

SENATE—Tuesday, May 15, 2001

The Senate met at 10:32 a.m. and was called to order by the Honorable BILL FRIST, a Senator from the State of Tennessee.

PRAYER

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

Holy Father, we join with Americans across our land in the celebration of National Police Week. We gratefully remember those who lost their lives in the line of duty. Particularly, we honor the memory of our own officers in the United States Capitol Police: Sergeant Christopher Eney on August 24, 1984, Officer Jacob Chestnut and Detective John W. Gibson on July 24, 1998. Thank You for their valor and heroism. Continue to bless their families as they endure the loss of these fine men.

May this be a time for all of us in the Senate family to express our profound appreciation for all of the police officers and detectives who serve here in the Senate. They do so much to maintain safety and order, knowing that, at any moment, their lives may be in danger. Help us to put our gratitude into words and actions of affirmation. May we take no one for granted.

Now we dedicate this day to You. Bless the Senators as they confront issues with Your divinely endowed wisdom and vision. Through our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BILL FRIST led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 15, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BILL FRIST, a Senator from the State of Tennessee, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. ENSIGN. Mr. President, today the Senate will immediately resume consideration of the Murray amendment regarding class size. Under the order, there will be 2 hours of debate on the amendment prior to the 12:30 recess. When the Senate reconvenes at 2:15 p.m., there will be 5 minutes for final remarks on the Murray amendment with a vote to occur at 2:20 p.m. Following the vote, the Senate will continue consideration of amendments to the education bill. Rollcall votes are expected throughout the day.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

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

BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 1, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Kennedy (for Murray) amendment No. 378 (to amendment No. 358), to provide for class size reduction programs.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Biden amendment No. 386 (to amendment No. 358), to establish school-based partnerships between local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Voinovich amendment No. 389 (to amendment No. 358), to modify provisions relating to State applications and plans and school improvement to provide for the input of the Governor of the State involved.

Carnahan amendment No. 374 (to amendment No. 358), to improve the quality of education in our Nation's classrooms.

Reed amendment No. 425 (to amendment No. 358), to revise provisions regarding the Reading First Program.

Leahy (for Hatch) amendment No. 424 (to amendment No. 358), to provide for the establishment of additional Boys and Girls Clubs of America.

Helms amendment No. 574 (to amendment No. 358), to prohibit the use of Federal funds by any State or local educational agency or school that discriminates against the Boy Scouts of America in providing equal access to school premises or facilities.

Helms amendment No. 648 (to amendment No. 574), in the nature of a substitute.

Dorgan amendment No. 640 (to amendment No. 358), expressing the sense of the Senate that there should be established a joint committee of the Senate and House of Representatives to investigate the rapidly increasing energy prices across the country and to determine what is causing the increases.

Wellstone/Feingold amendment No. 465 (to amendment No. 358), to improve the provisions relating to assessment completion bonuses.

Voinovich amendment No. 443 (to amendment No. 358), to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

The PRESIDING OFFICER (Mr. ENSIGN). Under the previous order, the Senate will now resume consideration of the Murray amendment No. 378 under which there will be 120 minutes equally divided.

Who yields time?

The Senator from Washington.

Mr. FRIST. Mr. President, I would like to yield myself about 15 minutes. It can go either way.

Mrs. MURRAY. If the Senator from Tennessee wants to begin, that is OK. I will go after the Senator finishes.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

AMENDMENT NO. 378

Mr. FRIST. Mr. President, I yield myself 15 minutes.

I rise to speak to the underlying amendment about which we will be talking over the course of the morning and on which we will be voting on this afternoon shortly after 2 o'clock. It is a very important amendment, one which we talked about over the last several days—in fact, into last week—an amendment that deserves this time, that deserves the debate, that deserves the discussion that has been put forth.

I say that because it really does strike, I believe, at a fundamental principle that distinguishes much of the debate around education today. It strikes right at the heart of an understanding of what is in the underlying bill as well as in the amendment which is being proposed to that bill.

The principle is one of freedom, and we feel very strongly that local communities, local needs, must dictate what we do here in Washington, through our Federal legislation. We feel strongly that Washington must