about a child, we will let them just go along and we won't find out if they are falling behind.]" What happens if we don't test? A child will be left behind.

He deeply believes in President Bush's vision that no child should be left behind. The Houston example is perfect.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I ask unanimous consent the period for postcloture debate be extended until 4:40 p.m. with the additional time equally divided between the majority and the minority parties, and the time be deducted from each individual Senator as provided under rule XXII.

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

The Senator from New Jersey.

Mr. CORZINE. Mr. President, I rise today to discuss the importance of adopting legislation to expand and improve the Federal Government's commitment to education. In my view, there is no more important issue before the Congress than how we deal with education. As our economy becomes increasingly global, based on high technology, its future is increasingly dependent on the quality of our workforce.

The better our educational system, the stronger our economy and our Nation will be. That is why as a nation we should make education our number-one priority.

Let me begin by saying our current educational system, while it has many faults, does have real strengths. Today, throughout our Nation, dedicated teachers are working long, hard hours to educate our children. Often they get little public recognition and acknowledgment for their contributions. Almost always, they are paid much less than individuals educated similarly can earn in the private sector. I know because my mother was a teacher for 30 years, my wife for 7.

We have an incredible commitment to teaching from folks across the country. We should start this debate on education by saying thank you to these teachers. They deserve our appreciation and our support.

Of course, while our Nation is fortunate to have so many dedicated and selfless teachers, the fact remains our educational system still has serious problems. Too many of our schools are dilapidated, ill-equipped, and unsafe.

During the recent recess I visited schools in Jersey City, NJ, that were 100 years old or older. There are still too many children in too many classes that are not up to the latest standards. Too few schools are at the cutting edge of new technologies and new approaches, and mediocrity continues to be tolerated in too many of our school systems, without the accountability necessary to improve performance.

Some have suggested that local school boards should be left alone to solve these problems on their own. I disagree. I do support local control of education. It is fundamental in America. But local control does not mean much if you don't have adequate resources within your control. And it's not enough to leave the problem to states, which can pit urban areas against suburban communities—a fight with no winners.

Common sense makes clear that a property-tax-based financial system for our public education leaves unequal education rampant in our society.

No, if we are serious about education, we need to make it a national priority. We need to ensure that our national government plays an active and aggressive role, making sure every child has access to quality public education.

Our public schools can not assure equal outcomes in life, but they should provide equal opportunity.

I am optimistic that we can make that happen, and that we will soon pass a strong bill that addresses the most serious pressing issues facing education today. I thank Senator JEFFORDS, Senator KENNEDY, and the many other leaders in the Senate for their tremendous bipartisan efforts to ensure we have an exceptional bill. These are true leaders, making sure our children come first. I want to do what I can to help ensure their efforts are rewarded with passage in the Senate.

Today, I would like to take a few minutes to discuss some of the most important issues that I hope we will be addressing in the debate ahead.

First, let me mention some of the areas in which I think most of us agree. For example, I think we all agree that we need to promote parental involvement in education. It is common sense. That means giving parents more information about their children's schools, and giving them increased options in choosing among public schools. That is the right thing to do, and I am glad these ideas have broad support.

I am also glad that we generally agree about the value of promoting literacy. President Bush—and I compliment him for this—has proposed \$1 billion annually for a reading first bill, and I applaud him for that. We need to make sure appropriations follow the authorization. We need to make sure we put our money where our mouth is, so we ensure that all children can read by the end of the third grade.

Another area of broad agreement is the need to improve teacher quality.

A good teacher is probably the most important single factor in the quality of a child's education. We can do everything else right, but if we do not have excellent teachers, the educational system just will not be top drawer.

That is why it is critically important that we provide real resources to attract and retain quality teachers, and to help teachers develop their skills and create a career of teaching our children.

Unfortunately, there is a lot of work to do in this area. Last year, schools in high poverty areas hired 50,000 unqualified teachers, and only 39 percent of teachers in these areas have an undergraduate major or minor in the primary field of instruction. That is not acceptable. And I am grateful that colleagues on both sides of the aisle seem to agree.

Unfortunately while there is much about education with which we can all

agree, there are also some areas of disagreement.

I'm especially concerned about the need to reduce class sizes. In my view, it is abundantly clear that smaller classes are better for children, and we have made progress in recent years. But we have not gone far enough.

That Jersey City school I visited, the average class size was 29—29 children. No one believes that is the right size to make sure that you have quality education going on in the classroom.

It is abundantly clear that smaller classes are better for children and we have made some progress in recent years, but we have not gone far enough.

The Bush administration in my view is walking away from the class size initiative. In my view, that's a serious mistake. I look forward to working with Senator MURRAY and my other colleagues to secure approval of an amendment to reduce class sizes later in the debate. We ought to move that down to 18 per class.

I am also disappointed that the administration has failed to address one of the most compelling needs in education: the need to modernize our schools. Mr. President, 14 million children now attend schools that need major renovations, like fixed heating and plumbing systems. Nationwide, school construction needs total more than \$127 billion. The problem is worse in our cities, where two-thirds of the schools—serving 10 million students—report problems. In my State of New Jersey, 87 percent of schools report a need to upgrade or repair a building; one in six say that the effort will require between \$1.7 million to \$30 million. The average age of all New Jersey school buildings is 47 years, compared to the national average of 35 years. That is why in New Jersey, we have begun a \$12 billion funding program to modernize our schools. I believe the Federal Government should be a partner in that effort.

Despite the size of these needs, the Bush administration is proposing to eliminate virtually the entire school construction program that means higher taxes at the local level. That would be wrong. I look forward to working with my colleagues to protect the program, and increase our commitment to school modernization.

We have heard a lot of rhetoric lately about the need to ensure that no child is left behind, and about the need for school reform. But, at least until now, Congress simply has been unwilling to put our money where our mouth is. Whether we do now may be the most important issue of all.

There may be broad support for increased testing in our schools. But it does no good to diagnose a problem if you lack the resources to treat it.

I have heard in the last few hours that even in the conference committee on the budget we have now dropped the Harkin amendment, putting \$225 billion over 10 years into supporting our school system. This is a mistake. We

need to put money where we want our priorities to be—and our children should be that.

If we want to reform schools, we need to provide them with real resources. I would highlight, in particular, the title I program, which focuses funds on areas with the greatest needs. Title I can and should be the real engine for reform. Yet today we are meeting only one-third of related needs. And that is just not good enough. My own State struggles to cover the costs of implementing parity in education for the school children in our Abbott Districts—urban districts, the economically deprived. Especially given our historic surpluses, is not the time to leave behind the children from low-income families who need our help the most. I look forward to working with my colleagues to dramatically increase our commitment to the critical title I program.

I also want to take a few moments to discuss an issue of particular interest to me: teaching students the basic principles of financial literacy.

Unfortunately, when it comes to personal finances, young Americans do not have the skills they need. Too few understand the details of managing a checking account, for example, preparing tax returns or using a credit card. A recent survey by the non-profit JumpStart Coalition for Personal Financial Literacy revealed the extent of this problem, finding that only 36 percent of surveyed high school students could correctly answer basic personal finance questions, and only 33 percent of students believed that financial issues strongly impacted their daily lives.

In my view, it is time to make sure that our education system teaches our children all the skills they need, including the fundamental principles involved with earning, spending, saving, and investing.

These skills will help them stay out of debt and maintain a good credit record, save money for the future, and negotiate an increasingly exceedingly complex financial system.

I filed an amendment that would include financial education in S. 1, and I am very fortunate to have the support of my colleagues, Senators ENZI and AKAKA. I am hopeful that, working together, we can ensure that our next generation is prepared to meet the challenges of the new economy.

In conclusion, I again thank Senators JEFFORDS and KENNEDY for their remarkable leadership on this legislation. I look forward to working with them and with colleagues on both sides of the aisle to make a real commitment to education in the legislation before us.

But we must put resources with reform. The stakes couldn't be higher because the future of our children and our Nation depends on it.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, many in the Senate today have not seen that much participation with respect to the education debate. I have found out after 30-some years up here that you have to direct your attention to where you can do the most good. I am not on the Education Committee.

Let me qualify. No. 1, 50 years ago I wrote a 3-percent sales tax for public education in the State of South Carolina. We were trying to play catchup ball with our sister State, North Carolina. They had passed theirs in 1936, some 14 years ahead of us. They were getting the industry in, and we were getting no investment whatsoever.

Right to the point, if somebody wants to attract an industry, don't tell me about the taxes, the highways, the climate, the rivers, the availability of water and that kind of thing. Get yourself good school buildings and a school system.

So I venture to say of the six-person committee that I headed up, five lost the election right after that.

But be that as it may, no one has put in to repeal that particular measure. It has been a saving grace in the sense that not only is it 3, but we have now increased it to 5 percent, and we have embellished it with technical training.

I immediately started to work the week after I was elected in 1948. The superintendent of the schools in my hometown said, FRITZ, I want you to get in the car and I want to show you something. We went across the river on the bridge on Christ Church Parish Road, and there was a big square building of just one story with four sides and a roof and a pot-bellied stove. It was November. There was a class in one corner, a class in another corner, a class in the third, and a class in the fourth corner, and one teacher.

Those were the schools we had at that time for minorities in South Carolina. I have this to say for those who weep and wail about the past 36 years, I have been putting money into education for the past 50 years and it's still not enough.

Yes. I started an equalization of facilities with that sales tax. But we have yet to perform the sort of catchup where we provide schools in rural areas, and those we have abandoned within the city, with equal facilities as those in the wealthier suburbs.

I came to Washington with that bone in my craw, as the saying goes, and I put in a revenue-sharing plan. But in taking the plan around, I found that I couldn't put it in just for education. That is what I was intent upon. If you can single out and target the program, I thought you could get the support. But I was told no, you couldn't get the support unless you could get it back to the States for general purposes. They did not suffer the ills and needs of my great State of South Carolina.

So I put in on February 1, 1967, the first revenue-sharing bill, later abolished in the 1980s, interestingly, from the standpoint of Howard Baker who

led the abolition, or repeal. He said we were just financing the Government and we should send money back to the Governors so they could take the money and do with it what they wanted. So we were financing our opposition. We weren't financing education. We were financing our own education. We learned the hard way. So we did away with revenue sharing.

The next thing I got into was a tuition tax credit. I can see the distinguished Senator from New York now talking about his Boston Latin school. I had the assistance of the Senator from Arkansas, Kaneaster Hodges. We fought that particular diversion of funds from public schools to private schools, and thereupon they fought the institution, the Department of Education. We, along with President Carter, established the Department of Education. They wanted to, by gosh, avoid and oppose the Department of Education.

Then I have been on the floor, of course, with the vouchers and trying to force those. But I had not paid good enough attention to the testing and accountability debate until I started listening to the distinguished Senator from Minnesota, Mr. PAUL WELLSTONE, and now I know we have to fight. He knows of what he speaks. He is not talking about the pollster thing. That is the thing I resent and resist around here, this entire operation—that it's pollster driven. The cardinal rule of the pollster is: Never take a position that divides the voters. Don't say you are for chairs and desks. Don't say you are against them. Say I am concerned about these chairs and desks; they trouble me. All the Senators are running around, and they are all troubled. That is the nonsense we are engaged in.

But I take a poll, and everybody is for tax cuts. We have forgotten from whence we came. I am completely absolutely opposed to the budget settlement of \$1.235 trillion, plus the stimulus \$1.35 trillion, because I believe in paying down the debt, not increasing it.

But the polls do not do that. They ask you if you are for a tax cut, but they do not tell you we are spending surpluses that do not exist. I will bet anybody any amount of money, with any odds, that we will end this fiscal year with an increase in the national debt. We have done that each year, since Lyndon Johnson was President, for the last 30 years.

But now comes education, and it is polled also: Accountability, accountability. Here is the crowd that says: We want to find out what is wrong. Heavens above, they come to government as if it begins with them.

Senator WELLSTONE is really fighting the fight for the youngsters of America, for the economic strength of America, and for its defense. The best defense is an educated citizen. Do not give me all the toys—the Osprey: Jump, move forward, jump around, get in it, and kill everybody who gets in it.

I am not for these toys. I am for education. That is the best defense.

Give me \$225 billion; give me the Harkin amendment. That is what I want. Give me the moneys to flesh out these programs that have worked. But they come and say the programs have not worked. It is ignorance.

I say to Senator WELLSTONE, the Governors met in 1988. The distinguished Governor from Arkansas got together with another Governor, a Republican leader at the time, and they founded, so to speak, Goals 2000. But President Bush would not put it in. Then when President Clinton got here to put it in, they fought it.

So I begin to wonder when they say: We don't know how the schools are performing. Ha, they fought the Department of Education. They fought to privatize all the public money for public schools with vouchers, charter schools, tuition tax credits, any way they could, to destroy the public support for public schools. And they come now and say they don't know, when they fought Goals 2000.

We had testing in the Elementary and Secondary Education Act in 1994. They act as if we haven't heard of testing. We have testing coming out of our ears. But the polls say: Accountability; discipline, discipline, yes.

I say to the Senator, in relation to that discipline, I remember the mother who sent her little boy to school with a note for the teacher. It said: Dear teacher, my boy Ivan is very sensitive. If he misbehaves, slap the child next to him. That is punishment enough for my Ivan.

They say: Discipline, yes. I am for accountability. We are going to find out. Don't give me that stuff. Bug off. As my grandchildren say: Get a life.

We provide \$7 of every \$100 spent—or 7 cents for every \$1 spent—on education. We act as if we have invented education and all of a sudden we are going to do something about it. One way or the other, we are not going to do much. But what we do that is working ought to be allowed to continue.

Specifically, we have the women's, infants, and children's nutrition program, which is not part of the education budget, but it is an important part of education. I worked with Senator Humphrey from Minnesota, a state where I worked on and wrote a book on hunger. I got with him, and we put in the women's, infants and children's program. You have 21 billion brain cells, and I have 21 billion brain cells, and 17 billion of the 21 billion brain cells have developed in the first 5 months in the mother's womb. Without the proper nutrition in relation to the protein and the synthesis of the nerve cells during those first 5 months, there can be as much as 20 percent less cellular development when that child is born, causing what we call organic brain damage. The child can't function, can't assimilate. That has everything to do with their education, and yet WIC is not adequately funded to meet the needs of all those who are eligible.

They want to know what works. We have had mathematical studies conducted about the benefits of title I for the disadvantaged. For every dollar we put in title I, the Government and society reap \$7. For Head Start, it is \$4. That works.

We are going to have this testing to find out who is failing and who is succeeding, but we are not testing the school building, we are not testing the principal, we are not testing the school board, we are not testing, really, the pupil.

As my distinguished colleague from Minnesota says, we are testing wealth. Why? Because the wealthy student—the one who starts his education in a good pre-school and has books read to him, and everything else of that kind—by the time he's tested in third grade, he has had 6 years of schooling. Without these advantages, a child has only three years of schooling coming into the test. So you are testing wealth.

The Senator from Minnesota has educated this Senator. He has really gotten into things that mean something to this body and this country. We are about to go the way—as I am convinced we are running up the national debt, and we have interest costs of \$1 billion a day—of hollering surpluses, surpluses, surpluses, when we have deficits, deficits, deficits. That is their way of getting rid of the Government. And this is their way of getting rid of public education—anything to get rid of public education.

We have not really equipped our minority teachers, and yet they have outstanding schools here, there, and yonder. And then we have very poor ones. We know. I read in the morning paper—I do not have to wait to pass this bill—about schools that are practically closed. So they are going to take the test. And what are we going to find out? What we already know. It is like taking a fellow who can't swim, who is drowning 100 yards offshore, and throwing him a 50-yard lifeline. We haven't made it all the way for Head Start, for title I, for all of these measures. And then we are going to have the test to see whether he can swim, while the poor fellow drowns. No. We ought to be realistic and look at what we know is there.

I campaigned all over the State of Texas. I have never forgotten it. It was not the "best little whorehouse in Texas," it was the best little poorhouse—poorhouse. The Rand Corporation agreed last year that Texas had failed to improve on key education points. I can get into that debate on schools, but it isn't the point here. The point is, we do not want to really find that 20 percent or a third of our schools are failures. You do not have to administer a test to see what the good schools are doing.

So what are we going to do about it? What are we going to do about it? Mr. President, nothing. We are going to talk. We are going to speak to the polls

and say in the campaign: I was for accountability. I am for accountability and I voted for testing.

The Senator from Minnesota and some of us others are going to have an extended debate on this issue. We have to educate our colleagues and get the support to kill the so-called accountability in its crib, the accountability they refused in Goals 2000 and earlier with the testing in the 1994 act. Now they act as if they have a discovery to identify the problem—hit-and-run driving.

Yes, accountability, accountability, accountability. Ask them about the Patients' Bill of Rights. There are too many lawsuits when you bring a suit to get accountability. No, no, we are not for accountability. We have too many lawyers. Get rid of the lawyers. That is also in the polls. Kill all the lawyers, said Shakespeare in Henry VI. Accountability.

Unfunded mandates, where are they? They were jumping all over the place 7 years ago on unfunded mandates. Now they are pell-mell down the road. For what? The President has put in \$320 million to cover an estimated \$2 to \$7 billion in costs over the 4-year testing period. I am concerned that the states will have to pick up a substantial part of that cost.

We had the Governors. We had the local people say, heck, we know, we are there. It is amazing to me the distinguished President, who had been a Governor, acts as if he never has been in government before. He would know that this would hackle every Governor, every school board, every school superintendent, every principal. They know about testing. They are trying to get the money. But, no, we have accountability. We have unfunded mandates now, and right on down the road with a program that can't possibly work. But it is only going to highlight the need, they say, for vouchers.

The Senator from Minnesota has an amendment that fleshes out a program that works; namely to fully fund Title I before we proceed with a testing mandate. You have to teach the course before you give the exam. The U.S. Congress has not taught the course. We haven't given students, in many instances, the building. We haven't given them the professional classroom teacher. We haven't given them the right size class so that they can get the teacher's attention. We haven't given them counselors, and they need counseling. We haven't given, of course, the different courses and other assistance that we have all found, from time to time, is very necessary. So we haven't taught the course, but we are going to give them the exam. We are going to have accountability, and we are going to puff and blow and walk all around on the political stump saying: I was in Washington and I told that Washington crowd that we had to have accountability.

I want them to come with the Patients' Bill of Rights, because that is

what we have in the Patients' Bill of Rights, some accountability. If they absolutely step aside, if they engage in malicious and reckless conduct, malpractice, then we can bring the suit. That makes them accountable. But, no, they are opposed to that kind of thing.

If the test shows schools are failing, we are not going to put up the billions to improve schools. Instead, they are going to put on a full course drive for vouchers to \$1,500. What is that going to do?

The real need is to get teachers' pay up. If I were king for a day—I ran for the Presidency on this back in the 1980s—they laughed but it is still just as efficacious—I would increase teacher pay, because that \$36,000, the average pay of a teacher in South Carolina, doesn't do the job.

But I go across the stage having made a graduation speech, and students approach me and say: Senator, I wanted to get into teaching, but I couldn't save enough money with the pay to send my kids to college. We have a lot of dedicated teachers in the classrooms and a lot of great schools, but we are missing out on bringing in the feedstock of that professional teacher because we are not paying enough. We are doing it on the cheap. We are doing it on the cheap, and we know it.

But we are going to tinker around. We are going to have reading. We are going to have math and science, and we are going to have the size of the classroom. And we are going to build another building, and we are going to toy around with it to try the hit-and-run drive, to identify with the problem but not solve it.

Begin at the beginning. Somehow let's get some revenue sharing with the teacher out in that rural school or combat pay for the inner-city classroom teacher. They deserve combat pay trying to keep law and order and act as a parent at the same time. The role of a teacher is just almost unable to be performed in the sense that teachers can't get around to teaching because of the other particular duties at hand.

I will have plenty more to say when this measure comes up about accountability. Please spare the Senator here from all of these expressions, the pollsters. Has anyone ever heard of a pollster being elected to anything? If they can find me a pollster who has been elected to office, I would like to find one. A pollster has never experienced anything.

Here are some expressions. We have to give the child "a real chance." We want to "find out what works" and so forth like that. We need to "increase flexibility." We need to "reduce bureaucracy." We need to "empower parents." Come on. Don't give us all of that. Parents are working day and night and the child is home and nobody is helping him with his homework. And we know it. We don't need a test to prove it. Let's get away from all of this

gamesmanship and polling politics and really do something for public education in the United States.

If they want a starting point, our distinguished friend from Massachusetts has led the way and held the line on public schools for the years I have been up here. I have been glad to associate with him.

But I can tell you here and now, this is dangerous to come in and start, under the auspices of accountability, testing from the third to the eighth grade every student in all of America. They are going to create the very cost and the bureaucracy they want to get rid of and waste money that is needed for teachers' pay. The ultimate is, of course, finding out that there are a lot of schools in need, and we know where they are, and we are trying to get assistance to them. I saw it 50 years ago when I put in a county-wide millage for a school in Awendaw. You put in 100 mills property tax in that rural area, and you couldn't build a lunchroom, much less a school. So as chairman of the delegation, I put it in.

So don't give us these nebulous statements of flexibility and empowerment and all these buzz words around here. Let's give us some education and test the Senate. That is where we ought to have a test. Find out if we have passed the test first. Have we really fleshed out the women, infants, and children's program? Have we really fleshed out and supported 100 percent Head Start. Have we really financed title I for the disadvantaged? Have we built school buildings so that students can learn without the ceiling falling in on their heads or freezing to death? Have we done that? Give us the test first. Find out what we have done.

Or have we regarded what we have already known to be the case, what the Governors have come in with, Goals 2000? Have we responded to the test that we prescribed with the flexibility they said they wanted? In 1994, they wanted the States to be able to decide.

Have we passed that test? Give us a flunking grade, a zero—except for the Senator from Massachusetts, the Senator from Minnesota, the Senator from Iowa, and some others, such as the Senator from Connecticut, Mr. DODD. They have been out here working for education. But there are only a handful of them who can pass the test if given to the Senate itself. That is what I want to see. Cut out the pollster's gamesmanship and the campaigning and let's think not of our needs to be reelected, but the needs of the country to prosper and survive.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. HUTCHISON. Mr. President, I understand our time would start in about 10 minutes. I am going to yield time to Senator BYRD, the time up to 4 o'clock, and then we will reclaim our time because we have speakers coming at 4. So such time as he may consume, until 4, I yield to Senator BYRD.

The PRESIDING OFFICER. Does the Senator from Texas yield time from the Republican side to Senator BYRD until the hour of 4 p.m.?

Mrs. HUTCHISON. I yield up until 4 o'clock to Senator BYRD, but I would not want it to come from the Republican time if others come and want to speak on the Republican time.

Mr. BYRD. If the distinguished Senator from Texas will yield, may I suggest that I only take—I think we have 5, 6 or 8 minutes—

The PRESIDING OFFICER. It is 7½ minutes.

Mr. BYRD. May I suggest that I take that amount of time now and make a few remarks about Bob Schieffer. Then I will wait until 4:30. I could have more time at that point, as I understand it.

Mrs. HUTCHISON. Yes, that is correct.

Mr. BYRD. I thank the Senator for her efforts to accommodate me.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

#### BOB SCHIEFFER'S TENTH ANNIVERSARY AT "FACE THE NATION"

Mr. BYRD. Mr. President, this evening, politicians, celebrities, and newscasters alike will gather to honor one of the most trusted reporters in Washington; namely, Bob Schieffer of CBS News. Bob Schieffer has gained a reputation as a man of integrity, an honest man, a man who holds fairness and the truth in the highest regard.

Nothing better can be said about a politician, and certainly nothing better can be said about a news reporter. I will say that again about Bob Schieffer. Mr. Schieffer has gained the reputation as a man of integrity, an honest man, a man who holds fairness and the truth in the highest regard. We will remember that Plato, while visiting with Hiero, was asked, "Why have you come here?" Plato said, "I am looking for an honest man." So we have one here—a man of integrity, an honest man, a man who holds fairness and the truth in the highest regard. Now that is saying something in today's world. That is saying something about a news man.

Bob Schieffer is a Texan who started in journalism as a reporter for the Fort Worth Star-Telegram. He moved on to a local television station and then to CBS. For 20 years, Bob was the network's Saturday evening news anchor. For the past decade, he has hosted "Face The Nation" on Sunday mornings. He has called Sunday mornings the smartest time period on television, saying, "It is the last place on television where people can lay out their

ideas about things and discuss them at length."

Well, if Sunday morning is the smartest time period on television—that is what Bob Schieffer says it is—I say another reason for that would be that it is Bob Schieffer's time when he is reporting to the Nation. He decries—as do I—the 30-second sound bite that has replaced the true interaction between voters and public officials. One reason I decry it, of course, is I am not very good at it. A 30-second sound bite—it takes me about that long to say hello or good morning.

