The ACTING PRESIDENT pro tempore of the Senate, Mrs. FEINSTEIN, called the Senate to order at 1:04 p.m., recessed until 1:16 p.m., and resumed at 1:18 p.m.

VISIT TO THE SENATE BY MEMBERS OF THE DUKE UNIVERSITY MEN’S NCAA CHAMPIONSHIP BASKETBALL TEAM

Mr. HELMS. Madam President, pursuant to the permission given me by the majority leader, and with the agreement of the minority leader, it is my honor to invite the Duke University basketball team, the NCAA champions of this year, along with the wives of those who have wives, and the coaches and their wives, to come to the Senate floor.

RECESS

Mr. HELMS. Madam President, I ask unanimous consent that the Senate stand in recess for no more than 12 minutes.

There being no objection, the Senate, at 1:18 p.m., recessed until 1:30 p.m., and reassembled when called to order by the Presiding Officer (Mrs. FEINSTEIN).

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

EDUCATION

Mr. GREGG. Madam President, I wish to speak in morning business on the issue of education, which the Senate will take up over the next few weeks. There has been a considerable amount of discussion on this issue within the Senate membership but even more discussion within the populace in general. The President ran for election on the issue of education and how he intended to address that issue. In fact, he considered this to be the primary issue before us as a nation—the fact that he wants an educational system which leaves no child behind.

This is a goal that is laudable and which all of us should pursue. So the matter is now coming to the Senate. We have in the committee on which I serve—the Health, Education, Labor, and Pensions Committee—been able to produce a bill which came out of committee 20-0, a bipartisan bill, to try to move the issue of education along in a positive way—the Federal policy on education.

There is still much to do and, therefore, as we in this body take up the debate on the education policy during this week, there will be a considerable discussion of points that were left out of the bill as it came out of committee. I think it is important to note, as we address the issue of education, that the Federal role in education is narrow. Most elementary and secondary education issues are addressed at the local level.

Madam President, the Duke University basketball team is a group of young men who reflect the type of athletes, sportsmen, and good citizens to which citizens of this Nation should aspire. I congratulate the leadership of Duke University for producing a basketball program that excels not only in athletic ability but as a role model for our youth and our Nation.

It is very appropriate that before an education speech I should have the opportunity to meet these fine young men who set such a good example for kids across America.

The majority of funds that are spent on education is available at the local level. Approximately 93 percent of the funding for elementary and secondary school education comes from the local school districts or the States.

The Federal role in elementary and secondary school education is really quite narrow and is focused on two basic themes: One, making sure, for kids with special needs, special ed programs are funded; and two, making sure that children who come from low-income families have an equal opportunity to succeed as children who come from families who are better off.

For the last 25 years, we have pursued both these goals: special education and the education of low-income children. Unfortunately, both of these Federal programs have fairly significant flaws.

In the special education area, the Federal Government has failed to live up to the obligation of providing the full share of special education. Originally, the Federal Government said it would pick up 40 percent of the cost of special education. Unfortunately, as of 4 years ago, the Federal Government was only picking up 6 percent of the cost.

Due to a concerted effort by myself, quite honestly, and a number of others on our side of the aisle, the majority leader, chairman of the Appropriations subcommittee, Chairman SPECTER, and chairman of the Health, Education, Labor, and Pensions Committee, Chairman JEFFORDS, we took on the issue of funding special education. We have dramatically increased funding—2 1⁄2 times the 1997 level. We are about to pass a level of funding that significantly improves the academic performance of those children who are on their IEPs. We have at least seen a marginal improvement in academic achievement. Today, and unfortunately, for a number of years, the Federal Government, especially the Congress, has believed it knows best how to educate the child in Cheyenne, WY, or Tuscaloosa, AL, or in Epping, NH. Even though we have never met the children—at least I haven’t met the ones in Cheyenne or Tuscaloosa—we know best how to educate them, so we have attached innumerable strings to the dollars we have allocated for the purpose of helping the low-income children get better educated. We have had program after program that has been categorical; it specifically says what the money should
be spent for, who gets it, when they get it, and where they get it.

