

## RECESS

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

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. MURKOWSKI).

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, I understand we are in morning business; is that correct?

The PRESIDING OFFICER. The Senator is correct.

## EDUCATION

Mr. KENNEDY. Madam President, I welcome the fact that the leadership has given this time to express our strong views on a very important issue, the whole issue, the quality of education for the children of this country.

It was just about a year ago, Members—I see Senator REED of Rhode Island, Senator DODD from our committee—remember clearly this Nation came together, Republican and Democrat, to sign the No Child Left Behind Act, the gateway of opportunity, of progress, for academic achievement and accomplishment.

We all looked forward to smaller classes, better trained teachers, after-school programs. We looked forward to this with great hope and great anticipation. We looked forward to parental involvement so parents could understand how their children were learning in local schools, with greater accountability for students, for schools, for teachers and parents, and also for the Congress of the United States.

As we come to the time of the President of the United States speaking, if we listen carefully to what is happening all across this country, we will hear we have failed in our understanding and commitment to education and the administration has failed in giving life to our promises in the form of resources to make sure those promises are kept.

Listen to what the Governor of Delaware, Ruth Ann Minner, said recently: Delaware has asked local school districts to return \$10 million from current year budgets. The impact of those kinds of budget-cutting measures takes a tremendous toll in providing enough teachers to continue progress to reduce class size, which is so important to the quality of education. Federal programs, such as No Child Left Behind or IDEA, implemented without adequate Federal funding—no matter that we share the goal and the vision—represent an empty promise.

We have had debates here on whether we have provided the resources or not. Let's listen to what is happening across the country.

In a Washington Post article today, it says Oregon today is on the verge of cutting 15 days, potentially 24 days, from its school year. The United States

ranks 18th among the industrial nations in school year length. How can we expect American schoolchildren to learn in 180 days as much as Korean children learn in 220? And now Oregon may cut back to 165 days of the school year.

The New York Times reported on the impact on the children. Linda Pattison, a fourth grade teacher here uses her fingers to check off the lessons that she usually teaches but will skip. Her pupils will not study the metric system, arithmetic, electricity and science, nor Oregon's history and social studies. "I can only compare this to my divorce," said the teacher.

More than 100 school districts in 8 States have moved to 4-day weeks to cut costs. Oklahoma City has cut bus service entirely for 1,000 students. In Barnstable, MA, they are charging an additional \$200 for music education, \$200 for busing, and \$1,800 now for all-day kindergarten. In Centennial, MN, schools have upwards of 30 students per class. Class sizes have grown significantly in the last year. In Colton, OR, academic classes in the junior high have as many as 41 students per teacher. That's not education; that's crowd control.

I don't fault these communities. They are in a bind. Local schools cannot meet the high standards on a tin-cup budget.

I see my colleagues here. I think they would share with me the hope that tonight the President of the United States will make it clear that help is on its way to those families, to those teachers, to those parents; that we believe the investment in those children will make a real difference, in terms of our economy and in their ability to acquire skills. It will make a difference in terms of young people being able to make a difference for our society and for our democracy and for our leadership. This is something I hope, on the one hand, he will explain, why we have not been able to do it and, second, that he will have a change of mind and he will say—again, what I believe this President understands—what we have failed to follow through with, and that is that we are going to invest in our children and our children's education.

I thank our colleagues who are here. I see my friends from Rhode Island and Connecticut. I know they want to say a word on the subject.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to respond and echo the comments of Senator KENNEDY. A year ago, with much hope and great fanfare, we all looked at the signing of the No Child Left Behind Act as a positive step forward, a recognition that we could not simply sit back and let education in the United States continue on its then-current course.

We also hoped the great rhetoric would be matched with real resources. Sadly, those resources have not materialized. The President, only a few

weeks after signing the bill, released his budget numbers for fiscal year 2003 which significantly reduced funding for the No Child Left Behind Act. In fact, the President's budget contained the smallest increase overall for education funding in years. A small increase, but nothing commensurate with the kind of expectations that were generated by the No Child Left Behind Act.

We fear—I fear—that that same reality will be visited upon us this evening in the State of the Union speech, and next week when the President releases this year's budget. There will be no significant increase overall in education spending.