Sitting in the anchor chair at CBS is a high responsibility, a high responsibility, an important responsibility. It was the chair from which Roger Mudd and Walter Cronkite would report every night. It was the chair in which Edward R. Murrow—perhaps the grandfather of in-depth, thorough television reporting—hosted "CBS Reports" and "Person to Person" and "See It Now." Edward R. Murrow set the standard. Bob Schieffer excels at meeting that standard.

There is no obstacle that cannot be overcome by the vigorous mind determined to follow truth. That seems to be the philosophy that guides the work of Bob Schieffer. He follows the truth. He has a vigorous mind, and he follows the truth, he keeps after it. He does not invent the truth. There is a difference in following and pursuing the truth and attempting to invent it. Bob Schieffer does not invent the truth, he asks the questions. He asks the questions, but he does not assume the answers. He listens and, from the answers he receives, we all then learn.

Bob Schieffer once told an audience, "Your trust is the greatest honor I can receive." Now that says it all. I am not a news man, but if I were a news reporter, it would seem to me that that would be the pith, the crux, the milk in the coconut. "Your trust is the greatest honor I can receive." We know that, as a general rule, the people of America do not trust news people. They do not trust news reporters. They do not trust the news media. They do not trust politicians. So Bob Schieffer said it well when he said, "Your trust is the greatest honor I can receive." He can speak for me as a politician on that line also. The trust of the people, he says, is the greatest honor he can receive. That trust is well earned.

I congratulate Mr. Schieffer on his decade of service at "Face the Nation," and I look forward to watching him for many years to come. He is a man I trust.

Mr. President, I yield the floor. I, again, thank the Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from West Virginia. I so appreciate the remarks he made about my friend, Bob Schieffer, and "Face the Nation." I, too, have known Bob Schieffer for a long time. He grew up in Fort Worth, TX. His brother and I served together in the Texas Legislature. I have known him and his family for a long time.

There is not a more principled, fair person in the entire news media than Bob Schieffer. I certainly appreciate the kind remarks made by the Senator from West Virginia. I know Bob Schieffer is very happy tonight, celebrating the anniversary of "Face the Nation." He has taken it to new heights just by being a person who is trusted and respected by the American people. Both Presidential candidates choosing Bob Schieffer to be the moderator of a debate shows he is well regarded by Republicans, Democrats, and Independents throughout our country.

#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—MOTION TO PROCEED—Continued

Mrs. HUTCHISON. Mr. President, I want to talk about the education bill that is so important to all of us. We are hopefully very close to agreement on bringing the bill before the Senate.

We are all a little frustrated because we have been waiting for the bill for about 10 days. There have been a lot of negotiations.

There are some very key issues that need to be discussed, and I hope they will be discussed in the open. I hope they will not be negotiated away. Reform is the key to success in education.

We are going to spend more money on education. In fact, President Bush has put forward a budget that provides an 11.4-percent increase in spending in education. That is warranted because we do need to add emphasis to certain areas of public education.

What is going to determine success or failure is whether we reform our system, whether we make it accountable, whether we give parents the ability to know what their children are doing and how they are doing. If a child comes home with A's or B's and is promoted to the next grade, and you, as a parent, find out 5 years later the child did not read at grade level, that is a failure in the system.

If a parent does not have the tools to find out if there is a weakness in the child's education, the parent is at a significant disadvantage, and the child is doomed forever.

We need to make sure parents have the knowledge of how a school is doing. A lot of people say we should not have tests. If we do not have tests, how will we have a benchmark? How will we know where the weaknesses are?

If we have tests, even if the test is not perfect, it will show a red flag and we will see the weakness. We can determine if the test is not right, if the failure is not real. At least we will check on it to make sure, but most of the time the failure is real.

If we catch the failure at third grade instead of eighth grade, we will save that child's future. We will save that child's productive life because we can make sure that every child can read at grade level in the third grade. If we do that, then every child will have the chance to absorb the rest of his or her

educational experience. But that child will never be able to absorb the history, the geography, the math, and the science if that child cannot read at grade level in the third grade and have the chance to progress.

That is why we are trying to set a standard, not a mandate to every State about the test that is given but a mandate that there be some kind of accountability, some kind of test so parents know where the weaknesses are.

In addition, we want to take the schools that are doing well in the same socioeconomic area and give that information about what works to the school that is not doing well. That is the purpose of accountability: to find out what does work so we will have a chance to help those that are not performing up to speed by showing them what has worked in schools with the same weakness areas.

If it is reading that is a weakness, or math, or computer sciences, we will have some examples to show what does work because we do want to make sure no child is left behind.

We are talking about reforms that include accountability, some kind of testing to see where they are and where the weaknesses are. We are talking about creativity to make sure schools that have teacher shortages have a bigger pool from which to choose. If we do not have a teacher who can teach French and the students are not able to learn French in that school district, why not go the extra mile to certify a person who majored in French in college but does not happen to have a teacher's certificate? Why not expedite the teacher certification so the young people in that particular school district will be able to learn French?

That is what we are trying to do: give creativity incentives so there will be more teachers available to teach French, Russian, Japanese, or the Chinese language; more teachers who can teach math, science, and computer skills where there are teacher shortages.

We must be creative. We must leave no stone unturned to make sure every child will get the chance to succeed with a public education.

We are going to increase spending. We are going to triple the funding for children's reading programs to over \$1 billion next year. We will have a 30-percent increase in funding for Hispanic-serving institutions and historically black colleges because these programs, which have been increased for the last few years at a very large rate, are doing a great service for our country. They are nurturing students in those schools to keep them in school to get those degrees to be eligible for the good jobs that a college education can give them.

We are adding an additional \$1 billion for Pell grants next year. At colleges and universities where I have made commencement addresses, I have had so many students tell me it is Pell grants that are responsible for their

ability to get an education because their parents never could have afforded to send them. The Pell grants are an added incentive for them to go to college. In fact, one of the creative parts of this bill is increasing Pell grants by \$1,000 to any low-income student who will enter the math or science field in college.

That would be an exciting opportunity for our minority students, for our low-income students, for students who have not had a chance to have that extra Pell grant. If that extra Pell grant will give them an incentive to go into the field of math and science, then that student is going to have a bright future.

We are going to increase by \$412 million teacher professional development, making sure teachers have the tools they need to teach, that the best techniques are given to the teachers teaching our young people.

We are going to have a \$90 million increase in the National Science Foundation, the math and science partnerships program, so we can assure quality opportunities in math and science to nurture our potential inventors.

There is a \$40 million increase in school construction funding for impact aid schools. An impact aid school is a school that is near a military base. These are school districts that do not have the same tax base because a military installation does not pay local taxes. Many of these schools have been starved over the years. We are going to give them a boost to try to upgrade the school construction in these heavily impacted school districts where there are large Federal institutions.

There is a lot of increased spending in this bill. But that is not all this bill is. If we just increase spending, we don't need to debate the issues of reform; we don't need to talk about accountability; we don't need to talk about vouchers or choice for parents or charter schools or trying to get more teachers to take up the teaching profession. Why would we do that if we just throw money at it and not do anything more? We could just pass an appropriations bill. That is what we have been doing. That is what hasn't worked.

What we are hoping to do is to now reform the system. We want to give individual attention to every child. We are trying to give the Federal money in block grants to the State and local governments with benchmarks—not mandates, not heavy books of regulations they have to thumb through before they can take a step. That is not what we are trying to do.

We are saying: Here is the standard we want you to meet. We want every child to read at grade level at the third grade. How you do it is your choice. We will give you extra money for teaching teachers how to teach reading for Pell grants, for the added emphasis on math and science classes, all of those things that would go toward making sure each individual student has the opportunity

to reach his or her full potential with a public education. That is the point of this bill.

Increased accountability. Focus on what works. Look at the other schools to see what they do that works. Talk to people who have made it work.

I visited a school in my hometown of Dallas, TX, an elementary school. I have never seen so much creativity. The students have parents who are interested. The PTA is very active in the school. The principal welcomes the PTA. Stonewall Jackson Elementary School has a diverse student body. They are excited about learning. The teachers are pumped up; the principal is open and creative; the parents love working for the school. It works because everyone comes together to try to make sure every child has the most opportunity that child can have.

This particular school also has a number of deaf students. They are integrated into the elementary school. Deaf students and hearing students are in the same classes, so the hearing students know how to function with the deaf students; the deaf students know how to function with the hearing students. It is wonderful to see it work because of the interest of the parents, the teachers, the principal, the school superintendent, and school trustees. It is a teamwork effort. That is what we are trying to foster in every school in our country.

We want to reduce bureaucracy in Washington and increase flexibility. We want school districts to do what fits them best. Maybe they need a single-sex school in part of an urban area where they have problems with discipline. Why shouldn't they be able to offer an all-boys school or an all-girls school in a public school environment, if that is what the parents believe will focus their children on education. Why don't we open our horizons and look at what we can do to be more creative?

Most of all, we are trying to empower parents. We are trying to give parents the information they need to make the best decisions for their children. We are trying to make sure parents will be able to get their children out of a bad environment and into an environment where their child can learn and progress and do better. That is exactly what this bill is trying to do.

I am very pleased we have a President whose major priority is education. I am very pleased we have a bill that will put some creativity into the schools. I am very pleased we will have some amendments that I hope will add to the creativity and the choices parents will have. The bottom line is, if parents know what their children are learning and if they have an interest in their schools, they are not going to let their children stay in a bad environment; they are not going to let their children stay in an environment that is not serving the needs of their children.

I hope we can start the amendment process on this bill because I think we

have a chance to recreate public education in our country. It needs to be recreated. It has fallen down in the last 25 years. It is time we brought it back up. It is time we do not take no for an answer. It is time we do not allow someone to say that some children just can't learn. Every child can learn. We just must make sure we fit that child's individual needs and every child will learn. The key is catching the child early enough that we can give the child the full chance to have a quality public education. If we find out in the ninth grade that the child is reading at the third grade level, 6 years will have been lost for that child's development. That is not fair. We can do better. That is what I hope we will do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I would like to continue under the time on education, please.

The PRESIDING OFFICER. The Senator is recognized.

Mr. THOMAS. I suppose we are all hopeful the committee will soon come together with their proposal and have some agreement on the bill and bring it here.

As we think more and more about the education bill, and we begin to think what are the elements of a successful education for young people, of course we immediately begin to think, first of all, about families, about parents. That is the early responsibility. It is so interesting to watch in our communities, as we see the youngsters with parents who, when the children are very small, begin to help with reading, begin to give parental support. Then as they get to school, we can see their opportunities are much greater.

The other things, of course, that we talk about are the facilities, the teaching opportunities that are provided by the community. We begin to try to put all these things together. Then we begin to say what is the role of dollars? I think the average expenditure per child is maybe \$500. There are substantial differences in the costs of education throughout the country. Then we begin to measure reading performance against the amount of dollars that are spent. We see as dollars go up, reading capacity does not necessarily go up. So we say what is it that has to be done besides dollars?

We begin to think of the role of the Federal Government versus the role of the school board and the State, in terms of decisions about school buildings, for example. Traditionally, the building of school facilities has been a responsibility of local governments. Local governments make the decisions. Then we find ourselves looking at things that need to be done in that area and we see we need Federal money. When Federal money comes, along with it comes regulation. People say: Wait a minute, get the Federal Government out of our lives.

It is not an easy issue. Do we want to have the best education we can? Of

course, nobody argues with that. That is our goal and it should be. We start with preschool and go on to have the best kind of education we possibly can have for everyone. Not only is that good for everyone, the people themselves, but it is good for our society. We cannot really have successful democracy unless we have educated citizens.

That is what we are talking about. It sounds easy: we are going to support schools, we are going to do this, we are going to do that. Then we think it out and say: How do we best do this? How do we get accountability? Where should the money come from? How important is it as compared to teaching expertise, for example? What does that have to do with buildings, facilities, and these things?

It is an interesting topic. I hope we will get to it soon. The bill before us will cover almost all these things. It will have to do with accountability. It will have to do with financial capacity. It will have to do with choice. It will have to do with how the money is spent and who decides that. I look forward to that.

I think the arrangements have been for the Senator from West Virginia to begin now, so I yield the floor.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from West Virginia.

#### BUSH TAX CUT PROPOSAL AND THE PSEUDO-RECESSION OF 2001

Mr. BYRD. Mr. President, last Friday, the Commerce Department reported that the U.S. economy grew at a rate of 2 percent during the first 3 months of this year, January 2001 to March 2001. That is twice the rate that forecasters were projecting. It doubles the pace of late last year, October 2000 to December 2000.

Saturday's Washington Post quoted economist Jim Glassman of J.P. Morgan Securities saying:

These are great numbers. They suggest that the economy is not nearly as weak as was feared and that we are not close to being in a recession.

This information stands in stark contrast to what the administration has been telling the American people in recent months. In presenting his budget and tax cut proposals to a joint session of Congress on February 28, President Bush declared:

the long economic expansion that began almost 10 years ago is faltering.

As recently as March, White House aides warned that \$1.6 trillion in tax cuts were needed to avert an impending recession.

Contrary to the administration's dire warnings, the economy has continued its unbroken 10-year expansion—the longest economic expansion in U.S. history. The Nation's unemployment rate is near historic lows at 4.3 percent. Consumer spending increased from a 2.8 percent rate in February to a 3.1 percent rate in March. Construction

spending remains strong, business infrastructure investment is rising, manufacturing activity is inching up, and factory inventories are falling.

Even the stock markets—and we have learned that the stock market is not the economy—but even the stock markets are rebounding from their recent lows. The Dow Jones increased from 9,500 in early March to almost 10,900 yesterday—10,898.34—a 15 percent increase. The Nasdaq increased from 1,619 in March to 2,168 yesterday—a 34 percent increase.

In the midst of the Great Depression of 1932, which I lived through, President Franklin Roosevelt cautioned that the only thing we have to fear is fear itself. In the midst of the pseudo-recession of 2001, the only thing that the Bush administration has to fear is stirring up public doubt.

This administration has been walking a fine line between promoting the President's tax cut proposal on the one hand and alarming consumers and investors. The Bush administration has touted the President's tax cut plan as a possible "second wind for economic growth," so that bad economic news becomes good news for the tax cut.

That is the tune the administration plays.

The problem is that, in attacking an illusory problem through the bogus cure of massive tax cuts, this Administration creates two very real problems. It threatens our debt repayment efforts and cuts back on our ability to address a backlog of infrastructure needs.

Let's consider, for a moment, our national debt. The Congressional Budget Office projects that the national debt will increase from its current levels of \$5.7 trillion to \$6.7 trillion in FY 2011. The President's budget would set aside \$2 trillion to retire the national debt over the next ten years, but that number is based on two highly unlikely assumptions: (1) that \$5.6 trillion in budget surpluses will materialize in spite of CBO warnings that they might not, and (2) that discretionary spending should be limited to the unrealistically low numbers proposed by the President.

If the massive-permanent tax cuts are enacted, our debt retirement efforts may be compromised and that could significantly disrupt the financial markets, resulting in higher interest rates and slower economic growth.

An equally important concern is whether these tax cuts will allow us to adequately address this country's failing infrastructure. Roads, bridges, airport runways, mass transit systems, water and sewer systems, and energy delivery systems—we could go on and on—are vitally important to support thriving businesses. They enhance productivity. They provide jobs. They are basic to a strong economy.

Yet, according to the American Society of Civil Engineers, ASCE, one-third of the nation's major roads are in poor or mediocre condition, costing American drivers an estimated \$5.8 billion a year.

The latest ASCE survey revealed that 29 percent of the nation's bridges are structurally deficient or functionally obsolete.

Airport capacity has increased only 1 percent in the past 10 years. No wonder airport congestion delayed nearly 50,000 flights in one month alone last year.

Due to aging, outdated facilities, and severe overcrowding, 75 percent of our nation's school buildings are inadequate to meet the needs of school children—to meet the needs of America's schoolchildren, tomorrow's citizens, and tomorrow's leaders.

The nation's 54,000 drinking water systems face an annual shortfall of \$11 billion to comply with federal water regulations.

Some of the nation's 16,000 wastewater systems are 100 years old. More than one-third of U.S. surface waters do not meet water quality standards.

These statistics show the infrastructure needs of a third-world nation, not the world's last remaining super power.

Furthermore, these statistics only reflect the gap between federal funding and our nation's physical infrastructure needs. What about our human infrastructure needs?

The Senate voted last month to set aside \$225 billion in tax cuts to finance investments in education.

The Senate also declared its intent to set aside \$300 billion for a prescription drug benefit—twice the amount allotted in the President's budget.

Medicare is estimated to have 45 million beneficiaries in 2015 (11 million more than 2000), yet the program will not have the resources to finance benefits after 2016, 15 years from now.

Let me say that again. This should be of interest to everybody in this country.

Medicare is estimated to have 45 million beneficiaries in 2015; yet the program will not have the resources to finance benefits after 2016.

Likewise, the Social Security program provides a financial safety net for our Nation's seniors; yet it will not be able to rely on payroll tax revenues after 2016.

Let me say that again, talking about the Social Security program.

I can remember when we didn't have any Social Security program in this country. I can remember when Franklin Delano Roosevelt and a Democratic Congress provided the Social Security program in the country.

Before that time, when people became too old to work, they either stood at the gates of their children with their hats in their hands hoping that their children would take them in, or, otherwise it was over the hill to the poorhouse. I can remember that.

All through the years, the workpeople of America, the people who have labored and earned their bread by the sweat of their brow, paid into that Social Security program as did their employers, and looked forward to the time when they could retire in dignity,

and not have to sit on the porch of the old county poor farm, and not have to call upon their children, who were already struggling, to take them in.

What do we see happening?

We see that the Social Security program provides the financial safety net for our Nation's seniors, yet it will not be able to rely on payroll tax revenues after 2016 just 15 years from now. Unless we plan now for this eventuality, where will the revenue come from to ensure that these retirement benefits are paid if the surpluses don't materialize?

Federal dollars also support high-technology research which, in turn, is transferred to the private sector to help domestic businesses compete more efficiently in the international market place.

Where will the money come from to finance these human infrastructure needs—if the kitty is blown—if the kitty is blown on tax cuts?

The reality of this year's budget process is that if the Senate decides to approve 10-year tax cuts as large as \$1.6 trillion, or even \$1.35 trillion or \$1.2 trillion, it is likely to do so at the expense of everything else that we owe to the American people.

You, the people as I am looking right into your eyes through that electronic camera behind the Presiding Officer's chair. It is you. Yes, it is your money, but it is also your Social Security program, it is your Medicare program. Whether you are young or whether you are old, it is going to affect you, the American people.

The administration is fond of saying that these projected surpluses are the people's money. And they are. Yes, it is the people's money. But what the American people expect for their tax dollars—modern and safe roads—safe roads on which they can take their children to the childcare center, on which they can go to church, on which they can go to school, on which they can go to the bank, on which they can go to the grocery store, on which they can go to work—safe roads, modern roads, clean drinking water, adequate health care, reliable retirement benefits, access to higher education, and better public schools.

The President's budget does not even allow for what the Congressional Budget Office says is necessary to maintain current services in such key areas as transportation, agriculture, and energy—we have an energy problem in this country, don't we?—and certainly does not provide what is necessary to address the backlog of infrastructure needs in education, health care, and a whole host of other areas.

Consider the following: Highways, bridges and transit: The President proposes to divert—yes, you heard me exactly; divert—\$430 million of TEA-21 funding in FY 2002 from highway construction to other transportation programs.

Schools: The President proposes to terminate the \$1.2 billion school construction program. How about that?

Drinking Water/Wastewater: The President proposes to reduce funding for EPA clean and safe drinking water by \$463 million and grant and loan levels for the rural water/wastewater by \$100 million.

I traveled around the world in 1955, 46 years ago. In most of the countries where I traveled, we did not find clean drinking water. We were told not to turn on the faucet, not to drink the tap water: Don't drink it. Boil it in advance. Oh, I saw many of the beautiful sights of the world—the Taj Mahal, the pyramids of Egypt, Angkor Wat in Cambodia—but the most beautiful sight I saw, after that 66 days of traveling around the world, were the two little lights, the two little red lights in the top of the Washington Monument when I flew back into National Airport at the end of that journey. And what a joy it was just to be able to go to the spigot in the kitchen and turn on the water and get a glass of fresh, clean, safe drinking water.

There are millions of people in this country today who cannot go to the water faucet and turn it on and get safe drinking water—right in this country. One does not have to go to Kandahar, one does not have to go to Afghanistan or to Pakistan or to Vietnam or to Korea in order to experience what I am talking about. Just go to West Virginia. There are some places in West Virginia where the people do not have safe, clean drinking water.

What about dams and navigable waterways?

The President proposes to reduce funding for the Corps of Engineers from \$4.5 billion to \$3.9 billion. The President proposes no new starts despite a backlog of \$38 billion of authorized but unfunded projects.

Hazardous waste disposal, what about that? Despite a \$13.6 billion backlog for cleaning up toxic sites on the national priority list, the administration proposes to freeze Superfund at the FY 2001 level. Freeze it. Do not increase it. Leave it at the 2001 level.

Instead of addressing the Nation's infrastructure needs, this administration chooses to devote its resources to a so-called fiscal stimulus, even though the economy seems to be correcting itself without one.

The President has said that the economic engine is beginning to sputter, and that tax cuts are needed to accelerate the economy. What good does it do to rev up the economic engine if the roads are in such a state of disrepair that they cannot be traveled? Even the fastest, most expensive, most shiny, glossy car in the world cannot travel over bridges that are dangerous, falling apart, and roads filled with potholes.

And one does not have to travel very far to see potholes. Just drive around in the Nation's Capital. Potholes—one sees on television the pictures of automobiles hitting those potholes and then having to go to the nearest garage to have the axle replaced. The tires are blown. Right here, in the city of potholes, Washington, DC. One does not

have to go to Mud, WV, or to Duck, WV, or to Sophia, WV. Just go to Washington, DC. The potholes are there.

Most people expect to get something for the taxes they pay. They expect clean, safe water. The taxpayers expect to see, modern highways, and transportation systems. They expect to see food free of toxics, a sound education system, decent health care, and safe streets and neighborhoods. The frustration comes when the taxpayers don't see their tax dollars working for them. We tell them their tax dollars are collected to buy these things that will improve their lives.

When we don't deliver, we break faith with our promise and we undermine the trust of the taxpayers. I say the people don't want their money back, they want their money's worth. We hear this refrain being sung. I can hear it now wafting its way in the refreshing air of May from the White House at the other end of Pennsylvania Avenue: The people want their money back. No, I say; the people want their money's worth.

If I go to the grocery store with my wife Erma to buy food for the weekend, I don't want the grocery man to smile at me and say: I won't fill up your shopping cart but I will give you your money back. I don't want my money back; I want my money's worth.

When I hire a contractor to fix my roof if it is leaking, I don't want him to tell me he won't do the job but he will give me my money back. I want to be dry. I don't want the rain to come into my modest cottage. I don't want my money back; I want my money's worth.

If I take my old Chevrolet to a mechanic because it won't run, I don't want to be told that the car can't be fixed but I will get my money back. I don't want my money back. I want my money's worth. Fix my car. That is what the American people want. They want us to get the most from the taxes we collect. They want us to plan ahead and invest in our country. They want us to exercise stewardship in their best interest. They don't want us to creep up to them with our head down and with a long face and say to them: Here, you gave us this tax money. I hid it in a napkin. Here is your money back. No. That is like the unfaithful steward in the Biblical proverb.

The American people want to get the most from the taxes we collect. They want us to plan ahead and to invest in our country. They want us to do the basics that feed the economy, to allow for future growth and anticipate future change. We fail them if we don't do these things. We have failed them if we say: Here, just take your money back. The people can't repair highways. They can't build sewers and clean up water systems. They can't build new airports. They can't inspect the food supply. Government exists to take care of things that people cannot do on their own.

It also exists to make intelligent choices about future trends and to an-

ticipate needs. How can we do that if we squander our ability to make investments for the future because of huge tax cuts, huge tax give-backs now, based on projections which may not be real?

The Associated Press is reporting today that President Bush has struck a deal with the Republican leadership on a so-called budget deal. Further, I understand that the House and Senate Budget Committee chairmen are rushing to file the budget resolution conference report this evening. This is another example, if it is true, of the President and the Republican leadership disregarding the President's promise to bring bipartisanship back to Washington.

The House and Senate took up the budget resolution without a detailed President's budget. For the first time in its history, the Senate Budget Committee did not mark up the budget resolution. And now we hear we will have a budget resolution conference report that was produced without the involvement of the ranking members of the House and Senate Budget Committees, also without any input by the ranking members of the Senate and House Appropriations Committees.

So what is in this conference report? We do not have the report, but according to the press reports, it contains \$1.35 trillion for tax cuts over 11 years and it limits discretionary spending to a 5-percent increase for fiscal year 2002.

Where is the bipartisanship? I am not in on such a deal. I am the ranking member of the Appropriations Committee. Where is the bipartisanship? The Administration puts on a big show, having invited everybody down to the White House. Where is the bipartisanship in this budget conference report, if what we are reading in the press is true?

I am also told that it contains budget process provisions, such as a defense firewall, that were in neither the House nor Senate resolutions.