The first proposal is that it be child centered. The second proposal is that the money be flexible.

The third proposal is, in exchange for this new flexibility, in exchange for getting the money with very few strings attached, we are going to ask for one thing. We are going to ask that the children learn, that they have academic achievement levels which reach and exceed, hopefully, their peers, that low-income kids are not left behind in the academic world. That is what we will ask. Instead of controlling all the input and instead of controlling the way the money goes in and how it is spent, you can take the money, but in exchange for taking the money, you have to make sure the children learn; you have to make them academically capable of competing in the world so they have a prosperous life. Academic achievement is what we are going to request.

The fourth item is an accountability system so we can be assured that there is academic achievement. We are no longer going to allow a system to take the low-income child, and especially the minority child, merge them with a peer group of children in the classroom, have the group achieve an average score that is acceptable, and say everybody in that classroom is learning. We know that by not doing it that way you end up with a lot of problems being masked by the majority. So we are going to require disaggregation. We are going to say for different ethnic groups, different income groups, different racial groups, different income groups, explain whether or note there learning along with the whole group in the classroom.

We are going to put in place a testing regime developed at the local level, designed at the local level, which simply says, OK, local school system, decide what a third grader should know, what a fifth grader know, what a sixth grader should know. Once you decide what that third, fifth, or sixth grader should know in math or English, then make sure the kids actually know that. We are not going to tell them what they should know; we are not going to tell them what the standard should be. We are going to say, after you set the standards, we will expect all the kids in that classroom to achieve at the level that meets that standard.

That is the system being proposed—four new proposals, four new concepts which merge together to, hopefully, create a system where no child will be left behind: One, that it is child centered approach to how ensure that by three, that there is academic achievement; and four, that there is accountability.

As we move forward with the debate on this bill, there are going to be a lot of questions as to how we accomplish those goals. The jury is still out. There are ways this bill could be amended on this floor which would make it hard for me to support, although it came out of the committee some good intentions, I believe. There is a desire to reach a bipartisan agreement and move it forward. That is reflected not only in the committee bill but in the fact that over the last month we have been negotiating, in a very conscientious effort, to reach agreement on some of the more difficult issues of policy and the most difficult issue of money.

As we go forward in this debate, I hope we understand that we are not going to be able to change the educational system for everyone in this country. That is not our role. It is the local school district and the States that control local education, primarily. We do have an obligation to do a much better job for low-income kids. We have extended into this issue. We have spent $120 billion of American tax-payers’ hard-earned income, and we have produced very weak results.

It is time for a change. It is time to recognize that we need to take a different approach to how we accomplish those goals. The low-income child is not left behind. So we have come up with some creative ideas, and we are going to try to pass them. We are going to try to pass them in a bipartisan way. Then we are going to hope they will be used in the system to produce a much better result for a large percentage of our students who, up until now, have been left behind.

Madam President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition? The Senator from Wyoming is recognized.

Mr. THOMAS. Madam President, I appreciate the comments of the Senator from New Hampshire. Certainly no one in the Senate is more knowledgeable than he about the bill, about the funding, and about the opportunities we have to strengthen education in this country.

This week, as was mentioned, we are going to take up, hopefully, common-sense reform. It means increasing accountability for student performance. It means supporting programs that work, reducing bureaucracy, increasing flexibility, and empowering parents. I think these are the goals we seek to attain. Certainly all of us have to establish goals, to establish where we want to be, and then, as the details come forth, see if indeed what we are proposing to do leads us towards the accomplishment of those goals. I think that is where we are.

When we talk to people about the issue of learning in school, certainly education is always at the top of the list. In general terms, I want to share a little bit of my view of what we ought to be talking about. It seems to me that America stands at the dawn of a new century, a shining moment of opportunity certainly for all of us, a moment of hope that our families can, more fully than in the past, achieve the American dream. We dream of peace and continued prosperity in a world where every nation looks to America for leadership. We are challenged to develop new technologies that will improve our lives and find medical breakthroughs to cure cancer and AIDS and Alzheimer’s.