The President may point to an increase in title I that he has advertised, a \$1 billion increase. That would raise title I funding to \$12.3 billion. But let me remind all who are listening, that \$12.3 billion is about \$6 billion less than the authorized figure in the No Child Left Behind Act.

I can remember the discussions, the debate when we were urging a level of title I funding that would be adequate to deal with the challenges we have placed on all the school districts in this country, to be accountable and to perform at a level that is equal to the challenges of this new and very demanding world we face. So the title I money is an increase, but it is insignificant compared to the target we established, agreed on, and fought for in the No Child Left Behind Act.

Mr. KENNEDY. Will the Senator yield?

Mr. REED. I am happy to yield.

Mr. KENNEDY. Seeing the Senator from Connecticut here, does my friend from Rhode Island remember that we had a specific vote? I believe it was a vote on a Dodd-Collins amendment, which ended up with 79 votes, Republicans and Democrats alike. Seventy-nine Senators voted for that full funding here on the floor of the Senate. Yet we were unable to get that kind of support from the administration. Republicans, Democrats alike here on the floor of the Senate said this is a priority for us. Does the Senator remember? This is not a partisan issue. We were joined, were we not, by Republican colleagues?

Mr. REED. Indeed, you are correct, I say to the Senator. We were joined by practically every Member of the Senate regardless of party and region. They believed, as we did, in the need for real resources, particularly for the title I program. What the President is proposing is more of a cosmetic increase in title I, rather than the kind of increase we need to do the job.

I was listening to Senator KENNEDY, my colleague from Massachusetts. He laid out the current dilemma of local school districts, where they are cutting class days, they are charging for transportation, they are charging for music education. That is in response to the current distressed economy. Don't forget, school districts are now required to do much more, by the Federal Government, by the No Child Left Behind

Act. They are in a situation where they have to cut costs. At the same time, they have to respond to more challenges, more mandates from the Federal Government. It is getting worse.

Mr. KENNEDY. Will the Senator yield for another point?

Mr. REED. I am happy to yield.

Mr. KENNEDY. I see we are joined by another member of the committee, the Senator from New York.

Would the Senator not agree with me, and I hope my colleagues would comment, one of the very sad aspects of this is, not only are they having the cuts, but where there are percentage cuts—which have taken place and which were initially proposed in my own State of Massachusetts—in the wealthier communities, they are making up the difference.

I have several illustrations which show how communities that have greater affluence are making up the difference of what they are getting shortchanged, but the poorer districts are once again left high and dry. In well-off Manhattan Beach, CA, parents and the district raised \$1.4 million in private funding to pay for music and art staff and teacher aides. The average home in this district is worth \$900,000. Also, in a wealthy Kansas City suburb, the Belinder Elementary School brought in proceeds from parent donations earlier this year to help pay the salaries of a nurse, counselor, and foreign language teacher. The efforts raised \$78,000 in two weeks to pay for positions that would have been cut as the district faced a \$6 million shortfall. But in poor communities, parental philanthropy is not an option—and the children in those communities will be left behind. In Boston, Massachusetts, principals were told to brace for a \$60 million cut—and there is no hope for making up that money from somewhere else. According to Boston's Chief Operating Officer, Michael Contompassis, this means, "... humongous layoffs. Everything is on the table." So, again, those children who come from particularly trying and difficult or disadvantaged circumstances are paying even a higher price.

Mr. REED. I think that is absolutely right. I think the Senator from Connecticut might have a comment also, and I yield to him for a comment.

Mr. DODD. Madam President, I thank our colleagues from Massachusetts, New York, and Rhode Island who are here to talk about this issue. In just a few short hours from now we are going to hear the President address the Nation on the State of the Union. If you were to ask the question, what is the state of the union, to the average person, if the question were to be asked, I suppose, of the average family, you may get this sort of analysis: How secure is my family economically? Personally? What does our future look like? That is not a bad question, when you ask how are you doing.

When it comes to the issue of education, I think the answer has to be:

Worried about how I see the future for my family and our children. I am relying on the Federal Government to be a supporter of basic needs in education.

