

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

The assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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 have invited 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 1:04, recessed until 1:16 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 strive. 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 we 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 are controlled 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 funding 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—2½ times. We are now up to funding, if we accept the President's budget, almost 20 percent of the needs of special education. In fact, President Bush has proposed the single largest increase in special education funding ever proposed by a President in the history of this country. At least we are trying to address that issue.

The bill that will come to the floor later this week addresses the needs of

kids from lower income families. In this area, regrettably, although the Federal Government has chosen to step on the ground in its responsibility, it has done a poor job of pursuing this responsibility.

This program was begun 35 years ago. It is called title I. It helps kids with lower incomes get the same education as their peers. We have spent \$120 billion on this program over its life. The vast majority of the spending has occurred since 1990. What have been the results? The results have been that the educational achievement of low-income kids has actually gone down or, at best, has remained stagnant. The average fourth grader today from a low-income family reads at two grade levels lower than his or her peers in that same classroom. The graduation rate, the dropout rate, and the level of academic ability of kids from low-income families in each grade level have been falling back. We have left a lot of children behind even though we spent \$120 billion.

We have proved unalterably that money cannot solve the problem. If it could solve the problem, it would have significantly improved or we could have at least seen a marginal improvement in academic achievement.

The President of the United States, President Bush, came into office saying he would change this. He has put forward a series of proposals, the purpose of which is to fundamentally adjust the Federal role as we pursue the improvement of education of low-income kids. It has four basic themes:

First, we will change the Federal role so we don't focus on the bureaucracy; we don't focus on the structure; we don't focus on the administration; rather, we focus on the child. That may seem logical. One may ask, aren't we already doing that? No, the money today does not flow to the child. The money flows to the school system and the bureaucracy. The President said let's look at the child and make our program child centered.

The second thing stressed by this administration and by those on this side of the aisle is, let's give the local school districts, the parents, the teachers, and the principals, flexibility when they get Federal funds.

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 Epping, NH, or Tuscaloosa, AL, or in Cheyenne, WY. 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 sent out 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 amount of bureaucracy behind the Federal dollars is absolutely staggering. Some States spend almost two-thirds of their time complying with Federal regulations, which represents 7 percent of their actual spending. As a result, we have created a bureaucratic maze of disproportionate complexity. We have strings running out from the desks that intertwine, and we are pulling the strings as they attach to the people who try to teach the kids in the local school districts. The President has said: Let's cut the strings. We have said on this side: Let's cut those strings. Send the money back to the local school districts. Acknowledge the fact that parents, teachers, and principals have as much or more knowledge of how to educate the local child in their school system than we do. Let's give them credibility for being concerned about their kids—something this Congress over the years has not been willing to acknowledge. The money will come back in a flexible form. That is a proposal the President has suggested.

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, we will say, 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 racial groups, different income groups, explain whether or not those kids are learning, along with the whole group in the classroom.

We are going to put in place a testing regime developed at the local level, de-

signed at the local level, which simply says, OK, local school system, decide what a third grader should know, what a fifth grader should 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; two, that there is flexibility; 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 major issues 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 20-0. But there is good intention, 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 taxpayers' 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 help ensure that 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 issues in Washington, 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 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 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 help 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 in the needs from 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 Opportunities Act, a bill which returns more money, more power, and more flexibility to States and local officials so they can set the educational priorities that are right for their students.

As you know, the vast majority of money for our schools comes from the State and local governments. The Federal Government provides only about 6 percent of all elementary and secondary education funds. Yet these Federal dollars require more paperwork and carry the most red tape.

I hear about this often. My wife is a special education teacher in a public high school. Special ed teachers spend more time on forms than they really should have to, almost as much as they do dealing with kids. That is wrong. That ought to be changed.

Washington has created a system that wastes about 35 cents out of every dollar in bureaucracy. That is money that never reaches the classroom. Recently in the newspapers we read about hundreds of millions of dollars that were unaccounted for, that didn't reach the classroom to help kids. Congress needs to work to make sure the Fed-

eral 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 high 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 hold schools and school districts accountable. 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 should be changed 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 special 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 cannot expect them to be the best teachers they can be unless they have the support of mom and dad.

Nothing is more important to us than education. It is hard to determine sometimes—and we will argue about it at great length—the role of 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 as most of our kids move around when they graduate from college or high school. We need to ensure our schools in Casper, WY, are preparing students 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 absence 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 conferees 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 conferees 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 conferees 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 conferees 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 to be here by 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 the recess 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 recess period. Everyone knows that over the recess, 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 in terms of 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 85.2, which should be implemented quickly to provide both a stimulus to the economy as well as longer term marginal tax rate 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 \$688 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.

Again, 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 go through the decisions 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