If America is to fulfill its dreams in a new century, we cannot forget that tomorrow’s leaders, tomorrow’s Nobel prize winners, are sitting in the classroom today. We must ask ourselves, do we have a first-class public education system that teaches our children how to think and how to succeed in this new century?

Average is not good enough. That is why I am committed to helping parents, teachers, and local leaders build a foundation of excellence and opportunity for every child. That means making sure all children have the best teachers, can learn in safe schools, and they can learn right from wrong in addition to the ABCs.

Fifty years ago, the principal obstacles to learning in schools were talking out of turn or chewing gum in class. Today—just turn on the news—it is violence; it is drug abuse; it is teenage pregnancy. Our test scores, as compared to those of children in other countries, are still too low. The achievement gap between poor and middle-income students is still too wide. Too many students do not read at their own grade level or meet minimum standards in math or science. Too many students are unfairly promoted and fall further and further behind. Too many enter college unprepared and have to take remedial courses to improve their basic skills. That is wrong.
It does not have to be that way. Republicans at every level—Congress, governors, local officials—are committed to helping children learn and to build better, safer schools for a new century.

Education is first, last, and always, of course, about children. Success is defined by how much our children learn. We must make sure parents, teachers, and local leaders have the power to use Federal dollars as they are needed to meet our children’s most important needs. Those closest to the classroom, of course, know better than bureaucrats in Washington what the students need, be it more teachers, math and reading tutors, better textbooks, or new classrooms and computers.

I just returned from Wyoming and have been again reminded of the difference the most red tape can make. Sundance, WY, to Pittsburgh, PA. We ought to have the flexibility to do what needs to be done in that community to make education the most effective. Who cares more about children’s future, parents or bureaucrats? Our children’s future should not be limited by what seems right in Washington, DC but what is wrong with the schools they attend.

We are spending more money. Republicans are for spending more money on education than the President has requested. The issue, as pointed out by my friend from New Hampshire, is who sets the priorities. We are for more construction, putting more teachers in schools, putting more computers into schools, but we believe State and local administrators, working with parents, ought to decide on how to prioritize those issues based on their needs.

The Senate will begin debate, probably tomorrow, on the Education Opportunity Scholarship Bill which I hope we will certainly take full advantage of. As I mentioned before, the Republican plan puts more money in education than the President asked for. But money alone does not provide a positive impact. Why should such great dollars actually get where they can be spent and where they can be effective, with the fewest possible strings attached?

We need more innovators and fewer bureaucrats. Stop and think back to your own education. Each of us can remember at least one teacher who made a positive difference in our lives, a positive impact. Why should such great teachers be rare?

Our children deserve the best teachers, teachers who are qualified, teachers who are experts in the subjects they teach. Local officials should be able to set higher teacher standards and reward the best teachers with more pay.

I want not only the best teachers but also the best schools. I am sure you do as well. To achieve that goal we must cut the red tape that obstructs accountability. Unfortunately, reports show the schools in the District are not what we would like them to be. Madam President, 75 percent of fourth graders can barely read. Only 5 percent of eighth graders do eighth grade work in math and science. Forty percent of all high school students drop out before they graduate. That is not good. That is not good at all.

Just this year, the superintendent announced there were 70,762 students in the District—the first time, apparently, they have known the total. We need to change that.

No child should be trapped in an education system that is unworkable. Parents have the right to choose the best public school for their child. Students should have the opportunity for scholarships that allow them to escape failing schools. Schools that fail year after year and refuse to change must be overhauled from top to bottom. Administrators who are incompetent and new teachers should be hired. It is wrong to do anything less.

We must, of course, do more to make sure our schools do not fail a different kind of test—providing for a safe learning environment. We should empower teachers and principals to remove dangerous students from the classroom. They cannot be allowed to keep other children from learning. Local officials must have the power to put troubled students in classrooms where they can get the attention they need when they need it. None of us want any child to fall through the cracks.