You have to be able to listen to the rhetoric. You will hear a speech tonight. I presume it will be a good one. Presidents normally give pretty good speeches on the State of the Union. But I also think, as my colleagues pointed out, matching up the rhetoric, the language, with the action is critically important. It is the same as we would ask of anyone else. It is nice to hear words about diversity of higher education, nice to hear about making college more affordable, and leaving no child behind. But then you quickly have to ask, Now, what have you done to increase the diversity of our populations in higher education? What have you done or what are you doing to make higher education more affordable? And what, in fact, are you doing to see to it that no child is left behind in our elementary and secondary public school education system?

If you look at those three issues alone—as our colleagues already pointed out here, but it deserves being repeated—in the area of diversity, of course, we find the President attacking the affirmative action programs in the country.

My friend from Rhode Island is maybe in a unique position to talk about the United States military, the United States military academies, and what a remarkable job they have done. He is a graduate of West Point and was a distinguished officer in the United States Army for many years, as a professor at West Point. Certainly our military academies have demonstrated how having affirmative action perhaps has contributed significantly to the strength and well-being and diversity of our officer corps in the United States.

In fact, I would argue that the affirmative action programs in our military academies are exactly the affirmative action programs the President has attacked at the University of Michigan and elsewhere.

Second, I ask my colleagues from Rhode Island, New York, or Massachusetts, what has happened to make college more affordable? We have asked that Pell grants be supported. Yet the administration has said already—maybe they will change their mind tonight; I hope they do. Nothing would please me more than to have the President announce in the State of the Union tonight that he is supporting the full funding of the Pell grant program. I hope this evening he will talk about that.

Third, of course, our colleagues have already spoken out about the Leave No Child Behind legislation, with special education, where we are abysmally short. The White House did not stand up last year in support of special education and still continues to oppose the \$4.6 billion necessary to meet the goals.

But my colleague may want to comment on the diversity issue, since he is

a graduate of the West Point Academy and knows how important those programs have been to strengthening the United States military. I ask him whether or not that is the case.

Mr. REED. Reclaiming my time, whatever is left, I believe in fact that it is a model for the kind of program that recognizes talent, effort and initiative, but also considers that we want not just a student body at West Point, but also an officer corps in the Army that represents every segment of society. I also serve currently as Chairman of the Board of Visitors at West Point. We have the opportunity to review the admissions process every year.

Frankly, it is a success. The admissions policy at West Point provides an opportunity to broaden, diversify, and make better the institution with some very talented individuals.

Let me put it in perspective. I graduated in 1971. We had two African-Americans in my class. Today, African-Americans make up 8 percent of the student body. Frankly, the military has a larger representation of minorities than that 8 percent, but it represents an officer corps that is both diverse and, let me emphasize, talented. There is no sacrificing standards. There is no sacrificing ability. There is no sacrificing patriotism or anything else. We get wonderful people.

To me, affirmative action is not about quotas. It is about looking beyond just the people who want to show up in the front ranks because they have gone to good high schools, they have parents helping them along, and all the other things that lead them to even apply to West Point. It is about looking beyond that. It has been very successful.

I also suggest that it has been represented by the success of those young men and women in our military forces who are now general officers. The Commandant of Cadets of West Point today is an African-American officer, a graduate of West Point. That would have been exceptional 30 years ago.

Mr. DODD. If my colleague will yield, I asked someone once to define or describe affirmative action. They said: Senator, affirmative action is when someone tells you they can't find somebody, try again. If they still can't, try again.

What my colleague from Rhode Island is saying, when we talk about the success and the wisdom of affirmative action, it has been because of places such as West Point Academy and other of our military academies, where they have tried again to identify and find qualified students and consider them as enrollees to these universities where, in fact, they may have looked into a lot of issues other than just the simple criteria that you might apply to everyone else. As a result of that, they have been able to bring people into our academies. It is not a determining factor, but a factor, in considering the admissions to these academies. Is that not true?

Mr. REED. That is exactly correct.

Frankly, the other argument that is made against affirmative action programs is that they stigmatize the beneficiaries. That could not be further from the truth when it comes to the wonderful officers who have graduated from West Point, Annapolis, and the Air Force Academy. They walk out well qualified, well prepared, well trained. There is no stigma. It is with pride that they serve their country.