What will be the effect of a 5-percent increase for discretionary programs? That is what I hear: Discretionary will be 5 percent.

At best, this level provides only enough of an increase for nondefense programs to maintain last year's funding levels, adjusted for inflation. This level will leave no resources for increases that we all know are necessary for education, for infrastructure, for research and development, and for promoting our energy independence. What about Social Security or Medicare?

The increases being debated on the floor for elementary and secondary education this week could not be funded, to say nothing of other education programs such as Pell grants. During debate on the budget resolution in the Senate over twenty amendments were adopted to add discretionary spending. Almost half of those amendments were offered by Republicans. Where are we going to get the money to pay for increases for veterans' medical care, the

Wellstone and Bond amendment, or for fossil fuel programs, or for the National Science Foundation, the Bond and Mikulski amendment, for food safety, the Clinton amendment, for conservation funding, the Murkowski amendment, for energy research, the Reid amendment, or for law enforcement, the Leahy amendment? The President proposes to cut State and local law enforcement by over \$1 billion. Where will the money come from to restore those cuts? Where will the money come from to add funds for health centers, the Bond amendment?

The PRESIDING OFFICER. The Senator has used his 30 minutes.

Mr. BYRD. I ask unanimous consent that I may proceed for 5 minutes.

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

Mr. BYRD. And what about our Nation's infrastructure? Where will we get the money to restore the cuts proposed for clean water and safe drinking water, for the Corps of Engineers, and for school construction?

Very often in this country, there seems to be nothing on our radar screen except the immediate, the here and now. We think no further than next week, next year or the next election. Where are we if our leaders fashion fiscal policy on such things, on such bases? Where are we as a Nation if the most vision we can muster is a colossal tax cut for the wealthy that may jeopardize such basics as our ability to ensure a clean water supply to all of our citizens? It is a hollow vision. It is a vision that appeals to greed. It is a vision that fails to ask us to pull together as Americans for the good of the whole country. It is a vision that sets up a patchwork quilt of a nation, with areas of prosperity next to areas of poverty. It is a vision that makes a hollow joke out of the word "bipartisanship." It is a "fold your hands," "you do it" vision, based on an ideology and an experiment that failed in the 1980's. Most people in West Virginia won't benefit from this tax cut, but they will suffer from the continued lack of investment in the basics. They are not by themselves. West Virginians won't be suffering alone. There will be others like them in every State of the Union. They don't want their money back. I am talking about my constituents. They don't want their money back; they want their money's worth.

I implore this administration to take off the dark sunglasses and think about that word "bipartisanship" and lift its nose from the ideological bible of the tax cut religion. Let me say that again. I implore this administration to lift its nose from the ideological bible of the tax cut religion. There is much more to keeping faith with the American people than tax give-backs for the better off.

Building a strong Nation does not just mean building another weapons system. Building a strong Nation means giving our people the basics, the education, the health, the opportunity

to compete in an increasingly global economy. It means providing the roads, transportation, water and sewer facilities which support a thriving economy and allow the people to follow their dreams.

This morning's newspapers reported that the Republican leadership had reached a tentative deal on the overall amount of tax cuts that can be passed by the Senate. I noted that no deal has yet been reached with regard to discretionary spending, although a consensus seems to be consolidating around a 5-percent figure. That is not bipartisanship. Where was I? Where were the ranking members? Where were the chairman and the ranking member of the Senate Appropriations Committee in this deal? Where is the ranking member of the Senate Budget Committee in this deal? Does the White House call this bipartisanship?

I hope the Senators will give due recognition to the real threats facing this country—the declining state of our infrastructure and our national debt—and not chase will-o'-the-wisp, pseudo-recessions, and money-back guarantees that cannot deliver the goods.

Mr. President, I yield the floor.

#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—MOTION TO PROCEED—Continued

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

Mr. BENNETT. Mr. President, we have had a lot of conversation on the floor in the last week about education, and given that education is the No. 1 issue before us and the one that, according to the polls, is the No. 1 issue on the minds of most Americans, I think that is appropriate. So I am going to join in that conversation and make some comments on education tonight. I trust I will have an opportunity to make some comments on education a little later on as the debate proceeds.

Members of this body have heard me before talk about my experience as far as education is concerned. It was the educational issue that got me back into public life. I was enjoying a career as a businessman at a relatively prosperous organization. I was the chief executive officer, so I got to make a lot of decisions. For example, I got to choose what kind of health care I had. None of the other employees got to do that, the way the health care system works in America, but I did because I was the chief executive.

I got a phone call from the chair of the Utah State Board of Education asking if I would serve as a member of the strategic planning commission for that body, and I agreed. Then she called back a little later and said, "We want you to chair." I said, "Well, all right." So I became chairman of that planning commission and immersed myself in issues of education.

It was a wonderful experience. The most distressing part of it is that hap-

pened over 10 years ago, and as I sit here in this Chamber and listen to the debate on education, it hits me that nothing has changed. The issues that were prominent 10, 15 years ago are still the issues we are dealing with, and that is very depressing.

I go back to a comment that was made to me by one of the employees of the Utah State Board of Education when we were talking about changes that needed to be made. He said to me, "Bob, don't be so hard on us. We are changing. We are changing a little bit all the time. It is just that we are not changing as fast as you want us to change. Some of the things you are asking us to do, it will take us 15 years to do."

I stopped and pointed out to him that 15 years is longer than it takes a child entering school in kindergarten to graduate from high school. I said, "In other words, you are saying if we come to the conclusion that this is the right thing to do, no one currently in Utah schools will get the benefit of that. A whole 15-year cycle could go by and somebody could enter kindergarten and graduate from high school without getting the benefit of something we decide now has to be done."

The depressing thing is that conversation took place close to 15 years ago and we are still having the same debates around here.

I have put up a chart, which the Senator from Maine, SUSAN COLLINS, has used. I want to refer to it again because we need to reinforce a fundamental truth. The source for the chart is the National Center For Education Statistics, in the Digest of Education Statistics. The red line is expenditures on education in 1999 dollars. So these are constant dollars adjusted for inflation. Back in 1971, this is where they were, and now you see the line goes up. This is where they are today. It is roughly double the dollar amount. Here are the reading scores; it is absolutely flat. The yellow line is the fourth grade; it is absolutely flat. The eighth grade is also absolutely flat. The 12th grade is absolutely flat.

We keep spending more and more money on education and keep getting exactly the same results. The former Senator from New York, Mr. Moynihan, once made a comment while looking at a chart that was even more distressing than this, where the expenditures per pupil were going up and reading scores were going down, and with his sense of humor and sense of irony he said, "Maybe we can postulate that spending more money on education causes education to get worse, because that is the trend line. The more we spend, the worse things are."

Well, this chart indicates, at least, that the more we spend, the more things stay the same. If we are satisfied with what we are getting in education right now, then all we should do is leave things exactly as they are but spend more money on them. We will get exactly the same results we have

been getting for the last 20 years. We will spend more money and we won't get anything any better.

Unfortunately, as I listen to speeches in this Chamber, particularly the speeches from those who are disappointed with President Bush's proposal, I discover that there is an interesting attitude in Washington: If a program is good, Washington says spend more money on it. If a program is bad, Washington says spend more money on it. They don't seem to differentiate between one situation and the other because they have a one-size-fits-all solution, which is to spend more money. It makes us feel good to spend more money. It makes us feel good to be able to go home to town meetings and say, as I have said—I fall into the same category when somebody starts attacking me on education—I have voted to increase the budget on education every time since I have been in the Senate. That kind of shuts them up. They can't attack Senator BENNETT for being anti-education if he promises to keep spending more money on education. They never ask me the fundamental question: What have you done to change the system so that it gets better?

What have you done to change the system so that the reading scores start to go up? Well, that is a little harder. It is much easier to say, well, I voted to spend more money, and send me to Washington and I will vote to spend more money.

President Bush wants to spend more money on education. A lot of people say, boy, that is unusual for a Republican. The Democrat reaction is, we want to spend even more money than President Bush wants to spend, and we are back in the same Washington trap, which is, if it is a good program, spend more money on it; if it is a bad program, fix it by spending more money on it.

We need to get away from that. We need to break out of that syndrome and say: Let's not spend more money; let's spend smarter money; let's begin to demand a return on our investment; let's begin to say this is not good enough and we are not going to give you more money until we can be convinced that the money we are spending is producing better results.

That brings me smack into the issue that has been discussed today, which is fully funding title I.

That is a great political hot button: we must fully fund title I. That is why it is not working. That is why we are not getting the effectiveness. We have only funded it to this level, and we should be funding it to that level.

That is a great way to put off this decision. That is a great way to continue doing what we have been doing without facing the fundamental question, which is, Why has title I not been effective? Is there a possibility there is a reason other than the fact that we have not been spending enough money on it?

Oh, that is very hard to discuss in Washington because, as I say, the all-

purpose answer to everything is, fund it; spend more money on it.

Have we ever looked at title I to determine if there are other reasons why it is not as effective as it is supposed to be, other reasons besides money? The last comprehensive study of title I and how it works was made in 1994, 7 years ago. We have been flying blind for 7 years. For 7 years we have been going on faith.

I believe in faith. I will yield to no Member of this body in my faith in a religious concept to which I have made a very firm and solid commitment. But when it comes to things that are not of the spiritual world, I want some proof. I want something besides just blind faith. I think in 7 years we ought to be able to come up with some assessments and some understanding of how things are going that will cause us to spend our money smarter.

We now have a President who is saying, let's test the results school by school and monitor who is doing well and who is not. I come out of the business community. That is a little like saying, let's start to keep books on our sales. Instead of just saying, well, we have a sales force, let's spend money on sales, let's start to keep track of which salesman or saleswoman is performing better than which other one.

To a businessman and businesswoman, that is just obvious. You do not make an expenditure until you have an assessment of how things are going. You do not hire somebody or give somebody a raise or hand them a bonus until you have at least some understanding of how well he is doing. If you have somebody who is not doing very well, you do not give him a bonus. You try training him; you try motivating him; you transfer him to another position where he might be better suited; but you do not automatically say, Well, you are not doing it very well, but the way to solve your problem is to give you more money. That is the attitude in education: We do not really care whether you are doing well or not. All we know is we can feel good about spending money on education because we are all for education.

The core of the Bush proposal is assessment of results. The core of the Bush position on education is to find out where we are. The driving force behind everything he is pushing is understanding what is happening, and that is so threatening to people who are committed to life as it has been, the status quo, that they can all find reasons to complain about it.

One of the reasons to complain about it that I have heard is that it is going to cost money. Hey, we cannot spend money on assessments; we must spend money in the traditional way to get the traditional results.

Some say, All right, we will go along with the assessments as long as the Federal Government pays for it. We should not put that burden on the States. We should not insist the States

measure where they are without paying them to measure where they are.

I ask the question, What responsible State superintendent is not anxious to conduct assessments right now? I can say that with some validity because in my home State of Utah, they are already doing the assessments. They are paying for it with State dollars.

Why? Because they have come to the same conclusion that President Bush has: If you are going to spend the money smarter, you have to understand what is going on. So it is intelligent stewardship on the part of the State board of education in Utah for them to take precious money in the State and spend it on assessing where people are, what is happening, what are the outcomes, how well are we doing.

One of the questions I will raise when the amendment comes up that says we have to have Federal funds to pay for the assessment is this one: What happens if the State is already paying for the assessment? Does it still get the Federal funds that it would otherwise get or are you going to penalize the States that are doing the right thing now by saying we will not give you the money and, thus, reward the States that are avoiding assessments by giving them the money?

These are issues that are very different from the standard Washington answer which is: Just give them the money; just spend the money.

No, we need to know where we are. One of the first places that we should start in assessments is appropriately title I. Yes, title I money and title I circumstances are very controversial. We have not had a complete analysis of how well that has been doing since 1994. Let's start to assess title I. Before we say the magic words "fully fund," let's ask the magic question: What are we funding? Are we funding failure? We do not know. Are we funding mediocrity? We do not know. We are funding a wonderful sounding goal, but are we funding results or are we funding failure?

Let's find out. Let's do the assessments. Let's spend the money to find out what is happening with title I kids, how it could be done better, how it could be done smarter, how it could be done quicker, and then I am perfectly willing to vote for the money. I am perfectly willing to spend the money if I know it is being spent on something that will get results.

My history as a businessman was that I was willing to take a risk with the shareholders' money. Some of the shareholders did not like it. They wanted business just as it was always done: Don't try anything new; don't launch any new product, that is risky; don't try to break into any new market, that is expensive. A business that takes that position is a business that dies over time.

When I was running our business I tried some new products and some of them failed badly. They were expensive. I tried to go into some new mar-

kets and it turned out to be really stupid—heavy investiture with little or no return. But some of the products revolutionized the company. Some of the new territories we entered turned into vast new opportunities and overall, by being willing to try and assess and, yes, spend more money, we grew the company from a few hundred thousand dollars a year to a \$400 or \$500 million business. You say schools are different; you are not trying to grow the school or trying to be entrepreneurial. I am not trying to grow the school, but I am trying to grow the trim lines and see that after 20 years of being flat, can't there be a wiser spending of money.

If you want to get the results you are getting, keep doing what you are doing. That is a fundamental truth they teach in business school. If you want to keep getting the results you are getting now, keep doing what you are doing now. If you want different results, you have to do something different. That, ultimately, is the challenge of the Bush proposal on education.

It has taken a little while for a lot of people to understand that, for a lot of people to come to grips with that. President Bush is proposing something different. How threatening that is. How unsettling. How disturbing. The President of the United States is saying we are not getting what we need to get; let's try something else. And he is willing to spend for it. The amount of money that the President has proposed as an increase in education spending is more than the Clinton administration ever proposed. So no one can say he is being cheap about this. No one is saying he is not willing to put his money where his mouth is, to use the language of the gambling community. He is willing to put up the money. But he is saying, I don't want to spend it in the same old ways; I want to try something new. I am willing to fund the experiment, but I want to find out if we can't do it better.

In order to find out if we can't do it better, we have to start making assessments and then we have to pay attention to what the assessments tell us. Boy, is that revolutionary. Is that scary. Track what is happening as we spend this money in different ways and then pay attention to what that tracking says.

No, the President's opponents say, it is all too threatening. It is all too different. Better fall back into the old political ruts we have been in forever in this town, which is, pick up the slogan, pick up the good-sounding title, and paste money on it. Then go home and brag to your constituents that you are pro-education. After 20 years of doing that, there has been no progress.

Maybe it is time we did something different. Not "maybe"—it is definitely time we did something different.

Let me ask this question rhetorically. Suppose the Bush program doesn't work. Suppose we spend all of this money that President Bush is trying to get us to spend in different ways

and the reading scores stay flat. What have we lost? What has that cost been compared to business as usual?

Yes, President Bush can be faulted for spending that extra money on education and not getting any tangible results. But I suggest if we go the route many in this Chamber want to go, which is to say "don't change the system in any fundamental ways, but do raise the money," we will get exactly the same result. Everybody will feel good about it, except the kids.

That is where I want to end up because that is where the primary focus should be. That is the fundamental issue of education—the kids. We don't fund education in this country to make politicians feel good, or at least we shouldn't. We don't fund education because we want to maintain the sanctity of those buildings that we put up or because we want to provide employment for the teachers, the aides, the janitors, and the school lunch people. Boy, they would all be in the unemployment ranks if we did not keep funding education.

That is not why we fund education. We fund education for one purpose and one purpose only: to empower our children to function effectively in society. Put in place whatever subdefinition you want. We fund education to empower our children to become good citizens. We empower our children to become good wage earners. We empower our children so they can become good parents. Put whatever subset you want, but the fundamental reason we fund education, the only reason we fund education, is so that our children will be able to function effectively in society, in whatever role they have.

For far too long the focus of educational funding and educational reform and educational structure has been the system and not the children. I went through that when I was in my situation as chair of the strategic planning commission that I mentioned. Over and over again, everybody who came before me talked about "the system." This is how we tweak the system; this is how we change the structure; this is how we work on the organization.

I kept saying, Wait a minute. Wait a minute. Your focus is in the wrong place. Your focus should be on the children.

They would say, Sure, sure, sure, that's right. Now, let's go back. In order to fix things we have to change the structure, we have to change the organization, we have to change the reporting relationship.

No, no, no, I would say. Your focus isn't on the children.

Finally, I came up with this analogy. It is imperfect, but I hope it makes the point. I remember when the big three auto manufacturers had one common enemy, the one thing they were absolutely united on. That enemy was named Toyota. They were determined they would do everything they possibly could to see to it that Toyota did not

enter the United States; that Toyota cars were stopped at the shore and not allowed to come in. Toyota was so threatening to them, they even came to the Congress and asked for legislation that would have effectively kept Toyota out.

Why was Toyota so threatening? There was a fundamental difference in focus. General Motors, Ford, and Chrysler were focused on the car. What does the car look like? How does the car drive? What is the engine in the car? What can we change in the car? The whole focus was on the car.

Toyota came to America with the focus on the driver. What does the driver want? Well, they did a little surveying and they discovered that the driver wanted, among other things, reliability in the car. They didn't want it to break down after 20,000 miles. The driver wasn't as interested in style as he was in stability. Toyota said, Find out what the driver wants and then design a car that fits it. By focusing on the driver, they made cars smaller so they could fit in parking lots. By focusing on the driver, they made cars cheaper to operate so you didn't buy as much gasoline. They found a ready market in the United States for their cars.

Fortunately, the American manufacturers were not successful in keeping Toyota out, and the pressure of the competition of Toyota made the American cars substantially better. The American manufacturers decided they had better focus on the driver, too, and each manufacturer picked a niche of drivers and began to produce products that would fit those drivers and they began to prosper and discovered that Toyota was not going to put them out of business. They had a shift in their focus: one group focusing on the car, the other group focusing on the driver. The group focusing on the driver was winning until the other group started focusing on the driver as well.

I use that analogy to say, You people are focusing on the car. You are focusing on the school building. Should it be painted blue or yellow? How many rooms should it have? What kind of air conditioning should we have in the school? What kind of landscaping should there be? What should be the structure of organization? Should the principal have one aide or two aides? You are focusing on the system. Who is focusing on the kids?

It is just possible that the kids are going through this school, this system you have built and created, and they are not being empowered to function effectively in society. What do the kids need to function effectively in society? As soon as you put your focus on that, you may discover a very different kind of school needs to be constructed around the needs of the children. That is what President Bush is talking about. Let's make some assessments of what is happening with the students and then see if, from those assessments, we can create a system that

will meet those needs. If we can, we can start to see these test score lines on this chart begin to come up along with the expenditure line.

President Bush is not afraid to raise the top line, the expenditures. We Republicans are not afraid to do it with him. But we don't want to do it focusing on the system. We want to do it focusing on the child.

So when somebody says fully fund title I, my question is, How is title I helping the children? How is title I working?

Well, we don't know.

Why don't we know? Because the last study that has been done on the effectiveness of title I was done in 1994.

All right, I have gone around the argument. I do not want to repeat it one more time. But I do want to summarize it and make the point one more time. This is a fundamental crossroads for the Senate, the Congress, the Government as a whole. Are we going to keep doing what we have always done, which gives us a warm, personal, political feeling and political cover when we go home, by saying we spent more money on education, to prove how much we love education? Or are we willing to take the risk that President Bush is asking us to take, to say the time has come to think about doing it differently? The time has come to think about spending the money differently. The time has come to make assessments and evaluations that will help us direct the money more intelligently.

The time has come, instead of congratulating ourselves on the fact that we make the red line go up, to say, Let's hold ourselves accountable for the fact that the blue and the green and the yellow lines have not budged in 20 years.

That is the challenge President Bush has given us. I hope we are equal to it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I listened to your comments with enormous interest because I think you made some very good points. I wanted to bring some comments to the floor from a neighbor's perspective, a neighbor of the great State of Utah, what I have been hearing about education in Colorado.

Colorado has taken a very progressive approach to education with the new Governor of Colorado, Governor Owens, and the Colorado Legislature. They have decided to try to do something about education. In that regard, they are probably somewhat ahead of what we see happening in other States.

What they are attempting to do is very much the same type of program

that the President is proposing to the Congress. As a Congress, we need to help the President give the States more control over the educational system—with accountability. I do think accountability is the key. I share the observations of my colleague from Utah that test scores are not getting better. I am looking at the test score trend, not recently but over several decades, as to how we compare with other countries in math scores, how we have been doing over time in math and English scores, and I am disturbed by the trend.

We need to do things that will improve the math skills of our students. We need to do things that will improve the English-proficiency skills of our students. Not only am I responding to what I am observing as to the scores, but when I go out and visit the employers of the State of Colorado, I hear the same message that I have observed as far as test scores; that is, students are not as well prepared for math or not as well prepared to deal with the English language in the workplace. I think that goes right down to the Senator's bottom line, that education is to prepare people to carry on with their daily activities in a democracy such as we have in the United States. I do think education is key to that.

I am here to praise President Bush for his commitment to education, making it his top legislative priority. I like his commitment to making sure that no child is left behind.

Over the last 35 years, the Federal Government has spent \$120 billion on poor kids. They have shown no improvement in basic math and reading skills. The President's education blueprint demands accountability. He is asking the States to set higher standards. I think that is great. Then he holds the States and school districts and individual schools to those standards and allows some flexibility because not all States are the same, not all school districts' problems are the same, certainly not all community problems are the same. School districts and local agencies should have more flexibility to spend the Federal money.

In addition to that, he has suggested we need to come close to tripling the amount of money we provide for education, an increase as compared to the rest of the budget. In other words, the rest of the budget he proposed had a 4-percent increase. Education was somewhere around an 11-percent or 12-percent increase. With added flexibility must come more accountability. So he is saying to the States: OK, States, go ahead and design a test so you can measure performance, which is very important, grades 3-8.

Then you measure the progress within the State. That allows the students as well as the parents to measure what is happening as far as their educational effort in the various school districts. It allows the parents to take a greater role in the progress of the child's education. I think that is entirely appropriate.

I have talked with educators in the State of Colorado. I have members in my family who are educators. I have a great uncle who is president of the Teachers College. Obviously, education is important to our family. It is important to me.

We have to develop a "can do" attitude in education. We need to encourage the fact that we can do better than what we have been doing. We need to look at ways in which we can give local school districts the flexibility they need to do a better job in educating students and allowing parents to have a greater role in educating students. It is going to require a team effort with parents working within the school system to make sure that things get better.

I admit that in some cases we need to look at the disciplinary situation in classes. When I talked about education and improving education, I mentioned the fact that we needed to do something to improve discipline in the classroom. One of the problems I see with discipline in the classroom is the type of liability the school district and the teacher may incur trying to impose discipline on the classroom. I think that is a Federal problem as well as a State problem, and it is certainly something that perhaps as a Congress we ought to investigate at a later date. I think the State legislators themselves ought to look at the liability of the teacher and school districts in trying to apply discipline in the school districts or within the classrooms.

This is a good first step that the President is suggesting. I think what is coming to the floor of the Senate and that was reported out of the education committee is a good first step. It is moving us in the right direction.

I hope we can quickly get this piece of legislation moved out of the Senate without any further delay. It disturbs me when I see the delay in one piece of legislation after another. And the education bill we now have before the Senate went through some of that delay process. Then when we vote to move it on, we get a very substantial margin in moving forward with a particular piece of legislation.

It is important to the history of this country that we do something about education. It is important to the employer. It is important to the future of the child. We want to make sure that no child gets left behind.

The solution in the past was that we would have more money for education from Washington but with more mandates. We are seeing some of those issues that will probably come up as amendments on the floor as we debate the education bill. Some of these amendments are going to say we will take the flexibility from the school districts and put it in the buildings, or they will say we will have to put it in teachers. I think the proper and sensible approach is to give maximum flexibility for those dollars to the school district to decide where their

needs are. It may be that they just built a new school building and they don't need more money for a school building. So they can't participate in the dollars that go towards a new school building. Their need is for teachers. So the school district, in that case, needs to have the flexibility to move that money into teaching. It may be that they have plenty of teachers and the school building is not in good shape. So they need to have the flexibility to take those dollars and put it in a building program so they can have a better environment for learning.

That is just one example. There are a number of other examples that most of us could point to as to what could be done in the way of adding more flexibility to the school districts so they can meet their various needs.

I travel throughout the State of Colorado, and I don't think we are any different than any other State. But there are a lot of differences in Colorado between the various school districts depending on where you are in the State.

We have a lot of different problems throughout the country because there are different types of school districts. I think to try to put forth a solution in Washington where you have a one-size-fits-all program is a mistake.

When the President says he wants to have more flexibility, I believe this is what he is talking about. That is why I think it is important that we give school districts the flexibility they need.

A teacher in Weld County recently told me that his school is using a janitor's closet as a classroom because of the lack of space available. If we can give him more dollars for flexibility, then that would give him an opportunity to change that classroom situation. If we pass amendments that say our extra dollars will go to hiring more teachers, it is not going to do that school any service in trying to create a good education for its students.

