

For more than a decade, JOE kept at it. For 10 long years plus, when a lot of people turned their attention elsewhere, JOE MOAKLEY continued to understand the difference between right and wrong. He fought against hundreds upon hundreds of deportations and, finally, he won an amendment barring them altogether in 1989.

Later that year, when six Jesuit priests were murdered in El Salvador, he led an investigation that pointed to elements of the U.S.-backed military as the murderers. It was quite fascinating, when we listened to JOE at the courthouse in Boston announcing the end of his career within the U.S. Congress—it was fascinating that even as he described himself as a bread-and-butter Democrat and a person who cared always about the issues of all of his constituents in his home city as well as in the rest of his constituency, measured against all the things he had done, he thought he was proudest of what he had done in El Salvador. He thought it so because it was a reflection of the kinds of things he learned from his constituents and from his home, and it reflected the depth of who he was as a citizen of south Boston.

JOE has been delivering for south Boston and the Nation for almost half a century, and he has done it the only way he knows—with hard work, with a smile, and with a special brand of humor. Whether it has been finding money for the “Big Dig,” project after project, or for a whole host of other projects in Boston, he has been a national leader on issues from Central America to our relationship with Cuba.

JOE will tell you his secret, whether it is in a senior center in south Boston or when meeting with the heads of state around the world. It is his ability to listen and to remember who he is and from where he comes. And when he completes his 15th term in the House and retires, we will miss his service, his friendship, and his passion, but we will also know that until his last day in office, JOE MOAKLEY will continue to be a giant, caring first and foremost for the people he represents, living by Tip O’Neill’s old adage—all politics is local—and with a special Moakley corollary that certain values and commitments are global as well.

He has used his remarkable clout to do what is right for Massachusetts and the Nation. And knowing JOE, having watched him and learned from him, as so many of us have, I know that in these next 2 years this courthouse will not be the only way he will be honored. The fights he will continue to wage for all that he believes, for working people, for jobs, for social and economic justice, will be the ultimate testimony to the full measure of the man whom we pause to honor today, and it will be the real measurement of those values by which JOE MOAKLEY has served.

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.

COMMEMORATING THE 5TH ANNIVERSARY OF THE 1996 TELECOM ACT

Mr. LOTT. Mr. President, recently we celebrated the fifth anniversary of the passage of the 1996 Telecom Act. This legislation—a comprehensive overhaul of our nation’s laws governing communications—was the product of approximately ten years of hard work by many people. The intent of Congress in passing the Act was to spur competition, promote innovation, and provide new services at lower prices to consumers.

I hoped at the time that we passed the Act that it would have a tremendous impact on the economy, and my hopes were realized. Hundreds of thousands of new jobs were created in the communications sector in the first four years after passage of the Act, and this sector has been a major contributor to the nation’s real economic growth since the Act’s passage.

The blueprint of the 1996 Act provided industry and the markets the necessary certainty to foster and encourage investment in the telecommunications sector. This investment has occurred despite significant delays in the Act’s implementation on the part of the FCC, and more disturbingly, delays related to the litigation of the Act in the courts. I am encouraged by the birth and growth of the competitive local telecommunications industry. Furthermore, I am pleased that two of the regional Bell companies satisfied the checklist required by section 271 of the Act in several states, thus indicating that these states are fully open to local competition. By opening these particular markets fully to local competition, these Bell companies are now able to offer long distance service in these states.

While I am pleased with these positive developments since the passage of the ’96 Act, I believe it is time to review the ’96 Act to determine whether it needs to be modified to fully achieve its purpose. While competition in many sectors of the telecommunications industry has undoubtedly increased, I believe that the Congress should consider how to create additional incentives for increased competition in those sectors of the telecommunications industry which remain dominated by a small number of competitors.

While we have seen the new competitive companies emerging in the marketplace with a particular focus on business clients, perhaps there are measures which would make it more attractive to these new companies to aggressively pursue the market for local service to consumers’ homes. Al-

though a few states are now fully open to local competition pursuant to the ’96 Act’s conditions, we need to do more to make it attractive for additional markets to be opened, especially rural markets. Additional inducements may be necessary to speed the process of opening more and more states for local competition, as it appears the promise of allowing the incumbent local carriers to enter the long distance service market may not be a sufficient motivating factor in many states.

I am also concerned, however, that there are significant deficiencies in the enforcement of the ’96 Act. While there were encouraging developments in the telecommunications industry resulting from the passage of the Act, I have serious concerns about the health of the new competitive local telecommunications industry and a perception that true competition for incumbent local carriers has not been achieved due to such enforcement failures. For this reason, I believe that the 107th Congress should look closely at these enforcement issues, with a view towards possible tweaks that may be necessary to ensure full implementation of the Act as it was originally envisioned.

I was a strong supporter and key sponsor of the ’96 Telecom Act, and I believe that its principles remain relevant and solid. However, a bit of fine-tuning may be in order as we learn from our experiences under the first five years of the Act and look forward to a telecommunications sector which thrives under additional competition, innovation, and consumer choice in the years to come.

FLUNKING AMERICAN HISTORY

Mr. BYRD. Mr. President, every February our Nation celebrates the birth of two of our most revered presidents—George Washington, the father of our Nation, who victoriously led his ill-fitted assembly of militiamen against the armies of King George, and Abraham Lincoln, the eternal martyr of freedom, whose powerful voice and iron will shepherded a divided Nation toward a more perfect Union. Sadly, I fear that many of our Nation’s school children may never fully appreciate the lives and accomplishments of these two American giants of history. They have been robbed of that appreciation—robbed by a school system that no longer stresses a knowledge of American history. In fact, study after study has shown that many of the true meanings of our Nation’s grand celebrations of patriotism—such as Memorial Day or the Fourth of July—are lost on the majority of young Americans. What a waste. What a shame.

In 1994, the National Assessment of Educational Progress assessed fourth, eighth, and twelfth-grade students’ knowledge of U.S. history. The results