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## Senate

The Senate met at 9:31 a.m. and was called to order by the Honorable JOHN EDWARDS, a Senator from the State of North Carolina.

### PRAYER

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

Spirit of the living God, fall afresh on us. We need Your strength. The wells of our own resources run dry. We need Your strength to fill up our diminished reserves—silent strength that flows into us with artesian resourcefulness, quietly filling us with renewed power. You alone can provide strength to think clearly and to decide decisively.

Bless the Senators today as they trust You as Lord in the inner tribunal of their own hearts. You are sovereign of this land, but You are also sovereign of the inner person of each Senator. May these hours of discussion and debate bring exposure of truth and resolution. O God of righteousness and grace, guide this Senate at this decisive hour. You are our Lord and Saviour. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JOHN EDWARDS 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. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 1, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JOHN EDWARDS, a Senator from the State of North Carolina, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### ANDEAN TRADE PREFERENCE EXPANSION ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the motion to proceed, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (H.R. 3009), the Andean Trade Preference Act, to grant additional trade benefits under that act, and for other purposes.

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

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

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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 ACTING PRESIDENT pro tempore. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from Connecticut (Mr. DODD) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "no."

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

The result was announced—yeas 77, nays 21, as follows:

[Rollcall Vote No. 100 Leg.]

### YEAS—77

Akaka	Domenici	Lott
Allard	Durbin	Lugar
Allen	Edwards	McCain
Baucus	Ensign	McConnell
Bayh	Enzi	Miller
Bennett	Feinstein	Murkowski
Biden	Fitzgerald	Murray
Bingaman	Frist	Nelson (FL)
Bond	Graham	Nelson (NE)
Boxer	Gramm	Nickles
Breaux	Grassley	Reid
Brownback	Hagel	Roberts
Campbell	Harkin	Santorum
Cantwell	Hatch	Schumer
Carnahan	Hutchinson	Smith (NH)
Carper	Hutchison	Smith (OR)
Chafee	Inhofe	Specter
Cleland	Jeffords	Stabenow
Clinton	Johnson	Stevens
Cochran	Kerry	Thomas
Collins	Kohl	Thompson
Conrad	Kyl	Torricelli
Craig	Landrieu	Voinovich
Crapo	Leahy	Warner
Daschle	Lieberman	Wyden
DeWine	Lincoln	

### NAYS—21

Bunning	Gregg	Rockefeller
Burns	Hollings	Sarbanes
Byrd	Inouye	Sessions
Corzine	Kennedy	Shelby
Dayton	Levin	Snowe
Dorgan	Mikulski	Thurmond
Feingold	Reed	Wellstone

### NOT VOTING—2

Dodd Helms

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be a period for morning business until 12:15, with Senators permitted to speak therein for a period up to 10 minutes each.

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



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The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

#### THE COST OF HIGHER EDUCATION

Mr. KENNEDY. Mr. President, every weekend that any of us go home, the families we run into are talking about the cost of higher education. We know that cost is going up. But this administration has just made an unconscionable recommendation for low- and middle-income families—to deny them the opportunity to consolidate the loans they have now at a fixed interest rate. That possibility is there for small business, it is there for big business, and this administration wants to foreclose that opportunity for families and new college graduates across this nation.

This is what it is going to mean for the average student loan borrower in America: It is going to mean an additional \$3,000 in costs on a \$10,000 student loan. At a difficult and challenging time when state budgets are cutting their aid to higher education, and tuition is on the rise, it is bad education policy, and it is not in our national interest. We should be doing everything in our power to make college more affordable.

I see the Senator from Vermont. I yield to him.

Mr. JEFFORDS. Mr. President, I agree with the Senator from Massachusetts. I could not believe what I heard today with respect to what they are trying to do. This administration is taking a look at education from the bottom up. It is ridiculous what they are doing. This is a perfect example of doing something that is so against anybody's rational way of helping people; I could not believe it.

Mr. KENNEDY. I see the Senator from Washington.

Ms. CANTWELL. I thank the Senator from Massachusetts for bringing up this issue. It is so critical in my home State of Washington, where the University of Washington is looking at increases of 11 to 12 percent. Students are spending between \$60,000 and \$70,000 for their education. We need to do everything we can in this information age economy, where education is going to determine success; we need to be increasing access. The elimination of a Federal fixed-rate student loan program is a big mistake. We should be increasing Pell grants. We should be increasing access to education. We should be making it more affordable.