I am here to support the bill that we have on the floor. I think it is moving us in the right direction. I am here to support President Bush because I think he is moving in the right direction. I like his theme that we don't leave any child behind because it provides flexibility to States and school districts. It promotes accountability and it increases parental involvement.

My hope is that as we move forward with this debate, we don't linger, and that we get the bill passed quickly and be supportive of what the President is trying to do. He is bringing some new ideas to education.

I know there are individuals in this body that get real apprehensive when you start talking about new ideas for education. But we need to take some of those inherent risks. I think that the risk is minimal when you put the confidence in local school districts and you measure results. We do that with a flexible testing program that is established with the States.

I am one who is saying we ought to change education, and we need to move

forward. We need to take a positive attitude in education. We can do better with math and we can do better with English. We need to measure those results.

I yield the time. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, I am here also to add my voice to those who have already spoken on this bill. I would like to talk on two particular subjects. I am not going to elaborate on how important education is to America. We all know that. Nor the problems that our schools are having. We know those, too. But I would like to talk about two areas that I will be addressing as we move to debate this very important bill.

The first area is funding. Frankly, I have been—I couldn't use a better word—shocked at the low level of funding proposed by the administration. Initially, the administration proposed a \$700 million increase. And this from the President who says he is the education President I find—to be kind—troubling.

We all know that throwing money at a problem does not always yield a solution. We also know that the starting salary for teachers is very low. We know that class size has dramatically increased. We know that the property tax which has funded education throughout America is such an unpopular tax that local school boards—any one of them you talk to—are totally strapped in terms of providing the new dollars that they need to lure teachers, to keep teachers, to expand their schools, to wire them.

My children attend public schools in New York City. I believe in the public school system. It was good to me; it is being very good to them. But go to any school and talk to the principal—it can be in a large city; it can be in a small rural town; it can be in a suburban area—and they will tell you that these days, with all the demands placed on education, they do not have the dollars, plain and simple. And their school boards tell them that the property tax taxpayers, justifiably and understandably, believe that the property taxes are so high they cannot raise them.

That may not be true in every school district that I visit, but it is true in the overwhelming majority throughout my State, and my State is so large it has school districts that mirror those in just about every other State. There are even many that resemble those in rural Colorado, such as in the Adirondack Mountains, I say to the Presiding Officer.

So money is a problem. We will debate during the consideration of this bill how to spend money, as we should. I tend to be supportive of the President's desire for accountability in testing. Testing isn't the only answer, but it is part of the answer. If you have too subjective a test, teachers, recognizing they will only be measured by how they grade their own students, will inflate the values. So you need some kind of objective testing. I agree with the President on that.

I do not want to lower the bar. I do not think a child should be promoted from the second grade to the third grade if they are reading at the first grade level. I do not think there should be teachers in our schools who do not know much about math who are teaching math. But keep the bar high, my colleagues. You have to provide the wherewithal to get people over that bar. The localities can no longer do it.

So if you believe that education is a national imperative—which I do—if you believe in this country, and want us to stay the leading economic power in the world, and you believe that education, No. 1, will keep us there or sink us, you have to then increase the Federal role.

The President campaigned on that. Thank God he said the days when many wanted to abolish the Department of Education are over. He understood there was a Federal need and a Federal role. In the way he campaigned, I was very enthusiastic about his role in education. If you had to sum it up, you would say: Do not lower the bar but provide some of the wherewithal to help the localities, the students, the teachers to get over that bar. I think that is a great way to do it.

I think there are many on our side who will meet the President on standards. But we wish he would be more forthcoming in meeting us on increasing the dollars that education needs because no matter how you slice it, every school board is pressed and cannot do the things it wants to do.

So when we propose that there be full funding of title I, when we propose, in relation to IDEA, that the Federal Government finally live up to its promise and fund 40 percent of what we mandate on localities in terms of special education, we are supported by just about every school board in the country, just about every teacher, and almost all who study education.

We need to do this to keep our country great. When I see that the President proposed \$700 million, and then goes up to \$1.7 billion, but proposes 5 times that increase in the military, and proposes 50 times that increase in tax cuts, I say, this is not the education President because, my colleagues, you cannot just talk the talk. You have to walk the walk. Part of the walk is standards and part of the walk is upgrading our schools, but part of the walk is more dollars.

So I will be offering an amendment, on which I will be working with the

Senator from California, Mrs. BOXER, as well as our minority leader, that will say, No. 1, there ought to be a certain amount of money there but, No. 2, the teeth of this amendment says that if we do not appropriate the amount of money that we authorize, then parts of this legislation will not take effect.

If we emerge with a paltry increase in education funding, I believe that, first, the President will pay a price, and those who are against increased funding will pay a price but, far more importantly than that, America will pay a severe price.

We cannot continue to attract the best people into teaching if the salaries are going to be so low, particularly in areas such as math and science. We cannot educate our children very well if they do not have up-to-date technology in their classrooms. We cannot educate children in schools where the plaster is falling from the ceiling.

When my daughter attended kindergarten in PS 230, there were two kindergarten classes in one classroom because they did not have enough classroom space for the students. She does not get the extra curricular activity going to a New York City public school that she should. It is a price we are willing to put up with because of the other advantages that she has going to a public school. But that is just the frills. It is the sinew of education that is suffering. As costs go up—the energy, the salaries, and everything else—and education budgets fall flat, we fall further and further behind.

So if I could make one point to my colleagues it is this: All the verbiage and all the legislative language are not going to make much difference if we do not fund them. I urge my colleagues on the other side of the aisle just to look at our priorities as a whole and ask, Is the tax cut more important than adequately funding education? Is an increase in a new military program more important than funding education? Admittedly, all three are important. But the priorities in terms of the amount of money the Republican majority and the President have proposed in this bill are out of whack, not only out of whack with the priorities I might have but out of whack with their own rhetoric. It just does not add up. And that is not right.

The second area I would like to talk about is a related area, which is teacher quality and attracting teachers. Since I care a lot about education, I go around my State, as I mentioned earlier, and I talk to the superintendents of school districts, principals of schools, teachers, and parents.

When you ask them what their largest problem is, it is very rarely things we talk about. It is recruiting and retaining good teachers. I will talk more about this later because I have some amendments that I have been working on with some of my colleagues—many of them are bipartisan—to try to improve the quality of teachers.

In almost every corner of America, you cannot get new, good teachers in

math and science because the starting salary for a teacher in those two areas is so outweighed by the amount that the private sector will pay you just cannot get good teachers. We had 40,000 new math and science teachers in America last year, and 3,000 majored or minored in math or science—3,000. The other 37,000 did not have the background. Some of them might be good teachers, but if this is such an important subject, don't we want someone with an adequate background?

In every corner of my State, people talk about this problem. In the past, we were lucky in America. We had captive cohorts of people who went into teaching. In the 1930s and 1940s, we had Depression babies, people who knew the pain of unemployment in their homes. They went out and got a civil service job. It might not have paid that much, but they had job security.

Then in the 1950s and 1960s, we had fabulous women go into teaching. In those days, so many other careers were not open and available to women, so they became teachers. Some became nurses. I am talking about teachers today, but for both fields the cause was the same. Because of the lifting of the barriers, half the medical school enrollees today are women and half the law school enrollees are also women. That is great. That is America living up to its potential. We no longer have a captive audience of teachers.

Then there was a third cohort. We often forget, but large numbers of young men in the late 1960s and early 1970s went into teaching because you would get draft deferment. And particularly during the Vietnam war, when millions of young men did not want to go fight that war for whatever reason, they became teachers. Many stayed.

At open school night for my daughter, who is in the 11th grade, I asked her six teachers in her six subjects how they became teachers. There were three women. They fit the category I mentioned. And there were three men, all three of whom started teaching in the late 1960s.

Those captive audiences of teachers are gone. In fact, the average age of a teacher in America is around 50. Half our teachers will retire in the next decade. If we don't do anything, the people we replace them with will not be close to as good or as dedicated, and our educational system, which has trouble now, will get worse.

Studies show that the most important things in how well a student does in school are the values and input from that student's family. We are not here changing that right now. We need prayer and internal workings and spirituality and a lot of other things to bring the family back up. I believe strongly in that, although I don't think it is a governmental matter. But the second largest thing that influences how well a student does is the quality of the teacher.

I have always supported reducing the number of kids in the classroom, but I

don't think it is as important as improving the quality of the teacher. I would rather have a good teacher for 21 kids than a mediocre teacher for 18. If we can't replace all the good teachers for the 21 kids, we have real trouble. We can't even start talking about class size. Yet that is what is happening. We have to change that. If we could do one thing in the educational system, that is what we have to do.

Now, how do we do it? Well, certainly we want teachers to have more prestige. I am totally befuddled by those who would try to improve the educational system by bashing teachers. It makes no sense to me. Most teachers I meet are pretty good and pretty dedicated. There are some bad apples, as there are in every profession, but overall they are pretty good.

I just flew home last night. My young daughter, who is 12, was in her school concert. She plays the oboe. We have been hearing the oboe play "Watermelon Man" for the last 3 months in the house. Why the oboe? Because she is a nice kid, and her music teacher said: Alison, if you don't play the oboe, we will have no oboe in the Hudde Junior High School band. She said: OK.

Now she regrets it because she is more a trumpet-type girl than an oboe-type girl. But the music teacher was fabulous, a dedicated man; you could see him get up there. These kids who were in the sixth grade, who had only been playing their instruments for 6 months, were great. Last night, that person personified, to me, the dedication of so many teachers, to take these kids, sixth graders, 12-year-olds—they would rather be doing a lot of other things—and get them to play so well together.

We have to make teaching more prestigious, and we should praise our teachers when they do good. We have to give teachers more authority in the classroom. The rules and regulations that prevent a teacher from dealing with an unruly student go overboard. I would rather see those changed and give the teacher more authority and not see teachers worried that they will be sued for this or that if they try to exercise some authority. All those things are necessary. Most of them are up to the locals.

But we will not improve teachers unless we raise the salaries. The reality is, right now we ask people to make sacrifices. In New York City, we can't get certified teachers for all the reasons I mentioned. How about in our wealthy suburbs where a starting salary for a teacher is pretty good, \$35,000, which in New York, Long Island, for instance, is not a lot. You can do a lot more with \$35,000 in Mississippi than you can in Long Island, but it is still not bad. When do they all quit? Three years later when they have to buy a home.

Unless we do more for teachers' salaries, we won't solve the problem. Unless we do more to help give prestige to teachers, we won't solve the problem.

Unless we give teachers some support in the classroom, we won't solve the problem. It takes money, and it takes standards, both. You can't have one; you can't have the other. You need both. Just money, low standards, forget it. It is wasted. Just standards, low money, you won't get the people who can meet the standards.

The second area I will be focusing on as we debate this bill in the weeks ahead is how to improve the quality of our teachers. It is key. I wouldn't want this choice, but I would rather have a school that is a little old and a little grimy with a teacher who really cared and did a great job than a brand spanking new school and a mediocre teacher. I would rather have almost nothing in the education world except for parents who watched their kids and taught them values and helped them with their homework. That is probably first. But second? Good teachers.

You get what you pay for, when the starting salary for a teacher now in America is \$26,000 in what should be the exalted profession of the 21st century, particularly in math and science, but even some other areas, special ed, languages, computer skills.

I hope my colleagues will pay attention to this debate. It is crucial for America. I hope it will be a long and full debate. I hope that I will get the kind of bipartisan support that I think the measures I am talking about deserve.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

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#### UNANIMOUS CONSENT AGREEMENT—S. 1

Mr. NICKLES. Mr. President, I ask unanimous consent that all time under rule XXII be yielded back and the motion to proceed to S. 1 be agreed to. I further ask consent that immediately following the reporting of the bill, the Senate then proceed to a period of morning business, with Senators to speak up to 10 minutes each. Finally, I ask consent that the Senate resume consideration of S. 1 at 9:30 a.m. on Thursday morning and Senator JEFFORDS be recognized at that time to offer an amendment to the so-called bipartisan amendment.

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

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#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The PRESIDING OFFICER. Under the previous order, the clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate is now in a period of morning business.

#### OLDER AMERICANS MONTH

Mr. CRAIG. Mr. President, because of the traffic and the business in the Chamber yesterday, I was not able to speak on May as Older Americans Month, but I did submit a resolution as chairman of the Senate Aging Committee to recognize May as Older Americans Month, as we have for 38 years, saying that this is the official month during which we pay tribute to the contributions of 44 million older Americans.

It is during this month that we as a nation recognize older Americans for their service, hard work, and sacrifice that helped assure us the freedom and security we now enjoy.

There is a great deal more I could say, and through the month of May there will be a great deal said about the contribution that older Americans make to this great society of ours.

Of course, for those of us who still have parents or grandparents who are active and contributing to their communities, we know how valuable this group of citizens is in our culture.

The program we will be looking at when we reauthorize, as we did the Older Americans Act, is going to advance once again the surety of a good many of the programs that are available to them. We reauthorized it last year finally after 5 years. It is important we did that because so many of those programs drive results at the local community level that are extremely valuable to all of us.

With this authorization, Congress was able to add an important component to the act, and that was the program to authorize \$125 million to establish a new National Family Caregivers Support Program to provide grants to States to provide information and services to family caregivers, another one of those broadening concepts on which we work with the senior community of our Nation.

I wanted to take time briefly this morning to recognize May as Older Americans Month and the resolution that was submitted yesterday by myself and others.

#### GET-WELL CARD

Mr. BURNS. Mr. President, as you know, I had a little round with the surgeon during our Easter break. I got a get-well card from a good friend who lives in Montana, something that would come out of sort of cowboy lore

or out of a cowboy camp. I knew this man's father. We go way back in Montana and the ranching history.

It says:

Friend CONRAD: Well, looks like you're done for. So I guess we might as well divide up your stuff. I'll take your saddle. Ray.

There is a kindness in that letter that probably only can be appreciated by those of us who have been in those cow camps and sat at these folks' fire. I thought I would share that with some folks. There is still some humility around and great comradery that comes from that.

#### A TRIBUTE TO CHIEF ROBERT LANGSTON

Mr. LOTT. Mr. President, today I rise before you to honor the service of recently retired Chief Robert E. Langston of the U.S. Park Police. Chief Langston has honorably served the Department of the Interior, the National Park Service, and U.S. Park Police for over 30 years.

Chief Langston has led America's oldest Federal uniformed law enforcement agency, formed by President George Washington to serve the public squares of the District of Columbia. Congress later gave the Park Police the same powers and duties as the D.C. Metropolitan Police, and the Park Police have become a primary partner in keeping the peace.

Countless numbers of the visiting public tour Washington's monuments at all hours of the day and night with a confidence that they can visit these national treasures safely. What a testament that is to the Park Police, and to the Park Police leadership. How many other places, in a major urban area, can so many have so much confidence on such a regular basis, at all hours of the night? In fact, the Park Police are so good at what they do, that it is sometimes all too easy to take their valiant services for granted.

So in honoring Chief Langston, today, we also honor the entire Park Police, a full service department with over 800 officers and investigators and over 100 civilian employees. Among its jurisdiction, the Park Police are assigned to National Park Service lands, parkways, monuments, and memorials in Washington, DC, New York City, and San Francisco, CA.

Members of the force are trained at the Federal Law Enforcement Training Center in Georgia, and provide a complete range of police services from foot and cruiser patrols to highly complex missions such as search and rescue, antinarcotics operations, and dignitary protection that includes protecting the President of the United States.

To support its operations, the force draws on resources that include award-winning air, water, and horseback units. The Park Police are so renowned for their attention to detail that they often are called upon by other law enforcement agencies to sites often far away from their permanent headquarters.

For over three decades, Chief Robert Langston has been an active and integral part of this esteemed and proud organization. Indeed, it is from a long tradition of police personnel who are of his high caliber that the Park Police have drawn their source of pride in their competence and their quality.

Chief Langston began his career with a bachelor of science degree in criminology from Florida State University. He started work as a Park Police patrolman covering foot, cruiser and motorcycle assignments. Even with the challenge of full-time police duty and a young family, he continued his education at the University of Virginia with master level courses in police administration, and at the FBI Academy in Quantico, VA. He was promoted to sergeant in 1971 with service in the training branch and later in the operations division as a patrol sergeant. In 1973, he was promoted to lieutenant and served as shift commander before accepting command of the communications section. He was promoted again, in 1975, to the rank of captain, and assigned as watch commander in the National Park Service's Southeast Region. Upon returning to Washington, he served as commander of the operations division's central district, and was promoted to major. His upward progress only continued, and he was selected as deputy chief in charge of the field offices division. In 1988, he became the assistant chief of police, and was named Chief of Police in 1991.

After nearly a decade of service as chief, Bob Langston still is the same gentleman of great enthusiasm and commitment that shows through in everything he does. His selfless dedication to duty has been thoroughly time-tested and consistently proven throughout each stage of his career. Even when resources were stretched and duty was intense, he calmly provided direction and oversight for the department. Through some of the most trying times literally in our Nation's history, Chief Langston always did much more than his duty.

Through it all, he stayed active in professional and civic organizations, such as the International Association of Chiefs of Police, the D.C. and Maryland Chiefs of Police Association, and the Federal Law Enforcement Training Commission, to name only a few. Here, too, he willingly accepted the call to leadership, and served as president of the FBI National Academy Associates, and a member of the Bethesda-Chevy Chase Rescue Squad for over 40 years, with 15 years as rescue squad president.

Chief Langston has gained much recognition for his service and exceptional efforts as part of the U.S. Park Police. He has been awarded the regional director's award for excellence as well as the Marshals Service award for outstanding service and the State Department's diplomatic service award for outstanding service.

For all his professional achievements, Chief Robert Langston is most

admired and respected for simply being a kind, decent human being who never let rising through the ranks cloud his eyes from seeing things from the grass-roots perspective as well as from the bird's eye view. His associates know him as a seasoned professional and his subordinates know him as a mentor; but, his neighbors know him simply as a trusted friend, and his wife Beverly, son Robert and daughter Kellie know him as a caring husband and faithful father. All who know Bob Langston know him as an upstanding Christian man of sterling integrity who is a role model in all that he does.

I know his colleagues, friends and family join me today when we say to Chief Robert Langston, thank you for staying the course and thank you for helping mold and maintain the Park Police into one of the truly great police forces of our Nation. In an unpredictable world, Chief Langston and the men and women of the Park Police do their duty with a diligence that is dependable, supporting us and keeping us safe to enjoy sacred symbols of freedom that the Department of the Interior, the National Park Service, and the U.S. Park Police both protect and in fact embody for the people of America and for the future of our Nation.

#### THE THIRTIETH ANNIVERSARY OF CONGRESS'S CREATION OF AMTRAK

Mr. CLELAND. Mr. President, Yesterday marked the thirtieth anniversary of Congress's creation of Amtrak. Congress acted then because we realized that along with cars and planes, passenger rail was a vital part of America's transportation future. Today the need for passenger rail is greater than ever. All across this great land, travelers are facing gridlock not only on our highways but we are quickly approaching it in our skies too.

I believe many Americans are growing tired of spending so many hours stuck in traffic, or hanging around airport terminals. They want an alternative, now.

Fortunately, there is an alternative to growing gridlock and "winglock." It is called high-speed passenger rail, and it is a way of traveling that is pleasant and easy, and allows travelers to make the most of their valuable time.

So far, high-speed rail exists only in the Northeast. But Amtrak's vision is to build a national passenger railroad system consisting of many regional high-speed corridors linked by long-distance service. This plan will bring another option to the American business traveler, commuter and tourist no matter where they live.

That is why I strongly support the High Speed Rail Investment Act of 2001. It will provide Amtrak with what our highways and airports already have: a source of long-term capital with which to build the high-speed rail corridors of the future.

With high-speed rail, we can give travelers the choices they deserve, and

improve our over burdened transportation system. Passage of the High Speed Rail Act of 2001 isn't just in Amtrak's interest; it is in America's interest.

#### THE MUSCULAR DYSTROPHY CARE ACT

Mr. COCHRAN. Mr. President, I am pleased to join the distinguished Senators from Minnesota and Maine, Mr. WELLSTONE and Ms. COLLINS, in the introduction of the Muscular Dystrophy Community Assistance, Research, and Education Act.

I have worked with them over the past several months to develop this legislation.

The Muscular Dystrophy CARE Act will help ensure that federal agencies are coordinating muscular dystrophy initiatives. The bill will create three Centers of Excellence under the National Institutes of Health. These centers will conduct basic and clinical research that will help move scientific discoveries from the laboratory to the bedside. The act also ensures that the Centers of Disease Control and Prevention will conduct basic epidemiological research and data analysis of the impact this disease has on our country.

The passage of this legislation will help improve the quality and length of life for tens of thousands who suffer from muscular dystrophy. I encourage all Senators to support this effort.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

Today I would like to detail a heinous crime that occurred June 1, 2000, in Baltimore, MD. Gary William Mick, 25, pleaded guilty to first-degree murder, attempted murder, and armed robbery after admitting that he murdered a gay man and tried to kill another because, he told police, he thought gay men were "evil." In the first attack, a New Jersey man was bludgeoned to death with a claw hammer at the Admiral Fell Inn in Fells Point. Mick met his second victim, a dentist, at a bar, had dinner with him and went home with him. He later attacked him with a knife. The men struggled and the victim escaped. The perpetrator told police that a childhood incident caused him to hate homosexuals.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe by passing this legislation, we can change hearts and minds as well.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, May 1, 2001, the Federal debt stood at \$5,651,070,445,048.89. Five trillion, six hundred fifty-one billion, seventy million, four hundred forty-five thousand, forty-eight dollars and eighty-nine cents.

One year ago, May 1, 2000, the Federal debt stood at \$5,660,726,000,000. Five trillion, six hundred sixty billion, seven hundred twenty-six million.

Five years ago, May 1, 1996, the Federal debt stood at \$5,096,321,000,000. Five trillion, ninety-six billion, three hundred twenty-one million.

Ten years ago, May 1, 1991, the Federal debt stood at \$3,438,851,000,000. Three trillion, four hundred thirty-eight billion, eight hundred fifty-one million.

Fifteen years ago, May 1, 1986, the Federal debt stood at \$2,020,548,000,000. Two trillion, twenty billion, five hundred forty-eight million, which reflects a debt increase of more than \$3.5 trillion, \$3,630,522,445,048.89. Three trillion, six hundred thirty billion, five hundred twenty-two million, four hundred forty-five thousand, forty-eight dollars and eighty-nine cents during the past 15 years.

#### ADDITIONAL STATEMENTS

##### A PASSOVER MESSAGE FROM RABBI ISRAEL ZOBERMAN

• Mr. ALLEN. Mr. President, I ask that a "Passover Message from Rabbi Israel Zoberman" be printed in the RECORD.

The message is as follows:

The Biblical account of the Exodus from Egypt became the Leitmotif of Rabbinic theology, perceiving in the Israelites' redemption from a House of Bondage God's guidance and goodness. Thus the three Pilgrim Festivals of Pesach, Shavuot and Sukkot, revolving around the common theme of the Exodus, point at the divine gifts of both freedom and responsibility as essential requirements for fulfilling the human potential.

The awesome and complex journey—physically, spiritually and psychologically—from servitude to liberation of the people of Israel was to be a model for the entire human family, culminating the Messianic vision of a world redeemed in the prophetic promise. We have chosen to transform the bitter herbs of our exile into the sweet charoset of homecoming in all. It is the symbolic hovering presence at the Seder table of the prophet Elijah for whom we open the door and set aside a special cup of wine, which provides the eternal hope for universal shalom. It is the peace we have kept alive as a flickering light in the darkness of a trying and challenging history.

Our Passover joy is diminished through by the continued detention in China of the twenty-four-member crew of the U.S. Navy plane as we pray and call for their release, as well as the release of Dr. Gao Zhan, who has been separated for too long from her husband and child in Virginia. The festival's promise by a compassionately passionate heritage is ultimately rooted in its revolutionary view of the infinite worth of each of the Creator's children, recalling that God silenced the angels on high when jubilant at the drowning

of the Pharaoh's troops. When we particularly preserve our adversary's humanity, difficult as it is, we maintain our own essential human stature.

We rejoice in the presence of our special guest, Adam Nguyen, who escaped from Vietnam in 1971 and is president of the Zen Buddhism Association of Hampton Roads and whose first Seder it is. As we share our celebration with him, we protest the destruction and desecration of the irreplaceable, precious and priceless two giant Buddha statues from the third and fifth centuries respectively, by the oppressive and repressive Taliban regime in Afghanistan. Pleas from the world at large, including Muslim countries along with its ally Pakistan, to desist from such an unwarranted act fell on deaf ears. An assault on one religion is an assault on all religions and on civilization itself. We congratulate neighboring Tajikistan for restoring another historic Buddha relic.

We suffer the ongoing lethal violence substituting for life-enhancing vision in our American society sacrificing its precious youth, tomorrow's promise, on the alien altars of the false gods of wanton conduct and perverted values. The plight of the three kidnapped Israeli soldiers and their agonizing families, including Benny Avraham from our sister city of Pardes Katz, remains of grave concern to us. We are in pain given the deadly deadlocked scenario in our beloved Land of Israel, ancient source of shalom's holy wellspring of blessings, still so tragically eluding it and the vastness of a wondrous universe designed to reflect the Divine's loving embrace.