Mr. DODD. I thank the Senator.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, we have several Members who want to speak. Our time runs out at a quarter of the hour. I am told, because of the extraordinary circumstances that took place on Sunday afternoon, we would yield from 18 minutes to 15 minutes of the hour to our friend from Florida to make some comments about the world champion team. But I ask unanimous consent that the remaining time be divided between the Senators from New York, Maryland, and Vermont.

Mr. SARBANES. May I have 30 seconds?

Mr. KENNEDY. Yes, 30 seconds.

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

Mr. SARBANES. Madam President, I just want to say to the distinguished Senator from Massachusetts, in this chart about the President breaking his promise to the Nation's children about No Child Left Behind, and the budget, which fails to fund the No Child Left Behind legislation, that is being done in order to have a tax cut that will assure that no millionaire is left behind. That is exactly what has happened.

The President's commitment, with respect to budget priorities, is to give this huge tax break on dividends so that no millionaire will be left behind. Meanwhile, we are leaving behind tens of thousands of schoolchildren all across America.

I thank the Senator.

Mr. KENNEDY. The Senator is quite correct.

Madam President, the time up to 18 minutes before the hour I ask be divided between the Senator from New York and the Senator from Vermont. I hope the Senator from New York will comment about the increase in tuition. At the New York state universities, I understand it has increased 41 percent. I yield to the Senator.

Mrs. CLINTON. Madam President, the Senator from Massachusetts is correct. As is his custom, he has done his homework. He knows we are facing dire circumstances in New York. I know many other places around the country are as well.

But I want to focus, for my limited time, on what is going to happen in my State. News reports tell me that when the Governor addresses the budget—probably tomorrow—he will be announcing drastic cuts in education, totaling as much as \$1.2 billion.

This is the first time in a decade that the New York education system will

face an absolute cut in its budget. This is not that we are decreasing the amount of the increase; this is an absolute cut.

New York City, which I am sure you know, has a million children in the school system—some of the best kids you will ever meet, and also some of the poorest kids from some of the toughest circumstances.

New York City, which receives 40 percent of the State education funds, stands to lose almost \$500 million. How will that be dealt with? You know how it is going to be dealt with. We are going to be laying off teachers. We are going to be putting more children into already crowded classrooms. We are going to be limiting opportunities for advanced placement classes, for lab classes, for the extra kinds of credits in classes that particularly needy children need.

We are going to be looking at delays and actually the stopping of maintenance and other repairs, so that we are going to have not only overcrowded classrooms, overcrowded schools, with very few of the teachers who are needed, but we are going to be basically sending a message to our kids that: You remember that rhetoric. Remember that bill that was signed about Leave No Child Behind? Well, you are not in that group. We don't know how we define that group anymore because we sure are not talking about the million kids in the New York City school system or the hundreds of thousands of kids in Buffalo and Rochester, and Syracuse, and Albany, and Binghamton, and Elmira, and out on Long Island—kids who are going to get left behind.

What is the alternative to all these drastic cuts? It is to try to raise the local taxes to make up for both the Federal and State cuts. I have to tell you, first of all, many parts of New York already do a tremendous job in trying to provide the best quality education for the children in their schools. I live in a community that proudly pays very high property taxes because of what we then can provide to the children from this community. But many places will not be able to do that. At a certain point, the kind of disconnect between bold pronouncements about cutting Federal taxes—which have the impact of forcing States to make very difficult decisions, which have the further impact of forcing local communities either to do without essential services or to raise their taxes—somehow that old shell game is going to get exposed; and so it should.

We were promised, when we passed Leave No Child Behind, that the resources would be there. That promise is being broken. Yes, it is. It is being broken. By breaking it, we are leaving millions and millions of children behind. And as the Senator from Massachusetts so well knows, we are leaving many children in New York behind.

So I hope we will try to redress this extraordinary decision and, similarly, that we will look at what is going to

happen in postsecondary education where the Pell grant has lost its purchasing power, where in a State such as ours we are slashing tuition assistance programs plus increasing tuition at the same time.