We must demand that our schools be safe and drug free. For those young people who refuse to change or endanger the lives of their classmates or teachers, we need to get tough. If they refuse to change, they must be punished. If they can only learn one lesson, it must be that society’s laws mean something.

It is a Federal crime to bring a gun to school. In 1998, more than 6,000 students were expelled for bringing firearms to school, but the Clinton-Gore administration only prosecuted 8 students—8. What kind of signal does that send?

We should not tolerate one more school shooting. When our society gets used to it, our society is finished. We all had an exposure to this just last week with the anniversary of Columbine, and it affected all our schools and affected the kids who were there.

Certainly there is one more thing that ought to be mentioned—it is probably the most important factor in determining a child’s success in school—and that is parents. We are the child’s first and most important teachers. The most difficult truth is that the reason our schools are failing, sometimes, is because a lot of families are failing to do their part. Teachers are there to teach. They are not there to raise our children. We must look first at the education of our children. We must also look at what the Federal Government vis-a-vis State and local. We will talk about where money ought to go and what ought to be required in terms of accountability. Indeed, we should. But to really know, we should pause for a while and ask: What do we want the outcome to be? What is it that we visualize for ourselves and our family and our community? What do we think education ought to be?

We have a responsibility as parents particularly in terms of determining how that can be accomplished. The role I think for the Federal Government is to help provide some additional funding—be it a relatively small percentage. I think it is important we have some kind of testing that is common throughout the country. We need to know our kids move around when they graduate from college or high school. We need to ensure our schools in Casper, WY, are the same as well as they are in Denver or Los Angeles. That is part of today’s world.

I think we have a great opportunity now for better education, and one of which I hope we will certainly take full advantage. As I mentioned before, the Republican plan puts more money in education than the President asked for. But money alone does not provide a good education. I don’t think you can have good education without it, but there are other requirements as well.

You have to have some accountability and much more.

I am delighted and excited about the opportunity to deal with this bill, S. 1. Why? Because it was considered to be the most important issue before the Congress. This was the issue that the President talked more about than any other and it is the issue that has more to do with the future of this country. The people run the Government. The people must be prepared to do that as
well as being successful in a free country and a free market.

Thank you, Madam President. I suggest the adoption of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. Nelson of Florida). Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, it is good to be back in the Chamber. I don’t think we are going to take all of the 4 hours, from what I understand, unless somebody wants to join us. I have two unanimous consent requests, both of which the Senator from North Dakota is aware, and then I will proceed with a few remarks. It won’t be much. Then I will yield, unless he prompts me to give a 2-hour speech, and we will be out.

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEARS 2001—2011—Resumed

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order of April 6 with respect to conferences to the budget resolution be modified to add Senator Bond and Senator Murray.

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

Mr. DOMENICI. Mr. President, pursuant to the agreement of April 6, I now move that with respect to H. Con. Res. 83, the budget resolution, the Senate insist on its amendment, request a conference with the House on the disagreeing votes thereon, and the Chair be authorized to appoint conferences on the part of the Senate.

The PRESIDING OFFICER. There are now 4 hours of debate on that motion.

Mr. DOMENICI. Mr. President, I don’t know why we need 4 hours. If any Senator wants to speak to the issue, the appointment of conferences and sending the completed package which we voted on, 65 Senators voted aye on, to the House and seeking a conference agreement with them, that is why we are here.

I understand that under the previous order, we are going to take up H. Con. Res. 83 and that either this Senator or the majority leader will be recognized to make a motion that we insist on an amendment—we have just done that—request a conference, which we have done, on the disagreeing votes and the Chair be authorized to appoint conferences on the part of the Senate. We have done that.

We now have 4 hours, which have been agreed to, to debate this issue. I don’t intend to even come close to spending 2 hours on this matter. To anyone on my side of the aisle, if they want to speak, I will be here for a while, as long as my ranking member wants me here to virtue of his speaking. If any Republican wants time, I will give it to them. If we run out of time, I will give some of his people some of my time.