As somebody who went to school on Pell grants and student loans, I think it is a difficult challenge. In this day and age, with our economy changing, access to education for low- and middle-income students at the most affordable rate must be a priority of this administration and this Congress.

Mr. KENNEDY. I yield to the Senator from New York.

The PRESIDING OFFICER. Procedurally, Senators may seek recogni-

tion, but there is no standing order for the Senator to yield.

Mr. KENNEDY. Do I have 10 minutes?

The PRESIDING OFFICER. The Senator has 10 minutes. The Senator may yield to another Senator for a question.

Mrs. CLINTON. Will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. I yield for a question.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Is the Senator aware of the amount of money that the average American family already pays for college tuition and education, which as my colleague from the State of Washington pointed out is actually increasing faster than the rate of inflation?

Mr. KENNEDY. I certainly am. Nationwide, college tuition have increased 35 percent over the last 10 years. Today, the average student leaves college with \$17,000 of debt. In my State, the average loan that was consolidated last year was \$27,000. Under the administration's proposal, students will lose the opportunity to consolidate their loans at a fixed rate and that would cost the average student thousands of dollars as the interest rate goes up from year to year.

Mrs. CLINTON. From the Senator's study of this proposal, which I have to confess, when I first saw it, I thought it was a misprint—I could not believe the administration was about to make the cost of going to college more expensive for middle-income families—is the Senator aware of the impact this alleged cost savings would have on the entire Federal budget? What is the amount of money the administration thinks they will save on the backs of young people going to college?

Mr. KENNEDY. Mr. President, \$1.3 billion. This is a shell game. They will use the \$1.3 billion they will get from students for the tax break. And we are talking about 6 million students who would be facing higher interest rates over the next decade. In my own state last year 36,000 people consolidated their FFEL loans—with an average loan of \$30,000. That means that a variable interest rate could cost as much as half a million dollars to students in Massachusetts.

Mrs. CLINTON. In one State alone, is that the Senator's information?

Mr. KENNEDY. One State alone; that is right.

Mrs. CLINTON. I thank the Senator for bringing this very important issue to the attention of this body and to families throughout New York and America. Like so many, we were just amazed by this proposal. I certainly hope cooler and more compassionate heads will prevail on the other end of Pennsylvania Avenue.

Mr. KENNEDY. I see my friend and colleague from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that the Senator from Massachusetts be permitted to control his time.

The PRESIDING OFFICER. The Senator is recognized to speak in morning business for up to 10 minutes. The Senator may only yield for questions.

Mr. KERRY. Mr. President, I simply ask my colleague from Massachusetts—and I thank him for bringing this issue before us—whether or not he believes, in a moment when people are being thrown out of work, in a moment when the economy is down, and at the same time we are talking about making education the most important issue for Americans, as Americans believe it is—if at that moment it makes any sense at all, when more people are trying to apply to schools, when more people realize the importance of education to get a high-value-added job to move the economy of this country—how can one justify, I ask my colleague, asking students in this country to pay the price of a large number of corporations getting a tax break, of a large number of wealthy people getting a tax break, and making it more difficult for people to secure the very education the President says and others agree is the most important ingredient in not only moving our economy but of good citizenship?

I ask my colleague, is there any possible way to justify that as a common-sense policy?

Mr. KENNEDY. The Senator has put his finger on it. This is a shell game. The moneys that effectively will be saved will be used for the tax break, the tax cut for the wealthiest individuals. It is wrong education policy. It is wrong national security policy.

American families need lower tuition rates rather than higher loan interest rates. That is what the Democrats stand for, and it is intolerable—intolerable—that the Bush administration would go through this subterfuge. The last time we faced it was in 1981 with the addition of an origination fee. That was a fee on all loan programs. That means that a student has to pay an additional 3 percent on what they have to borrow. Now students not only have to pay for tuition and fees, but the federal government added a 3 percent fee of their own to those already high costs.

This administration does not get it straight when it comes to educating the young people in this country.

I thank the Senator.

Mr. KERRY. I thank my colleague.

Mr. KENNEDY. Mr. President, how much time remains?

The PRESIDING OFFICER. Three minutes 26 seconds.

Mr. KENNEDY. Mr. President, I conclude by pointing out, once again, that 64 percent of all students borrow through the Federal student loan programs to finance an education; 74 percent of full-time students work 25 hours a week or more while attending school, and nearly half of all these students work at levels that are likely to have a negative impact on their academic achievement and the overall quality of their education.

There is tremendous pressure on students now. If we tolerate this and let