Something has to give. And what will give is that thousands of students will leave our institutions of higher learning because they will not be able to afford to stay. I think that is a bad bargain for New York and a bad bargain for America.

I appreciate the distinguished Senator from Massachusetts allowing me to express specifically the concerns I have about my State.

Mr. KENNEDY. As I understand, in about 2 minutes the Senator from Florida will be recognized, and after that the Senator from Vermont.

There are just two items I want to mention and repeat. One is that in Oregon we have now about 180 days of education. Some districts are thinking of going to 165 days. If all of the school districts in our country were to follow this example, that would put us as 23rd in the world in terms of the amount of time children are studying in school—where we talk about being No. 1. We talk about being No. 1? We are penalizing our children.

But a second point. And the Senator spoke very eloquently about the increase in tuition.

Does the Senator not agree with me that today the indebtedness of students who come primarily from working families, who have the ability, the academic desire to succeed and excel, are now indebting themselves three times what they were just 10 years ago because of the escalation in tuitions? And therefore, we are saying to a whole group of sons and daughters of working families, that in effect, the opportunity for education, even though you have the ability and the academic success, you will effectively be denied continuing education?

Mrs. CLINTON. The Senator is absolutely accurate. The problem is made even worse by a phenomenon that has occurred over the last several years where much of the aid that the colleges themselves have provided has gone away from need-based aid to so-called merit-based aid. So students who come from families such as mine are meritorious—and I am very proud of that—but then they are taking those dollars, those very scarce collegiate scholarship dollars, they are taking them, when they don't need them, and thereby depriving other students who do need them from that access. So it is both the Federal and State programs and even the colleges' own programs which, combined, are leaving hundreds of thousands of worthy, meritorious, needy students behind.

We are doing it on both ends of the education spectrum. As the Senator so well knows, we are setting ourselves up for a very unfortunate set of circumstances.

If you ask the question: How does this country become richer, safer,

smarter, and stronger?—any list of answers that has any basis in evidence, fact, or logic will tell you, investing in education. We know investing in education increases the lifelong earnings of college graduates by \$600,000. Every year of postsecondary education will provide between 5 to 15 percent more in annual earnings. Yet here we are closing the door to college education, basically telling a lot of kids who depend on loans, depend on grants, depend upon increasing student debt: I am sorry; you are not in our plans for the future.

That is a terrible mistake for this country to make.

Mr. DODD. Will my colleague yield on that point?

The PRESIDING OFFICER. The Senator from Massachusetts has 2 minutes remaining.

Mr. KENNEDY. I think we had an agreement that the Senator from Florida was yielded my time so he can make an important statement about the Buccaneers.

Mr. DODD. Who are the Buccaneers?

Mr. NELSON of Florida. Mr. President, in the midst of these deadly serious subjects that we are talking about, I want to bring a little bit of levity and a bright spot from an extraordinary football game that has now caused the world champions to have the sun especially shining brightly in the State of Florida and, in particular, in the Tampa Bay region.

This resolution commends the Tampa Bay fans because they have been so faithful over the years. This is a miracle. It is a miracle that it has finally happened to the Tampa Bay Buccaneers and, oh, do they deserve it—the most valuable player of the game, the best NFL defensive player, the best defensive record in the whole league, the quarterback himself being from Florida.

I could go on and on. But just to cap off my statement of offering a little lightheartedness to an otherwise very serious day is to point out that I went to the junior Senator from California, as the junior Senator from Florida, to say: Is it worth it to you before the game to have a little friendly wager?

We had a crate of Florida oranges versus a 25-pound box of California almonds. I said: Why don't you throw in a little Napa Valley chardonnay as well.

I am going to be enjoying that. Our staff will be enjoying it, for the sake of all of our people in Florida who have a big smile on their face.

I yield the floor.

The PRESIDING OFFICER. The time controlled by the Senator from Massachusetts has expired. The next 20 minutes will be controlled by the Senator from Vermont and the Senator from California.

Mr. JEFFORDS. I yield 5 minutes to the Senator from Connecticut.