Rabbi Israel Zoberman, spiritual leader of Congregation Beth Chaverim in Virginia Beach, is President of the Hampton Roads Board of Rabbis and Chairman of the Community Relations Council of the United Jewish Federation of Tidewater. He was born in Kazakhstan in 1945 to Polish Holocaust Survivors.●

#### RETIREMENT OF LILLIE PETIT GALLAGHER

● Ms. LANDRIEU. Mr. President, I would like to take a moment out of this morning's business to commemorate a very special occasion in the life of a dear friend and a valued advisor, Lillie Petit Gallagher. This Friday, May 4, 2001, marks the last day of a long and distinguished career in public service for Lillie. As the Executive Director of St. Elizabeth Foundation in Baton Rouge, she has not only counseled hundreds of birth mothers but also helped in placing their children with loving families. In the thirteen years she has served as executive director of this fine organization, she has been a trusted friend, a surrogate mother, a guardian angel and a wise counsel to hundreds of parents and families.

The US Census Bureau estimates that in one year 500,000 teenagers will choose to parent their babies; 450,000 will have abortions. Because of people like Lillie, these young adults have the confidence and support they need to choose adoption for their child. To demonstrate for you the kind of impact Lillie has had in shaping St. Elizabeth's, let me read an excerpt from a letter from one of her birth mothers, "I was eighteen and fresh out of a bad relationship when I found out I was preg-

nant. I can remember not knowing what I was going to do. I guess in a lot of ways I just acted as if there was nothing wrong. For about three months no one knew of my pregnancy but me and a friend. Then we just really started talking about what to do one day and that's when it happened, just like a sign from God, a billboard sign saying: "Pregnant and alone call . . ." so we rode back to her house and called. A soft sweet voice answered the phone, "St. Elizabeth Foundation." That is how I started my friendship and love for the people at St. Elizabeth's." This is just one of many examples of the special interventions that bring strength, hope and comfort to hundreds of families.

A native of Cut Off, LA, Lillie's work on behalf of the children of Louisiana is not limited to her outstanding work at St. Elizabeth's. After graduating from St. Mary's Dominican College in New Orleans, she returned to LSU to obtain a graduate degree in child development and social services. She used those skills to teach early childhood at the college level, found a Montessori pre-school and served as the founding director of the statewide Gifted/Talented Program in the Louisiana State Department of Education. As if that is not enough, she also spent several years as host of a popular TV education program.

Anyone who meets Lillie knows they have met someone very special. Her loving heart and determined spirit make her a tenacious advocate for children and their families and Louisiana and the Nation have been the great beneficiary. Her 36 year marriage to her husband, George, serves as a loving example, not only to her four beautiful children and precious grandchild, but to the young people she serves. My best wishes to you, Lillie, your husband, George, and your beautiful family.●

#### TIMEOUT FOR THE UNINSURED

● Mr. SANTORUM. Mr. President, I ask consent that the following article be printed in the RECORD.

The article follows:

[From the Washington Post, May 2, 2001]

#### TIMEOUT FOR THE UNINSURED

House Conferees have been fighting with their Senate counterparts to reduce the spending levels in the congressional budget resolution. No doubt some cuts can be made in the Senate totals without the country's suffering harm. But at least one relatively minor Senate proposal deserves to remain.

Oregon Sens. Gordon Smith and Ron Wyden won inclusion in the budget of an additional \$28 billion over three years to reduce the number of Americans without health insurance. The money would mainly be spent on lower-income people. Exactly how would be up to the authorizing committees, but an add-on of some kind to Medicaid and/or the children's health insurance program that Congress enacted several years ago seems most likely. The modest expansion would hardly solve the un-insurance problem, but it would push in the right direction.

About a seventh of the population remains uninsured. Most are poor or near poor. They

lack insurance mainly because they can't afford it. The administration has proposed a tax credit to help those whose employers don't offer insurance. But the credit would cover only part of the cost of an average policy, and most uninsured families still would find such a policy beyond their means. Some people think the industry might respond by offering only partial policies, but it's not clear that would be a good result, either.

The administration proposal has some interesting features and would do limited good, but limited is the operative word. The spending programs for the lower-income uninsured have shown themselves to be efficient ways of increasing coverage. Whatever the fate of the tax credit, they should be expanded. Much attention has lately been paid to the health care problems of the already insured. The elderly lack a drug benefit; people enrolled in managed care complain that care is sometimes sacrificed to cost. But at least these people have insurance. More than 40 million don't. The budget argument this year has been mainly about how large a tax cut to give the better-off. What about a timeout to pay a little heed to those who can't afford to get sick?●

#### DR. NAN S. HUTCHISON BROWARD SENIOR HALL OF FAME

● Mr. GRAHAM. Mr. President, today I am delighted to recognize an outstanding group of men and women from Broward County. The dedication and compassion demonstrated by these 10 inspiring senior citizens who have been nominated to the Dr. Nan S. Hutchison Broward Senior Hall of Fame is truly exceptional. The selfless efforts of these nominees to address the needs of individuals in all walks of life serve as an example for others throughout our Nation to emulate.

This year's honorees are Ilo Cox, Sydney Dworkin, Flora Fasciani, Ena Henry, Edward Levy, Johnnie McCray, Elizabeth Phillips Scheuerman, Bert Soft, Lotte Stein, and Ralph Weinstein.

Ilo Cox has endeavored to improve the quality of life for Floridians by promoting such diverse initiatives as crime prevention, community development, advancement of the arts and funding research to find a cure for cystic fibrosis. In addition, she has held positions of leadership with the Fort Lauderdale Woman's Club.

Sydney Dworkin has given generously of his time to the Florida Lakes Alzheimer Care Center since its inception in 1993. At the center he brings warmth and light into the lives of all those whom he assists. He has recognized the importance of a friendship in the life of someone afflicted by a mentally debilitating disease.

Flora Fasciani has been a steadfast supporter of children's programs and charities, coordinating and supervising several fundraising Salvation Army balls in Broward. She also acts as a spokesperson for the University of Miami Organ Donor Program and organizes the biannual Red Cross blood drive.

Ena Henry has been an active member of her church community; volunteering her time in programs aimed at educating the youth and fostering a

bond between the younger and older generations. In addition, she provides relief to disaster victims and aids indigent families of prisoners during the holiday season, supplying them with food and gifts.

Edward Levy uses his own experience as a wounded ex-soldier to aid fellow ex-servicemen. For the last 25 years he has generously volunteered countless hours assisting veterans, widows, and dependents. He also participates in the Broward Meals on Wheels program, delivering meals to homebound seniors.

Johnnie McCray is an invaluable asset to her community. She has acted as a key fundraiser for the executive board of the Sylvia Poitier T. Williams Senior Center. Moreover, she has been active in a multitude of area organizations, including the Negro Chamber of Commerce, the South Florida Association of Woman's Clubs and the Florida Association of Women's and Girl's Clubs.

Elizabeth Phillips Scheuerman has been a champion of literacy in the Broward area. Through the efforts of this former Florida State president of the American Association of University Women, the community was able to obtain its first bookmobile. In addition, she has been active in the Symphony Society, the Gold Circle of NOVA University, and the American Cancer Society.

Bert Soft is a woman of valor. Overcoming personal tragedy, she founded the Frank Soff Chapter of the Alzheimer's Family Center. Under her leadership, the chapter's membership has grown from 13 to 170 members. Her initiative and persistence have earned her acknowledgment as the Deborah "Woman of the Year" and the Florida Association of Non-Profit Organizations' "Woman of Valor."

Lottie Stein has been instrumental in implementing community improvement and awareness programs. She is actively involved with citizen crime-watch organizations and has been commended for her efforts in launching the GIVE program, which attempts to attract people to the volunteer experience.

Ralph Weinstein was a key actor in the foundation and incorporation of the first Alzheimer's Day Care Center in Broward County at the Northeast Focal Point Center. Through this organization he addresses the physical and emotional needs of children, adults, seniors, and Alzheimer's patients.

Florida and Broward County are fortunate to have these exceptional men and women who have given so much of themselves to the community. I congratulate them today and wish for them many more productive and healthy years.●

#### TRIBUTE TO JAMES SCHIBIG

● Mrs. CARNAHAN. Mr. President, I am delighted today to pay tribute to Mr. James Schibig, who is retiring as principal of Beasley Elementary

School, in St. Louis, MO, after 34 years in education. During his long service to education, he has been a leader and role model for thousands of children.

James started out teaching fourth, fifth, and sixth grades before serving as Assistant Principal at Bernard and Trautwein Elementary. In 1986, he became Principal of Beasley Elementary School.

James' commitment to his work is overshadowed only by his dedication to serving his community. Instead of calling it quits at five o'clock, James devotes his time and energy to helping the community through his volunteer activities. He lends his skills to the Parish Council at St. Margaret Mary School, advising them on various education issues. He coaches baseball and soccer and serves as a Parent Teacher Organization officer.

I know that the teachers, parents, and students at Beasley Elementary will greatly miss James. I wish James and his wife Jeanne all the best in retirement, and I urge my colleagues to join me in saluting James Schibig.●

#### IN MEMORY OF BETTY TIMES

● Mrs. BOXER. Mr. President, it is with both pride and sadness that I ask the Senate to pause briefly so that I may share a little of the remarkable life of Betty Times, a long-serving Marin County civil servant, political activist and human rights advocate, who died last Thursday after an 8-year battle with cancer.

Betty Times was born 62 years ago in Louisiana, and moved at age 5 to Marin City where her father worked at the Marinship shipyard in Sausalito. Mrs. Times lived in and enriched the community of Marin City and the County of Marin for 56 years.

She leaves a lasting legacy of community service that includes 14 years as head of Marin County's Citizens Service Office, 18 years on the Sausalito School Board, one term on the Marin General Hospital district board, and countless years of leadership in Marin City, as a mother of five, a mentor, chairman of the board of the Community Development Corporation and as executive director of the Marin City Project.

I first got to know Betty more than 20 years ago when I served as a Marin County supervisor, and we were both founding members of the local chapter of the National Women's Political Caucus. She also served as vice president of the national NWPC.

Betty somehow also found the time to serve as an active member of the Democratic Party, and was a longtime member of the State and local Democratic Central Committees as well as a 1976 delegate to the Democratic National Convention. In 1991, she was elected to the Marin Women's Hall of Fame.

Just this February and as her health was failing, Betty was honored for her years of service by the Marin County

Grass Roots Leadership Network. She is also the recipient of the Martin Luther King Humanitarian Award from the Marin County Human Rights Commission.

I think Betty's daughter, Ida, put it best when she said: "My mother was the strongest person I know. She instilled very strong values in all of us, even her grandchildren. She was my best friend, and we were all incredibly proud of her. Her impact in this county rippled throughout the State."

I am a better person for having known and worked with Betty Times. I extend my sincere condolences to Betty's husband John, her mother Alice Coleman, and to her large and loving family.●

#### TRIBUTE TO STATE OF HAWAII REPRESENTATIVE HELENE HALE

● Mr. INOUE. Mr. President, I wish to honor Hawaii's tireless public servant, Helene Hale, who recently celebrated her 83rd birthday and is the oldest person ever elected to the State of Hawaii House of Representatives.

I ask that the following proclamation, signed by the Honorable Harry Kim, mayor of the county of Hawaii, be printed in the RECORD.

The Resolution follows:

Whereas, Helene H. Hale has served the people of Hawaii in various elective capacities for almost 50 years, and in at least one office in each of the past six decades: in the 50s and 60s as a County Supervisor; in the 60s as Chairman or Mayor of Hawaii County, in 1978 as a delegate to the State's Third Constitutional Convention, and in the 80s and 90s as the County Council; and

Whereas, at the age of 92 years young, in the year 2000, she was elected to the State House of Representatives on the slogan "Recycle Helene Hale," becoming the oldest freshman ever elected to the State House, and she has taken State government by storm; and

Whereas, far from being a career politician, she has combined government service with other vocations, including wife, mother, college lecturer, bookstore manager, coffee grower, realtor, U.N. supporter, and founder of the Merrie Monarch Festival, and she has brought to each of these the same intelligence, wit, energy and dedication which have marked her service in governments; and

Whereas, Helene Hale has claimed many "Firsts," including first female government official in Hawaii since Queen Liliuokalani, first African "American elected official in Hawaii, first resident of Hawaii on the cover of Ebony, first female chief executive of a county in Hawaii, and the first octogenarian in Hawaii to campaign for public office in a bathing suit; and

Whereas, Jeremy Harris, Mayor of the City and County of Honolulu, proclaimed March 23, 2001, as 'Helene H. Hale Day' in the City and County of Honolulu; and

Whereas, Helene Hale is a resident of the County of Hawaii, and her political career has been here, not in Honolulu, and we cannot allow Honolulu to steal credit for our Helene;

"Now, therefore, I, Harry Kim, Mayor of the County of Hawaii, do hereby proclaim (belatedly) March 23-29, 2001, as Helene H. Hale Week in the County of Hawaii, and extend belated best wishes for a Happy Birthday and many more in the future.

"In witness whereof, I have hereunto set my hand and caused The Seal of the County of Hawaii to be affixed. Done this 10th day of April, 2001, in Hilo, Hawaii."•

#### NATIONAL CHILD CARE WORTHY WAGE DAY

• Mrs. CARNAHAN. Mr. President, I want to tell you about one of my constituents, Julianne Woodle. Julianne was raised in St. Louis and went to the University of Missouri-Columbia after high school. As she worked toward a bachelor's degree in children and group settings, she planned to take her degree and find a job in the classroom. She dreamed of working with preschoolers in a childcare center, helping them develop the social and mental skills necessary to start school.

When she graduated in 1998, she started looking for a job. There were many available, but none of them paid enough for her to live on. She looked for more than a month, but seven or eight dollars an hour was the most anyone could pay her. Julianne still dreamed of working with young children in a classroom setting, but she had to make a living. It was a hard choice, but Julianne decided to go back to school. She hopes that a master's degree will allow her to find a job where she can work with children and still earn a decent salary.

It is because of people like Julianne that I cosponsored S.R. 79, calling for the designation of May 1, 2001 as "National Child Care Worthy Wage Day." This resolution calls on the President to set aside the first day in May as "National Child Care Worthy Wage Day."

Study after study has shown that good quality infant and toddler care has positive long term effects on children, and that poor quality care can have devastating effects. Despite the extreme importance of their work, child care providers earn an average of only \$7.42 an hour nationally. In Missouri the average is even lower, just \$7.02 an hour. The average housekeeper and restaurant worker make more.

Child care providers are largely responsible for the social, emotional, and mental development of the children in their care, yet we do not pay enough to attract qualified individuals to the field. Instead young graduates like Julianne, who really want to nurture and teach young children, are forced to look elsewhere for jobs. It is a pressing national problem, and it deserves recognition and attention from our national leaders. The resolution is a symbolic action, but it is an important one. We must bring this issue to the forefront of public discussion.

We owe it to our children.•

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON THE DISTRICT OF COLUMBIA COURTS FISCAL YEAR 2002 BUDGET SUBMISSION—MESSAGE FROM THE PRESIDENT—PM 16

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Governmental Affairs.

*To the Congress of the United States:*

In accordance with the District of Columbia Code, as amended, I am transmitting the District of Columbia Courts FY 2002 Budget Submission.

The District of Columbia Courts have submitted a FY 2002 budget request for \$111.7 million for operating expenses, \$41.4 million for capital improvements to courthouse facilities, and \$39.7 million for Defender Services in the District of Columbia Courts. My FY 2002 budget includes recommended funding levels of \$105.2 million for operations, \$6.0 million for capital improvements, and \$34.3 million for Defender Services. My transmittal of the District of Columbia Courts' budget request does not represent an endorsement of its contents.

I look forward to working with the Congress throughout the FY 2002 appropriations process.

GEORGE W. BUSH.  
THE WHITE HOUSE, May 2, 2001.

#### REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT—PM 17

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986 to the Committees on Appropriations; Banking, Housing, and Urban Affairs.

*To the Congress of the United States:*

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997.

GEORGE W. BUSH.  
THE WHITE HOUSE, May 2, 2001.

#### MESSAGE FROM THE HOUSE

At 3:07 p.m., a message from the House of Representatives, delivered by Mr. Hayes, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 182. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 309. An act to provide for the determination of withholding tax rates under the Guam incomes tax.

H.R. 601. An act to redesignate certain lands within the Craters of the Moon National Monument, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 91. Concurrent resolution recognizing the importance of increasing awareness of the autism spectrum disorder, and supporting programs for greater research and improved treatment of autism and improved training and support for individuals with autism and those who care for them.

H. Con. Res. 95. Concurrent resolution supporting a National Charter Schools Week.

H. Con. Res. 117. Concurrent resolution expressing sympathy to the family, friends, and co-workers of Veronica "Roni" Bowers and Charity Bowers.

The message further announced that pursuant to 15 U.S.C. 1024(a), the Speaker appoints the following Members of the House of Representatives to the Joint Economic Committee: Mr. RYAN of Wisconsin, Mr. SMITH of Texas, Ms. DUNN of Washington, Mr. ENGLISH of Pennsylvania, Mr. PUTNAM of Florida, Mr. STARK of California, Mrs. MALONEY of New York, and Mr. WATT of North Carolina.

The message also announced that pursuant to 44 U.S.C. 2702, the minority leader reappoints the following individual to the Advisory Committee on the Records of Congress: Dr. Joseph Cooper of Baltimore, Maryland.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 182. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Eight Mile River in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 309. An act to provide for the determination of withholding tax rates under the Guam income tax; to the Committee on Energy and Natural Resources.

H.R. 601. An act to redesignate certain lands within the Craters of the Moon National Monument, and for other purposes.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 91. Concurrent resolution recognizing the importance of increasing awareness of the autism spectrum disorder, and supporting programs for greater research and improved treatment of autism and improved training and support for individuals

with autism and those who care for them; to the Committee on Health, Education, Labor, and Pensions.

H. Con. Res. 95. Concurrent resolution supporting a National Charter Schools Week; to the Committee on the Judiciary.

H. Con. Res. 117. Concurrent resolution expressing sympathy to the family, friends, and co-workers of Veronica "Roni" Bowers and Charity Bowers; to the Committee on Foreign Relations.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1701. A communication from the Acting Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, transmitting, a report relative to updating the President's Budget Request; to the Committee on Armed Services.

EC-1702. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Oxygenated Gasoline Program" (FRL6973-7) received on April 27, 2001; to the Committee on Environment and Public Works.

EC-1703. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion" (FRL6968-6) received on April 27, 2001; to the Committee on Environment and Public Works.

EC-1704. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: South Carolina" (FRL6973-9) received on April 27, 2001; to the Committee on Environment and Public Works.

EC-1705. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Commonwealth of Pennsylvania; Reasonably Available Control Technology Requirement for Volatile Organic Compounds and Nitrogen Oxides" (FRL6973-4) received on April 27, 2001; to the Committee on Environment and Public Works.

EC-1706. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Allocation of Fiscal Year 2001 Youth and the Environment Training and Employment Program Funds" received on May 1, 2001; to the Committee on Environment and Public Works.

EC-1707. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Approval and Promulgation of the Redesignation of Shelby County; Tennessee, to Attainment" (FRL6947-6) received on May 1, 2001; to the Committee on Environment and Public Works.

EC-1708. A communication from the Deputy Associate Administrator of the Environ-

mental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Maryland; Approval of Revisions to Volatile Organic Compounds Regulations and Miscellaneous Revisions" (FRL6973-3) received on May 1, 2001; to the Committee on Environment and Public Works.

EC-1709. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled "Eligibility of Indoor Plumbing Under Alaska Sanitation Infrastructure Grant Program"; to the Committee on Environment and Public Works.

EC-1710. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled "EPA Review of 2000 Section 303(d) Lists"; to the Committee on Environment and Public Works.

EC-1711. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled "Interim Data Quality Amendment to the EPCRA Section 313 Enforcement Response Policy (ERP)"; to the Committee on Environment and Public Works.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-34. A concurrent resolution adopted by the House of the Legislature of the State of Arkansas relative to the Railroad Retirement and Survivors Improvement Act; to the Committee on Finance.

#### HOUSE CONCURRENT RESOLUTION No. 1008

Whereas, the Railroad Retirement and Survivors Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including the entire Arkansas delegation to Congress; and

Whereas, more than eighty United States Senators, including both Arkansas' Senator Tim Hutchinson and Senator Blanche Lincoln, signed letters of support for this legislation in 2000; and

Whereas, the bill now before the 107th Congress modernizes the railroad retirement system for its 748,000 beneficiaries nationwide, including over 10,000 in Arkansas; and

Whereas, railroad management, labor and retiree organizations have agreed to support this legislation; and

Whereas, this legislation provides tax relief to freight railroads, Amtrak and commuter lines; and

Whereas, no outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

Whereas, all changes will be paid for from within the railroad industry, including a full share by active employees: Now therefore, be it

*Resolved by the House of Representatives of the eighty-third General Assembly of the State of Arkansas, the Senate concurring therein,* That the General Assembly urges the United States Congress to support and enact the Railroad Retirement and Survivors Improvement Act in the 107th Congress. Be it further

*Resolved,* That copies of this Resolution be sent by the Chief Clerk of the House of Representatives to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and all members of the Arkansas Congressional Delegation.

POM-35. A concurrent resolution adopted by the House of the Legislature of the State

of Arkansas relative to the availability of funds to prevent catastrophic damage from wildfires; to the Committee on Appropriations.

#### HOUSE CONCURRENT RESOLUTION No. 1035

Whereas, the ice storms of December 13 and 25, 2000, ravaged thousands of acres of private and public forests in Arkansas, Oklahoma, and Texas; and

Whereas, President Clinton declared sixty-seven (67) Arkansas counties as federal disaster areas for the purposes of providing early financial assistance to cities and counties to help with their most urgent ice storm-caused health and safety problems; and

Whereas, these early funds do not provide for the critical treatment and restoration work needed to prevent catastrophic wildfires on the private and public forestlands of Arkansas; and

Whereas, if these lands go untreated, the ten-fold increase in fuel loadings may result in major conflagrations that destroy private and public property and threaten the health and safety of countless Arkansans; and

Whereas, supplemental appropriation requests detailing the need by program area and the work that would be accomplished were sent by agency field officers to their agency headquarters in Washington, D.C.: Now, therefore, be it

*Resolved by the House of Representatives of the eighty-third General Assembly of the State of Arkansas, the Senate concurring therein,* That the Arkansas General Assembly urges the President of the United States and the United States Congress to take all reasonable action necessary to provide adequate and timely funding to the federal agencies responsible for the treatment and restoration work on these lands. Be it further

*Resolved,* That upon adoption of this resolution, the Chief Clerk of the House of Representatives shall transmit a copy of this resolution to the President of the United States, to the presiding officers of the United States Senate and the United States House of Representatives, and to each member of the Arkansas congressional delegation.

POM-36. A concurrent resolution adopted by the House of the Legislature of the State of Arkansas relative to prescription drugs; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE CONCURRENT RESOLUTION No. 1027

Whereas, the price of prescription drugs in the United States has increased significantly in each of the past several years; and

Whereas, a large percentage of the people who cannot afford to buy drugs needed to maintain a reasonable quality of life are children and the elderly who have no means to improve their financial situation; and

Whereas, many people in this country must make a choice of buying food or buying the drugs they need; and

Whereas, the states have very limited ability to take the necessary action to assure that prescription drugs are available and affordable to those who need them and only the U.S. Congress has the authority to accomplish this goal, now, therefore, be it

*Resolved by the House of Representatives of the eighty-third General Assembly of the State of Arkansas, the Senate concurring therein:*

That the Arkansas General Assembly hereby urges the United States Congress to take all reasonable action to assure that prescription drugs are available and affordable to all citizens. Be it further

*Resolved,* That upon adoption of this resolution, the Chief Clerk of the House of Representatives shall transmit a copy hereof to the President of the United States, to the presiding officers of the U.S. Senate and the

U.S. House of Representatives, and to each member of the Arkansas Congressional Delegation.

POM-37.A concurrent resolution adopted by the House of the State of Arkansas relative to Special Education; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 1044

Be it resolved by the House of Representatives of the eighty-third General Assemble of the State of Arkansas, the Senate concurring therein:

That the United States Congress is urged to review, with the goal of reducing, the paperwork created by federal laws and regulations related to special education.

Be it further Resolved, That upon adoption of this resolution, with the Senate concurring therein, the Chief Clerk of the Arkansas House of Representatives shall transmit copies to the presiding officer of the United States Senate and the United States House of Representatives, and to each member of the Arkansas congressional delegation.

POM-38. A resolution adopted by the Senate of the Legislature of the State of Massachusetts relative to benefits for all retired career military personnel; to the Committee on Veterans' Affairs.