Any time I may have, I will reserve at this time. Essentially, I don’t need very much of it.

Now we are in the process of proceeding to conference on two budget resolutions. We begin that process with the appointment of conferees in the Senate. The House has not done that yet. They will appoint their conferees tomorrow. It is my hope that the conference can meet as soon as the House has appointed its conferees, maybe as early as Wednesday.

Over to the majority leader of the two staffs of the Budget Committee on the majority side have been meeting to organize the materials for conference, to lay out any technical differences that can be resolved quickly by the conferees, and to highlight the major differences between the two resolutions. I am sure that information will be shared, and wherever the minority thinks there should be matters changed, added to, or in any way described differently, obviously, we will take that into consideration.

I don’t think there are very many big secrets about the differences in the two resolutions. The House budget resolution sticks fairly closely to President Bush’s budget submission that was submitted in some detail over the recession period. Everyone knows that over the recession, April 15 came and went, with the American public paying their taxes, with the few exceptions being those who get extensions. Taxes are at an all-time high. The total of collections by the U.S. Government. The House budget resolution assumes a tax cut over the next 11 years of over $1.6 trillion.

The Senate-passed budget resolution assumes a tax cut of nearly $1.3 trillion over the next 11 years, including this year’s $85 billion surplus rebate, or, in some way, a refunding of $5.2, which should be implemented quickly to provide both a stimulus to the economy as well as lower the marginal tax rates, reductions and whatever else can be accomplished by the Finance Committee within the agreed-upon tax number.

It is fair to say that the Senate-passed budget resolution provided for more spending than the House-passed resolution, both in the annually appropriated and in the accounts sometimes referred to as mandatory spending, or sometimes referred to as entitlement spending.

In the area of appropriated accounts, the Senate-passed budget resolution provided nearly $688 billion in budget authority, or an 8.3-percent increase over current year funding. The House-passed budget resolution was at the President’s request of about $661 billion.

When I use these two numbers, 688 and 661, the 661 is the President’s 4-percent increase. That increase is in the totality of Defense appropriations and nondefense appropriations. And so is the $888 billion, in which the Senate approved the 8.3 percent. That includes Defense and nondefense.

While the increase or changes in the annually appropriated accounts have received the bulk of the attention in this debate so far, I need to highlight the fact that the Senate-passed budget resolution significantly increased spending for programs we refer to as mandatory spending, compared to the resolution which I introduced and upon which we commenced our debate, and that is before it was amended. We have added nearly $400 billion in so-called mandatory spending, almost all of this in the area of some kind of educational funding, principally funding for special education, which I think almost every dollar we added back for mandatory spending we took away from the President’s proposed tax cuts. It should be obvious that the major challenge before the conference will be to find a compromise in both the areas of tax cuts and spending.

I don’t think it requires a great deal of budget or political skill to figure out that an obvious compromise for the House is to reduce its tax cuts and increase its spending assumptions, and the Senate to increase its tax cuts and reduce its spending assumptions.

Finding that balance will indeed be a challenge, but I am confident that within a week or so we will reach an agreement that meets the challenges of drafting a budget blueprint that will allow us to get on with putting together and implementing legislation to provide a tax cut. There will be plenty of time to argue and debate what kind of tax cut and what will be affected and how soon.

Obviously, we need to consider the reduction of debt held by the public and fund national priorities such as health care, Medicare prescription drugs, energy security needs, defense, and environmental programs.

Mr. President, at the appropriate time, as I said before, I will yield back the remainder of my time. I yield the floor at this point.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I thank my colleague, the chairman of the Senate Budget Committee. I think neither of us believes we need 4 hours for this discussion. In fact, we need a relatively brief period of time on our side. I just want to highlight through that, the provisions that were made in the Senate in contrast to what President Bush proposed and in contrast to what we proposed on our side, just to put in some perspective.