#### EDUCATIONAL INVESTMENT

Mr. DODD. I want to address a question to our colleague from New York

and also my colleague from Vermont. What I am about to say is also something he has talked about in the past. We are often told we are now in a period of international crisis and that resources cannot really be allocated as much as we would like for education given these other demands.

Certainly my colleagues are aware, historically, some of the most significant investments we have made as a nation in terms of education have occurred right in the midst of some of our most significant crises as a country.

In 1787, shortly after the American Revolution, at a time when there was great demand for resources, we insisted that land be set aside in new territories, specifically the Federal Government did, for institutions of higher learning. Right in the middle of the Civil War, there was the Morrill Act, authored by a Senator from Vermont, that created the land grant colleges. Here we were in the greatest crisis in the history of the United States, and yet the Congress and the President in the midst of all of that believed we ought to be doing everything we could to establish land grant colleges.

Then, of course, prior to the end of World War II, the GI bill is another example. Here is a nation at war and demand for resources are great; our Nation is in peril, although it was toward the end of the war. Yet the Congress and the President thought it was so critically important that we allocated resources for furthering the advancement of higher education.

I don't know if my colleagues would like to briefly respond to that point.

Mrs. CLINTON. I would respond in support of the observations that the Senator from Connecticut has made. It is deeply troubling to me that in the current atmosphere in which we find ourselves, the first victim seems to be the future.

We are shortchanging the future and, in particular, we are shortchanging our children. I don't believe any previous generation of Americans, as the Senator has illustrated, has ever done this before. We are about to become the first generation that deliberately, intentionally, will leave our children worse off than we were.

I find that absolutely mind-boggling. I cannot even grasp it. We talk about our parents, the greatest generation, who sacrificed, who planned for the future, who made big investments in education, in highways, in research and development, in infrastructure, in health care, and here we are about to dismantle the work they so carefully put into place, starting with education but by no means ending there.

It is a moment of real concern and should be talked about, not just in this Chamber but throughout our country. What is it exactly we intend to leave our children besides a more dangerous world and a pile of debt?

Mr. DODD. I thank my colleague for her answer. She is absolutely correct.

It would be a unique and historic tragedy if we were the first generation to not fulfill its obligations to the coming generation.

I said the Homestead Act. It was the Northwest Ordinance of 1787 that was an example of a country in crisis that still found time to invest in its educational needs. I don't know if my colleague from Vermont wanted to comment on that as well. It was Senator Morrill from Vermont who created the land grant colleges. The University of Connecticut was one of the beneficiaries of that idea. Right in the middle of the Civil War, Abraham Lincoln and the Congress said: We ought to be investing in the educational needs of the Nation, and authored that legislation. I know my colleague from Vermont has spoken eloquently for and fought for higher education. I thought he might want to comment on those decisions.

Mr. JEFFORDS. Vermont is proud of the fact that it has provided leadership throughout the centuries, and the Morrill Act did more for expanding the ability of education for our young people to strengthen this Nation than any other action that has been taken since.

I thank the Senator for bringing up the history, especially relative to my own State.

#### STATE OF THE UNION

Mr. JEFFORDS. Mr. President, as the President prepares to address the Nation, I hope he will remember that homeland security starts here at home, and that he addresses the critical domestic priorities facing our Nation at this time. Today, very briefly, I want to discuss a few of those priorities.

In last year's State of the Union Address, the President highlighted his and Congress's bipartisan efforts on education. He discussed how education was integral to having a secure Nation with a well-educated and trained workforce that would grow and strengthen our economy.

President Bush said:

Good jobs begin with good schools, and we've made a fine start.

But you cannot educate our children on the cheap, and I am afraid that is what the President is asking our Nation's educational system to do. Last year's Bush administration budget was the worst education budget in 7 years.

The Bush budget fell \$7 billion short of the resources promised in the No Child Left Behind Act, and it cut funding for the legislation's initiatives by \$90 million. It also proposed less than half of the Federal commitment to special education. This \$11 billion shortfall negatively affects all of our public school students and shifts billions of dollars more to local property taxes.

At the same time, our communities are being forced to make decisions on defraying education budget shortfalls. Some schools are having to cut days off of their years and time off for the students. That is a crisis that should not