Whereas, American servicemen and women have dedicated their lives and careers to protect the rights we all enjoy; and

Whereas, in serving our country, career military personnel endured hardships, deprivation and threats of death, disability and long separations from their families; and

Whereas, integral to the success of our military forces are those military personnel who have made careers of defending our great Nation during times of both war and peace from the revolutionary war to present day; and

Whereas, there exists a gross inequity in the Federal Statutes that denies equal rights to disabled career military who seek to receive Veterans Administration disability compensation concurrent with the receipt of earned military pay; and

Whereas, legislation has been introduced in the United States Congress to remedy this inequity applicable to career military personnel dating back to the nineteenth century; and

Whereas, the injustice concerns those who are retired, are denied concurrent receipt of hard earned military retirement pay and Veterans Administration awards for service-connected disabilities; and

Whereas, career military earn retirement benefits based on longevity for honorable and faithful service and rank at the time of retirement; and

Whereas, Veterans Administration compensations serve a different purpose from longevity retired pay and are intended to compensate for pain, suffering, disfigurement, chemicals, wound injuries and loss of earning ability, with a minimum requirement of 90 days active duty; and

Whereas, the prevailing idea that military retirement pay is free is false as there is a contribution to retirement pay which is calculated to reduce military base pay and retirement pay by 7 per cent when pay and allowances are computed and approved by Congress; and

Whereas, traditionally, a career military person receives a lower pay and retirement than his or her civilian counterpart and has invested a life of hardships and long hours without the benefit of overtime pay and with a lack of freedom of expression through the unions; and

Whereas, the Veterans Administration awards to disabled veterans with a 30 percent

disability or more an allowance for each dependent and the allowance is increased with the amount of disability; and

Whereas, the Department of Defense deducts the entire amount of a dependent's allowance, essentially leaving a disabled military retiree without a dependent's allowance, thereby extending the discrimination to families of military longevity retirees; and

Whereas, it is unfair to require disabled military retirees to fund their own Veterans Administration compensation by deductions on a dollar-for-dollar basis to the Department of Defense; and

Whereas, no such deduction applies to similarly situated federal civil service or congressional retirement benefits to receive Veterans Administration compensation; and

Whereas, a statutory change is necessary to correct this injustice and discrimination in order to insure that America's commitment to national and international goals will be matched by the same allegiance to those who sacrificed on behalf of those goals; now therefore be it

Resolved, That the Massachusetts Senate respectfully urges the Congress of the United States to enact legislation to provide parity of benefits to all retired career military personnel; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the President of the United States, the Secretary of Defense, the Chairmen of the Armed Forces Committee and the Veterans Affairs Committee, the House and Senate Majority and Minority Leaders, the presiding officer of each branch of Congress and to the members thereof from the commonwealth.

POM-39. A resolution adopted by the Legislature of Guam relative to Federal funds for upgrades in education, water, and hospital; to the Committee on Appropriations.

RESOLUTION NO. 27

Whereas, Guam's tourism-based economy has been suffering over the last few years due to the Asian economic crisis, resulting in government budget shortfalls, an increased government deficit, layoffs of many private and public sector employees, and an unemployment rate that may be as high as twenty percent (20%); and

Whereas, such economic reversal and a high unemployment rate would be considered an economic disaster in most parts of the United States; and

Whereas, Guam's water and sewer infrastructure has deteriorated over the years to the point where it is no longer sufficient to support the Island's growing population; and where it is badly corroded and in disrepair in some areas, resulting in a costly waste of water, costly spot repairs, and low or no water pressure in some areas of the Island; and

Whereas, Guam's population has grown beyond the capacity of its school facilities, resulting in the overcrowding and deterioration of existing school facilities, a condition that is a detriment to the education of the Island's youth, and ultimately is detrimental to all aspects of the local community; and

Whereas, the Guam Memorial hospital, Guam's only hospital and emergency care facility, is also badly in need of upgrade and expansion, to the point where many patients must be sent to off-Guam facilities for emergency or specialized care at great expense to the government and local families, an expense that many families cannot afford; and

Whereas, Guam's tourism industry, which faces an uphill struggle to recovery after a prolonged slump, is in need of an economic boost and an upgrade in infrastructure and facilities; and

Whereas, the United States economy has seen a tremendous boom in the last decade, whilst the Federal Government has seen budget surpluses unprecedented in recent times, with the budget surplus for Fiscal Year 2000 expected to be One Hundred Seventy Billion Dollars (\$170,000,000,000) and the surplus through 2010 predicted by President Clinton to be Seven Hundred Forty-six Billion Dollars (\$746,000,000,000); and

Whereas, Guam has made its contribution to the political security and stability of the United States that has helped to nurture this vibrant economic growth by giving up a large portion of its small land mass to the U.S. Department of Defense for military installations, which were critical to American security for decades, now therefore, be it

Resolved, That I Mina'Bente Sais Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, respectfully request that the United States Congress appropriate One Hundred Ninety-three Million Dollars (\$193,000,000) to the government of Guam for the following purposes:

(1) Forty-eight Million Dollars (\$48,000,000) to build eight (8) new elementary schools in the Villages of Dededo, Yigo, Tamuning, Mangilao, Barrigada, Yona, Sinajana, Agat and Mongmong-Toto-Maite;

(2) Twenty Million Dollars (\$20,000,000) to build one (1) new middle school in Dededo, which is by far the most populated village on Guam;

(3) Thirty Million Dollars (\$30,000,000) to build one (1) new high school in Northern Guam, which has deteriorating and dangerously crowded schools in Tamuning and Yigo that suffer from teen violence and other problems as a result of the lack of attention that comes from overcrowded schools;

(4) Seventy-five Million Dollars (\$75,000,000) for the Guam Waterworks Authority to improve a badly corroded and leaking sewer and water infrastructure that results in low water pressure in many areas, wasting water resources daily and incurring large numbers of manpower hours fixing spot leaks that surface;

(5) Twenty Million Dollars (\$20,000,000) for upgrading and expanding facilities at the Guam Memorial Hospital, which is insufficient, as Guam's only hospital and emergency care facility, to provide for vital health care services to people on Guam, who must seek prohibitively expensive care off-Guam, as well as providing health care to the people of Micronesia who have been granted access to Guam's medical infrastructure due to the compacts of free association entered into by the United States of America and these Pacific Nations; and be it further

Resolved, That the United States Congress and the President of the United States delegate the Officer In Charge of Construction ("OICC") of the U.S. Naval command on Guam, otherwise known as Commander Naval Forces Marianas, to oversee all aspects of infrastructure construction detailed herein, inclusive of contract management, procurement, etc.; and be it further

Resolved, That the United States Congress is requested to stipulate as a condition of this funding, in legislation, a detailed deficit reduction plan for Guam which the government of Guam shall adhere to for the purpose of eliminating the deficit in the General Fund of the government of Guam within seven (7) years; and be it further.

Resolved, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the Honorable George W. Bush, President of the United States; to the Honorable Richard B. Cheney, President of the United States Senate; to the Honorable J. Dennis Hastert, Speaker of the United States House of Representatives; to

the Honorable Robert A. Underwood, Member of the U.S. House of Representatives; and to the Honorable Carl T.C. Gutierrez, I Magalahaen Guåhan.

POM-40. A resolution adopted by the Legislative of Guam relative to reparations for Guam victims of World War II; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 26 (LS)

Whereas, the people of Guam who endured World War II, and their families, attempted in vain for years to obtain just war reparations for the wartime grievances suffered by the Chamorros, who are the native inhabitants of Guam; and

Whereas, while many other peoples received war reparations from Japan, such as the people of the Commonwealth of the Northern Marianas and the Republic of the Philippines, the people of Guam have yet to receive proper atonement and justice for the personal suffering, the widespread destruction of personal property, the obliteration of homes, businesses and farms, the loss of family members and loved ones, and the humiliation of occupation by an enemy military power; and

Whereas, the government of the United States of America has totally exonerated the government of Japan from making any war reparations to the people of Guam through a post-war agreement with Japan; and

Whereas, after years of suffering followed by years of waiting for just atonement, war reparations to the people of Guam are long overdue; now therefore, be it

*Resolved*, That I MináBente Sais Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request that Guam's Delegate to the U.S. Congress reintroduce previous legislation to obtain proper war reparations for Guam victims of World War II; and be it further

*Resolved*, That I MináBente Sais Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request that the Chairman of the United States House of Representatives Committee on Judiciary hold a hearing on the aforementioned war reparations legislation at the earliest possible date; and be it further

*Resolved*, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same by thereafter transmitted to the Honorable Richard B. Cheney, President of the United States Senate; to the Honorable J. Dennis Hastert, Speaker of the United States House of Representatives; and to the Chairman of the United States House of Representatives Committee on Judiciary; to the Chairman of the Senate Energy and Natural Resources Committee; to the Honorable Robert A. Underwood, Member of the U.S. House of Representatives; to the Honorable Carl T.C. Gutierrez, I Magalahaen Guåhan.

POM-41. A resolution adopted by the Legislature of Guam relative to amending the 1950 Organic Act of Guam; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 22 (LS)

Whereas, some of the most vital services provided by the government of Guam are the public health services, including the services of Guam's public hospital, the Guam Memorial Hospital; and

Whereas, without an efficient and well-run hospital and public health service, the health and well-being of the people of Guam are in severe danger, and the lives of the people of Guam are in jeopardy; and

Whereas, without an efficient and well-run hospital and public health service, many people on Guam are faced with the grim prospect of looking to off-Guam health facilities to provide life-saving treatment; and

Whereas, the cost of travel to facilities that provide such life-saving treatment can be prohibitive, especially for many of our people without the means; and in addition, the health of people in severe cases may not withstand the travel; and

Whereas, the current language of the Organic Act of Guam in regards to the administration of the public health services is restrictive, preventing creative and sensible solutions to the management problems of the Guam Memorial Hospital and other public health services; and

Whereas, amending the Organic Act of Guam to allow the laws of Guam to govern the public health and hospital services, as the United States Congress did with the public education system on Guam, would be a more accountable and less restrictive solution; and

Whereas, such a solution has the potential to revitalize and streamline Guam's public health and hospital, and therefore has the potential to improve public health on Guam and save the lives of people who depend on such vital services; and

Whereas, the importance of such a life-saving and health-improving solution cannot be overstated, and action should not be delayed any further; now therefore, be it

*Resolved*, That I MináBente Sais Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request the Congress of the United States of America amend Paragraph (a) of §1421g of Title 48 of the United States Code (1950 Organic Act of Guam) to read as follows:

“(a) Public Health Services. Subject to the laws of Guam, the Government of Guam shall establish, maintain, operate or contract public health services on Guam, including hospitals, dispensaries and quarantine stations, at such places on Guam as may be necessary, and shall promulgate quarantine and sanitary regulations for the protection of Guam against the importation and spread of disease.”; and be it further

*Resolved*, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the Honorable George W. Bush, President of the United States; to the Honorable Richard B. Cheney, President of the United States Senate; to the Honorable J. Dennis Hastert, Speaker of the United States House of Representatives; to the Honorable Robert A. Underwood, Member of the U.S. House of Representative; and to the Honorable Carl T.C. Gutierrez, I Magalahaen Guåhan.

POM-42. A resolution adopted by the Legislature of Guam relative to the change of the 1950 Organic Act of Guam to require a balanced budget; to the Committee on Energy and Natural Resources.

RESOLUTION NO. 24 (LS)

Whereas, the government of Guam is in dire financial straits, due in part, to an economy which has suffered tremendously as a result of the Asian economic slump and the reduction of the U.S. military presence on Guam; and

Whereas, Guam's expenditures have, on most occasions, exceeded the availability of revenues; and

Whereas, as result, the government of Guam has built a large deficit in its General Fund; and

Whereas, such deficit is detrimental to the ability of the government of Guam to provide consistent and required service to the people of Guam, as well as make an adequate investment in developing infrastructure; and

Whereas, although we look forward to an increase in economic activity on Guam, resulting in higher revenues, the only true so-

lution to Guam's perennial financial problems is to exercise restraint in spending; and

Whereas, although a requirement for a balanced budget exists in local legislation, no such requirement exists in the 1950 Organic Act of Guam; and

Whereas, until such time as the people of Guam adopt their own constitution, the 1950 Organic Act of Guam serves in its stead; and

Whereas, an amendment to the 1950 Organic Act of Guam requiring a balanced budget for the government of Guam will assist Guam in making changes essential to the long term financial health of our government, now therefore, be it

*Resolved*, That I MináBente Sais Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, respectfully request that the United States Congress amend the 1950 Organic Act of Guam to require a balanced budget for the government of Guam in each fiscal year; and be it further

*Resolved*, That exception to this requirement should be permissible only in the event of an official declaration by the President of the United States of Guam as a disaster area; and be it further

*Resolved*, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the Honorable George W. Bush, President of the United States; to the Honorable Richard B. Cheney, President of the United States Senate; to the Honorable J. Dennis Hastert, Speaker of the United States House of Representatives; to the Chairman of the House Committee on Natural Resources; to the Chairman of the Senate Committee on Energy and Natural Resources; to the Honorable Robert A. Underwood, Member of the U.S. House of Representatives; and to the Honorable Carl T.C. Gutierrez, I Magalahaen Guåhan.

POM-43. A resolution adopted by the Legislature of Guam relative to a human rights issue; to the Committee on Foreign Relations.

RESOLUTION NO. 58 (LS)

Whereas, the most important principles and precepts in the founding and formation of our great American Nation and democracy are guarantees of protection of life, liberty and the pursuit of happiness for every man, woman and child, regardless of race, color, national origin or religious preference; and

Whereas, the fundamental right to freedom of religious belief and worship is severely restricted in the People's Republic of China; and

Whereas, Mr. Zhang Hongbao, fearful for his personal well-being because of his spiritual beliefs, fled China, seeking personal safety and asylum on Guam; and

Whereas, because Mr. Zhang Hongbao's arrival on Guam is classified as an “unauthorized entry,” requiring the intervention of the U.S. Immigration and Naturalization Service (“INS”), he has been detained for over one (1) year; and

Whereas, Mr. Zhang Hongbao's confinement on Guam is inconsistent with the traditional Chamorro belief that freedom is fundamental to life itself, representing an embarrassment to the People of Guam since the injustice continues on our Island, the westernmost stanchion of American democracy and religious tolerance, which serves as the Pacific gateway for the great message of Lady Liberty: “Give me your tired, your poor, Your huddled masses yearning to breathe free, . . . I hold my lamp beside the golden door”; now therefore, be it

*Resolved*, That I MináBente Sais Na Liheslaturan Guåhan, in keeping with the precepts and principles which make America's belief in fundamental human rights,

calls for the immediate and unconditional release of Mr. Zhang Hongbao from detention; and be it further

*Resolved*, That the Speaker certify, and the Legislative Secretary attests to, the adoption hereof and that copies of the same be thereafter transmitted to the Honorable George W. Bush, President of the United States; to the Honorable Colin Powell, Secretary of the U.S. Department of State; to the Honorable John Ashcroft, U.S. Attorney General; to the Honorable Richard Cheney, President of the United States Senate; to the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; to the Honorable Robert A. Underwood, Guam's Delegate to the U.S. House of Representatives; and to the Honorable Carl T.C. Gutierrez, I Maga'lahañ Guahan.

POM-44. A concurrent resolution adopted by the House of the Legislature of the State of Indiana relative to the Railroad Retirement and Survivors' Improvement Act; to the Committee on Finance.

#### HOUSES CONCURRENT RESOLUTION NO. 17

Whereas, The Railroad Retirement and Survivors' Improvement Act of 2000 is designed to improve significantly both the financing and benefits of railroad retirement and to increase industry responsibility for the part of the program that is similar to a private pension plan;

Whereas, The Railroad Retirement and Survivors' Improvement Act of 2000 was approved in a bipartisan effort by 391 members of the United States House of Representatives in the 106th Congress, including nine of the ten members of the Indian congressional delegation;

Whereas, More than 80 United States Senators, including Indiana Senators Richard Lugar and Evan Bayh, signed letters of support for the legislation in 2000;

Whereas, The bill, now before the 107th Congress, modernizes the railroad retirement system for 748,000 beneficiaries nationwide, including over 15,000 in Indiana;

Whereas, Railroad management, labor, and retiree organizations have agreed to support this legislation;

Whereas, This legislation provides tax relief to freight railroads, Amtrak, and commuter lines;

Whereas, This legislation provides benefit improvements for surviving spouses of rail workers who under current law suffer deep cuts in income when the rail retiree dies;

Whereas, No outside contributions from taxpayers are needed to implement the changes called for in this legislation; and

Whereas, All changes will be from within the railroad industry including a full share by active employees; Therefore, be it

*Resolved* by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring;

Section 1. That the Indiana General Assembly urges the United States Congress to support the Railroad Retirement and Survivors' Improvement Act in the 107th Congress.

Section 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and all members of the Indiana congressional delegation.

POM-45. A concurrent resolution adopted by the House of the Legislature of the State of Indiana relative to honoring former Congressman Lee Hamilton; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION 22

Whereas, Lee H. Hamilton was born in Daytona Beach, Florida, April 20, 1931;

Whereas, Congressman Hamilton was raised in Evansville, Indiana, but considers Nashville, Indiana, his hometown;

Whereas, Congressman Hamilton received his bachelor's degree from DePauw University in 1952 and his Doctor of Jurisprudence Degree from Indiana University in 1956;

Whereas, While attending college, Congressman Hamilton excelled not only in the classroom but also on the basketball court;

Whereas, Congressman Hamilton was first elected to Congress in 1964 from Indiana's 9th District;

Whereas, Congressman Hamilton served in the House of Representatives from 1965 until 1999;

Whereas, Congressman Hamilton faithfully represented the citizens of Indiana's 9th District for 34 years—17 Congressional terms;

Whereas, Once in office he walked a moderate line on social and economic issues, but was a strong advocate of U.S. international involvement;

Whereas, Congressman Hamilton also earned a reputation as one of the Democratic Party's most thoughtful leaders in the realm of foreign policy;

Whereas, Congressman Hamilton was chairman of the House Intelligence Committee, the House chairman of the Iran-Contra Committee from 1987 to 1988, and chairman of the House Foreign Affairs Committee from 1993 to 1996;

Whereas, When the Republicans became the majority in the House, Hamilton became the ranking Democrat on the House Foreign Affairs Committee;

Whereas, While serving in Congress, he received numerous public service awards, including the Paul H. Nitze Award for Distinguished Authority on National Security Affairs, the Philip C. Habib Award for Distinguished Public Service, the Indiana Humanities Council Lifetime Achievement Award, and the U.S. Association of Former Members of Congress Statesmanship Award;

Whereas, Although Congressman Hamilton has left Congress, he has not gone very far;

Whereas, Congressman Hamilton was named the director of the Woodrow Wilson International Center for Scholars in Washington, D.C., which is the federally supported institution on international affairs that "mixes the world of ideas with the world of policy";

Whereas, Congressman Hamilton will also serve as the director of the Center on Congress at Indiana University; and

Whereas, Accomplishments such as Congressman Hamilton's deserve special recognition: Therefore, be it

*Resolved* by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

Section 1. That the Indiana General Assembly urges Congress to rename the Federal Building in New Albany, Indiana, in honor of former Congressman Lee Hamilton.

Section 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to former Congressman Hamilton, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and members of the Indiana congressional delegation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DODD (for himself and Mr. CORZINE):

S. 814. A bill to establish the Child Care Provider Retention and Development Grant Program and the Child Care Provider Scholarship Program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MURKOWSKI:

S. 815. A bill to make improvements to the Arctic Research and Policy Act of 1984: to the Committee on Governmental Affairs.

By Mr. BREAUX:

S. 816. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 817. A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. TORRICELLI, Mr. KYL, and Mr. MURKOWSKI):

S. 818. A bill to amend the Internal Revenue Code of 1986 to provide a long-term capital gains exclusion for individuals, and to reduce the holding period for long-term capital gain treatment to 6 months, and for other purposes; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated.

By Mrs. MURRAY (for herself, Mr. BOND, Mr. MCCAIN, Ms. CANTWELL, Mr. WARNER, Mr. LEVIN, Mr. KENNEDY, Mrs. HUTCHISON, Mr. THURMOND, Mr. AKAKA, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. DURBIN, and Mr. DAYTON):

S. Res. 80. A resolution honoring the "Whidbey 24" for their professionalism, bravery, and courage; to the Committee on Armed Services.

By Mr. SCHUMER (for himself, Mr. BROWNBACK, Mr. BAYH, Mr. LIEBERMAN, Mr. SANTORUM, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Mr. DURBIN, Mr. LEAHY, Mr. FITZGERALD, Mr. SPECTER, and Mrs. CLINTON):

S. Con. Res. 35. A concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 127

At the request of Mr. MCCAIN, the names of the Senator from Montana (Mr. BURNS) and the Senator from Oregon (Mr. SMITH, of Oregon) were added as cosponsors of S. 127, a bill to give American companies, American workers, and American ports the opportunity to compete in the United States cruise market.

S. 131

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 131, a bill to amend title 38,

United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

s. 133

At the request of Mr. BAUCUS, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 133, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

s. 152

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 152, a bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit and increase the income limitation on the student loan interest deduction.

s. 170

At the request of Mr. REID, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 170, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

s. 174

At the request of Mr. KERRY, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 174, a bill to amend the Small Business Act with respect to the microloan program, and for other purposes.

s. 190

At the request of Mr. FRIST, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 190, a bill to amend the Federal Food, Drug, and Cosmetic Act to grant the Secretary of Health and Human Services the authority to regulate tobacco products, and for other purposes.

s. 252

At the request of Mr. VOINOVICH, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 252, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

s. 321

At the request of Mr. COCHRAN, his name was added as a cosponsor of S. 321, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

s. 327

At the request of Mr. REED, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S.

327, a bill to amend the Elementary and Secondary Education Act of 1965 to provide up-to-date school library media resources and well-trained, professionally certified school library media specialists for elementary schools and secondary schools, and for other purposes.

s. 399

At the request of Mr. EDWARDS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 399, a bill to provide for fire sprinkler systems, or other fire suppression or prevention technologies, in public and private college and university housing and dormitories, including fraternity and sorority housing and dormitories.

s. 403

At the request of Mr. COCHRAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 403, a bill to improve the National Writing Project.

s. 409

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

s. 449

At the request of Mr. DOMENICI, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 449, a bill to ensure the timely payment of benefits to eligible persons under the Radiation Exposure Compensation Act (42 U.S.C. 2210).

s. 500

At the request of Mr. BURNS, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 500, a bill to amend the Communications Act of 1934 in order to require the Federal Communications Commission to fulfill the sufficient universal service support requirements for high cost areas, and for other purposes.

s. 501

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 501, a bill to amend titles IV and XX of the Social Security Act to restore funding for the Social Services Block Grant, to restore the ability of States to transfer up to 10 percent of TANF funds to carry out activities under such block grant, and to require an annual report on such activities by the Secretary of Health and Human Services.

s. 503

At the request of Mr. REID, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 503, a bill to amend the Safe Water Act to provide grants to small public drinking water systems.

s. 540

At the request of Mr. DEWINE, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor

of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

s. 543

At the request of Mr. DOMENICI, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

s. 633

At the request of Mrs. HUTCHISON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 633, a bill to provide for the review and management of airport congestion, and for other purposes.

s. 654

At the request of Mr. TORRICELLI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 654, a bill to amend the Internal Revenue Code of 1986 to restore, increase, and make permanent the exclusion from gross income for amounts received under qualified group legal services plans.

s. 662

At the request of Mr. DODD, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 662, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish headstones or markers for marked graves of, or to otherwise commemorate, certain individuals.

s. 669

At the request of Mr. CARPER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 669, a bill to amend the Elementary and Secondary Education Act of 1965 to promote parental involvement and parental empowerment in public education through greater competition and choice, and for other purposes.

s. 697

At the request of Mr. BAUCUS, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. CORZINE), the Senator from Hawaii (Mr. AKAKA), and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 697, supra.

S. 741

At the request of Mr. SESSIONS, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 741, a bill to amend the Internal Revenue Code of 1986 to provide tax credits with respect to nuclear facilities, and for other purposes.

S. 742

At the request of Mr. GRASSLEY, the names of the Senator from Maine (Ms. COLLINS), the Senator from Utah (Mr. BENNETT), the Senator from Kentucky (Mr. BUNNING), and the Senator from Wyoming (Mr. THOMAS) were added as cosponsors of S. 742, a bill to provide for pension reform, and for other purposes.

S. 778

At the request of Mr. HAGEL, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 778, a bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

S. 803

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 803, a bill to enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, and for other purposes.

S.J. RES. 13

At the request of Mr. WARNER, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S.J. Res. 13, a joint resolution conferring honorary citizenship of the United States on Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette.

S. RES. 63

At the request of Mr. CAMPBELL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 63, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

S. RES. 74

At the request of Mr. DAYTON, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. Res. 74, a resolution expressing the sense of the Senate regarding consideration of legislation providing medicare beneficiaries with outpatient prescription drug coverage.

S. RES. 75

At the request of Mr. HUTCHINSON, the names of the Senator from South

Dakota (Mr. JOHNSON) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. Res. 75, a resolution designating the week beginning May 13, 2001, as "National Biotechnology Week".

S. CON. RES. 14

At the request of Mr. CAMPBELL, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. CON. RES. 28

At the request of Ms. SNOWE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Con. Res. 28, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself and Mr. CORZINE):

S. 814. A bill to establish the Child Care Provider Retention and Development Grant Program and the Child Care Provider Scholarship Program; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to introduce the Focus on Committed and Underpaid Staff for Children's Sake Act. I am pleased that Senator CORZINE is joining me as a original cosponsor and that companion legislation is being introduced in the House today by Representatives MILLER and GILMAN.

The need for child care has become a daily fact of life for millions of parents nationwide. 65 percent of mothers with children under age six and 78 percent of mothers with children ages 6 to 13 are in the labor force. Each day, 13 million preschool children, including 6 million infants and toddlers, spend some part of their day in child care.

The quality of that care has a tremendous impact on the critical early years of children's development. And, the most powerful determinant of the quality of child care is the training, education, and pay of those who spend 8-10 hours a day caring for our children.

Yet, what we know about the child care field is alarming. Despite the fact that continuity of care is critical for the emotional development of children, staff turnover at child care centers averages 30 percent per year—four times greater than the turnover rate for elementary school teachers.

Despite the fact that we as a society say there is no more important task than helping to raise a child, according to the Bureau of Labor Statistics, we pay the average child care worker about \$15,400 a year, barely above the poverty level for a family of three. Few child care providers have basic benefits

like health coverage or paid leave. Only a small fraction of child care workers have graduated from college.

We pay people millions of dollars a year to throw baseballs, to shoot basketballs, and to swing golf clubs. What does that say about our priorities when at the same time we pay those who care for our most precious resource, our children, poverty-level wages?

A report released yesterday by the University of California, Berkeley and the Center for Child Care Workforce on child care providers' pay, training and education highlights the current crisis in the child care field. In a survey of child care centers in three California communities, the study found that three-quarters of all child care staff employed in 1996 were no longer on the job in 2000. Some centers reported 100 percent turnover. Additionally, nearly half of the child care providers who had left had a bachelor's degree, compared to only one-third of the new teachers. Some 49 percent, nearly half, of those who had left their job, left the child care field entirely.

It's clear that if we want to attract quality teachers to the child care field, the pay has to better reflect the value we place on their work. We can't attract them and we can't keep them if we don't pay them a living wage.

The legislation I am introducing today will provide states with funds to increase child care worker pay based on the level of education, the greater the level of education, the greater the increase in pay. In addition, the legislation will provide scholarships of up to \$1,500 for child care workers who want to further their early childhood education training by getting a college degree, an Associate's degree, or a child development associate credential.

We will never make significant strides in improving the quality of child care in this nation if we fail to address one of the leading problems, attracting and retaining a quality child care workforce. It is time to invest in our children by investing in those who dedicate their lives to caring for our children.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 814

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Focus On Committed and Underpaid Staff for Children's Sake Act" or as the "FOCUS Act".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Definitions.

Sec. 4. Funds for child care provider retention and development grants and for child care provider scholarships.

Sec. 5. Application and plan.

- Sec. 6. Allotments to States.  
 Sec. 7. Child Care Provider Retention and Development Grant Program.  
 Sec. 8. Child Care Provider Scholarship Program.  
 Sec. 9. Annual report.  
 Sec. 10. Authorization of appropriations.

## SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Research on early brain development and early childhood demonstrates that the experiences children have and the attachments they form early in life have a decisive, long-lasting impact on their later development and learning.

(2) High-quality, developmentally appropriate child care beginning in early childhood and continuing through the years that children are in school improves the scholastic success and educational attainments of children that persist into adulthood.

(3) According to a growing body of research, the single most important determinant of child care quality is the presence of consistent, sensitive, well-trained, and well-compensated child care providers; however, child care programs nationwide experience high turnover in teaching staff, fueled by poor compensation and few opportunities for advancement.

(4) The Department of Labor reports that in 1999 the average wage for a child care provider was \$7.42 per hour, or \$15,430 annually. For a full-time, full-year work, the wages of a child care provider were not much above the 1999 poverty threshold of \$13,423 for a single parent with two children. Family child care providers earned even less. The median wage of a family child care provider in 1999 was \$264 weekly, or \$13,728 annually.

(5) Despite the important role child care providers may play in early child development and learning, child care providers earn less than bus drivers (\$26,460), barbers (\$20,970), and janitors (\$18,220).

(6) Employer-sponsored benefits are minimal for most child care staff. Even among child care centers, the availability of health care coverage for staff remains woefully inadequate.

(7) To offer compensation that would be sufficient to attract and retain qualified child care staff, child care programs would be required to charge fees that many parents could not afford. In programs that serve low-income children who qualify for Federal and State child care subsidies, the reimbursement rates set by the State strongly influence the level of compensation that staff receive. Current reimbursement rates for center-based child care services and family child care services are insufficient to recruit and retain qualified child care providers and to ensure high-quality services for children.

(8) Teachers leaving the profession are replaced by staff with less education and formal training in early child development.

(9) As a result of low wages and limited benefits, many child care providers do not stay long in the child care field. Approximately thirty percent of all teaching staff leave their child care centers each year.

(10) Child care providers, as well as the children, families, and businesses that depend upon them, suffer the consequences of inadequate compensation. This is true, with few exceptions, for providers in all types of programs: subsidized, nonsubsidized, for-profit, nonprofit, large, and small child care settings.

(11) Because of the severe shortage of qualified staff available for employment by child care programs nationwide, several States have recently initiated programs to improve the quality of child care by increasing the training and compensation of child

care providers. Such programs encourage the training, education and increased retention of qualified child care providers by offering financial incentives, including scholarships and compensation increases, that range from \$350 to \$6,500 annually.

(b) PURPOSE.—It is the purpose of this Act to establish the Child Care Provider Retention and Development Grant Program and the Child Care Provider Scholarship Program, to help children receive the high quality child care and early education they need for positive cognitive and social development, by rewarding and promoting retention of committed, qualified child care providers and by providing financial assistance to improve the educational qualifications of child care providers.

## SEC. 3. DEFINITIONS.

In this Act:

(1) CHILD CARE PROVIDER.—The term “child care provider” means an individual who provides a service directly to a child on a person to person basis for compensation at—

(A) a center-based child care provider that is licensed or regulated under State law and that satisfies the State and local requirements applicable to the child care services provided,

(B) a licensed or regulated family child care provider that satisfies the State and local requirements applicable to the child care services provided, or

(C) an out-of-school time program that is licensed or regulated under State law and that satisfies the State and local requirements applicable to the child care services provided,

(2) FAMILY CHILD CARE PROVIDER.—The term “family child care provider” has the meaning given such term in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n).

(3) INDIAN TRIBE.—The term “Indian tribe” has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(4) IN-KIND CONTRIBUTION.—The term “in-kind contribution” means payment of the cost of participation of child care providers in health insurance programs or retirement programs.

(5) LEAD AGENCY.—The term “lead agency” means the agency designated under section 658D of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858b).

(6) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(7) STATE.—The term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands.

(8) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act.

## SEC. 4. FUNDS FOR CHILD CARE PROVIDER RETENTION AND DEVELOPMENT GRANTS AND FOR CHILD CARE PROVIDER SCHOLARSHIPS.

(a) IN GENERAL.—The Secretary may allot funds appropriated to carry out this Act to eligible States for distribution to pay the Federal share of the cost of making grants under this Act to eligible child care providers.

(b) ALLOTMENTS.—Funds allotted under section 6 shall be distributed by the Secretary, and expended by the States (directly, or at the option of the States, through units of general purpose local government), and by Indian tribes and tribal organizations, in accordance with this Act.

## SEC. 5. APPLICATION AND PLAN.

(a) APPLICATION.—To be eligible to receive a distribution of funds allotted under section

6, a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require by rule and shall include in such application a State plan that satisfies the requirements of subsection (b).

### (b) REQUIREMENTS OF PLAN.—

(1) LEAD AGENCY.—The State plan shall identify the lead agency to make grants under this Act.

(2) RECRUITMENT AND RETENTION OF CHILD CARE PROVIDERS.—The State plan shall describe how the lead agency will encourage both the recruitment of child care providers who are new to the child care field and the retention of child care providers who have a demonstrated commitment to the child care field.

(3) NOTIFICATION OF GRANT AVAILABILITY.—The State plan shall describe how the lead agency will identify and notify all eligible child care providers in the State of the availability of grants under this Act.

(4) DISTRIBUTION OF GRANTS.—The State plan shall describe how the lead agency will make grants under sections 7 and 8 to child care providers in selected geographical areas in the State in compliance with the following requirements:

(A) SELECTION OF GEOGRAPHICAL AREAS.—For the purpose of making such grants for a fiscal year, the State shall select a variety of geographical areas, determined by the State, that—

(i) includes urban areas, suburban areas, and rural areas, and

(ii) contains diversity of income levels, but shall give special consideration to geographical areas selected under this subparagraph for the preceding fiscal year.

(B) SELECTION OF CHILD CARE PROVIDERS TO RECEIVE GRANTS.—The State may make grants under section 7 only to eligible child care providers in geographical areas selected under subparagraph (A), but—

(i) may give special consideration in such areas to eligible grant applicants who have attained a higher relevant educational credential, who provide a specific kind of child care services, who provide child care services to populations who meet specific economic characteristics, or who meet such other criteria as the State may establish, and

(ii) shall give special consideration to eligible grant applicants who received a grant under such section in the preceding fiscal year.

(C) LIMITATION.—The State shall describe how the State will ensure that grants made under section 7 to child care providers will not be used to offset reductions in the compensation of such providers.

(D) REPORTING REQUIREMENT.—With respect to each particular geographical area selected, the State shall agree for each fiscal year for which such State receives a grant under this section—

(i) to include in the report required by section 9, detailed information regarding—

(I) the continuity of employment of grant recipients as child care providers with the same employer,

(II) with respect to each employer that employed a grant recipient, whether such employer was accredited by a recognized State or national accrediting body during the period of employment, and

(III) to the extent practicable and available to the State, detailed information regarding the rate and frequency of employment turnover of qualified child care providers throughout such area,

during the 2-year period ending of the date of applications for grants under section 7, and

(ii) to provide a follow-up report, not later than 90 days after the end of the succeeding fiscal year that includes information regarding—

(I) the continuity of employment of grant recipients as child care providers with the same employer,

(II) with respect to each employer that employed a grant recipient, whether such employer was accredited by a recognized State or national accrediting body during the period of employment, and

(III) to the extent practicable and available to the State, detailed information regarding the rate and frequency of employment turnover of qualified child care providers throughout such area,

during the 1-year period beginning on the date grants are made by under section 7 to applicants.

(5) **CHILD CARE PROVIDER RETENTION AND DEVELOPMENT GRANT PROGRAM.**—The State plan shall describe how the lead agency will determine the dollar amounts of grants made with funds available to carry out section 7 in accordance with the following requirements:

(A) The State shall demonstrate that the amounts of individual grants to be made under section 7 will be sufficient—

(i) to encourage child care providers to improve their qualifications, and

(ii) to retain qualified child care providers in the child care field.

(B) Such grants made to child care providers who have a child development associate credential and who are employed full-time to provide child care services shall be in an amount that is not less than \$1,000 per year.

(C) The State shall make such grants in larger dollar amounts to child care providers who have higher levels of education than a credential such as a child development associate credential, according to the following requirements:

(i) A child care provider who has a baccalaureate degree in the area of child development or early child education shall receive a grant that is not less than twice the amount of the grant that is made to a child care provider who has an associate of the arts degree in the area of child development or early child education.

(ii) A child care provider who has an associate of the arts degree in the area of child development or early child education shall receive a grant that is not less than 150 percent of the amount of the grant that is made to a child care provider who has a child development associate credential.

(iii)(I) Except as provided in subclause (II), a child care provider who has a baccalaureate degree in a field other than child development or early child education shall receive a grant equal to the grant made to a child care provider who has an associate of the arts degree in the area of child development or early child education.

(II) If a child care provider who has such baccalaureate degree obtains additional educational training in the area of child development or early child education, as specified by the State, such provider shall receive a grant equal to the grant required under clause (i).

(D) The State shall make such grants in larger dollar amounts to child care providers who work full-time relative to the grant amount made to child care providers who work part-time, based on the State definitions of full-time and part-time work.

(E) The State shall provide grants in progressively larger dollar amounts to child care providers to reflect the number of years worked as a child care provider.

(6) **DISTRIBUTION OF CHILD CARE PROVIDER SCHOLARSHIPS.**—The State plan shall describe how the lead agency will make scholarship grants in compliance with section 8 and shall specify the types of educational and training programs for which scholarship grants made

under such section may be used, including only programs that—

(A) are administered by institutions of higher education that are eligible to participate in student financial assistance programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), and

(B) lead to a State or nationally recognized credential in the area of child development or early child education, an associate of the arts degree in the area of child development or early child education, or a baccalaureate degree in the area of child development or early child education.

(7) **EMPLOYER CONTRIBUTION.**—The State plan shall describe how the lead agency will encourage employers of child care providers to contribute to the attainment of education goals by child care providers who receive grants under section 8.

(8) **SUPPLEMENTATION.**—The State plan shall provide assurances that funds received by the State to carry out sections 7 and 8 will be used only to supplement, not to supplant, Federal, State, and local funds otherwise available to support existing services and activities that encourage child care providers to improve their qualifications and that promote the retention of qualified child care providers in the child care field.

#### **SEC. 6. ALLOTMENTS TO STATES.**

(a) **AMOUNTS RESERVED.**—

(1) **TERRITORIES AND POSSESSIONS.**—The Secretary shall reserve not more than ½ of 1 percent of the funds appropriated to carry out this Act for any fiscal year for distribution to Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(2) **INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**—The Secretary shall reserve not more than 3 percent of the funds appropriated to carry out this Act for any fiscal year for distribution to Indian tribes and tribal organizations with applications approved under subsection (c).

(b) **ALLOTMENTS TO REMAINING STATES.**—

(1) **GENERAL AUTHORITY.**—From the funds appropriated to carry out this Act for any fiscal year remaining after reserving funds under subsection (a), the Secretary shall allot to each State (excluding Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands) an amount equal to the sum of—

(A) an amount that bears the same ratio to 50 percent of such remainder as the product of the young child factor of the State and the allotment percentage of the State bears to the sum of the corresponding products for all States, and—

(B) an amount that bears the same ratio to 50 percent of such remainder as the product of the school lunch factor of the State and the allotment percentage of the State bears to the sum of the corresponding products for all States. —

(2) **YOUNG CHILD FACTOR.**—The term “young child factor” means the ratio of the number of children in the State under 5 years of age to the number of such children in all States as provided by the most recent annual estimates of population in the States by the Bureau of the Census.

(3) **SCHOOL LUNCH FACTOR.**—The term “school lunch factor” means the ratio of the number of children in the State who are receiving free or reduced price lunches under the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.) to the number of such children in all the States as determined annually by the Department of Agriculture.

(4) **ALLOTMENT PERCENTAGE.**—

(A) **IN GENERAL.**—The allotment percentage for a State is determined by dividing the per

capita income of all individuals in the United States, by the per capita income of all individuals in the State.

(B) **LIMITATIONS.**—If an allotment percentage determined under subparagraph (A)—

(i) is more than 1.2 percent, then the allotment percentage of that State shall be considered to be 1.2 percent, and

(ii) is less than 0.8 percent, then the allotment percentage of the State shall be considered to be 0.8 percent. —

(C) **PER CAPITA INCOME.**—For purposes of subparagraph (A), per capita income shall be—

(i) determined at 2-year intervals,

(ii) applied for the 2-year period beginning on October 1 of the first fiscal year beginning on the date such determination is made, and

(iii) equal to the average of the annual per capita incomes for the most recent period of 3 consecutive years for which satisfactory data are available from the Department of Commerce at the time such determination is made.

(c) **ALLOTMENTS TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**—

(1) **RESERVATION OF FUNDS.**—From amounts reserved under subsection (a)(2), the Secretary may make allotments to Indian tribes and tribal organizations that submit applications under this subsection, to plan and carry out programs and activities to encourage child care providers to improve their qualifications and to retain qualified child care providers in the child care field.

(2) **APPLICATIONS AND REQUIREMENTS.**—An application for an allotment to an Indian tribe or tribal organization under this section shall provide that—

(A) the applicant will coordinate, to the maximum extent practicable, with the lead agency in each State in which the applicant will carry out such programs and activities, and

(B) will make such reports on, and conduct such audits of, programs and activities under this Act as the Secretary may require.

(d) **DATA AND INFORMATION.**—The Secretary shall obtain from each appropriate Federal agency, the most recent data and information necessary to determine the allotments provided for in subsection (b).

(e) **REALLOTMENTS.**—

(1) **IN GENERAL.**—Any portion of the allotment under subsection (b) to a State for a fiscal year that the Secretary determines will not be distributed to the State for such fiscal year shall be reallocated by the Secretary to other States proportionately based on allotments made under such subsection to such States for such fiscal year.

(2) **LIMITATIONS.**—

(A) **REDUCTION.**—The amount of any reallocation to which a State is entitled to under paragraph (1) shall be reduced to the extent that such amount exceeds the amount that the Secretary estimates will be distributed to the State to make grants under this Act.

(B) **REALLOTMENTS.**—The amount of such reduction shall be reallocated proportionately based on allotments made under subsection (b) to States with respect to which no reduction in an allotment, or in a reallocation, is required by this subsection.

(3) **AMOUNTS REALLOTTED.**—For purposes of this Act (other than this subsection and subsection (b)), any amount reallocated to a State under this subsection shall be considered to be part of the allotment made under subsection (b) to the State.

(f) **COST SHARING.**—

(1) **FEDERAL SHARE.**—Allotted funds distributed by the Secretary to a State for a fiscal year to carry out sections 7 and 8 may be used by the State to pay—

(A) not more than 90 percent of the cost of each grant made under such sections, in the

1st fiscal year for which the State receives such funds,

(B) not more than 85 percent of the cost of each grant made under such sections, in the 2d fiscal year for which the State receives such funds,

(C) not more than 80 percent of the cost of each grant made under such sections, in the 3d fiscal year for which the State receives such funds, and

(D) not more than 75 percent of the cost of each grant made under such sections, in any subsequent fiscal year for which the State receives such funds.

(2) STATE SHARE.—The non-Federal share of the cost of making such grants shall be paid by the State in cash or in the form of an in-kind contribution, fairly evaluated by the Secretary.

(g) AVAILABILITY OF ALLOTTED FUNDS DISTRIBUTED TO STATES.—Of the allotted funds distributed under this Act to a State for a fiscal year—

(1) not less than 67.5 percent shall be available to the State for grants under section 7,

(2) not less than 22.5 percent shall be available to the State for grants under section 8, and

(3) not more than 10 percent shall be available to pay administrative costs incurred by the State to carry out this Act.

#### SEC. 7. CHILD CARE PROVIDER RETENTION AND DEVELOPMENT GRANT PROGRAM.

(a) IN GENERAL.—A State that receives funds allotted under section 6 and made available to carry out this section shall expend such funds to make grants to eligible child care providers in accordance with this section, to improve the qualifications and promote the retention of qualified child care providers.

(b) ELIGIBILITY TO RECEIVE GRANTS.—To be eligible to receive a grant under this section, a child care provider shall—

(1) have a child development associate credential or equivalent, an associate of the arts degree in the area of child development or early child education, a baccalaureate degree in the area of child development or early child education, or a baccalaureate degree in an unrelated field, and

(2) be employed as a child care provider for not less than 1 calendar year, or the program equivalent of 1 calendar year if then employed in a child care program that operates for less than a full calendar year, ending on the date of the application for such grant, except that not more than 3 months of education related to child development or to early child education obtained during a calendar year may be treated as employment that satisfies the requirements of this paragraph.

(c) PRESERVATION OF ELIGIBILITY.—The receipt of a grant under section 8 by a child care provider shall not be taken into consideration for purposes of selecting eligible applicants to receive a grant under this section.

#### SEC. 8. CHILD CARE PROVIDER SCHOLARSHIP PROGRAM.

(a) IN GENERAL.—A State that receives funds allotted under section 6 and made available to carry out this section shall expend such funds to make scholarship grants to eligible child care providers in accordance with this section to improve their educational qualifications to provide child care services.

(b) ELIGIBILITY REQUIREMENT FOR SCHOLARSHIP GRANTS.—As a condition of eligibility to receive a scholarship grant under this section, a child care provider shall be employed as a child care provider for not less than 1 calendar year, or the program equivalent of 1 calendar year if then employed in a child care program that operates for less than a

full calendar year ending on the date of the application for such grant.

(c) SELECTION OF GRANTEEES.—For purposes of selecting child care providers to receive scholarship grants under this section and determining the dollar amounts of such grants, a State may not—

(1) take into consideration whether a grant applicant is receiving, will receive, or has applied to receive any funds under any other provision of this Act, or under any other Federal or State law that provides funds for educational purposes, or

(2) consider as resources of such applicant any funds such applicant is receiving, may receive, or may be eligible to receive under any other provision of this Act, under any other Federal or State law that provides funds for educational purposes, or from a private entity.

(d) COST SHARING REQUIRED.—The dollar amount of a scholarship grant made under this section to a child care provider shall be less than the cost of the education for which such grant is made.

(e) ANNUAL MAXIMUM SCHOLARSHIP GRANT AMOUNT.—The maximum aggregate dollar amount of a scholarship grant made to an eligible child care provider under this section in a fiscal year may not exceed \$1,500.

#### SEC. 9. ANNUAL REPORT.

A State that receives funds appropriated to carry out this Act for a fiscal year shall submit to the Secretary, not later than 90 days after the end of such fiscal year, a report—

(1) specifying the uses for which the State expended such funds, and the aggregate amount of funds (including State funds) expended for each of such uses,

(2) containing available data relating to grants made with such funds, including—

(A) the number of child care providers who received such grants,

(B) the dollar amounts of such grants,

(C) any other information that describes or evaluates the effectiveness of this Act,

(D) the particular geographical areas selected under section 5 for the purpose of making such grants,

(E) with respect to grants made under section 7—

(i) the number of years grant recipients have been employed as a child care provider,

(ii) the level of training and education of grant recipients,

(iii) the salaries and other compensation received by grant recipients to provide child care services,

(iv) the number of children who received child care services provided by grant recipients,

(v) information on family demographics of such children,

(vi) the types of settings described in subparagraphs (A), (B), and (C) of section 3(a)(1) in which grant recipients are employed, and

(vii) the ages of the children who received child care services provided by grant recipients,

(F) with respect to grants made under section 8—

(i) the number of years grant recipients have been employed as child care provider,

(ii) the types of settings described in subparagraphs (A), (B), and (C) of section 3(a)(1) in which grant recipients are employed, and

(iii) the level of training and education of grant recipients,

(iv) to the extent practicable and available to the State, detailed information regarding the salaries and other compensation received by grant recipients to provide child care services before, during, and after receiving such grant,

(vi) the ages of the children who received child care services provided by grant recipients,

(vi) the number of course credits or credentials obtained by grant recipients, and

(vii) the amount of time taken for completion of the education for which such grants were made, and

(G) such other information as the Secretary may require by rule.

#### SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$5,000,000,000 in the aggregate for fiscal years 2002 through 2006 to carry out this Act.

By Mr. MURKOWSKI:

S. 815. A bill to make improvements to the Arctic Research and Policy Act of 1984; to the Committee on Governmental Affairs.

Mr. MURKOWSKI. Mr. President, today I rise to introduce legislation to improve the operation of the Arctic Research and Policy Act. We have about 17 years of experience with this act, and the time has come to make some modifications to reflect the experience we have gained over that time.

The most important feature of this bill is contained in section 4. This section authorizes the Arctic Research Commission, a Presidential Commission, to make grants for scientific research. Currently, the Commission can make recommendations and set priorities, but it cannot make grants. Our experience with the act and the Commission has shown us that research needs that do not fit neatly in a single agency do not get funded, even if they are compelling priorities.

One example is a proposed Arctic contamination initiative that was developed a few years ago after we discovered that pollutants from the Former Soviet Union, including radionuclides, heavy metals and persistent organic pollutants, were working their way into the Arctic environment. It became clear that the job of monitoring and evaluating the threat was too big for any single agency. The Interior Department, given its vast land management responsibilities in Alaska, was interested. The Commerce Department, given its jurisdiction over fisheries issues, was interested. The Department of Health and Human Services, given its concern about the health of Alaska's indigenous peoples, was interested. The only agency that didn't seem interested in the problem, strangely enough, was the EPA, which at the time was in the process of dismantling its Arctic Contaminants program.

Unfortunately, because the job was too big for any single agency, it was difficult to get the level of interagency cooperation necessary for a coordinated program. Moreover, agencies were unwilling to make a significant budgetary commitment to a program that wasn't under their exclusive control. If the Arctic Research Commission, which recognized the need, had some funding of its own to leverage agency participation and help to coordinate the effort, we would know far more about the Arctic contaminants problem than we do today.

Another example is the compelling need to understand the Bering Sea ecosystem. Over the past 20 years we have

seen significant shifts in some of the populations comprising this ecosystem. King crab populations have declined sharply. Pollock populations have increased sharply. Steller sea lion populations have declined as have many types of sea birds. Scientists cannot tell us whether these population shifts are due to abiotic factors such as climate change, biotic factors such as predator-prey relationships, or some combination of both. Because the nation depends on this area for a significant portion of all its seafood, this is not an issue without stakeholders. Despite the chorus of interests and federal agencies that have said research is needed, a coordinated effort has not yet occurred. If the Arctic Research Commission, which recognized this need early on, had some funding of its own to leverage agency participation and help to coordinate the effort, we would know far more about the Bering Sea ecosystem than we do today.

This bill also makes a number of other minor changes in the act:

Section 2 allows the chairperson of the Commission to receive compensation for up to 120 days per year rather than the 90 days per year currently allowed by the Act. The chairperson has a major role to play in interacting with the legislative and executive branches of the government, representing the Commission to non-governmental organizations, in interacting with the State of Alaska, and serving in international fora. In the past, chairpersons have been unable to fully discharge their responsibilities in the 90 day limit specified in the act.

Section 3 authorizes the Commission to award an annual award not to exceed \$1,000 to recognize either outstanding research or outstanding efforts in support of research in the Arctic. The ability to give modest awards will bring recognition to outstanding efforts in Arctic Research which, in turn, will help to stimulate research in the Arctic region. This section also specifies that a current or former Commission member is not eligible to receive the award.

Section 5 authorizes official representation and reception activities. Because the Commission is not authorized to use funds for these kinds of activities, the Commission has experienced embarrassment when they were unable to reciprocate after their foreign counterparts hosted a reception or lunch on their behalf. Under this provision, the Commission may spend not more than two tenths of one percent of its budget for representation and reception activities in each fiscal year.

The Arctic Research and Policy Act and the Arctic Research Commission has worked well over the past 17 years. It can work even better with these modest changes. I look forward to working with my colleagues to enact this bill as soon as possible.

By Mr. BREAUX:

S. 816. A bill to amend the Internal Revenue Code of 1986 to allow certain

coins to be acquired by individual retirement accounts and other individually directed pension plan accounts; to the Committee on Finance.

Mr. BREAUX. Mr. President, I rise today to introduce legislation allowing certain U.S. legal tender coins to be qualified investments for an individual retirement account, IRA.

Congress excluded "collectibles," such as antiques, gold and silver bullion, and legal tender coinage, as appropriate for contributions to IRAs in 1981. The primary reason was the concern that individuals would get a tax break when they bought collectibles for their personal use. For example, a taxpayer might deduct the purchase of an antique rug for his/her living room as an IRA investment. Congress was also concerned about how the many different types of collectibles are valued.

Over the years, however, certain coins and precious metals have been excluded from the definition of a collectible because they are independently valued investments that offer investors portfolio diversity and liquidity. For example, Congress excluded gold and silver U.S. American Eagles from the definition of collectibles in 1986, and the Taxpayer Relief Act of 1997 took the further step of excluding certain precious metals bullion.

My legislation would exclude from the definition of collectibles only those U.S. legal tender coins which meet the following three standards: certification by a nationally recognized grading service, traded on a nationally recognized network, and held by a qualified trustee as described in the Internal Revenue Code. In other words, only investment quality coins that are independently valued and not held for personal use may be included in IRAs.

There are several nationally recognized, independent certification or grading services. Full-time professional graders, numismatists, examine each coin for authenticity and grade them according to established standards. Upon certification, the coin is sonically-sealed, preserved, to ensure that it remains in the same condition as when it was graded.

Legal tender coins are then traded via two independent electronic networks—the Certified Coin Exchange and Certified Coin Net. These networks are independent of each other and have no financial interest in the legal tender coinage and precious metals markets. The networks function in precisely the same manner as the NASDAQ with a series of published "bid" and "ask" prices and last trades. The buys and sells are enforceable prices that must be honored as posted until updated.

The liquidity provided through a bona fide national trading network, combined with published prices, make legal tender coinage a practical investment that offers investors diversification and liquidity. Investment in these tangible assets has become a safe and prudent course of action for both the

small and large investor and should given the same treatment under the law as other financial investments. I urge the Senate to enact this important legislation as soon as possible.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 816

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. CERTAIN COINS NOT TREATED AS COLLECTIBLES.**

(a) IN GENERAL.—Subparagraph (A) of section 408(m)(3) of the Internal Revenue Code of 1986 (relating to exception for certain coins and bullion) is amended to read as follows:

"(A) any coin certified by a recognized grading service and traded on a nationally recognized electronic network, or listed by a recognized wholesale reporting service, and—

"(i) which is or was at any time legal tender in the United States, or

"(ii) issued under the laws of any State, or".

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2001.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 817. A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I stand here before you today to introduce the designation of the Old Spanish Trail as a National Historic Trail. This legislation will amend the National Trails System Act and designate the Old Spanish Trail; which originates in Santa Fe, NM and continues to Los Angeles, CA as a National Historic Trail.

The United States of America has a rich history of which, as citizens, we are very proud. Particularly in the west, citizens from all walks of life have deep rooted cultural and historic ties to land throughout the west. The Old Spanish Trail dates back to 1829. The Old Spanish Trail had a variety of uses, from trade caravans to military expeditions. For twenty plus years the Old Spanish Trail was used as a main route of travel between New Mexico and California.

Today, more than one hundred and fifty years after the first caravan on the Old Spanish Trail, the historic character of the trail is tied to its routes in the natural environment and the existence of landscapes along the trail. The Old Spanish Trail remains relatively unchanged from the trail period. It has also been proven that numerous Indian pueblos were situated along the Old Spanish Trail serving as trading centers. The majority of these pueblos are occupied by descendants who contributed to the labor and goods that constituted commerce on the Old Spanish Trail.

The National Trails System was established by the National Trails System Act of 1968 "to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open air, outdoor areas and historic resources of the Nation." Designating the Old Spanish Trail as a National Historic Trail would allow for just what the act has intended, preservation, access, enjoyment and appreciation of the historic resources of our Nation.

By definition under the National Trails System Act of 1968, National Historic Trails are "extended trails which follow as closely as possible and practicable the original route or routes of travel of national historic significance." The main route of Old Spanish Trail travels more than 1,160 miles through the states of New Mexico, Colorado, Utah, Arizona, Nevada and California as well as 33 different counties throughout these states. More than 1,190 miles of Old Spanish Trail are currently managed by the Bureau of Land Management, more than 310 miles are managed by the USDA Forest Service with an additional approximate 120 miles controlled by the U.S. Fish and Wildlife Service. The relative lack of development facilitates public access as well as minimizing potential conflicts with private land uses.

The Old Spanish Trail has been significant in many respects to many different people. The rich history of this trail is something that should not be left out of our National Trails System. Designating Old Spanish Trail as a national Historic Trail will protect this historic route and its historic remnants and artifacts for public use and enjoyment.

By Mr. HATCH (for himself, Mr. TORRICELLI, Mr. KYL, and Mr. MURKOWSKI):

S. 818. A bill to amend the Internal Revenue Code of 1986 to provide a long-term capital gains exclusion for individuals, and to reduce the holding period for long-term capital gain treatment to 6 months, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, on behalf of myself and Senator TORRICELLI, I rise today to introduce the Capital Gains Relief and Simplification Act of 2001. We are joined by Senators KYLE and MURKOWSKI, each of whom contributed to the development of this bill. This is a strong, bipartisan capital gains tax cut package designed to help all investors, but is aimed directly at small investors first.

This bill takes a bottom-up approach to capital gains relief, but offers reduced capital gains rates to all taxpayers. But this is not all. The bill also offers a great deal of simplification for all taxpayers with capital gains to report on their tax returns. Both of these features are important because investment in capital assets has become such an important part of the lives of most Americans.

In looking at the issue of capital gains in 2001, Mr. President, three things are clear. First capital gains and losses are experienced by ordinary Americans and are not just the province of the wealthy. Second, the reporting of capital gains transactions on the tax return has grown very complex and burdensome, and third, capital gains tax rates are too high. These all add up to the need for capital gains relief, and this is what our bill is designed to address.

Long gone are the days when anyone can credibly say that capital assets are only, or even mostly, owned by the rich. A 1992 Treasury study showed that about three-quarters of all families in the U.S. owned capital assets, and this percentage has grown higher since then. That same study showed that 30 percent of the dollar value of all capital assets, excluding personal residences, was held by families with incomes of \$50,000 or less in 1992.

More recent data confirm that more and more U.S. families own capital investments. A survey last year by the Federal Reserve showed that stock made up nearly 32 percent of U.S. household wealth in 1999, up from 28 percent the year before. Moreover, another Federal Reserve study showed that in 1998, almost 49 percent of all families directly or indirectly held stock. Among families with annual income of between \$25,000 and \$50,000, the level was almost 53 percent.

When looking at data on who pays capital gains taxes, we find that many lower- and middle-income Americans are reporting capital gains. In fact, IRS data from the year 1998, the latest available, show that over 25 million returns filed that year reported capital gains. This is about one in five tax returns filed in 1998. Over 40 percent of those reporting capital gains had income of less than \$50,000, and 59 percent had income of less than \$75,000. Moreover, when looking at the dollar amount of gains reported, we find that 56 percent of all capital gains in 1998 were claimed by taxpayers with incomes of under \$75,000.

I believe it is very clear, that capital gains relief is not just for wealthy Americans. It is very much needed by the average American family. It is also clear that reporting capital gains is very complex for most taxpayers.

Millions of Americans hold investments in mutual funds. In fact, according to the Joint Economic Committee, 44 percent of all U.S. households owned mutual funds in 1998, up from just 6 percent in 1980. Most of these mutual funds annually distribute dividends and capital gains to their owners, which must be reported as income on Form 1040 each year. This can be a rather confusing process for many investors, for several reasons.

First, many mutual fund owners routinely reinvest the dividend and capital gains income back into the fund, rather than taking them in cash. Because they receive no cash, it comes as a sur-

prise to some that they must pay tax on the gains at all. Many mutual fund investors were particularly dismayed this past tax filing season, because they had to report capital gains from funds that had decreased in value.

Second, when mutual fund owners sell their interest in a fund, computing the capital gain or loss on the sale can be daunting, particularly if the individual had been reinvesting the dividends and capital gains back to the fund.

Finally, after figuring out what capital gains have been received and how much should be reported, and any gain or loss from a sale of the fund, mutual fund owners, like other investors in capital assets, must then deal with the challenge of reporting capital gains on the complicated Schedule D of Form 1040. This form is confusing at best and exasperating at worst. It consists of 54 lines on two pages, and is accompanied by an 8-page set of instructions with two worksheets. The estimated time to complete this form, according to IRS estimates, is an astounding 6 hours and 48 minutes.

Finally, it is clear that capital gains tax rates are too high. In fact, a new report by Arthur Andersen LLP shows that the average middle-income individual investor faces a combined state and federal capital gains tax burden of 25 percent on long-term capital gains. I want to emphasize that this is the average rate across the U.S. In some states, including my home state of Utah where the rate is 27 percent, the burden is even higher.

These figures may surprise some of our colleagues. After all, many members of this body were present in 1997 when we reduced the maximum capital gains tax rate from 28 percent to 20 percent. The fact is, however, that most states tack a relatively high additional tax on the federal capital gains rate to produce this 25 percent average capital gains tax rate.

This is particularly important in light of the fact that the United States still taxes capital gains more heavily than do most other countries. In fact, a recent survey of 24 industrial and developing countries taken by the American Council for Capital Formation's Center for Policy Research showed an average capital gains rate of 14.5 percent. This is more than 10 percent above the combined average federal-state U.S. rate.

The Capital Gains Relief and Simplification Act we are introducing today is designed to address the problem of too high a tax rate as well as the complexity problem, in a way that is directed to all taxpayers, but especially those in the middle- and lower-income groups.

Let me briefly describe this bill. First, it provides a 100 percent exclusion for the first \$1,000 in capital gains for every individual taxpayer. This would be \$2,000 for a married couple filing a joint return. Individuals with capital gains below these thresholds

would generally not even have to file the confusing Schedule D. Totally avoiding a complex tax form is the ultimate in simplification.

Second, for individual capital gains above the \$1,000 (or \$2,000) exclusion threshold, the bill provides a 50 percent deduction. The effect of this would be to lower an individual's top capital gains tax rate to exactly half the ordinary income rate. If for example, under current law an investor's marginal tax bracket is 31 percent, the top capital gains rate for that investor would be 15.5 percent.

This deduction approach offers both simplicity, and a greater reduction in rates for those in the lower tax brackets than for those in the highest brackets. For example, compared with current law, a taxpayer in the highest tax bracket of 39.6 percent would find his or her top capital gains tax rate cut from the current 20 percent to 19.8 percent under this bill. An investor in the 28 percent bracket, however, would see his or her top capital gains rate drop from the current 20 percent to 14 percent.

Moreover, under this bill investors would see further capital gains tax rate cuts as the ordinary income tax rates are reduced, as under President Bush's tax plan. For example, those in the proposed 25 percent rate bracket would enjoy a top capital gains rate of just 12.5 percent, while those in lower brackets would see even lower capital gains rates, to the extent their capital gains exceeded the 100 percent exclusion thresholds.

Furthermore, this 50 percent deduction approach also helps with the problem I mentioned before of high combined federal and state capital gains tax rates. Most states use the federal adjusted gross income, AGI, as a starting point for determining state income tax liability. Thus, under current law, all of an investor's capital gains are generally included in the state tax base. Under this bill's exclusion approach, only 50 percent of capital gains over the exclusion would be included in the federal AGI. This means most states would generally only tax a fraction of the investor's capital gains. Therefore, this bill would result in lower federal and state taxes on capital gains.

I would like to mention several other features of the bill. First, it would reduce the holding period of long-term capital gains from one year to six months. According to Bruce Bartlett, a well-known economist with the National Center for Policy Analysis, a holding period requirement for favorable capital gains treatment has several economic costs to investors, the consequences of which may reduce the level of investment. Among these economic costs are a reduction in liquidity and the creation of a lock-in effect that can cause the prices of stock to vary from its real value. Reducing the holding period will reduce these costs and may also increase revenue to the Treasury from capital gains.

Second, the bill increases the amount of capital loss an individual may deduct against ordinary income. Under current law, an individual's capital gains are taxed from the first dollar to the last dollar. However, if an individual suffers a capital loss, and has no capital gains to use to offset the loss, he or she is allowed to deduct only \$3,000 of the loss against ordinary income. This is unfair and the amount is too low. Our legislation helps alleviate this problem by increasing the \$3,000 figure to \$10,000 and indexing it for future inflation.

Finally, the Capital Gains Relief and Simplification Act includes two provisions to help taxpayers who sell their homes and want to take advantage of the principal residence exclusion enacted in 1997. The first one addresses a problem that members of the U.S. uniformed services and Foreign Service sometimes suffer when called away from their homes for work-related purposes. In many cases, they return from these assignments and want or need to sell their principal residence. Because they do not meet the five-year ownership and use test, however, they are denied the full use of the present law exclusion. This bill corrects this inequity by suspending this test during such absences. The provision would also apply to individuals relocated outside the United States by their employers.

The second provision merely indexes for inflation the \$250,000 and \$500,000 thresholds for purposes of the principal residence exclusion. While these levels might have seemed adequate in 1997, and perhaps even in 2001, inflation will soon cause these thresholds to be worth far less than Congress intended when crafting this provision. We should adjust them now.

This bill represents a win for everybody. All investors win because it would significantly lower the capital gains tax rate and simplify their lives at tax time. Small investors especially win because all or much of their capital gains would escape taxation altogether and they would avoid much of the complexity they currently face with Schedule D. All Americans win because reducing capital gains would increase economic growth and job creation.

I urge my colleagues on both sides of the aisle to take a close look at this legislation and join us in lowering taxes on millions of Americans and striking an important blow for tax simplicity at the same time.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 80—HONORING THE "WHIDBEY 24" FOR THEIR PROFESSIONALISM, BRAVERY, AND COURAGE

Mrs. MURRAY (for herself, Mr. BOND, Mr. MCCAIN, Ms. CANTWELL, Mr. WARNER, Mr. LEVIN, Mr. KENNEDY, Mrs.

HUTCHISON, Mr. THURMOND, Mr. AKAKA, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. DURBIN, and Mr. DAYTON) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 80

Whereas the Electronic Countermeasures Squadron One (VQ-1) at Whidbey Island Naval Air Station performs an electronic reconnaissance mission for the defense of our Nation;

Whereas on April 1, 2001, a VQ-1 EP-3E Aries II electronic surveillance plane collided with a Chinese fighter jet and made an emergency landing at the Chinese military airfield on Hainan Island;

Whereas the 24 crew members on board the plane (referred to in this resolution as the "Whidbey 24") displayed exemplary bravery and courage and the highest standards of professionalism in responding to the collision and during the ensuing 11 days in detention in the People's Republic of China;

Whereas Navy Lieutenant, Shane J. Osborn, displayed courage and extraordinary skill by safely landing the badly damaged EP-3E; and

Whereas each member of the "Whidbey 24" embodies the selfless dedication it takes to defend our Nation; Now, therefore, be it

Resolved, That the Senate—

(1) expresses relief at the release and safe return of the "Whidbey 24" and shares in their families' joy;

(2) applauds the selfless devotion to duty of the "Whidbey 24" who risked their lives to defend our Nation;

(3) praises the "Whidbey 24" for their professionalism and bravery and expresses the admiration and gratitude of our Nation; and

(4) acknowledges the sacrifices made every day by the members of our Nation's Armed Forces as they defend and preserve our Nation.

Mrs. MURRAY. Mr. President, today I introduce a resolution honoring the Whidbey 24, the brave crewmembers of an EP-3 aircraft stationed at Whidbey Island Naval Air Station in my home State of Washington.

On April 1, 2001, a United States EP-3 surveillance aircraft on routine patrol in international airspace over the South China Sea collided with a Chinese fighter jet. The plane carried a crew of 22 Navy personnel, one Air Force officer, and one Marine. Following the accident, the U.S. aircraft and crew plunged as much as 8,000 feet before the crew regained control of the severely damaged aircraft. Navy Lieutenant Shane Osborne, the pilot, and his entire crew displayed extraordinary skill and courage as the aircraft made an emergency landing at the Chinese military airfield on Hainan Island. The 24 crew members were detained on Hainan Island in the People's Republic of China for 11 days as the United States and China negotiated a diplomatic resolution to the aircraft collision and the emergency landing.

When I first heard that an American plane was forced to make an emergency landing in China, like all Americans, I was very concerned. Then I learned that the crew was based on Whidbey Island, and I realized that these men and women were my neighbors—the people I see at the grocery store. The city of Oak Harbor, which is

home to the Whidbey Island Naval Air Station, was immensely supportive of the airmen and their families during this incident. The community commenced a "Bring Back VQ-1" campaign to show their support and deep appreciation for the crewmembers and their families. Residents of the city wrapped trees and light poles with yellow ribbons. My Washington D.C. office distributed yellow ribbons to visitors and other Senate offices in an effort to demonstrate our support in the halls of Congress.

On April 14, 2001, the crew returned safely to Washington State to an emotional "Welcome Home VQ-1" celebration at the Ault Field Hangar at Naval Air Station Whidbey Island. These brave men and women displayed uncommon courage, professionalism, and selfless dedication to duty in the service of our country, from the time of the collision and throughout their 11-day detention. While my resolution seeks to recognize the Whidbey 24, it is equally important to note that thousands of Americans serve just as honorably in service to our country each and every day.

I am so proud of the Whidbey Island community for it handled this incident with great compassion for the families and NAS Whidbey personnel. But we also know that all across America, military families and the American people were standing behind our military personnel. The Whidbey Island community stood tall, proud and patriotic on behalf of the families and the country.

I ask the Senate to join me in recognizing the bravery and determination of the Whidbey 24 throughout a delicate and dangerous ordeal. On behalf of all Americans, I proudly honor them and once again welcome them home.

**SENATE CONCURRENT RESOLUTION 35—EXPRESSING THE SENSE OF CONGRESS THAT LEBANON, SYRIA, AND IRAN SHOULD ALLOW REPRESENTATIVES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS TO VISIT THE FOUR ISRAELIS, ADI AVITAN, BINYAMIN AVRAHAM, OMAR SOUAD, AND ELCHANAN TANNENBAUM, PRESENTLY HELD BY HEZBOLLAH FORCES IN LEBANON**

Mr. SCHUMER (for himself, Mr. BROWNBACK, Mr. BAYH, Mr. LIEBERMAN, Mr. SANTORUM, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Mr. DURBIN, Mr. LEAHY, Mr. FITZGERALD, Mr. SPECTER, and Mrs. CLINTON) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 35

Whereas on October 7, 2000, Hezbollah units, in clear violation of international law, crossed Lebanon's international border and kidnapped three Israeli soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad;

Whereas on October 15, 2000, Hezbollah announced that it had abducted a fourth Israeli, Elchanan Tannenbaum;

Whereas these captives are being held by Hezbollah in Lebanon;

Whereas the 2000 Department of State report on foreign terrorist organizations stated that Hezbollah receives substantial amounts of financial assistance, training, weapons, explosives, and political, diplomatic, and organizational assistance from Iran and Syria;

Whereas Syria, Lebanon, and Iran voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas the International Committee of the Red Cross has made numerous attempts to gain access to assess the condition of these prisoners; and

Whereas the International Committee of the Red Cross has been denied access to these prisoners: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 357. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 357.** Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965; which was ordered to lie on the table; as follows:

On page 521, between lines 18 and 19, insert the following:

#### **SEC. 405. AMENDMENT TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.**

Section 611(j) of the Individuals with Disabilities Education Act (20 U.S.C. 1411(j)) is amended to read as follows:

"(j) MANDATORY FUNDING.—For the purpose of carrying out this part, other than section 619, there are authorized to be appropriated, and there are appropriated in addition to amounts made available in the Consolidated Appropriations Act, 2001—

"(1) \$12,103,000,000 for fiscal year 2002; and  
 "(2) not more than \$18,165,000,000 or the sum of the maximum amount that all States may receive under subsection (a)(2), whichever is lower, for fiscal year 2003."

#### NOTICE OF HEARING

##### SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this oversight hearing is to receive testimony on the U.S. Department of Interior Fiscal Year 2002 Budget Justification for the National Park Service.

The hearing will take place on Thursday, May 10, 2001, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, U.S. Senate, SD-354, Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O'Toole or Shane Perkins of the Committee staff at (202) 224-1219.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, May 2, at 9:30 a.m., in order to receive testimony regarding the science of global climate change and issues related to reducing net greenhouse gas emissions.

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

##### COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, May 2, 2001, at 10 a.m., in Dirksen 226.

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

##### SUBCOMMITTEE ON ANTITRUST, BUSINESS RIGHTS, AND COMPETITION

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Antitrust, Business Rights and Competition be authorized to meet to conduct a hearing on Wednesday, May 2, 2001, at 2 p.m., in SD-226.

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

##### SUBCOMMITTEE ON OCEANS AND FISHERIES

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Oceans and Fisheries of the Committee on Commerce, Science, and Transportation be authorized to meet to conduct a hearing on Wednesday, May 2, 2001, at 9:30 a.m., on individual fishing quotas.

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

##### SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space of the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, May 2, 2001, at 2:30 p.m., on cloning.

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

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Diane Baker, a fellow in my office, be granted floor privileges during the consideration of S. 1, the Elementary and Secondary Education Act.

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

ORDER FOR STAR PRINT—S.J.  
RES. 13

Mr. NICKLES. Mr. President, I ask unanimous consent S.J. Res. 13 be star-printed with the changes that are at the desk.

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

ORDERS FOR THURSDAY, MAY 3,  
2001

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Thursday, May 3. I further ask consent

that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S. 1, the education reform bill.

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

PROGRAM

Mr. NICKLES. For the information of all of our colleagues, the Senate will begin full floor consideration of the education reform bill at 9:30 a.m. tomorrow. Amendments will be offered during tomorrow's session and therefore votes will occur. If the conference report to accompany the budget resolution is received from the House, the Senate will suspend consideration of the education bill to begin consideration of the conference report.

Under the rule, there will be up to 10 hours of debate with a vote on adoption of the budget following the use or yielding back of that time. It is hoped

that the Senate can complete action on the conference report prior to adjourning this week.

ADJOURNMENT

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Thursday, May 3, 2001, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 2, 2001:

DEPARTMENT OF ENERGY

ROBERT GORDON CARD, OF COLORADO, TO BE UNDER SECRETARY OF ENERGY, VICE ERNEST J. MONIZ, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

ROY V. BOUSQUET, 0000.